

WORKING GROUP ON LIMITING THE GROWTH IN CAPACITY OF THE PURSE-SEINE FLEET IN THE EASTERN PACIFIC OCEAN

1st Meeting, 3-4 September, 1998

La Jolla, California, USA

CHAIRMAN'S REPORT

1. Opening of the meeting

At the 61st Meeting of the Inter-American Tropical Tuna Commission (IATTC), held in June 1998, it was agreed that a working group should be convened to make further studies regarding limiting the growth in capacity of the purse-seine fleet in the eastern Pacific Ocean (EPO). Representatives from Colombia, Costa Rica, Ecuador, the European Union (EU), Japan, Mexico, Spain, the United States, Vanuatu, and Venezuela met in La Jolla on September 3-4, 1998, to fulfill that mandate.

The meeting was called to order by the Chairman of the IATTC, Biol. Harold Müller-Gelinek Icaza, at 9:45 a.m. on September 3. He called on the heads of the delegations to introduce themselves and the members of their delegations. A list of attendees is attached as Annex 1.

Dr. Müller asked for comments on the provisional agenda. There being none, it was approved as presented (Annex 2). He then called for nominations for Chairman. Mexico proposed that Dr. James Joseph chair the meeting; the motion was seconded by Venezuela, and supported by all delegations.

2. Background information

Dr. Joseph stated that a Chairman's report on the activities of the working group would be prepared for the 62nd Meeting of the IATTC in October 1998. As background to the present meeting, he recalled the difficult times that the fishery went through during the 1970s, when the fleet capacity grew rapidly and the yellowfin stock was overfished. Consequently, much of the fleet transferred to the western Pacific Ocean or had to remain in port, and the reduced fishing effort then made it possible for the resource to recover. Currently the capacity of the fleet is once again growing.

Dr. Joseph provided a brief introduction to the documents prepared for the meeting. Background Paper 1 discussed general issues relating to excess capacity, and provided data that could be used in examining possible options for limiting fleet size: catches and landings, carrying capacities and numbers of purse-seine vessels in the fleet, estimated catches within each country's zone of national jurisdiction, and demographic data. Background Paper 2 provided a forecast of what might happen to catches of yellowfin, skipjack, and bigeye tuna with various levels of fishing mortality.

3. Discussion on limiting growth of fleet capacity

It was noted that, as the resolution creating the working group dealt with both interim and long-term measures, the group should first establish interim measures, and then develop measures for the long term. The representative from Venezuela stated that he agreed to establishing control measures for the interim, which could be one year, and that other issues, such as the case of Costa Rica, which currently has no fleet operating in the EPO but will not renounce its rights as a coastal nation, should be taken into account when developing measures for the long term.

The representative of Ecuador said that the estimates of capacity of the national fleets had increased since the IATTC meeting in June 1998. Furthermore, the total capacity could grow further, as coastal states which do not currently have fleets operating in the EPO may wish to have fleets in future. He proposed that the group reconsider Ecuador's original proposal to implement a moratorium on capacity.

The representative of the United States stated that historically his nation has had a large fleet involved in the fishery, and has always supported the IATTC's conservation programs. Currently the majority of the U.S. fleet now fishes in the western Pacific Ocean. However, the owners of the vessels wished to maintain the possibility of fishing in the EPO for short periods.

The representative of Colombia repeated the position stated by its delegation during the 61st IATTC meeting. She said that any restriction that affected the growth and development of the Colombian tuna industry goes against the traditional regional cooperation. She reaffirmed that Colombia is still at an initial stage in developing a tuna industry in keeping with the resource in its territorial waters, its EEZ and beyond.

The Chairman pointed out that the fleet currently fishing in the EPO was already large enough to exploit the resource fully, and that the fishing effort needed to be kept between 22,000 and 24,000 days. He also said that it is important to remember that limiting the fleet capacity alone will not ensure the conservation of the stocks: other methods, such as limiting catches, may be used in conjunction with capacity limits.

The representative of the United States presented a draft proposal limiting the total capacity of existing national fleets and providing for later allocations for other coastal countries, which could be based on a variety of factors, including catches of national fleets during the 1985-1998 period, the amount of catch historically taken within the zones of their sovereignty or national jurisdiction, landings of tuna in each nation, national contribution to the IATTC conservation program, including the reduction of dolphin mortality, and that state's rights under international law. The proposal also provided that any vessel which spent less than 90 days fishing in the EPO in any one year have only one quarter of its carrying capacity counted when determining the national levels.

The proposal to list limits only for countries with existing fleets was not acceptable to the representative from Costa Rica. The representative of the EU suggested that regional economic integration organizations be included in the text of the proposal. The representative of Colombia stated that Colombia's current fleet capacity did not reflect the future potential of its fleet and industry. Currently Colombia has a fleet operating in the EPO, and there are serious intentions of increasing that fleet. He considered a realistic limit for Colombia's capacity would be 12,000 metric tons.

There was general agreement to modify the proposal by adding a limit for Costa Rica.

A revised draft agreement was prepared. This included a limit for Costa Rica and a revised paragraph, which provided that 32 U.S. vessels would not be counted in the aggregate capacity if they spent less than 90 days fishing in the EPO in any calendar year. The majority of delegations agreed to this, and the revised agreement is attached as Annex 3. The Chairman stated that Colombia's request for an increase in its fleet capacity should be addressed when the working group reports to the IATTC meeting in October. The Colombian representative asked that it be noted that the working group did not accede to his request for a 12,000-metric ton limit and that Colombia would have to reserve its position.

The representative of Spain submitted an alternative proposal for the paragraph exempting vessels which spent less than 90 days in the EPO which avoided granting a privilege exclusively to U.S. vessels. The Venezuelan representative opposed modifying the paragraph, because it was an exception granted only to the United States considering the circumstances of its fleet, and only for the period of the present

agreement. The representative of Spain asked that his objection and his proposal be noted in the Chairman's report (Annex 4).

The representative of Costa Rica suggested that the last sentence of Paragraph 2 be modified to read "... have agreed to move towards this level of fishing capacity by restricting the size of their fleets **or of the fleets chartered to unload in their national plants** fishing in the EPO in accordance with the following limits:..." The proposal was not supported by other members of the group, who maintained that there was a need to have all vessels which comprised a national limit under the jurisdiction of that country. However, they believed that the draft agreement provided sufficient flexibility to include vessels flying other flags within a national capacity limit. The Chairman said that, while the modification was not adopted, it would be noted in his report.

4. Other business

The representative of the EU reiterated its interest in having a protocol to allow the European Community to adhere to the Convention discussed at the Commission meeting in October. He distributed as background information documents declaring the European Community's competence in respect of two other fisheries agreements.

The representative of Ecuador said that the resolutions of the Commission should address not only the purse-seine fishery but also the other fisheries in the EPO, including the longline fishery. He noted that the resolutions of the IATTC should be binding on all its members, and recalled a previous suggestion by the Ecuadorian delegation that a limit of 2,000 tons carrying capacity be placed on purse-seine vessels in the EPO.

The Chairman suggested that participants should start thinking about the establishment of a committee on compliance at upcoming meetings.

The representative of Spain proposed that the following issues be addressed in future meetings: evaluation of time and area closures, reduction of discards or bycatch, and requiring Class-5 vessels to carry observers.

The representative of Colombia suggested that consideration be given to transferring the capacity of vessels that wish to change flag to the state to whose flag they are changing.

5. Time and place of next meeting

The Chairman noted that the working group was to report to the 62nd Meeting of the IATTC, to be held in La Jolla on October 15-16, 1998. He then thanked the delegates for their hard work, and adjourned the meeting at 9:25 p.m. on September 4.

Annex 1.

Inter-American Tropical Tuna Commission

**WORKING GROUP ON LIMITING THE GROWTH IN CAPACITY OF THE PURSE-
SEINE FLEET IN THE EASTERN PACIFIC OCEAN**

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ATTENDEES - ASISTENTES

COLOMBIA

CONSUELO PEDRAZA
CARLOS ARBELAEZ

COSTA RICA

HERBERT NANNE ECHANDI
GEORGE HEIGOLD
THOMAS GILMORE

ECUADOR

HAROLD MULLER-GELINECK
GUSTAVO GONZALEZ CABAL
LUIS TORRES NAVARRETE
CESAR ROHON HERVAS
MIGUEL MOLINA
JUAN FERNANDEZ
FERNANDO CORONEL
CARLOS CALERO CALDERON
LUIS E. GOMEZ
DIEGO MILETIC
FRANCISCO LEONE
WOLF HARTEN

ESPAÑA - SPAIN

CARLOS LARRAÑAGA GES
IGNACIO LACHAGA
GABRIEL SARRO
JUAN FERNANDEZ

EUROPEAN UNION – UNION EUROPEA

XAVIER VAZQUEZ

JAPAN - JAPON

SHINGO OTA

MEXICO

JERONIMO RAMOS PARDO
GUILLERMO COMPEAN JIMENEZ
SANTIAGO GOMEZ
JOSE VELAZQUEZ
RAUL PINEDA
ARMANDO GONZALEZ

UNITED STATES – ESTADOS UNIDOS

BRIAN HALLMAN
WILLIAM GIBBONS-FLY
WILLIAM HOGARTH
SVEIN FOUGNER
DAVID BURNEY

VANUATU

EDWARD WEISSMAN
ROBERT ALLEN
MARK MCAULIFFE

VENEZUELA

JEAN-FRANCOIS PULVENIS
SANTOS VALERO
HUGO ALSINA
JOHN CELAYA
MANUAL ELDUAYEN
LORENZO RAVAGO
LILO MANISCALCHI

Annex 2.

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AGENDA

1. Opening of the meeting
2. Election of Chairperson
3. Adoption of agenda
4. Background information
5. Discussion on limiting fleet size
6. Other business
7. Time and place of next meeting
8. Adjournment

Annex 3.

PROPOSED FLEET CAPACITY LIMITS

1. To address the potential problem of excess fishing capacity in the eastern Pacific Ocean (EPO), the governments agree to limit purse-seine fishing capacity in the EPO to a level which, when viewed in relation to other agreed management measures and projected and actual catch levels, will ensure that tuna fisheries in the region are conducted at a sustainable level.
2. Nations with vessels fishing for tuna in the EPO as of June 12, 1998, as well as nations without vessels currently fishing for tuna but with a long standing and significant interest in the EPO tuna fishery, taking into account a variety of factors, including the catch of national fleets during the period 1985-1998; the amount of catch historically taken within the zones of their sovereignty or national jurisdiction; the landings of tuna in each nation; the contribution of a nation to the IATTC conservation program, including the reduction of dolphin mortality; as well as other factors, have agreed to move towards this level of fishing capacity by regulating the size of their fleets fishing in the EPO in accordance with the following limits:

	Carrying capacity (metric tons)
Belize	2,577
Colombia	6,608
Costa Rica	6,000
Ecuador	32,203
Honduras	499
Mexico	49,500
Panamá	2,362
Spain	7,885
United States	8,969
Vanuatu	11,421
Venezuela	25,975

These limits provide for a total of 147,999 metric tons carrying capacity for nations with fleets currently fishing in the region.

The capacity limits established above shall not apply to a limit of 32 United States vessels authorized and licensed to fish in other areas of the Pacific Ocean under an alternative international fisheries management regime, and that may occasionally fish to the east of 150° west longitude, provided that: a) the fishing activity of any such vessels in the EPO is limited to a single trip not to exceed 90 days in one calendar year; b) the vessels do not possess a Dolphin Mortality Limit (DML); and c) the vessels carry an approved observer.

3. Specific fleet capacity levels other than those listed in paragraph 2, or corresponding to states with developing fleets or industries, shall be considered at such time as requested by any such state, taking into account the criteria established under paragraph 2 and the state's rights under international law.
4. The governments agree to review annually the level of actual fishing capacity in the EPO. The governments agree to consider measures to ensure that fishing capacity corresponds to the level of fishing capacity described in paragraph 1 above. At such time as the actual fishing capacity approaches a level where the sustainability of the fisheries is of concern, the governments agree to meet to consider immediate action to adjust capacity or to take other action to ensure the sustainability of the fisheries.

Annex 4

SPANISH ALTERNATIVE FOR PARAGRAPH 2

The capacity limits established in paragraph 2 above, corresponding to the vessels of the States listed there, shall not apply to vessels authorized and licensed to fish in other areas of the Pacific Ocean under an alternative international fisheries management regime, and that may occasionally fish to the east of 150° west longitude, provided that: *a)* the fishing activity of any such vessels in the EPO is limited to a single trip not to exceed 90 calendar days; *b)* the vessels do not possess a DML; and *c)* the vessels carry an approved observer. Currently, this exception applies to a maximum number of 32 US vessels.