



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 30 August 2012

13263/12

PECHE 314

NOTE

from: European Commission
dated: 27 August 2012

Subject: 83rd Meeting of the Inter-American Tropical Tuna Commission (IATTC)
(La Jolla, United States 25-29 June 2012)
- Notification of Conservation and Management measures adopted

Delegations will find attached a document from the Commission on the above-mentioned subject, submitted under a covering letter from Jordi AYET PUIGARNAU, Director, to Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union.

INTER-AMERICAN TROPICAL TUNA COMMISSION

83RD MEETING

La Jolla, California (USA)
25-29 June 2012

RESOLUTION C-12-01

**AMENDMENT TO RESOLUTION C-11-01 ON TUNA
CONSERVATION**

The Inter-American Tropical Tuna Commission (IATTC), gathered in La Jolla, California (USA), on the occasion of its 83rd 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;

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 2011-2013 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 IATTC 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 2011, 62 days in 2012, and 62 days in 2013. These closures shall be effected in one of two periods in each year as follows:
 - 2011 – 29 July to 28 September, or from 18 November to 18 January 2012.
 - 2012 – 29 July to 28 September, or from 18 November to 18 January 2013.
 - 2013 – 29 July to 28 September, or from 18 November to 18 January 2014.
4. Notwithstanding the provisions of paragraph 3, purse-seine vessels of IATTC capacity class 4 (be-

tween 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. 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 0000 hours on 29 September to 2400 hours on 29 October.

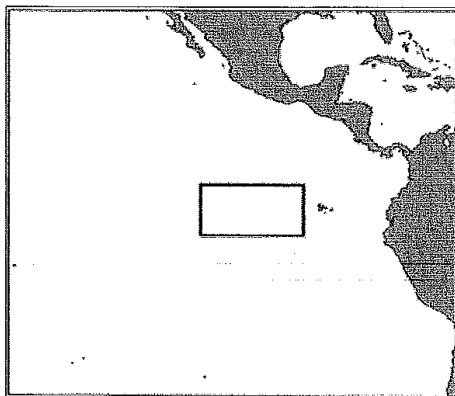


Figure 1. Closure area

6.
 - a. In each one of the years in which these measures are applicable, and for each one of the two 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 2011-2013, 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.
7.
 - a. Notwithstanding the provision of subparagraph 6a and 6b, a request by a CPC, on behalf of any of its vessels, for an exemption due to *force majeure*¹ 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, 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*.
 - 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.

¹ 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*

- 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, 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, 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

- 8. 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.
- 9. 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 2011-2013 do not exceed the following levels:

| Metric tons | 2011-2013 |
|----------------|-----------|
| China | 2,507 |
| Japan | 32,372 |
| Korea | 11,947 |
| Chinese Taipei | 7,555 |

- 10. For 2012 and 2013, 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.
- 11. All other CPCs undertake to ensure that the total annual catches of bigeye tuna by their longline vessels in the Convention Area during 2011-2013 do not exceed the greater of 500 metric tons or their respective catches of bigeye tuna in 2001^{2,3}. CPCs whose annual catches have exceeded 500 metric tons shall provide monthly catch reports to the Director. For 2012 and 2013, 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.

² 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.

³ 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.

12. 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.
13. Each CPC shall notify the Director, by 15 July of each year, of 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.
14. In order to evaluate progress towards the objectives of these measures, in 2012 and 2013 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.
15. The Director is requested to develop, 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 deployment of each FAD. 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 IATTC staff.
16. 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.
17. For 2012, 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. At its annual meeting in 2012, the IATTC will review the results of the program, including compliance, and decide whether to continue it.
18. 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.
19.
 - a. In 2013 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 2013.
 - b. Except in cases of *force majeure* 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

83RD MEETING

**La Jolla, California (USA)
25-29 June 2012**

RESOLUTION C-12-02

**ON THE ESTABLISHMENT OF A COMMITTEE ON
ADMINISTRATION AND FINANCE**

The Inter-American Tropical Tuna Commission (IATTC), gathered in La Jolla, California (USA), on the occasion of its 83rd Meeting:

In accordance with the provisions of Article VII, paragraph 1 (u), of the Antigua Convention;

Agrees:

To establish a Committee on Administration and Finance, with the following terms of reference:

1. The Committee shall be composed of those representatives designated for this purpose by each Member of the Commission, who may be accompanied by such experts and advisers as that Member may deem advisable.
2. The functions of the Committee shall be the following:
 - (a) examine the draft budget for the ensuing year and the subsequent year;
 - (b) draw to the attention of the Commission, as appropriate, any matter of an administrative or financial character;
 - (c) prepare a report of each meeting of the Committee for transmission to the Commission, that includes advice and recommendations on matters related to the budget, finance, and administration of the Commission;
 - (d) examine the financial audit reports.
3. The Committee shall meet at least once a year, preferably on the day or days prior to the commencement of the annual meeting of the Commission.
4. The Committee may convene additional meetings at the request of at least two (2) of the Members of the Commission, provided that a majority of the Members support the request.
5. The Committee shall exercise its functions in accordance with such rules of procedure, guidelines, and directives as the Commission may adopt.
6. The Committee shall assume the functions of the Working Group on Finance, which is hereby terminated.
7. In support of the work of the Committee, the staff of the Commission shall:
 - (a) collect the information necessary for the work of the Committee, in accordance with the procedures established by the Commission;
 - (b) provide such analyses as the Committee deems necessary for carrying out its functions;
 - (c) prepare the reports of the Committee;
 - (d) distribute to the members of the Committee all pertinent information.

INTER-AMERICAN TROPICAL TUNA COMMISSION

83RD MEETING

La Jolla, California (USA)

25-29 June 2012

RESOLUTION C-12-03

IATTC RULES OF PROCEDURE

The Inter-American Tropical Tuna Commission (IATTC), gathered in La Jolla, California (USA), on the occasion of its 83rd Meeting:

In accordance with the provisions of Article VII, paragraph 1(s), of the Antigua Convention;

Agrees:

To adopt the following Rules of Procedure:

IATTC RULES OF PROCEDURE

I. SCOPE OF APPLICATION

1. Except as otherwise provided in the Convention or decided by the Commission, these Rules of Procedure shall apply, *mutatis mutandis*, to all subsidiary bodies of the Commission, including the Scientific Advisory Committee and the Committee for the Review of the Application of Measures Adopted by the Commission.

II. REPRESENTATION

2. Each Member shall communicate to the Director, as soon as possible, the names of its Commissioners, as well as the contact points who shall have primary responsibility for correspondence with the Secretariat. Any change and replacement shall be immediately communicated to the Director.
3. Before any meeting of the Commission, each Member shall communicate to the Director the names of the delegates, experts and advisers that it has appointed pursuant to Article VI.2 of the Convention.

III. MEETINGS OF THE COMMISSION

4. Pursuant to Article VIII.1 of the Convention, the Commission shall meet at least once per calendar year. The date and place of the meeting shall be decided by the Commission.
5. The announcement of an ordinary meeting shall be communicated by the Director to all the Members and to all the non-Members and intergovernmental organizations invited by the Commission as observers to the meeting, pursuant to Annex 2, paragraph 1, to the Convention, normally at least ninety (90) days in advance of the date fixed for the meeting. This announcement shall also be posted on the website of the Commission as soon as possible.
6. Pursuant to Article VIII.2 of the Convention, an extraordinary meeting may be convened at any time. The date and place of an extraordinary meeting shall be those that the Commission determines.
7. The announcement of an extraordinary meeting shall be communicated by the Director to all the Members and to all the non-Members and intergovernmental organizations invited by the Commission as observers to the meeting, pursuant to Annex 2, paragraph 1, to the Convention, normally at least forty-five (45) days in advance of the date fixed for the meeting. This announcement shall also be

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posted on the website of the Commission as soon as possible.

8. The Director, in consultation with the Chair, shall draw up an agenda for ordinary or extraordinary meetings, and shall circulate it to the Members together with a communication of the announcement of the meetings of the Commission and its subsidiary bodies. The agenda should normally be circulated at least sixty (60) days in advance of the date fixed for the ordinary meeting and thirty (30) days in advance of the date fixed for the extraordinary meeting.
9. Any member of the Commission may, at least forty-five (45) days before the date fixed for the opening of the ordinary meeting, or twenty-five (25) days in the case of an extraordinary meeting, request the inclusion of supplementary items in the provisional agenda. A request of supplementary items in the provisional agenda shall be accompanied by a memorandum and any relevant documents on the proposed supplementary item. Such items shall be communicated to all Members and Cooperating non-Members of the Commission (hereinafter referred to as "CPCs") at least thirty (30) days before the opening of the ordinary meeting, and twenty (20) days before the opening of the extraordinary meeting.
10. The Commission shall appoint a rapporteur from one of the Members at the beginning of each meeting, in order to assist the Chair in the production of a meeting report.
11. The meeting of the Commission shall be held at the headquarters of the Commission unless it decides otherwise.

IV. POSTING AND CIRCULATION OF DOCUMENTS AND SUBMISSION OF PROPOSALS

12. For the submission of proposals, Members shall use the agreed templates which shall be posted on the Commission's website.
13. If a draft proposal is either an amendment to an existing resolution or recommendation, or an amendment to a previous proposal by the same proponent, it shall be submitted and circulated in both a clean version and a track change version.
14. All background documents to be prepared by the Director for the next ordinary meeting shall, to the extent possible and subject to applicable rules of confidentiality, be posted on the Commission's website and circulated among all CPCs and observers at least forty-five (45) days in advance of the meeting, unless otherwise decided by the Commission. These documents shall include, *inter alia*, the report of the Scientific Advisory Committee, the staff conservation recommendations, the compliance report, the at-sea transshipment reports, the draft annual budget, and the auditor's report.
15. Any proposal or other relevant document to be discussed at a meeting shall be submitted to the Director not less than twenty-one (21) days before the opening of the meeting. These shall be posted on the Commission website immediately in their original language. The Director shall translate and circulate proposals to all CPCs at the latest ten (10) days before the beginning of the meeting.

V. OBSERVERS

16. Participation of observers is governed by the provisions of Annex 2 to the Convention. Unless otherwise decided by the Commission, observers other than non-governmental organizations (NGOs) cannot attend meetings held in executive session and the meetings of Heads of Delegations.

VI. CHAIR AND VICE-CHAIR

17. At the end of each of its meetings, the Commission shall elect individuals to serve as Chair and Vice-Chair. These individuals shall be from different Parties, unless the Commission decides otherwise. The Chair and Vice-Chair shall remain in office for a period of one year. The Chair and Vice-Chair may be re-elected unless they are no longer able to carry out their respective functions or their successors are elected. If the Commission is not able to elect a Chair and/or a Vice-Chair, the host Member (the Member that will host the annual meeting in that year) shall provide the Chair, and the previous

host Member the Vice-Chair.

18. The duties of the Chair are to be exercised both during the meeting and during the intersessional period. These are:
 - a. Declare the opening and the closing of the meeting;
 - b. Preside over the meetings of the Commission;
 - c. Decide on all questions of order that may arise at the meetings of the Commission. However, delegates may request that any decision by the Chair be submitted to the Commission for approval or rejection.
 - d. Encourage and facilitate consensus on matters under consideration at the meetings of the Commission.
 - e. Act in representation of the Commission, in accordance with the tasks that the Commission may assign.
 - f. In general, carry out such functions as the Commission may assign.
19. If the Chair is unable to carry out its functions at any time, the Vice Chair shall act as Chair until such time as the Chair is able to resume carrying out its functions or a new Chair is elected. If neither the Chair nor the Vice-Chair are able to carry out their functions, the host Member shall provide a Chair and the previous host Member a Vice-Chair.

VII. DIRECTOR

20. The Commission shall establish criteria and procedures to appoint a Director, whose competence in the field of the Convention is established and generally recognized, in particular in its scientific, technical and administrative aspects. In the appointment of the Director, the views of the Members shall be expressed through a secret ballot should one of the Members so request.
21. The terms and functions of the Director shall be pursuant to Article XII of the Convention.

VIII. INTERSESSIONAL DECISION-MAKING

22. Without prejudice to the provisions of Article IX of the Convention, where a decision cannot be deferred until the next meeting of the Commission, a matter may be decided during the period between meetings electronically (*e.g.* email, secure website). Matters to be decided under this section shall not include those in paragraph 2 and 3 of Article IX of the Convention.

23. The Chair, on its initiative, or the Director, at the request of at least three (3) Members that have made a proposal, may move for adoption without delay of such proposal by intersessional decision. In doing so, the Chair, in consultation with the Vice-Chair, shall determine the necessity of considering the proposal intersessionally.
24. Where the Chair determines that it is not necessary to consider the proposal intersessionally, the Chair shall promptly notify the Members referred to in paragraph 23 of such determination and the reasons. Within ten (10) days of the notification, the Members may request an intersessional decision on the Chair's determination.
25. Where the Chair determines that it is necessary to consider the proposal intersessionally, the Chair shall promptly transmit to all Members of the Commission:
 - a. The proposal, including any explanatory note;
 - b. The determination made by the Chair under this paragraph; and
 - c. A request for an intersessional decision.

26. Members shall promptly acknowledge receipt of the transmittal under paragraph 25. If no acknowledgment is received within seven (7) days of the date of transmittal, the Director shall retransmit the transmittal, using all additional means available to ensure that the transmittal has been received. Confirmation by the Director that the transmittal has been received shall be deemed conclusive regarding the participation of the Member in the decision-making process.
27. Members shall respond within thirty (30) days of the date of the initial transmittal if they do not agree with the proposal, or if they require additional time to consider the matter. If a Member requests additional time for consideration, a further fifteen (15) days shall be allowed from the expiration of the initial thirty (30) day period. No additional extensions of time beyond one fifteen (15) day extension will be permitted. In the event of such an extension, the Director shall inform all Members of the final date by which responses must be received.
28. If no reply from a Member is received within thirty (30) days of transmittal, or by the extended deadline specified by the Director in the event of a fifteen (15) day extension to consider the proposal, that Member shall be deemed to have joined the consensus, as long as the Director has confirmed receipt of the transmittal by that Member pursuant to paragraph 26.
29. The result of a decision taken intersessionally shall be ascertained by the Director at the end of the decision-making period and promptly notified to all Members. If any explanations of positions are received, these shall also be transmitted to all Members.
30. Proposals adopted intersessionally shall become effective for all CPCs pursuant to Article IX of the Convention.
31. Proposals transmitted for intersessional decision-making shall not be subject to amendment during the decision-making period.
32. A proposal that has been rejected by intersessional decision for any reason shall not be reconsidered until the following meeting of the Commission.

IX. COMMITTEE FOR THE REVIEW OF IMPLEMENTATION OF MEASURES ADOPTED BY THE COMMISSION

33. The functions, rules, and procedures of the Committee shall be those established in Article X and Annex 3 of the Convention.
34. The Committee shall elect an individual as Chair, who shall serve for a term of two years and may be re-elected.

X. SCIENTIFIC ADVISORY COMMITTEE

35. The functions, rules, and procedures of the Committee shall be those established in Article XI and Annex 4 of the Convention.
36. The Director shall serve as Chair of the Committee, pursuant to article XI paragraph 6 of the Convention.
37. The Committee may consider documents submitted by individuals and entities other than CPCs and observers.

XI. OTHER SUBSIDIARY BODIES

38. Subsidiary bodies shall hold their meetings with the frequency and at the date and place that the Commission may determine.
39. In the case of a request or recommendation for an intersessional meeting, the Director will consult the Commission pursuant to section VIII of these rules of procedure.
40. Each subsidiary body shall elect its own Chair.

XII. REPORTS AND MINUTES

41. The Director shall prepare an annual report of the activities of the Commission during the previous year, and circulate it among Members at least forty-five (45) days before the ordinary meeting.
42. The draft report of the Commission shall include all decisions adopted by the Commission.
43. The draft reports of the meetings of the Commission, its Committees and other subsidiary bodies, shall be transmitted within fourteen (14) days after the end of the meeting by the Director, in coordination with the Chair of the Commission and of the respective Committee or other subsidiary bodies, to all CPCs for their comments.
44. Any comments shall be submitted no later than fourteen (14) days from the reception of the draft report. The Director, in coordination with the Chair of the meeting, shall make every effort to reflect these comments and send the revised version of the report within fourteen (14) days for final endorsement. If there are still any outstanding issues, the Director will consult with the concerned CPCs to resolve the issue and prepare a revised report which will be the final draft.
45. The final draft shall be submitted for approval to the Commission through intersessional decision-making.
46. The final reports of the Commission, Committees and other subsidiary bodies shall be sent electronically to all CPCs and published on the Commission's website.

XIII. DOCUMENTS

47. Upon request, the Commission shall provide to any CPC copies of any documents pertaining to the Commission. The Director shall consider electronic means of distributing documents to save cost and paper.
48. Reports and statistics of individual fisheries production and details of the operations that companies individually provide to the Commission or its staff shall be considered as confidential and treated in accordance with rules on confidentiality established by the Commission.

XIV. AMENDMENTS

49. These Rules of Procedure may be amended as deemed necessary by the Commission, and in accordance with Article IX of the Convention and/or Section VIII of these Rules of Procedure.
 50. The Commission shall review these rules no later than its annual meeting in 2015, and consider revising them as necessary for the effective and efficient operation of the Commission.
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XV. LANGUAGES

51. English or Spanish may be used during meetings of the Commission, and simultaneous interpretation and translation into the other language will be provided. The reports, minutes, official documents, and official publications of the Commission shall be in both languages. Official correspondence of the Commission, communications, or documents formulated by the CPCs should be circulated in both languages to the extent practicable and taking into account budgetary constraints.

XVI. APPLICABILITY

52. These Rules of Procedures replace those adopted by the Commission at its 4th meeting on 13 August 1952, as amended.

INTER-AMERICAN TROPICAL TUNA COMMISSION

83RD MEETING

La Jolla, California (USA)
25-29 June 2012

RESOLUTION C-12-04

**AD HOC FINANCING FOR FISCAL YEARS 2013-2017 AND
BEYOND**

The Inter-American Tropical Tuna Commission (IATTC), gathered in La Jolla, California (USA), on the occasion of its 83rd Meeting:

Recognizing the importance of equity and stability in the calculation of the contributions of Members to the Commission's budget, and of fully funding the work of the Commission so that it may fulfill its duties and responsibilities;

Giving due consideration to the principle that the proportion of the expenses paid by each Member should be equitable, transparent, and related to its proportion of the total catch of tunas from the Convention Area and other components of the formula used to calculate the contributions, as well as to the consensus of the Members that other factors should be considered in determining their proportional contributions; and

Taking into account the relevant provisions of the Antigua Convention;

Resolves as follows:

- I. The following elements shall be used in the determination of the contributions of Members to the IATTC budget until such time as a Member requests review and revision of the contribution formula as provided for in paragraph 6 of this Resolution:
 - a) Each Member's contribution shall be calculated as follows: 10% of the total budget, minus any special contribution, divided equally among all the Members (base contribution); the remaining 90% is shared among the Members, weighted by Gross National Income (GNI) category, as follows:
 - i. An operational component (10%);
 - ii. The catches by their flag vessels (70%);
 - iii. Their utilization of tuna from the Convention Area (10%).

| GNI Category | GNI range (US\$) |
|--------------|------------------|
| 0.5 | < 1,499 |
| 1 | 1,500 - 3,499 |
| 2 | 3,500 - 6,499 |
| 3 | 6,500 - 10,999 |
| 4 | 11,000 - 15,999 |
| 5 | 16,000 -20,999 |
| 5.5 | ≥ 21,000 |

Table 1. GNI categories used for allocating contributions

- b) The weighting factors used in calculating contributions shall be the same as the GNI categories.

- c) Each Member's catch contribution shall be based on the annual average of the catches by its flag vessels in the three most recent years for which catch data are available.
 - d) In the determination of a Member's utilization, 50% of the tuna loins included in the calculation shall be attributed to the Member that exported the loins and 50% to the Member that imported them.
 - e) In the case of a Member that is also a member of the Western and Central Pacific Fisheries Commission, only 50% of catches made by its flag vessels in the overlap area between the two Commissions shall be included in the calculation of that Member's contribution based on catch.
2. That the Director shall inform each Member, at least two months prior to the annual meeting, of its projected contribution for the following two fiscal years.
 3. That the contributions of any new Member of the Commission shall be determined on the same basis as the contributions of existing Members, subject to the Commission's financial regulations.
 4. That all IATTC non Members which have vessels fishing for fish covered by the Convention, should make, and request their flag vessels to make, voluntary contributions to the Commission, preferably on the same basis as the contributions of existing Members.
 5. To invite non-governmental organizations interested in the work of the IATTC to make contributions to the Commission's budget.
 6. This *ad hoc* formula shall be used to calculate Members' contributions to the IATTC budget for the years 2013-2017, and indefinitely thereafter, unless a Member indicates that the formula is no longer appropriate and requests that a new contribution formula be considered at the following Annual Meeting of the IATTC. Any Member making a request to reconsider this formula is encouraged to provide an explanation to the Commission of the reasons for its dissatisfaction with it.

INTER-AMERICAN TROPICAL TUNA COMMISSION

83RD MEETING

**La Jolla, California (USA)
25-29 June 2012**

RESOLUTION C-12-05

FINANCING FOR FISCAL YEAR 2013

The Inter-American Tropical Tuna Commission (IATTC), gathered in La Jolla, California (USA), on the occasion of its 83rd Meeting:

Understanding the importance of ensuring sufficient funding for the Commission in a timely manner, so that it may continue to effectively develop and implement the agreed conservation and management program for the living marine resources of the IATTC Convention Area and conduct the associated data collection and research;

Noting that non-payment of the agreed contributions may impair the Commission's ability to continue its operations;

Aware that the allocation of the costs of supporting the Commission among Members should be transparent, fair and equitable, stable, and predictable, but also should allow for redistribution of costs as new Members join;

Aware that the Commission, at its 83rd Meeting, agreed on a formula for calculating the contributions of the Members to the Commission's budget for the years 2013-2017;

Taking into account the relevant provisions of the Antigua Convention;

Noting that several non-Members derive benefits from catching or utilizing fish covered by the Convention, but do not make contributions to the Commission's budget;

Taking note of the staff's proposals regarding the budget presented in Document [IATTC-83-11](#); and

Recognizing the need to seek economies in the operation of the Commission, in order to reduce costs;

Agrees:

1. To adopt the budget of US\$ 6,335,009 for fiscal year (FY) 2013.
2. That the Members shall contribute to the Commission's budget for FY 2013 in accordance with the following schedule:

| | FY 2013 (US\$) |
|----------------|---------------------------|
| Belize | 40,758 |
| Canada | 132,345 |
| China | 49,797 |
| Colombia | 236,498 |
| Korea | 162,204 |
| Costa Rica | 72,858 |
| Ecuador | 853,514 |
| El Salvador | 70,108 |
| United States | 1,746,553 |
| France | 96,896 |
| Guatemala | 56,334 |
| Japan | 379,060 |
| Kiribati | 30,638 |
| Mexico | 913,941 |
| Nicaragua | 41,735 |
| Panamá | 435,910 |
| Peru | 49,692 |
| Chinese Taipei | 128,860 |
| European Union | 314,052 |
| Vanuatu | 50,736 |
| Venezuela | 472,520 |
| Total | 6,335,009 |

INTER-AMERICAN TROPICAL TUNA COMMISSION

83RD MEETING

**La Jolla, California (USA)
25-29 June 2012**

RESOLUTION C-12-06

**RULES OF PROCEDURE REGARDING CAPACITY LOANS OR
CONCESSIONS AND CHARTERING OF VESSELS WITH
TEMPORARY TRANSFERS OF CAPACITY**

The Inter-American Tropical Tuna Commission (IATTC), gathered in La Jolla, California (USA), on the occasion of its 83rd Meeting:

Recalling the conclusions and recommendations of the Permanent Working Group on Fleet Capacity;

Agrees:

To adopt the following rules of procedure regarding capacity loans or concessions and chartering of vessels with temporary transfers of capacity.

1. CAPACITY LOANS OR CONCESSIONS

1. A vessel that uses loaned or conceded capacity may be added to the IATTC Regional Vessel Register, using a specified amount of capacity, expressed in cubic meters of well volume, that the loaning or conceding Member or Cooperating non-Member ("CPC") has available. The vessel must fly the flag of the receiving CPC.
2. Both CPCs involved shall agree that the vessel may be removed from the Regional Register at any time at the request of either one of them, by means of a written communication to the Director. If the vessel is removed from the Regional Register, the capacity that it utilizes shall revert to the loaning or conceding CPC, and shall be used again by that CPC only, unless the loaning CPC notifies the Director otherwise. The receiving CPC shall have no right to the capacity utilized by the vessel if it is removed from the Regional Register.
3. If the vessel changes flag during the period of the loan or concession, it shall be automatically removed from the Regional Register, and the capacity shall revert to the loaning or conceding CPC. If there is agreement on a change of flag for the vessel to a third CPC, the loaning CPC and the third CPC shall follow the process of changing flag in accordance with the established procedures .
4. The receiving CPC, as the flag government of the vessel, shall be legally responsible for all the activities of the vessel associated with compliance with the rules, recommendations, and resolutions of the Agreement on the International Dolphin Conservation Program (AIDCP) and the IATTC.
5. The arrangement for the loan or concession of capacity, in order to be valid and effective, shall be notified in writing to the Director by the competent authorities of both CPCs, jointly or consecutively. The Director shall report this arrangement in the monthly capacity reports, and it shall be noted in the Regional Register as part of the information associated with the vessel.
6. Both CPCs involved shall provide the Director with a copy of the documentation for the capacity loan or concession, which he shall keep confidential, unless both CPCs decide otherwise.

2. VESSEL CHARTERS WITH TEMPORARY CAPACITY TRANSFERS

1. In the case of vessel charters with temporary transfers of capacity, and in order for the corresponding flag change to be reflected in the Regional Register, the Director must receive a copy of the agreement for the temporary transfer of capacity, together with documentation showing that the CPC granting the charter (“chartering CPC”) has suspended the vessel’s flag or authorized the registration of the vessel under another flag, and that the receiving CPC (“charterer CPC”) has granted or authorized the vessel to utilize, its flag. Once this information is received, the corresponding change will be made in the Regional Register.
2. All this documentation shall be kept confidential by the Director, unless both CPCs involved decide otherwise.
3. The charterer CPC, as the vessel’s flag government, shall be legally responsible for all matters related to the activities of the vessel associated with compliance with the rules, recommendations, and resolutions of the IATTC and the AIDCP, from the time when the flag changes from the chartering CPC to the charterer CPC.
4. The Director must receive confirmation from both CPCs that, if the vessel is removed from the Regional Register, its capacity shall revert to the chartering CPC and may be used only by that CPC, unless both CPCs notify the Director otherwise. The charterer CPC shall not have any rights regarding the capacity of the vessel if it is removed from the Regional Register.
5. When the charter agreement terminates, the vessel with temporary transfer of capacity shall return to the chartering CPC, unless the chartering CPC informs the Director otherwise.

INTER-AMERICAN TROPICAL TUNA COMMISSION

83RD MEETING

**La Jolla, California (USA)
25-29 June 2012**

RESOLUTION C-12-07

**AMENDMENT TO RESOLUTION C-11-09 ON ESTABLISHING A
PROGRAM FOR TRANSSHIPMENTS BY LARGE-SCALE FISHING
VESSELS**

The Inter-American Tropical Tuna Commission (IATTC), gathered in La Jolla, California (USA) on the occasion of its 83rd Meeting:

Taking account of the need to combat illegal, unregulated and unreported (IUU) fishing activities because they undermine the effectiveness of the conservation and management measures already adopted by the IATTC;

Expressing grave concern that organized tuna-laundering operations have been conducted, and a significant amount of catches by IUU tuna longline fishing vessels have been transhipped under the names of duly licensed fishing vessels;

In view therefore of the need to ensure the monitoring of the transshipment activities by large-scale longline vessels in the Antigua Convention Area, including the control of their landings; and

Aware of the need to amend consequently its Resolution C-11-09 on establishing a program for transshipments by large-scale fishing vessels;

Agrees:

SECTION 1. GENERAL RULES

1. Except under the program to monitor transshipment at sea outlined below in Section 2, all transshipment operations in the Antigua Convention Area of tuna and tuna-like species and sharks caught in association with the fisheries covered by the Convention (hereinafter referred to as "tuna and tuna-like species and sharks") must take place in port.
2. Each Member and Cooperating Non-Member of the Commission (CPC) shall take the necessary measures to ensure that large-scale tuna-fishing vessels¹ (LSTFVs) flying its flag comply with the obligations set out in Annex 1 when transshipping in port.
3. This Resolution does not apply to troll vessels, pole-and-line vessels or vessels engaged in the transshipment of fresh fish² at sea.

SECTION 2. PROGRAM TO MONITOR TRANSSHIPMENTS AT SEA

4. The Commission hereby establishes a program to monitor transshipments at sea, which applies only to large-scale tuna longline fishing vessels (LSTLFVs) and to carrier vessels authorized by their re-

¹ For the purposes of this Resolution, "Large-scale tuna fishing vessels" are defined as all vessels fishing beyond areas of national jurisdiction or beyond each CPC-controlled areas and targeting tuna or tuna-like species.

² For the purposes of this Resolution, "fresh fish" means tuna or tuna-like species that are alive, whole or dressed/gutted, but not further processed or frozen.

spective flag CPC to receive transshipments from these vessels at sea. No at-sea transshipment of tuna and tuna-like species and sharks caught by fishing vessels other than LSTLFVs shall be allowed.

5. Each CPC shall determine whether or not to authorize its LSTLFVs to transship at sea. Only LSTLFVs that are included in the IATTC list of authorized longline vessels and that operate under the jurisdiction of CPCs that participate in the observer program established by this Resolution and that finance the costs of its implementation are authorized to make transshipments at sea. The Director will maintain a list of such vessels. Any such transshipments must be conducted in accordance with the procedures defined in Sections 3, 4 and 5, and annexes 2 and 3 of this Resolution.

SECTION 3. RECORD OF VESSELS AUTHORIZED TO RECEIVE TRANSSHIPMENTS AT SEA IN THE CONVENTION AREA

6. The Commission shall establish and maintain a record of carrier vessels authorized by their respective flag CPCs to receive tuna and tuna-like species and sharks at sea from LSTLFVs in the Convention Area (IATTC Record of Carrier Vessels). For the purposes of this Resolution, carrier vessels not on this Record are deemed not to be authorized to receive tuna and tuna-like species and sharks in at-sea transshipment operations.
7. Each CPC shall submit to the Director, in electronic format if possible, the list of the carrier vessels that it has authorized to receive at-sea transshipments from its LSTLFVs in the Convention Area. This list shall include the following information for each vessel:
 - a. The flag of the vessel;
 - b. Name of vessel, register number;
 - c. Previous name (if any);
 - d. Previous flag (if any);
 - e. Details of previous deletion from other registries (if any);
 - f. International radio call sign;
 - g. Type of vessel, length, gross tonnage (GT) and carrying capacity;
 - h. Name and address of owner(s) and operator(s); and
 - i. Time period authorized for transshipping.
8. Each CPC shall promptly notify the Director, after the establishment of the initial IATTC Record, of any addition to, deletion from and/or modification of the IATTC Record, at the time such changes occur.
9. The Director shall maintain the IATTC Record and take measures to ensure publicity of the Record through electronic means, including placing it on the IATTC website, in a manner consistent with confidentiality requirements notified by CPCs for their vessels.
10. Carrier vessels authorized for at-sea transshipment shall be required to install and operate a VMS in accordance with Resolution C-04-06 on the establishment of a Vessel Monitoring System (VMS).

SECTION 4. AT-SEA TRANSSHIPMENT

11. Transshipments by LSTLFVs in waters under the jurisdiction of the CPCs are subject to prior authorization from the Coastal CPC concerned. CPCs shall take the necessary measures to ensure that LSTLFVs flying their flag comply with the following conditions:

Flag CPC Authorization

12. LSTLFVs are not authorized to transship at sea unless they have obtained prior authorization from their flag CPC.

Notification obligations

Fishing vessel:

13. To receive the prior authorization mentioned in paragraph 12, the master and/or owner of the LSTLFV must notify the following information to its flag CPC authorities at least 24 hours in advance of an intended transshipment:
 - a. the name of the LSTLFV and its number in the LSTLFV List,
 - b. the name of the carrier vessel and its number in the IATTC Record of Carrier Vessels, and the product to be transshipped,
 - c. the tonnage by product to be transshipped,
 - d. the date and location of transshipment, and
 - e. the geographic location of the tuna and tuna-like species and sharks catches.

The LSTLFV concerned shall complete and transmit to its flag CPC, not later than 15 days after the transshipment, the IATTC transshipment declaration, along with its number in the IATTC LSTLFV List, in accordance with the format set out in Annex 2.

Receiving carrier vessel:

14. The master of the receiving carrier vessel shall complete and transmit the IATTC transshipment declaration to the Director and the flag CPC of the LSTLFV, along with its number in the IATTC Record of Carrier Vessels, within 24 hours of the completion of the transshipment.
15. The master of the receiving carrier vessel shall, 48 hours before landing, transmit an IATTC transshipment declaration, along with its number in the IATTC Record of Carrier Vessels, to the competent authorities of the CPC where the landing takes place.

Regional Observer Program

16. Each CPC shall ensure that all its carrier vessels that transship at sea have on board an IATTC observer, in accordance with the IATTC Regional Observer Program in Annex 3. The IATTC observer shall monitor compliance with this Resolution, and notably that the transshipped quantities are consistent with the catch reported on the IATTC transshipment declaration.
17. Vessels shall be prohibited from commencing or continuing at-sea transshipping in the Convention Area without an IATTC observer on board, except in cases of *force majeure* duly notified to the Director.

SECTION 5. GENERAL PROVISIONS

18. To ensure the effectiveness of the IATTC conservation and management measures pertaining to species covered by Statistical Document Programs:
 - a. In validating the Statistical Document, flag CPCs of LSTLFVs shall ensure that transshipments are consistent with the reported catch amount by each LSTLFV;
 - b. The Flag CPC of the LSTLFV shall validate the Statistical Documents for the transshipped fish, after confirming that the transshipment was conducted in accordance with this Resolution. This confirmation shall be based on the information obtained through the IATTC Observer Program; and
 - c. CPCs shall require that the catches of species covered by the Statistical Document Programs by LSTLFVs in the Convention Area, when imported into the territory or area of a CPC, be accompanied by validated statistical documents and a copy of the IATTC transshipment declaration.
19. Each CPC shall report annually before 15 September to the Director:
 - a. The quantities by species transshipped during the previous year.
 - b. The names of its vessels on the IATTC LSTLFV List which have transshipped during the pre-

vious year; and

- c. A comprehensive report assessing the content and conclusions of the reports of the observers assigned to carrier vessels which have received transshipment from its LSTLFVs.
20. All tuna and tuna-like species and sharks landed in, or imported into, the territory or area of a CPC, either unprocessed or after having been processed on board and which are transshipped, shall be accompanied by the IATTC transshipment declaration until the first sale has taken place.
21. Each year, the Director shall present a report on the implementation of this Resolution to the annual meeting of the Commission, which shall review compliance with this Resolution.
22. This Resolution replaces Resolution C-11-09.

Annex 1

CONDITIONS RELATING TO IN-PORT TRANSSHIPMENT BY LSTFVS

General

1. Transshipment operations in port may only be undertaken in accordance with the procedures detailed below.

Notification obligations

2. Fishing vessel:
 - 2.1. At least 48 hours prior to transshipping, the captain of the LSTFV must notify the following information to the Port State authorities:
 - a. the name of the vessel and its number in the IATTC Regional Vessel Register,
 - b. the name of the carrier vessel, and the product to be transshipped,
 - c. the tonnage, by product, to be transshipped,
 - d. the date and location of transshipment,
 - e. the major fishing grounds of the tuna and tuna like species and sharks catches.
 - 2.2. The captain of an LSTFV shall, at the time of the transshipment, inform the vessel's Flag CPCs of the following;
 - a. the products and quantities involved,
 - b. the date and place of the transshipment,
 - c. the name, registration number and flag of the receiving carrier vessel,
 - d. the geographic location of the tuna and tuna like species and sharks catches.
 - 2.3. The captain of the LSTFV shall complete and transmit to the vessel's flag CPC not more than 15 days after the transshipment, the IATTC transshipment declaration, along with the vessel's number in the IATTC LSTFV List, in accordance with the format set out in Annex 2.

Receiving vessel

3. Not later than 24 hours before the beginning and at the end of the transshipment, the master of the receiving carrier vessel shall inform the Port State authorities of the quantities of catches of tuna and tuna-like species and sharks transshipped to the carrier vessel, and complete and transmit to the competent authorities of the vessel's flag CPC the IATTC transshipment declaration.

Landing State

4. The master of the receiving carrier vessel shall, 48 hours before landing, complete an IATTC transshipment declaration, and transmit it to the competent authorities of the landing State where the landing is to take place.
5. The Port State and the landing State referred to in the above paragraphs shall take the appropriate measures to verify the accuracy of the information received, and shall cooperate with the flag CPC of the LSTFV to ensure that landings are consistent with the catches reported by the vessel. This verification shall be carried out so that the vessel suffers the minimum interference and inconvenience and that degradation of the fish is avoided.
6. Each flag CPC with LSTFVs shall report each year to the IATTC the details of the transshipments by its vessels.

**ANNEX 2
IATTC TRANSSHIPMENT DECLARATION**

| Carrier Vessel | Fishing Vessel |
|---|---|
| Name of the Vessel and Radio Call Sign: Flag: Flag state license number: National Register Number, if available: IATTC Register Number, if available: | Name of the Vessel and Radio Call Sign: Flag: Flag state license number: National Register Number, if available: IATTC Register Number, if available: |

Day | Month | Hour | Year | 2 | 0 | | | Agent's name: _____ Master's name of Carrier: _____

Departure _____ from _____
 Return _____ to _____
 Transhipment _____ Signature: _____ Signature: _____

Indicate the weight in kilograms or the unit used (e.g. box, basket) and the bonded weight in kilograms of this unit. kilograms

LOCATION OF TRANSHIPMENT:

| Species | Port | Sea | Type of product | | | | |
|---------|------|-----|-----------------|--------|--------|----------|--|
| | | | Whole | Gutted | Headed | Filleted | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

If transhipment effected at sea, IATTC Observer Signature: _____

ANNEX 3

IATTC REGIONAL OBSERVER PROGRAM

1. Each CPC shall require carrier vessels included in the IATTC Record of Carrier Vessels which transship at sea, to carry an IATTC observer during each transshipment operation in the Convention Area.
2. The Director shall appoint the observers, and shall place them on board the carrier vessels authorized to receive transshipments in the Convention Area from LSTLFVs flying the flag of CPCs that implement the IATTC observer program established by this Resolution.

Designation of the observers

3. The designated observers shall have the following qualifications to accomplish their tasks:
 - a. sufficient experience to identify species and fishing gear;
 - b. satisfactory knowledge of IATTC conservation and management measures;
 - c. the ability to observe and record information accurately; and
 - d. a satisfactory knowledge of the language of the flag of the vessel observed.

Obligations of the observer

4. Observers shall:
 - a. not be, to the extent possible, nationals or citizens of the flag CPC of the receiving carrier vessel;
 - b. be capable of performing the duties set forth in point 5 below;
 - c. be included in the list of observers maintained by the Director; and
 - d. not be a crew member of an LSTLFV or an employee of an LSTLFV company.
5. The observer's tasks shall be, in particular, to:
 - 5.1. on the LSTLFV intending to transship to a carrier vessel, and before the transshipment takes place:
 - i. check the validity of the fishing vessel's authorization or license to fish for tuna and tuna-like species and sharks in the Convention Area;
 - ii. check and record the total quantity of catch on board, and the quantity to be transferred to the carrier vessel;
 - iii. check that the VMS is functioning, and examine the logbook;
 - iv. verify whether any of the catch on board resulted from transfers from other vessels, and check the documentation on such transfers;
 - v. in the case of an indication that there are any violations involving the fishing vessel, immediately report the violations to the master of the carrier vessel; and
 - vi. record the results of these duties on the fishing vessel in the observer's report.
 - 5.2. on the carrier vessel:
 - a. monitor the carrier vessel's compliance with the relevant conservation and management measures adopted by the Commission. In particular the observers shall:
 - i. record and report upon the transshipment activities carried out;
 - ii. verify the position of the vessel when engaged in transshipping;
 - iii. observe and estimate products transshipped;
 - iv. verify and record the name of the LSTLFV concerned and its registration number;
 - v. verify the data contained in the transshipment declaration;
 - vi. certify the data contained in the transshipment declaration; and

- vii. countersign the transshipment declaration;
 - b. issue a daily report of the carrier vessel's transshipping activities;
 - c. establish general reports compiling the information collected in accordance with this paragraph and provide the captain the opportunity to include therein any relevant information.
 - d. submit to the Director the aforementioned general report within 20 days from the end of the period of observation; and
 - e. exercise any other functions as defined by the Commission.
6. Observers shall treat as confidential all information with respect to the fishing operations of the LSTLFVs and of the LSTLFVs owners and accept this requirement in writing as a condition of appointment as an observer.
 7. Observers shall comply with requirements established in the laws and regulations of the flag CPC which exercises jurisdiction over the vessel to which the observer is assigned.
 8. Observers shall respect the hierarchy and general rules of behavior which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel personnel set forth in paragraph 9 of this program.

Obligations of the flag CPCs of carrier vessels

9. The responsibilities regarding observers of the flag CPCs of the carrier vessels and their captains shall include the following, notably:
 - a. Observers shall be allowed access to the vessel personnel and to the gear and equipment;
 - b. Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in paragraph 5:
 - i. satellite navigation equipment;
 - ii. radar display viewing screens when in use; and
 - iii. electronic means of communication.
 - c. Observers shall be provided accommodations, including lodging, food and adequate sanitary facilities, equal to those of officers;
 - d. Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties; and
 - e. The flag CPCs shall ensure that captains, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.
10. The Director, in a manner consistent with any applicable confidentiality requirements, shall provide to the flag CPC of the carrier vessel under whose jurisdiction the vessel transshipped and to the flag CPC of the LSTLFV, copies of all raw data, summaries, and reports pertaining to the trip three months prior to the meeting of the Committee for the Review of Implementation of Measures adopted by the Commission.

Obligations of LSTLFVs during transshipments

11. Observers shall be allowed to visit the fishing vessel, if weather conditions permit, and shall be granted access to personnel and areas of the vessel necessary to carry out their duties set forth in paragraph 5.
12. The Director shall submit the observer reports to the Committee for the Review of Implementation of Measures adopted by the Commission and to the Scientific Advisory Committee.

Observer fees

13. The costs of implementing this program shall be financed by the flag CPCs of LSTLFVs wishing to engage in transshipment operations. The fee shall be calculated on the basis of the total costs of the program. This fee shall be paid into a special account of the Director and the Director shall manage the account for implementing the program;
14. No LSTLFV may participate in the at-sea transshipment program unless the fees, as required under paragraph 13, have been paid.

INTER-AMERICAN TROPICAL TUNA COMMISSION

83RD MEETING

La Jolla, California (USA)
25-29 June 2012

RESOLUTION C-12-08

**PROTOCOL FOR SEALING FISH WELLS ON PURSE-SEINE
VESSELS**

The Inter-American Tropical Tuna Commission (IATTC), gathered in La Jolla, California (USA), on the occasion of its 83rd Meeting:

Recalling the conclusions and recommendations of the Permanent Working Group on Fleet Capacity;

Agrees:

To adopt the following protocol governing the sealing of wells on purse-seine vessels:

If vessel wells are sealed, with the aim of reducing the vessel's overall capacity, this protocol shall be followed. This protocol, by regulating the sealing of wells as exceptional cases, shall be applied in a way that does not contravene the provisions of Resolution C-02-03, in particular its articles 6 and 7, regarding the system for verifying capacity measurements and the introduction of new vessels. In order for the reduced well volume of the vessel to be recorded on the Regional Vessel Register for purposes of the implementation of Resolution C-02-03 on fleet capacity, the following procedure must be followed by all vessels with wells sealed after the adoption of Resolution C-02-03:

1. A sealed well is defined as any space on board a vessel, intended for the freezing, maintenance, or storage of fish, access to which has been blocked to prevent its use for these purposes.
2. 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.
3. It shall be possible to open a sealed well only in case an emergency. If a sealed well is opened at sea, the observer must be present both when the well is opened and when it is resealed.
4. All refrigeration equipment in the well must be rendered inoperative.
5. 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.
6. Observers shall be notified as to which vessels are operating with sealed wells, and shall report any instances of sealed wells being used for storing fish, to verify compliance with this protocol, and the results reported to the Director.
7. All the information regarding compliance with this protocol shall be sent by the Director to the Committee for the Review of Implementation of Measures Adopted by the Commission, in accordance with Article X, paragraph 8a, of the Antigua Convention, regarding the collection of information necessary for the work of the Committee.

INTER-AMERICAN TROPICAL TUNA COMMISSION

83RD MEETING

La Jolla, California (USA)

25-29 June 2012

RESOLUTION C-12-09

**CONSERVATION AND MANAGEMENT MEASURES FOR
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 83rd Meeting:

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

Affirming that it is necessary to take preventive measures throughout the range of the resource to contribute to the stability of the stock of Pacific bluefin tuna;

Recognizing that the impact of the fisheries in the WCPO is much greater than the EPO fisheries and their rate of increase in recent years is greater (Document IATTC 83-05, page 76);

Noting that, consequently, conservation measures that are adopted in the WCPO are more important for the conservation of these stocks, and those that are currently in force may not be sufficient to reduce the fishing mortality of juveniles;

Encouraging both Commissions to take complementary and effective measures to reduce the mortality of bluefin tuna throughout the entire spectrum of ages, especially juveniles;

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 discussions and adoption of conservation measures applicable to the stock throughout its entire range;

Mindful that these measures are intended as an interim means for exercising caution towards assuring sustainability of the Pacific bluefin tuna resource and motivating comparable action on the part of the Western and Central Pacific Fisheries Commission (WCPFC), and that future conservation measures should be based not only on these interim measures, but also on development of future scientific information and advice of the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) and the IATTC scientific staff; and

Taking into account the IATTC scientific staff's conservation recommendation for the Convention Area (Document IATTC 83-05c) as well as those adopted by the WCPFC, and committed to maintaining fishing activity at sustainable levels;

Resolves as follows:

1. In the IATTC Convention Area, the commercial catches of bluefin tuna by all the CPCs during the two-year period of 2012-2013 shall not exceed 10,000 metric tons.
2. The commercial catch of bluefin tuna in the commercial fishery in the Convention Area shall not exceed 5,600 metric tons during the year 2012.
3. Notwithstanding paragraphs 1 and 2, any CPC with a historical record of Eastern Pacific bluefin catches may take a commercial catch of up to 500 metric tons of Eastern Pacific bluefin tuna

1

annually.

4. CPCs shall take the measures necessary to ensure that the total catch of Pacific bluefin in the Convention Area for each year does not exceed the catch limit for that year. For this purpose, each CPC shall report its catches to the Director in a timely manner, but on a monthly basis as a minimum. The Director shall communicate this information to all the CPCs on a monthly basis, and inform the CPCs when the total annual catch limit is reached.
5. Taking into account the recommendations of the IATTC scientific staff formulated in consultation with the 4th meeting of Scientific Advisory Committee, the new ISC stock assessment for Pacific bluefin tuna, and the measures taken by the WCPFC, the Commission shall review this resolution at its meeting in 2013 and take appropriate actions, for juveniles in particular
6. The Commission shall ask the WCPFC to take measures comparable to the measures in this Resolution.

INTER-AMERICAN TROPICAL TUNA COMMISSION

83RD MEETING

La Jolla, California (USA)
25-29 June 2012

RECOMMENDATION C-12-10

BEST AVAILABLE SCIENCE

The Inter-American Tropical Tuna Commission (IATTC), gathered in La Jolla, California (USA), on the occasion of its 83rd Meeting:

Recognizing the importance of sound scientific advice as the centerpiece for the conservation and management of tuna and tuna-like species in the IATTC Convention Area, in accordance with international law and in line with the information needs of the IATTC;

Aware that the availability of adequate scientific information is fundamental to carrying out the objective of the Antigua Convention laid down in its Article II;

Noting the role of the scientific staff;

Recognizing the importance of the Scientific Advisory Committee in revising any scientific plans, proposals, and research programs of the Commission as well as any assessments, analyses, research, work or recommendations prepared by the scientific staff before consideration by the Commission, as laid down in Annex IV of the Antigua Convention;

Recognizing the limited financial resources of developing coastal States, and wishing to assist in building their scientific capacity;

Acknowledging the need to improve the availability and quality of data and analysis used for the provision of scientific advice, including on bycatch and discards; and

Building on the deliberations and recommendations of the Kobe process;

Agrees to:

1. Take all measures which would be appropriate:
 - i. To ensure a more interactive relationship between Members and Cooperating non-Members (CPCs), the IATTC scientific staff, and the Scientific Advisory Committee in relation to the provision of scientific advice, the Director shall, as appropriate, convene in person, virtually, or otherwise, technical meetings prior to the official meeting of the Scientific Advisory Committee.
 - ii. To improve the collection and submission of data to the IATTC, including on bycatches;
 - iii. To support research programs and projects relevant to the information needs of the IATTC;
 - iv. To facilitate participation in meetings of the Scientific Advisory Committee and its Working Groups as well as in other relevant scientific bodies of scientists with suitable scientific qualifications;
 - v. To contribute to the training of scientific researchers, including young scientists.
2. Preserve and promote the professional independence and excellence of the scientific staff, the Scientific Advisory Committee and its Working Groups, and the relevance of their work to the information needs of the IATTC, by:
 - i. Enhancing the participation of scientists in meetings of the Scientific Advisory Committee and

- its Working Groups, including scientists involved in other tuna regional fisheries management organizations (RFMOs) and other relevant scientific bodies;
- ii. Enhancing the participation of the scientific staff in meetings of other tuna RFMOs and relevant scientific bodies;
 - iii. In conformity with the provisions of Article XII(3) of the Antigua Convention, drafting a strategic plan which shall be used to guide the work of the scientific staff the Scientific Advisory Committee and its Working Groups in assisting the IATTC to effectively achieve its mandate.
 - iv. Ensuring that relevant, professionally independent, and objective scientific advice, based on the best available and peer-reviewed scientific analysis, is presented by the scientific staff and the Scientific Advisory Committee to the IATTC;
 - v. Ensuring that the sources and history of revisions of all documents submitted to and assessed by the scientific staff, the Scientific Advisory Committee and its Working Groups are fully documented;
 - vi. Establishing standardized formats for the provision of clear and transparent advice to the IATTC;
 - vii. Providing for well-defined rules for formulating scientific advice to the IATTC, reflecting different views while striving for consensus, to promote consistency and transparency;
 - viii. Ensuring that the key role of the Scientific Advisory Committee as established by Annex IV of the Antigua Convention is respected;
3. With the aim of meeting the above-mentioned objectives, consider broadening financial support and mechanisms, including, *inter alia*, contributing to the "Special Sustainable Development Fund", as established by Resolution C-11-11, for developing IATTC Members, for the purpose of the implementation of this Recommendation, in particular to:
 - i. Contribute to the scientific capacity-building of developing CPCs and enhance their effective participation in the work of the Scientific Advisory Committee and its Working Groups;
 - ii. Provide the necessary resources for the scientific staff, the Scientific Advisory Committee and its Working Groups, including consideration of alternative funding models for the commissioning of research.
 4. Strengthen, as appropriate, peer-review mechanisms within the scientific staff and the Scientific Advisory Committee by the participation of invited experts (*e.g.* from other RFMOs or from academia) in the scientific staff and Scientific Advisory Committee activities. These experts shall be subject to the data confidentiality rules and procedures currently applicable in the IATTC.
 5. Continue to support the scientific staff and Scientific Advisory Committee's initiatives to publish their scientific findings in the scientific peer-reviewed academic literature.