

**IMPLEMENTATION OF ARTICLE 22, PARAGRAPH 4, OF THE CONVENTION:  
COOPERATION WITH THE INTER-AMERICAN TROPICAL TUNA COMMISSION  
(IATTC) TO AVOID DUPLICATION OF MEASURES**

Prepared by the Secretariat

1. At the second session of the Preparatory Conference, which was held in Madang, Papua New Guinea, 25 February to 1 March, 2002, the Chairman of the Conference reported on the outcome of informal consultations on the agenda item entitled “mechanisms to promote participation” (WCPFC/PrepCon/10). The Chairman reported that with respect to the issue of cooperation with other regional fishery management organizations to avoid duplication of measures, the delegations participating in the informal consultations agreed to recommend to the Preparatory Conference that it should undertake the necessary steps to give full effect to the provisions of article 22 of the Convention related to cooperation with other regional fishery management bodies, to avoid duplication of management measures between these organizations.
2. With respect to the IATTC, the delegations participating in the informal consultations agreed to recommend to the Preparatory Conference that it appoint a group to work with the IATTC to develop guidelines to give full effect to article 22, paragraph 4, of the Convention, with respect to the need to avoid duplication of management measures in the area of overlap between the two organizations and to promote consistent management measures throughout the migratory range of stocks that occur in the areas covered by the two conventions. These guidelines could be presented for the consideration of the full Preparatory Conference at its next session.
3. Whilst the Preparatory Conference has not yet formally appointed a group to work with the IATTC in the manner proposed by PrepCon 2, the present working paper is an attempt to set out the issues involved and to propose possible approaches that might be considered by such a group. The paper has been prepared by the Secretariat in collaboration with the staff of the IATTC. It is suggested that PrepCon 3 might offer an opportunity for consultations between interested delegations, and with the IATTC representatives, on this matter. Given the workload of PrepCon 3, it may be that such consultations might best be progressed informally, outside the regular meeting hours.
4. There are two aspects to the question of achieving compatible measures and avoiding duplication between the new Commission and the IATTC. One is the issue of measures that would apply in the specific area of overlap between the two Commissions, and the other is cooperation in the development of measures generally, for example observer programmes, MCS measures, and conservation measures that would apply to stocks migrating across the boundaries of the two organizations. There is also the issue of cooperation in scientific research and analysis, which is related to these other questions.

5. It should be noted that the IATTC also serves as the Secretariat for the Agreement on the International Dolphin Conservation Program (AIDCP), and the AIDCP establishes the observer program and certain reporting requirements affecting vessels fishing in the eastern Pacific. References to IATTC in this paper thus encompass AIDCP, when appropriate.

6. It is suggested that the best way to give full effect to Article 22 is to ensure that information on existing and potential management measures and all relevant scientific matters is shared by the two organizations in a systematic and meaningful manner. There are several ways that this could be accomplished:

(a) Attendance at appropriate meetings of the IATTC (and vice-versa) by representatives of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC), or the Preparatory Conference in the interim period, who would share information with IATTC and report back on developments in the eastern Pacific. In this regard, the Convention notes in Article 12 that representatives of IATTC should participate in the work of the Scientific Committee.

(b) Development of an exchange of letters with IATTC setting forth systematic procedures to share relevant management information.

(c) Creation of a permanent committee or working group, which would meet as appropriate to share information, exchange ideas and engage in a dialogue on how best to establish compatible and non-duplicative measures. Representatives and staff of the two organizations would attend meetings of such a working group.

These three approaches are not mutually exclusive. The third approach would obviously create a more robust and dynamic relationship, but at this stage it might be premature to proceed towards the establishment of such a permanent working group.

7. Regardless of how it is decided to proceed in the longer run to give full effect to Article 22 as it relates to the IATTC, the following points could serve as guidelines on how to approach the relationship and ensure, to the extent possible, that management measures are compatible and not unnecessarily burdensome to fishermen operating in the overlap area:

#### **Draft Guidelines**

8. The WCPFC and the IATTC, in recognition of the fact that fish stocks and fishing activities of interest to both organizations occur in both the eastern and western Pacific ocean, should:

(a) closely collaborate on all relevant scientific issues, including sharing catch data and cooperating in relevant research matters, particularly technical analysis on the status of tuna stocks in the Pacific;

(b) establish an arrangement to ensure that information on existing and potential management measures is shared by the two organizations in a systematic manner.

(c) endeavour to ensure that the management measures applied by each organization in the area of overlap between the two commissions:

- (i) are not inconsistent.
- (ii) do not result in fishermen being subjected to duplicative management requirements.
- (iii) are respected by fishermen and vessels operating primarily under the purview of the other commission
- (d) endeavour to ensure that, in the area of overlap between the two commissions, data and information reporting requirements of the two organizations are similar and are implemented in a manner that is not unnecessarily burdensome to fishermen.
- (e) endeavour to ensure that any observer programmes established are closely coordinated, compatible, and mutually acceptable in terms of fulfilling the observer requirements of each organization.
- (f) endeavour to ensure that any monitoring, control, and surveillance measures established are compatible, mutually supportive and closely coordinated in order to achieve maximum effectiveness and to avoid conflicting requirements.

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