

MINISTERIAL AGREEMENT # 076

SECRETARY OF FISHERY RESOURCES

WHEREAS:

That the second paragraph of Article 14 of the Constitution of the Republic of Ecuador declared of public interest environmental preservation, conservation of ecosystems, biodiversity and genetic integrity of the country, the prevention of environmental damage and the recovery of degraded natural areas.

That Article 3 of the Law on Fisheries and Fisheries Development specifies that for purposes of research, exploitation, conservation and protection of bio-aquatic resources shall be governed by the provisions of the Fisheries Act and Fisheries Development, in international conventions that is part of Ecuador and the principles of international cooperation;

That Article 13 of the Fisheries Act and Fisheries Development states that the responsible minister is empowered to resolve and regulate special cases and unforeseen that may arise in the implementation of this Act;

That, in accordance with the provisions of Article 19 of the Fisheries Act and Fisheries Development in analysis, any phase of fishing may be prohibited, limited or conditioned by the agreement issued by the competent Ministry when the national interest so require, after consulting the National Fisheries Development Board;

That, the National Fisheries Development in Resolution No. CNDP-001-2000 published in Official Gazette No. 22 of February 22, 2000 authorized the Secretary of Fisheries for the most timely, when cases warrant it, implement the resolutions of the IATTC, and the rules contained in the AIDCP, through ministerial agreements and / or instructions, without prior opinion of the Board;

That the Republic of Ecuador is a Contracting Party to the Inter-American Tropical Tuna Commission (IATTC) and the Agreement on the International Dolphin Conservation Program (AIDCP), organizations that have as main objective the conservation and management to ensure the sustainability Long term tuna stocks and other marine resources associated with the tuna fishery in the Eastern Pacific Ocean (EPO);

That the Republic of Ecuador is a member uncooperative (CNM) of the Committee on Fisheries in the Western and Central Pacific - WCPFC, an organization whose main objective is the conservation of bluefin tuna and other marine resources management associated with fishing for tuna in the area under its jurisdiction in the Pacific Ocean to ensure long-term sustainability, and its request to continue as the CNM, Ecuador agreed to cooperate in the implementation of all conservation and management measures adopted by the Commission ;

That it is necessary that all the conditions for approval of Ecuador as an uncooperative member (CNM) contained in document No. WCPFC6-2009/28 of December 10, 2009, approved by the Commission, must be properly regulated;

That it is necessary that the Ecuador maintained its regional leadership and recognized conservation efforts permanently practiced in relation to the marine resources of general resources and tuna in particular;

That, taking into account that the WCPFC adopted resolutions 2009-CMM and CMM-02-01-2008 for the years 2009, 2010 and 2012, and agreed for 2013 in the ninth regular session, held in Manila Philippines December 2012, resolution CMM 2012-02, which must be observed by the Contracting Parties and Cooperating non-parties;

That mining activities tuna, processing and marketing are one of the pillars of the national economy, as well as being a source of employment and food to the people of Ecuador;

That Article 14 of the Fisheries Act and Fisheries Development states that the relevant ministry will be responsible for directing and implementing fisheries policy of the country, through the Undersecretary of Fisheries;

That, by Ministerial Agreement No. 105 of March 11, 2013, Article 3, paragraph 2.3.1.2 reform FISHERY RESOURCES MANAGEMENT Ministerial Agreement No. 281 of July 29, 2011, to which is added letter z) with the following text: "To exercise all the powers and duties of regulation and control of the fishing activities established in the Law on Fisheries and Fisheries Development, rules and other applicable regulations";

That by Personnel Action No. 0354179 of June 17, 2013, I am exercising subrogating Assistant Secretary of Fisheries during the period from 17 to 23 June 2013;

In exercise of the powers laws, regulations and other rules of secondary character;

AGREE:

Article. 1. - Set the ban for 2013, for all Ecuadorian tuna vessels authorized to fish legally in the area of the Western Central Pacific Fisheries Commission WCPFC, with a close catching tuna with FADs in the area between 20 ° N and 20 ° S, in the high seas and within EEZs, between 00.00 on July 1 until October 31, 24h00 on 2013.

Article. 2. - Fishing vessels registered in the Western Central Pacific Fisheries Commission WCPFC only may fish in the exclusive economic zone of the States and / or Parties that have licensed corresponding fishing. Therefore, deep sea fishing in the Western Central Pacific Fisheries Commission WCPFC is prohibited at all times during the year for all Ecuadorian flag vessels, except in the region of overlap with American Tropical Tuna Commission (IATTC).



Article. 3. - For tuna purse seine fishing without a license to operate in the area of the Western Central Pacific Fisheries Commission WCPFC may fish only in the Eastern Pacific Ocean (EPO) area under the jurisdiction of the Inter-American Tropical Tuna Commission (IATTC), ie between 50 ° N, 50 ° S, 150 ° W and the coast of the Americas, subject to the conservation of American Tropical Tuna Commission (IATTC) for and in force.

Article. 4. - Any violation of this Agreement, shall be punished in accordance with the provisions of the Fisheries Act and Fisheries Development.

Article. 5.- Take care the Vice Ministry of Aquaculture and Fisheries through the Undersecretary of Fisheries and Aquatic Resources Department of the Navy, the execution and performance of this Agreement.

Article. 6.- Ministerial This Agreement shall enter into force from the date of subscription, without prejudice to its publication in the Official Gazette.

Communication and publication.

Given in Manta, to June 21, 2013


Ing. Gladys Cedeño Marcillo
SUBSECRETARIA DE RECURSOS PESQUEROS (SUBROGANTE)



 JNT/EMV

