

Convention for the Establishment of an Inter-American Tropical Tuna Commission (IATTC) and Convention for the Strengthening of the Inter-American Tropical Tuna Commission Established by the 1949 Convention between the United States of America and the Republic of Costa Rica

Basic Instrument and the Transition to the Antigua Convention

The Convention between the United States of America and the Republic of Costa Rica for the establishment of an Inter-American Tropical Tuna Commission, 1949; and Convention for the Strengthening of the Inter-American Tropical Tuna Commission Established by the 1949 Convention between the United States of America and Costa Rica (Antigua Convention) (TIAS 2044)

The Antigua Convention entered into force on August 27, 2010, 15 months after the deposit of the seventh instrument of ratification, acceptance, approval, or accession of the Parties to the 1949 Convention, which in this case was Costa Rica. The Antigua Convention was drafted to provide an update to the original 1949 Convention. The Antigua Convention contains modern principles and reflects the duties and responsibilities of nations to cooperate to ensure the sustainable management of shared fisheries resources, to minimize impacts to bycatch species, and to conserve the marine ecosystems on which sustainable fisheries depend. The Antigua Convention also provides updated monitoring, control, and surveillance provisions, which, inter alia, help to strengthen IATTC's mandate to combat illegal, unreported, and unregulated (IUU) fishing and illegal imports of tuna product.

Some Parties to the 1949 Convention, including the United States, have signed the Antigua Convention, but have not deposited instruments of ratification. As such, the IATTC will continue to function under a dual-convention scenario until the entry into force of the Antigua Convention for all Parties to the 1949 Convention, at which time the 1949 Convention will be terminated. The United States signed the Antigua Convention on November 14, 2003, and the Senate subsequently provided advice and consent for the United States to ratify the Convention. However, ratification by the United States is pending adoption and enactment of implementing legislation for the Antigua Convention under consideration by Congress.

Implementing Legislation

Convention between the United States of America and the Republic of Costa Rica for the establishment of an Inter-American Tropical Tuna Commission, 1949

Tuna Conventions Act of 1950 (64 Stat. 777), as amended (16 U.S.C. 951–961)

Member Nations

The fourteen entities that have ratified/acceded to Antigua include Belize, Canada, China, Costa Rica, El Salvador, the European Union, France (on behalf of its overseas territories), Guatemala, Japan, Kiribati, Korea, Mexico, Nicaragua, and Panama. Additionally, Taiwan is a member of IATTC pursuant to Article XXVIII of the Antigua Convention, which allows fishing entities to agree to be bound by the terms of the Convention and the measures adopted by the Commission.

The United States, along with Colombia, Ecuador, Peru, Vanuatu and Venezuela, are members of the IATTC under the 1949 Convention, but have not yet ratified the Antigua Convention.

Cooperating Non Parties and Cooperating Fishing Entities

Cook Islands

Commission Headquarters

Inter-American Tropical Tuna Commission
c/o Scripps Institute of Oceanography
8604 La Jolla Shores Drive

La Jolla, California 92037-1508

Director of Investigations: Dr. Guillermo Compeán

Telephone: (858) 546-7100

Fax: (858) 546-7133

Web Address: <http://www.iattc.org>

Budget

As with most other decisions under the Antigua Convention, the budget of the Commission is adopted by a consensus decision of the members of the Commission present at a given meeting. In formulating and approving a budget, the Antigua Convention directs the Commission to give due consideration to the principle of cost effectiveness. The Commission maintains separate accounts for the activities carried out by IATTC and the AIDCP (see page 36 of this book). The Antigua Convention provides that the amount of the contribution of each member of the Commission to the budget shall be determined in accordance with a scheme which the Commission shall adopt, and amend, as required. The scheme must be transparent and equitable for all members and must be set out in the financial regulations of the Commission.

At the first meetings of the IATTC following the entry into force of the Antigua Convention in 2010, the IATTC Working Group on Finance began discussions on the development of a contribution formula for use under the new Convention. The Working Group has thus far been unable to reach agreement on a long-term formula, but did recommend an interim formula for use in calculating members' contributions to the 2011 budget, which was then rolled over again for use in 2012.

The provisionally approved IATTC budget for FY2012 is \$6,200,000. The United States assessed contribution is \$1,746,553 for FY2012.

U.S. Representation

A. Appointment Process:

The Tuna Conventions Act of 1950 provides that the United States shall be represented by a total of not more than four Commissioners, of which at least one must be an officer of NOAA, one must be chosen from a nongovernmental conservation organization, and not more than one can reside elsewhere than in a state whose vessels maintain a substantial fishery in the area of the Convention. The Commissioners are appointed by and serve at the pleasure of the President. These Commissioners, along with a State Dept. representative, comprise the U.S. Section to the IATTC.

B. U.S. Commissioners:

Rodney (Rod) R. McInnis
Regional Administrator
Southwest Region
NOAA Fisheries Service
501 W. Ocean Boulevard, Suite 4200
Long Beach, CA 90802
(562) 980-4003

William (Bill) W. Fox, Jr., Ph.D. (Alternate)
Vice President and Managing
Director for Fisheries
World Wildlife Fund
P.O. Box 60633
San Diego, CA 92166
(619) 222-2489

Malcolm (Ed) Stockwell (Alternate)
14 Fescue Ct.
Florence, KY 41042
(859) 630-5273

Donald (Don) Keith Hansen (Alternate)
Director of San Clemente Sportfishing, Inc., and
Vice President of the Sportfishing Association of California
79 Marbella
San Clemente, CA 92672
(949) 496-5794

C. Advisory Structure:

The Tuna Conventions Act as amended by the International Dolphin Conservation Program Act of 1997 provides that the Department of State charter a General Advisory Committee (Committee) and a Scientific Advisory Subcommittee (Subcommittee) to advise the U.S. Section regarding policy and science issues and U.S. positions associated with IATTC

conservation and management measures. The first meeting of the Committee was convened in September 2003. All interested sectors - commercial and recreational fishing and environmental organizations - are represented on the Committee. The Scientific Subcommittee was comprised for the first time in 2010, as this was the first time that applications from the required minimum of five eligible persons were received. The terms of the advisory committees are fixed at three years by the charters. Each member may reapply and there are no term limits. The advisory committees are invited to attend all non-executive meetings of the U.S. Section and are given the opportunity to examine and be heard on all proposed programs, reports, recommendations, and regulations of the Commission.

Description

A. Mission/Purpose:

Under the 1949 Convention, the IATTC was established to "1) study the biology of the tunas and related species of the EPO with a view to determining the effects that fishing and natural factors have on their abundance, and 2) to recommend appropriate conservation measures so that the stocks of fish can be maintained at levels which will afford maximum sustainable catches." The objective of the IATTC under the Antigua Convention is to ensure the long-term conservation and sustainable use of tuna and other fish stocks covered by the Convention, in accordance with the relevant rules of international law.

B. Organizational Structure:

The IATTC consists of States and regional economic integration organizations that are Parties to the 1949 Convention and/or the Antigua Convention, and any fishing entity that has expressed its formal commitment to abide by the terms of the Antigua Convention, and a Secretariat headed by a Director of Investigations. The principal duties and functions of the Commission, as reflected in the 1949 Convention and Antigua Convention include, but are not limited to:

- 1) to promote, carry out and coordinate scientific research concerning the abundance, biology and biometry in the Convention Area of covered fish stocks and, as necessary, of associated or dependent species, and the effects of natural factors and human activities on the populations of these stocks and species;
- 2) to adopt measures that are based on the best scientific evidence available to ensure the long-term conservation and sustainable use of covered fish stocks and to maintain or restore the populations of harvested species at levels of abundance which can produce the maximum sustainable yield;
- 3) to adopt, as necessary, conservation and management measures and recommendations for species belonging to the same ecosystem and that are affected by fishing for, or dependent on or associated with covered fish stocks with a view to maintaining or restoring populations of such species above levels at which their reproduction may become seriously threatened; and
- 4) to apply the precautionary approach for covered fish stocks.

Approval of decisions, resolutions, recommendations and publications is only by consensus of all members. National sections may consist of from one to four members appointed by the governments or the respective Contracting Parties. Each national section may establish an advisory committee which is invited to attend non-executive sessions of the Commission meetings. The Director of Investigations is appointed by the Commission and is responsible for drafting programs of investigations, budget formulation, accounting and administrative support, directing technical staff, coordinating Commission work with other organizations and preparing administrative, scientific, and other reports of the Commission.

C. Programs:

To fulfill its mission, the Commission carries out an extensive research and data collection program. This program is conducted by a permanent, internationally recruited staff selected and directed by the Director of Investigations, who is responsible to the Commission. In addition, the IATTC has established a number of working groups to address specific management and organizational issues and has expanded the scope and nature of its management recommendations in recent years.

Fisheries Conservation and IATTC Management

In recent years, IATTC efforts to conserve and manage tuna stocks in the convention area have been composed of a number of different strategies, including limits on both inputs and outputs. In 2002, the IATTC adopted an overall purse seine fleet capacity agreement which froze the fishing capacity available to Parties to then current levels and established a requirement that purse seine vessels authorized to fish in the Convention Area be included on an IATTC vessel register. This effectively established upper limits on capacity in this sector. This is the first known instance of a regional fishery management organization establishing a fleet capacity limit. In June 2002, when the Capacity resolution entered into force, the active capacity was 218,482 cubic meters of well volume. The IATTC also has a long-term capacity management plan intended to ultimately reduce purse seine capacity to about 158,000 cubic meters carrying capacity, which is thought to be consistent with the long-term maximum yield of tuna stocks. No significant progress has been made on this capacity reduction plan to date.

Additional tuna conservation and management measures are also typically adopted on an annual or multi-annual basis, which since 2002 have commonly included such elements as total closure periods for the purse-seine fishery, time-area closures for the purse-seine fishery, effort or catch limits for harvest of bigeye tuna by the longline fishery, and a requirement to retain all bigeye, skipjack, and yellowfin tuna caught, except fish considered unfit for human consumption for reasons other than size.

The IATTC has also adopted conservation and management measures to address the bycatch and incidental capture of other living marine resources such as seabirds, sea turtles, and sharks. Other measures adopted include initiatives that regulate transshipment, proscribe a vessel monitoring system, and identify a list of vessels presumed to have carried out IUU fishing in the eastern Pacific Ocean.

A list of active IATTC resolutions and recommendations can be found on the Commission's website (<http://iattc.org/ResolutionsActiveENG.htm>).

Minutes from the meetings of the Commission, as well as minutes from the various working groups, can also be found on the Commission's website (<http://iattc.org/Minutes/IATTC-AIDCP-Minutes-ReportsENG.htm>)

Staff Contacts

NOAA Fisheries - Southwest Region:

Rodney R. McInnis
Administrator, Southwest Region (F/SWR)
National Marine Fisheries Service, NOAA
501 W. Ocean Boulevard, Suite 4200
Long Beach, CA 90802-4213
Telephone: (562) 980-4003
Fax: (562) 980-4018

Department of State:

David Hogan
Deputy Director, Office of Marine Conservation
(OES/OMC)
U.S. Department of State
2201 C. Street, NW
Washington, D.C. 20520-7818
Telephone: (202) 647-2335
Fax: (202) 736-7350