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PLAN FOR REGIONAL MANAGEMENT OF FISHING CAPACITY

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1. INTRODUCTION

1. The overall issue of fishing capacity in the EPO is one that should be considered within the context of the FAO Code of Conduct for Responsible Fisheries and its general objective of sustainable fisheries. The Code of Conduct provides that States shall take measures to prevent or eliminate excess fishing capacity and shall ensure that levels of fishing effort are commensurate with sustainable use of fishery resources.
2. The International Plan of Action for the Management of Fishing Capacity was adopted at the 23rd Session of the FAO Committee on Fisheries in February 1999. The IATTC has recognized that the issue of managing fishing capacity in the tuna fishery of the Eastern Pacific Ocean (EPO) needs to be addressed. Excessive fishing capacity is a problem that can contribute to overfishing, the degradation of marine fisheries resources, and the decline of food production potential, and inevitably causes economic waste.
3. At its 66th Meeting, held in San Jose, Costa Rica, on 12-15 June 2000, the IATTC adopted two resolutions that instructed the Director to prepare a comprehensive draft plan for the regional management of fishing capacity in the EPO.

2. NATURE AND SCOPE OF THE REGIONAL PLAN OF ACTION

4. This Plan of Action for the Regional Management of Tuna Fishing Capacity (the EPO Plan) has been elaborated within the framework of the FAO International Plan of Action for the Management of Fishing Capacity and the FAO Code of Conduct for Responsible Fisheries, as envisaged by Article 2(d) of the Code. The provisions of Article 3 of the Code apply to the interpretation and application of this Regional Plan of Action and its relationship with other international instruments.
5. The EPO Plan reflects the commitment of all IATTC Parties, cooperating non-Parties, fishing entities or regional economic integration organizations (collectively “CPCs”) to implement the Code of Conduct. CPCs and all participants in these fisheries should apply this Plan in a manner consistent with international law.
6. The EPO Plan is an element of fishery conservation and sustainable management. It is a policy document that establishes the general framework for managing the capacity of the fleet targeting

species covered by the Convention, and it will be implemented by resolutions adopted by the Commission.

3. OBJECTIVE AND PRINCIPLES

7. The objective of the EPO Plan is to achieve, by 1 January 2006 or as soon as possible thereafter, an efficient, equitable and transparent management of fishing capacity in the EPO, to assist in achieving long-term sustainability of the fishery targeting species covered by the Convention. The management of fleet capacity will complement other measures taken to conserve the stocks of species covered by the Convention. CPCs and all participants in these fisheries should limit the total fleet capacity to the present level and to reduce it, as appropriate, in accordance with an agreed program. After any targets for the fleet capacity have been achieved, CPCs and all participants in these fisheries should exercise caution to avoid growth in fleet capacity.
8. The immediate objective should be achieved through a series of actions related to two main strategies:
 - a. The updating of a comprehensive regional assessment of fishing capacity and improvement of the capability for monitoring fishing capacity;
 - b. The consideration of a reduction schedule to effectively manage fishing capacity.
9. These strategies may be implemented through complementary mechanisms to promote implementation of this EPO Plan: awareness building and education, technical cooperation at the international level, and coordination.
10. The management of fishing capacity should be based on the FAO Code of Conduct for Responsible Fisheries and should take into consideration the following major principles and approaches.
 - a. **Participation:** The EPO Plan should be implemented through the IATTC, in cooperation with other appropriate intergovernmental organizations.
 - b. **Phased implementation:** The management of fishing capacity should be achieved through actions in the following three phases: (1) assessments and monitoring of fishing capacity, and periodic adjustment of target levels established for the fleet and/or fishery, as appropriate; (2) capacity limits; and (3) economic incentives.
 - c. **Holistic approach:** The management of fishing capacity in the EPO should be comprehensive and consider all factors affecting capacity in both national and international waters.
 - d. **Conservation:** The management of fishing capacity should facilitate the conservation and sustainable use of tuna stocks in the EPO and the conservation of the marine environment. It should be consistent with the precautionary approach, the need to minimize bycatch, waste, and discards, and ensure selective and environmentally safe fishing practices and the protection of biodiversity in the marine environment.
 - e. **Priority:** Priority should be given to managing the fishing capacity in the tuna purse-seine and longline fisheries, in which there already exists excess fishing capacity. However, the management of capacity in other fisheries should also be addressed.
 - f. **New technologies:** The management of fishing capacity should take into account the incorporation of environmentally sound and evolving technology in all fisheries covered by this Plan.
 - g. **Mobility:** The management of fishing capacity should encourage the efficient use of fishing capacity, allow the legitimate transfer of vessels among CPCs and all participants in these fisheries, and discourage entry of new vessels into the EPO if that leads to excess capacity.
 - h. **Transparency:** The EPO Plan should be implemented in a transparent manner in accordance with Article 6.13 of the Code of Conduct.

- i. **Awareness building and education.** CPCs and all participants in these fisheries should develop information programs at national and regional levels to increase awareness about the need for the management of fishing capacity, and the costs and benefits resulting from adjustments in that capacity in the EPO.
 - j. **Scientific and technical cooperation.** CPCs and all participants in these fisheries should support training and institutional strengthening and consider providing financial, technical, and other assistance to developing countries on issues related to the management of fishing capacity.
 - k. **International collaboration.** CPCs and all participants in these fisheries should strive to collaborate, through FAO and through international arrangements, in research, training, and the production of information and educational material aiming to promote the effective management of fishing capacity. The IATTC should keep FAO updated on progress on the assessment, development, and implementation of the EPO Plan.
11. The implementation of the EPO Plan should give due recognition to Article 5 of the Code of Conduct, in relation to enhancing the ability of developing countries to participate in fisheries targeting species covered by the Convention, including access to such fisheries, in accordance with their legitimate rights and their obligations under international law.
 12. In the implementation of the EPO Plan, the right of coastal countries and CPCs with a longstanding and significant interest in the tuna fisheries in the EPO to develop and maintain their own tuna-fishing industries should be acknowledged and affirmed.
 13. The economic importance of the fleets targeting species covered by the Convention and the need to limit the size of these fleets to a level commensurate with economic viability should be considered in implementing the EPO Plan.

4. PHASE ONE

4.1. Assessment and monitoring of fishing capacity

4.1.1. *Measurement of fishing capacity*

14. The IATTC should monitor, through the Permanent Working Group on Fleet Capacity, the capacity of the fleet targeting species covered by the Convention. The well volume of vessels, in cubic meters (m³), will be used as the primary basis for measuring the capacity of the purse-seine fleet.

4.1.2. *Diagnosis and assessment*

15. The IATTC should establish the target fishing capacity of all the fleets targeting species covered by the Convention.
16. The target level for the purse-seine fishery is 158,000 m³ of total well volume. This target level should be reviewed on a regular basis, and modified, if necessary, taking into account the status of the stocks.
17. The IATTC should also establish the target fishing capacity for longliners and for other fleets.

4.1.3. *Regional Vessel Register*

18. The IATTC has established, in accordance with its Resolution C-00-06 of June 2000, a Regional Register of Vessels authorized to fish in the Convention Area for species covered by the Convention and, in accordance with Resolution C-03-07, a list of longline fishing vessels over 24 meters authorized to operate in the eastern Pacific Ocean. CPCs and all participants in these fisheries should provide the Director with information concerning any change to their fleets.
19. CPCs and all participants in these fisheries should support FAO in the development of appropriate and compatible standards for records of fishing vessels.

20. The IATTC has established, in accordance with Resolution C-04-04, a list of vessels presumed to have carried out illegal, unreported and unregulated (IUU) fishing activities in the eastern Pacific Ocean.

5. PHASE TWO

5.1. Capacity Limits

5.1.1. Purse-seine fleet

21. Each CPC and participant in these fisheries should limit the capacity of its purse-seine fleet targeting species covered by the Convention consistent with the objective of this Plan and the Resolution on Fleet Capacity.
22. The Permanent Working Group on Fleet Capacity will, by 30 June 2006 or as soon as possible thereafter, evaluate the necessity and feasibility of a reduction plan to achieve the target level of well volume, with a target date for implementation to be determined by the Commission.

5.1.2. Longline fleets and other fleets

23. The Permanent Working Group on Fleet Capacity will develop mechanisms to limit the capacity of longline and other fleets targeting species covered by the Convention using gears other than purse seines and propose target levels for such fleets and a reduction plan to achieve them.¹

6. PHASE THREE

6.1. Economic incentives

24. CPCs and all participants in these fisheries should assess the possible impact of all factors, including vessel construction for export, contributing to overcapacity on the sustainable management of fisheries targeting species covered by the Convention, distinguishing between factors which contribute to overcapacity and unsustainability and those which produce a positive effect or are neutral.
25. CPCs and all participants in these fisheries should reduce and progressively eliminate all factors, including economic incentives and other factors that contribute, directly or indirectly, to the build-up of excessive fishing capacity, thereby undermining the sustainability of the species covered by the Convention.

7. COMPLIANCE

26. The Permanent Working Group on Compliance should review and monitor compliance with the EPO Plan, and should recommend to the IATTC appropriate measures for addressing matters related to compliance with the EPO Plan.
27. The IATTC should identify CPCs and all participants in these fisheries whose vessels fish for species covered by the Convention that do not exercise effective jurisdiction and control over their vessels, or whose vessels do not comply with the EPO Plan. The Commission should take measures to encourage such CPCs and participants in these fisheries to implement the EPO Plan.

8. PERIODIC REVIEW AND ADJUSTMENTS

28. At least every four years, the IATTC should review the implementation of the EPO Plan to identify cost-effective strategies for increasing its effectiveness and the consideration of different management systems and fishing capacity.
29. The overall capacity target should be reviewed regularly, taking into account ecosystem considerations as appropriate, to ensure that it remains in balance with the available fishery resources

¹ The Commission adopted a *Resolution on the management of fishing capacity of large-scale tuna longline fishery* in June 1999

and management objectives.

9. OPERATIONAL PROCEDURES

30. The Permanent Working Group on Fleet Capacity should recommend to the IATTC measures for addressing matters related to the EPO Plan, including adjustments as appropriate, and should review annually the entry of new vessels to the fleet targeting species covered by the Convention. The entry of new vessels should be governed by the following considerations:
 - a. The transfer, from the jurisdiction of one CPC or participant in these fisheries to that of another, of any vessel that will fish for species covered by the Convention and be included on the Regional Vessel Register, shall be governed by relevant Commission resolutions.
 - b. A system to deal with new vessels (defined as those not included in the Regional Vessel Register) entering the fleet targeting species covered by the Convention should be developed. The system should include rules to address how vessels not currently participating in the fishery targeting species covered by the Convention might do so in the future, and the replacement of lost or retired vessels.
31. CPCs and all participants in these fisheries should provide the Director, in a timely manner and in accordance with Commission resolutions, all the information regarding their flag vessels necessary for the proper maintenance of the Register.

10. COOPERATION WITH OTHER ORGANIZATIONS AND ARRANGEMENTS

32. CPCs and all participants in these fisheries should consider participating in international agreements that relate to the management of fishing capacity, in particular the 1993 FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas.
33. The IATTC should support co-operation and the exchange of information with FAO and relevant regional fisheries organizations.