



**TO ALL COMMISSION MEMBERS, COOPERATING NON-MEMBERS AND
PARTICIPATING TERRITORIES**

Agenda Item J.1.a
Supplemental Attachment 7
November 2012

**Circular No.: 2012/83
Date: 30 October 2012
No. pages: 4**

IATTC – WCPFC Overlap Area considerations by IATTC

Dear All

Please find attached the outcome of the Inter-American Tropical Tuna Commission (IATTC) deliberations on the options for the management of the overlap area. Their preference initially is for a practical application of Option 4 with a view to move towards a more collaborative approach outlined in option 5.

We will need to discuss this in more detail at the Commission meeting. If it is to be progressed through the Chairs and Executive Directors of both organizations, we will need some instructions on how to move the issue forward.

Thanks

Professor Glenn Hurry
Executive Director

Excerpts of descriptions of the relevant options from WCPFC8 paper: WCPFC-IATTC OVERLAP AREA (WCPFC8-2011/41 Rev 1 dated: 18 November 2011)

Option 4 Application of measures from both Commissions

Under this proposal the area would stay as it is as an overlap area and it would be managed by applying the rules of the Commissions as follows.

- Vessels from the WCPFC register would fish under WCPFC rules
- Vessels from IATTC would fish under IATTC rules
- Vessels flagged to parties that are members of both Commissions would need to select and advise under which Commission they wish to fish. The rules of that RFMO would then apply to those vessels on a permanent basis.

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The advantage of this option is that RFMOs can decide to do this immediately. However, what this option does not do is limit and control fishing capacity and catch levels in the area as there is no decision on how much catch can be taken in the overlap area. IATTC has a capacity limit and catch limits for long liners but WCPFC does not restrict purse seine or longline catch in the area. Therefore before this option could be applied a decision would need to be reached among the parties as to the catch limits to be applied by gear type and species in the overlap area.

Option 5

Option 5 would involve both organizations taking a longer term view (10 years) of tuna management in the Pacific Ocean basin. This might involve a working group being established to consider in the longer term if there was potential for a joint authority to be established by both Commissions for species based tuna and billfish management for the entire Pacific basin. The starting point could be to accept Option 2 above as a building block for the future and put a priority on establishing joint scientific activity including data collection and stock assessment. Then over time activities such as vessel registries, VMS and MCS activities could be aligned. The challenge to making this option work is that conservation and management measures are already adopted within the framework of each Commission and it is possible that the measures adopted for a single transpacific stock could be weakened or blocked by the lack of consensus among the Commissions' members. As in option 2 both organizations need to adopt similar measures.

Option 2 Management By Gear Type

This option is an extension of the concept mentioned above but takes into consideration the difference in the fisheries north and south of French Polynesia. Under this option is that IATTC would be tasked with managing the purse seine fishery where it occurs in the northern part of the overlap area drawing on their historical fishing in the area, noting the membership of both Kiribati and French Polynesia to IATTC and the capacity limits IATTC has in place. WCPFC would manage long-lining in the area, noting its strong interest in southern swordfish and southern albacore management and that the WCPFC Convention southern boundary abuts the Antarctic convergence zone boundary with CCAMLR. The IATTC southern boundary is limited to 50°S. Prior to the adoption of the management regime of one of the organizations, both will need to adopt similar measures with the purpose of jointly implementing these measures.

INTER-AMERICAN TROPICAL TUNA COMMISSION**84TH MEETING (EXTRAORDINARY)**

La Jolla, California (USA)

24 Oct 2012

DRAFT RECOMMENDATION**IATTC – WCPFC OVERLAP AREA**

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COMISIÓN INTERAMERICANA DEL ATÚN TROPICAL

November 2012

84^a REUNIÓN (EXTRAORDINARIA)

La Jolla, California (USA)

24 Oct 2012

PROYECTO DE RECOMENDACIÓN**AREA DE TRASLAPO CIAT - WCPFC**

The Members of the Inter-American Tropical Tuna Commission (IATTC) present at the 84th Meeting (Extraordinary):

Having considered and analyzed Document IATTC-83 INF-B prepared by the Directors of IATTC and WCPFC on the overlap area between the two organizations:

1. Recognize that a fundamental and essential objective of the work of the two Commissions is to develop and strengthen their cooperation in order to promote the achievement of the objectives of their respective conventions, within the limits of their respective competencies;
2. Note that such cooperation is an obligation for the organizations and their members under international law and under the specific provisions of their respective Conventions;
3. Note that the existence of the overlap area, although unfortunate, is a fact whose consequences must be addressed to avoid any negative impact on the achievement of the objectives of their respective conventions;
4. Notwithstanding the merits of all five options presented by the Directors, the IATTC Members consider that, for the time being, the most appropriate course of action would be a two-step approach:
 - a. In the short term, agree on the most practical arrangement, applicable only in the overlap area, which would be to adopt a solution along the lines defined by the Directors of the IATTC and WCPFC as Option 4, *i.e.*:
 - i. Vessels listed exclusively in the WCPFC register shall apply the con-

Los Miembros de la Comisión Interamericana del Atún Tropical (CIAT) presentes en la 84^a Reunión (Extraordinaria):

Tras examinar y analizar el Documento IATTC-83-INF B preparado por los Directores de la CIAT y la WCPFC sobre el área de traslapo entre las dos organizaciones:

1. Reconocen que un objetivo fundamental y esencial de la labor de las dos Comisiones es desarrollar y fortalecer su cooperación a fin de asegurar el logro de los objetivos de las respectivas convenciones, en el ámbito de sus respectivas competencias;
2. Manifiestan que dicha cooperación es una obligación para ambas organizaciones y sus miembros en virtud del derecho internacional y en base a las disposiciones específicas de sus respectivas convenciones;
3. Señalan que la existencia de la zona de solapamiento, aunque desafortunada, es un hecho cuyas consecuencias deben ser abordadas a fin de evitar cualquier impacto negativo sobre el logro de los objetivos de las respectivas convenciones;
4. Sin menoscabar los méritos de las cinco opciones presentadas por los Directores, los Miembros de la CIAT presentes en la 84^a reunión (extraordinaria) consideran que, por el momento, el curso de acción más apropiado sería un proceso de dos etapas:
 - a. En el corto plazo, llegar a un acuerdo sobre el arreglo más práctico, aplicable solamente en el área de traslapo, que sería la adopción de una solución que se base en lo definido por los Directores de la CIAT y WCPFC como opción 4, es decir:

<p>servation and management measures of the WCPFC when fishing in the overlap area.</p> <p>ii. Vessels listed exclusively in the IATTC register shall apply the conservation and management measures of the IATTC when fishing in the overlap area.</p> <p>iii. In the case of vessels listed in the registers of both organizations, the corresponding flag Member or Cooperating Non-Member (CPC) shall decide and notify to both Commissions under which of the two commissions those vessels shall operate when fishing in the overlap area, as regards the application, for a period of not less than {three} years, of the conservation and management measures of that Commission.</p> <p>iii-iv. In the case of vessels listed in the registers of both organizations, the vessels of a Cooperating Non-Member shall apply the conservation and management measures of the commission of which it is a member, when fishing in the overlap area.</p> <p>b. <u>Initiate in parallel a longer-term process along the lines of Option 5, as described in the Directors' document, through the establishment of a joint working group to explore avenues for managing tuna stocks in the entire Pacific Ocean, considering, <i>inter alia</i>, the joint management components outlined in Option 5 defined by the Directors of the IATTC and the WCPFC in Document IATTC-83 INF-B.</u></p> <p>5. <u>Recognize the need for each commission to facilitate granting to the members of the other commission the status of Member or Cooperating Non-Member.</u></p>	<p>i. Los buques inscritos exclusivamente en el registro de la WCPFC aplicarán las medidas de conservación y ordenación de la WCPFC cuando pesquen en el área de traslapo.</p> <p>ii. Los buques inscritos exclusivamente en el registro de la CIAT aplicarán las medidas de conservación y ordenación de la CIAT cuando pesquen en el área de traslapo.</p> <p>iii. <u>En el caso de los buques que estén inscritos en los registros de ambas organizaciones, el Miembro o No Miembro Cooperante (CPC) del pabellón correspondiente decidirá y notificará a ambas Comisiones bajo cuál de las dos comisiones operarán dichos buques cuando pesquen en el área de traslapo, en cuanto a la aplicación, por un periodo no menor de {tres} años, de las medidas de conservación y ordenación de esa Comisión.</u></p> <p>iii-iv. En el caso de los buques que estén inscritos en los registros de ambas organizaciones, los buques de un No Miembro Cooperante aplicarán las medidas de conservación y ordenación de la cual es miembro, cuando pesquen en el área de traslapo.</p> <p>b. <u>Iniciar en paralelo un proceso a plazo más largo basado en la opción 5, tal como se describe en el documento de los Directores, mediante el establecimiento de un grupo de trabajo conjunto para explorar vías para la gestión de las poblaciones de atún en el Océano Pacífico entero, considerando, entre otros, los componentes de manejo conjunto delineados en la opción 5 definida por los Directores de la CIAT y WCPFC en el Documento IATTC-83-INF B.</u></p> <p>5. <u>Reconocen la necesidad de que cada comisión facilite el otorgamiento a los miembros de la otra comisión del estatus de Miembro o No Miembro Cooperante.</u></p>
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