

Inter-American Tropical Tuna Commission

RESOLUTION ON THE ESTABLISHMENT OF A PERMANENT WORKING GROUP ON COMPLIANCE

June 1999

The Inter-American Tropical Tuna Commission (IATTC), meeting in Guayaquil, Ecuador, on the occasion of its 63rd Meeting, agrees to establish a permanent Working Group on compliance with conservation and management measures adopted by the IATTC, in accordance with the following provisions:

1. Definitions

For the purposes of this resolution:

- a) "Party" means a Contracting Party of the IATTC;
- b) "Non-party" means a state/entity/fishing entity or regional economic integration organization to which its member states have transferred competence over matters covered by this Resolution, that is not a Contracting Party of the IATTC whose coast borders the eastern Pacific Ocean or with vessels fishing under its jurisdiction in the eastern Pacific Ocean.

2. The functions of the Working Group shall be:

- a) to review and monitor compliance with conservation and management measures adopted by the IATTC;
- b) to recommend to the IATTC means of promoting compatibility among the national fisheries management measures of the Parties, including infractions and sanctions;
- c) to recommend to the IATTC appropriate measures for addressing matters related to compliance with fisheries management measures;
- d) analyze information by flag and, as necessary, by vessel, and other information necessary to carry out its functions;
- e) to report the results of its work to the IATTC, which will in turn inform the Parties and Nonparties;

3. The Working Group shall be made up of representatives of each of the Parties ("governmental members").

4. Representatives of Non-parties, pertinent intergovernmental organizations, non-governmental environmental organizations with recognized experience in matters pertaining to this Working Group, and owners of tuna vessels fishing in the eastern Pacific Ocean (EPO) under the jurisdiction of any of the Parties, may participate in the Working Group as observers.

5. All participants in the Working Group shall have speaking rights, but only the Parties shall have voting rights. The Working Group shall adopt its reports and recommendations by consensus.

6. The Working Group shall hold at least one meeting every year, if possible in conjunction with a meeting of the IATTC, and at its first meeting shall adopt the rules of procedure necessary for the performance of its functions.

7. The Parties shall, through the IATTC staff:

- a) inform the Working Group of legal and administrative provisions applicable to compliance with conservation and management measures adopted by the IATTC, including régimes of infractions and sanctions and measures applicable to vessels of less than 363 metric tons carrying capacity.
- b) inform the Working Group of measures taken to ensure compliance with conservation and management measures adopted by the IATTC, including, if appropriate, an analysis of individual cases and the final decision taken.

8. The Parties shall:

- a) authorize the use and release, subject to any applicable rules of confidentiality, of pertinent information recorded by observers of the IATTC or a national program;
- b) ensure that vessel owners and/or captains consent to allow the IATTC to analyze information on the operation and compliance of the fleets;
- c) provide to the IATTC every six months a report on the activities of its tuna-fishing vessels and any other information necessary for the work of the Working Group;

9. The staff of the IATTC shall:

- a) collect the information necessary for the work of the Working Group and develop a data base;
- b) provide to the Working Group such statistical analyses as the Working Group deems necessary for carrying out its functions;
- c) prepare the reports of the Working Group;
- d) distribute all pertinent information to the members of the Working Group, particularly that set out in paragraph 7(a).
- e) inform Parties and Non-parties of measures taken under IATTC resolutions, with enough notice for their implementation at the national level.

10. All information provided to the Working Group shall be subject to the confidentiality rules of the IATTC.

11. Non-parties shall be requested and encouraged to comply with the requirements and commitments established in paragraphs 7 and 8 above.