

# Six Month Update for the Eastern Pacific Ocean purse seine tuna Fishery Improvement Project (Marpesca)

*Prepared by*

**by Key Traceability Ltd.**

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**June 2022**

Project ref: 0077



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## Action updates for the Eastern Pacific purse seine tuna fishery.

This report is a summary of the steps made by the Eastern Pacific Ocean purse seine fishery improvement project (FIP) from December 2019 to date. This document will provide a summary of activities since the initiation of the FIP, and the individual actions listed in the workplan.

The FIP was launched in December 2019 following an MSC pre-assessment and workplan conducted by Key Traceability Ltd. The fishery is managed by Marpesca and targets bigeye (*Thunnus obesus*), skipjack (*Katsuwonus pelamis*) and yellowfin (*T. albacares*) tuna. There are five purse seine vessels flagged to Nicaragua and Panama, fishing on the high seas in the Eastern Pacific Ocean (EPO) (and occasionally in national Exclusive Economic Zones (EEZs)). They are operated by Marpesca and are managed regionally by the IATTC. They fish both using Fish Aggregation Devices (FADs) and free school (non-FAD associated).

The steering group is comprised of the Marpesca FIP managers, and the Key Traceability FIP coordinators. Steering group calls between FIP participant and FIP coordinator occurs every month to maintain momentum with progress.

The FIP has also provided evidence of the self-evaluation form that is imperative for the FIP to comply with the new social performance on FisheryProgress. Following the submission of the self-evaluation form, the FIP will work towards producing the relative risk assessment and social workplan. The FIP has also provided the company-wide grievance mechanism that handles all complaints procedures on board the vessel if and when they occur.

The next part of the report will address the work completed towards the completion of individual workplan actions.

### Principle 1 – Sustainable fish stocks

Create evidence of yellowfin stock rebuilding or evidence that the stock will be able to be rebuilt within a specific timeframe	
Activity 1.1 – Lobbying IATTC and flag states to conduct re-building scenarios. Independent scientific assistance to support the IATTC developing YFT rebuilding scenarios.	Fishery Progress timeline: <ul style="list-style-type: none"> <li>• June 2020</li> <li>• December 2020</li> <li>• June 2021</li> <li>• December 2021</li> <li>• June 2022</li> </ul>
Activity 1.2 – Lobbying IATTC and flag states for robust, comprehensive YFT rebuilding strategy developed to enable fishing to be at MSY levels.	
Activity 1.3 – Lobbying IATTC and flag states to adopt the above rebuilding strategy.	
Activity 1.4 – Re-evaluation of the re-building plan at end of Yr. 3. Short-term technical assistance to the IATTC. Fishing mortality (F) is <FMSY.	
<b>Update as of June 2020</b>	
Lobbying to the IATTC will happen in July 2020 ahead of the August RFMO meeting. We have drafted position papers to align with ISSF to send to the RFMO and the FIP's flag state delegates.	
As a FIP we have been building on relationships at flag state and RFMO levels.	

In addition to this, discussions have been had with the FIP coordinator of the <a href="#">Pacific Ocean tropical tuna - purse seine (US Pacific Tuna Group) FIP</a> in how we can align our actions and advocacy. An in-person meeting was hoping to be planned alongside the RFMO meeting in California to iron out the details.
<b>Update as of December 2020</b>
Due to the delayed RFMO meeting we sent advocacy letters in advance to the meeting hosted the week of 30 November. These letters were well received by the flag states. We eagerly anticipate the formal conclusions that shall be released in January 2021. Once these have been released, we will pursue a meeting either in person or virtually with the flag states to run through gaps in the P3 assessment and how to close these out.
<b>Evidence:</b>
<b>Advocacy Letters sent to the flag states</b>
<b>Update as of June 2021</b>
The IATTC annual meeting will be hosted in Aug 16-27, 2021. Ahead of the meeting the group shall create and send advocacy out to the IATTC and flag states detailing our asks.
We have attempted to engage with flag states with no response. We shall continue to attempt to host a call with them.
<b>Evidence:</b>
<ul style="list-style-type: none"> <li>• NA</li> </ul>
<b>Update as of December 2021</b>
Advocacy letters were prepared and sent ahead of the annual IATTC meeting in August that detailed our asks and requirements for participating countries and the RFMO to address.
<b>Evidence:</b>
<b>IATTC Position Statements</b>
<b>Update as of June 2022</b>
A position statement was produced on behalf of Marpesca for the upcoming IATTC meeting, complete with a number of Asks that include improved tuna management measures.
<b>Evidence:</b>
<ul style="list-style-type: none"> <li>• IATTC Position statement (See supporting documents tab and Appendix I).</li> </ul>

Develop a well-managed harvest strategy for all three tuna species	
<i>Activity 1.1</i> – Engage with IATTC scientists and CCM delegations to advocate for Management Strategy Options (MSEs) for controlling SKJ, YFT, and BET tuna harvest developed.	Fishery Progress timeline: <ul style="list-style-type: none"> <li>• June 2020</li> <li>• December 2020</li> <li>• June 2021</li> <li>• December 2021</li> <li>• June 2022</li> </ul>
<i>Activity 1.2</i> – Hold meetings with delegation members 3-4 times per year.	
<i>Activity 1.3</i> – IATTC briefing Document on Harvest Strategies (2020). Prior to IATTC plenary 2020, produce a formal briefing document regarding the status of the harvest strategy/stock rebuilding for each stock.	
<i>Activity 1.4</i> – Position paper for a harvest control strategy and HCRs	

<p><b>Update as of June 2020</b></p> <p>Lobbying to the IATTC will happen in July 2020 ahead of the August RFMO meeting. We have drafted position papers to align with ISSF to send to the RFMO and the FIP’s flag state delegates.</p> <p>As a FIP we have been building on relationships at flag state and RFMO levels.</p> <p>In addition to this, discussions have been had with the FIP coordinator of the <a href="#">Pacific Ocean tropical tuna - purse seine (US Pacific Tuna Group) FIP</a> in how we can align our actions and advocacy. An in-person meeting was hoping to be planned alongside the RFMO meeting in California to iron out the details.</p>
<p><b>Update as of December 2020</b></p> <p>Due to the delayed RFMO meeting we sent advocacy letters in advance to the meeting hosted the week of 30 November. These letters were well received by the flag states. We eagerly anticipate the formal conclusions that shall be released in January 2021. Once these have been released, we will pursue a meeting either in person or virtually with the flag states to run through gaps in the P3 assessment and how to close these out.</p> <p><b>Evidence:</b></p> <p><b>Advocacy Letters sent to the flag states</b></p>
<p><b>Update as of June 2021</b></p> <p>The IATTC annual meeting will be hosted in Aug 16-27, 2021. Ahead of the meeting the group shall create and send advocacy out to the IATTC and flag states detailing our asks.</p> <p>We have attempted to engage with flag states with no response. We shall continue to attempt to host a call with them.</p> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li>• NA</li> </ul>
<p><b>Update as of December 2021</b></p> <p>Advocacy letters were prepared and sent ahead of the annual IATTC meeting in August that detailed our asks and requirements for participating countries and the RFMO to address.</p> <p><b>Evidence:</b></p> <p><b>IATTC Position Statements</b></p>
<p><b>Update as of June 2022</b></p> <p>The recent <i>interim</i> stock assessment conducted on EPO skipjack tuna indicated that the harvest strategy designed for this species is effective, based on the assessment of bigeye, which are a less resilient species than skipjack. From this inference, the harvest strategy appears to be effective for skipjack stocks in this <i>interim</i> assessment, but further analysis may be beneficial during a full assessment. In the ISSF Status of the Stocks report, released in March 2022, it was evidenced that the harvest strategy for skipjack tuna had not met a conditional pass (SG 75), meaning that this PI cannot be closed out for skipjack.</p> <p>The <i>interim</i> assessment demonstrated that the harvest strategy for bigeye is also effective but the ISSF Status of the Stocks report showed that this PI passed with conditions (SG75) and therefore requires more work to improve.</p> <p>The ISSF Status of the Stocks report, released in March 2022 demonstrated that EPO yellowfin achieved an unconditional pass (SG &gt;80) for the harvest strategy, meaning that this PI can be closed out for yellowfin tuna.</p> <p>Due to the bigeye and skipjack tuna conditional passes for harvest strategy, this action cannot yet be closed out.</p>

A position statement to the IATTC annual meeting was produced on behalf of the FIP, outlining particular issues regarding tuna management and conservation that the FIP wants IATTC to investigate and improve on.

*Evidence:*

- Principle 1 update re-assessment report (supporting documents tab).
- IATTC position statement (supporting documents tab and Appendix I).

Develop Harvest Control Rules (HCRs) and tools for bigeye and yellowfin tuna	
<i>Activity 1.1</i> – Engage with IATTC scientists and CCM delegations to advocate for Management Strategy Options (MSEs) for controlling SKJ, YFT, and BET tuna harvest developed.	<p>Fishery Progress timeline:</p> <ul style="list-style-type: none"> <li>• June 2020</li> <li>• December 2020</li> <li>• June 2021</li> <li>• December 2021</li> <li>• June 2022</li> </ul>
<i>Activity 1.2</i> – Hold meetings with delegation members 3-4 times per year.	
<i>Activity 1.3</i> – IATTC briefing Document on Harvest Strategies (2020). Prior to IATTC plenary 2020, produce a formal briefing document regarding the status of the harvest strategy/stock rebuilding for each stock.	
<i>Activity 1.4</i> – Position paper for a harvest control strategy and HCRs	
<i>Activity 1.5</i> – Promote best practice for harvest strategy and stock rebuilding	
<i>Activity 1.6</i> – Continue to advocate for progression of harvest strategy development. Intersessional discussions to progress the harvest strategies between like-minded IATTC members and organisations, and formally at the relevant IATTC meetings.	
<b>Update as of June 2020</b>	
<p>Lobbying to the IATTC will happen in July 2020 ahead of the August RFMO meeting. We have drafted position papers to align with ISSF to send to the RFMO and the FIP’s flag state delegates.</p> <p>As a FIP we have been building on relationships at flag state and RFMO levels.</p> <p>In addition to this, discussions have been had with the FIP coordinator of the <a href="#">Pacific Ocean tropical tuna - purse seine (US Pacific Tuna Group) FIP</a> in how we can align our actions and advocacy. An in-person meeting was hoping to be planned alongside the RFMO meeting in California to iron out the details.</p>	
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<b>Update as of June 2021</b>	

The IATTC annual meeting will be hosted in Aug 16-27, 2021. Ahead of the meeting the group shall create and send advocacy out to the IATTC and flag states detailing our asks.

We have attempted to engage with flag states with no response. We shall continue to attempt to host a call with them.

**Evidence:**

- NA

**Update as of December 2021**

Advocacy letters were prepared and sent ahead of the annual IATTC meeting in August that detailed our asks and requirements for participating countries and the RFMO to address.

**Evidence:**

**IATTC Position Statements**

**Update as of June 2022**

A position statement to the IATTC annual meeting was produced on behalf of the FIP, outlining particular issues regarding tuna management and conservation that the FIP wants IATTC to investigate and improve on

The ISSF status of the stocks recent report, released in March 2022 demonstrated that there are Harvest Control Rules in place for bigeye and yellowfin tuna, as of 2016 (Resolution C-16-02), aimed at preventing fishing mortality exceeding MSY. There are subsequently a number of actions to be taken if mortality rates are approaching MSY, in order to prevent it from being reached or surpassed. The HCRs for EPO bigeye and yellowfin scored an unconditional pass against the MSC Standard, and therefore closes out this action.

**Evidence:**

- IATTC position statement (supporting documents tab and Appendix I).

FAD Management	
<p><i>Activity 1.1</i> – Review current literature surrounding the ‘ecological trap hypotheses of FADs on behaviour, feeding and migration of key elements of the ecosystem, including ETP sharks, indication of other potential impacts of FADs on key elements of the ecosystem</p>	<p>Fishery Progress timeline:</p> <ul style="list-style-type: none"> <li>• June 2020</li> <li>• December 2020</li> <li>• June 2021</li> <li>• December 2021</li> <li>• June 2022</li> </ul>
<p><i>Activity 1.2</i> – Define its approach to investigate the ‘ecological trap hypotheses of FADs on behaviour, feeding and migration of key elements of the ecosystem</p>	
<p><i>Activity 1.3</i> – Verify the fishery’s formal commitment to using only non-entangling FADs.</p>	
<p><i>Activity 1.4</i> – Species identification training for skippers is needed to improve the accuracy of fishery-dependent recordings</p>	
<p><i>Activity 1.5</i> – ETP species recording needs to be improved to allow cross-checking with observer data and EMS analysis</p>	
<p><i>Activity 1.6</i> – Define a FAD management plan aimed at reducing the risk of derelict and impact of entangling FADs.</p>	

<p><i>Activity 1.7</i> – Implement investigation approach as outlined above</p>
<p><i>Activity 1.8</i> – Align with work with relevant e-NGOs in relevant to the fishery to test the difference in the impacts of biodegradable and traditional non-entangling FADs in selected locations.</p>
<p><i>Activity 1.9</i> – Reach out to e-NGOs in other countries to determine the potential risk to corals from derelict FADs and entanglement of ETP species.</p>
<p><i>Activity 1.10</i> – Analyse fishery reporting on ETP species in conjunction with observer data.</p>
<p><i>Activity 1.11</i> – Improve management strategies where necessary to fill gaps.</p>
<p><i>Activity 1.12</i> – Implement a FAD management.</p>
<p><i>Activity 1.13</i> – Verify use on non-entangling FADs through observer programme.</p>
<p><i>Activity 1.14</i> – Present a report that provides evidence that the collected information has been analysed with the identification of the main impacts of derelict FADs.</p>
<p><i>Activity 1.15</i> – Present a report on investigation as outlined in 5b. Report will cover: (i) the potential impact of the UoAs FADs on the behaviour, feeding and migration of key elements of the ecosystem (including ETP species); and (ii) any other main consequences.</p>
<p><b>Update as of June 2020</b></p> <p>All the vessels in the FIP are listed on the ISSF PVR and are therefore using non-entangling or less risk entangling FADs. We have taken this further and developed a FAD policy that has been adopted by the fleet.</p> <p>Any in person training has unfortunately had to be postponed due to the current situation with COVID-19 and the restrictions on travel and in ports. All training is aligned with ISSF.</p> <p>A FAD Questionnaire has been created and has been filled in by skippers to understand FAD design and deployment. FADs deployed are low and we will work to increase FAD retrieval and decrease FAD losses.</p> <p>Engaged with TNC and ISSF regarding potential FAD projects surrounding Biodegradable FADs and FAD retrieval projects. Are looking to engage in these throughout 2020.</p> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li>• <b>FAD Policy</b></li> <li>• <b>FAD Questionnaire</b></li> </ul>
<p><b>Update as of December 2020</b></p> <p>We have requested human observer data from the flag states in the FIP but are yet to receive a response. We shall follow this up after the IATTC meeting.</p> <p>We have reviewed the current literature surrounding the ‘ecological trap hypotheses of FADs on behaviour, feeding and migration of key elements of the ecosystem, including ETP sharks, indication of other potential impacts of FADs on key elements of the ecosystem. This has been approved by the FIP participants and the actions noted in the document shall be included in the workplan.</p>

We have worked with the FIP to build a FAD management plan and have asked for feedback from experts. This is currently being collated and will be included when agreed upon and received.

Marpesca and the FIP have entered into Letter of Agreement (LOA) on the feasibility of retrieving drifting Fish Aggregating Devices (FADs) in the Pacific Ocean with the results for the first phase of the project, involving scientific analyses of trajectories from satellite buoy data covering a 12-month period, identified some hotspots with higher rates of buoy deactivations and higher rates of beaching highlighting the potential for a FAD recovery programme.

In addition to this, we gladly welcome TNC to be a formal FIP participant to help us achieve our goals and objectives.

**Evidence:**

- **Request for Observer Data**
- **Ecosystem Trap Hypothesis Paper**
- **FAD Management Plan**
- **LOA FAD Retrieval Feasibility Study (Confidential)**

**TNC FIP Participation**

**Update as of June 2021**

FAD management within the FIP has been altered to be more holistic where vessels are now authorised to remove all FADs owned by the fishing company. This will greatly improve our opportunity to remove FADs that are more likely to fall apart and contribute to beaching or entangling events.

The fishery is exploring biodegradable fads, that will also be fully entangling. Currently we are testing the speed of biodegrade by placing a section of material in the well to understand how long it would take to biodegrade. This project will be carried out with all FIP participants, and the results will be published publicly when able.

**Evidence:**

- **NA**

**Update as of December 2021**

All vessels are adhering to the FIP management plan and have been part of the biodegradable “Jelly” FAD study. This information alongside the ISSF work will guide towards a new biodegradable FAD design that is effective.

Skipper training is planned to take place in Q1 2022 now that travel is possible to the region. We have also engaged a local consultant to help deliver this.

**Evidence:**

- **Findings from BioFAD study**
- **ISSF Findings**

**Skipper Training presentation**

**Update as of June 2022**

As a group, we have offered to continue engagement with the SPC BioFAD work in the Pacific. Lauriane at SPC has provided us with relevant information regarding the implementation process and budget and we hope to get BioFADs in the water this year.

A site visit is planned for August, 2022 in which the FIP coordinator and participant will be able to meet in person and discuss the important next steps for the FIP. The visit will also be an opportunity to verify that Principle 2 requirements are being adhered to onboard the vessel, including the FAD management policy. We



will be visiting the vessels and holding discussions with Skippers to understand the full impact that these policies are having on the FIP.

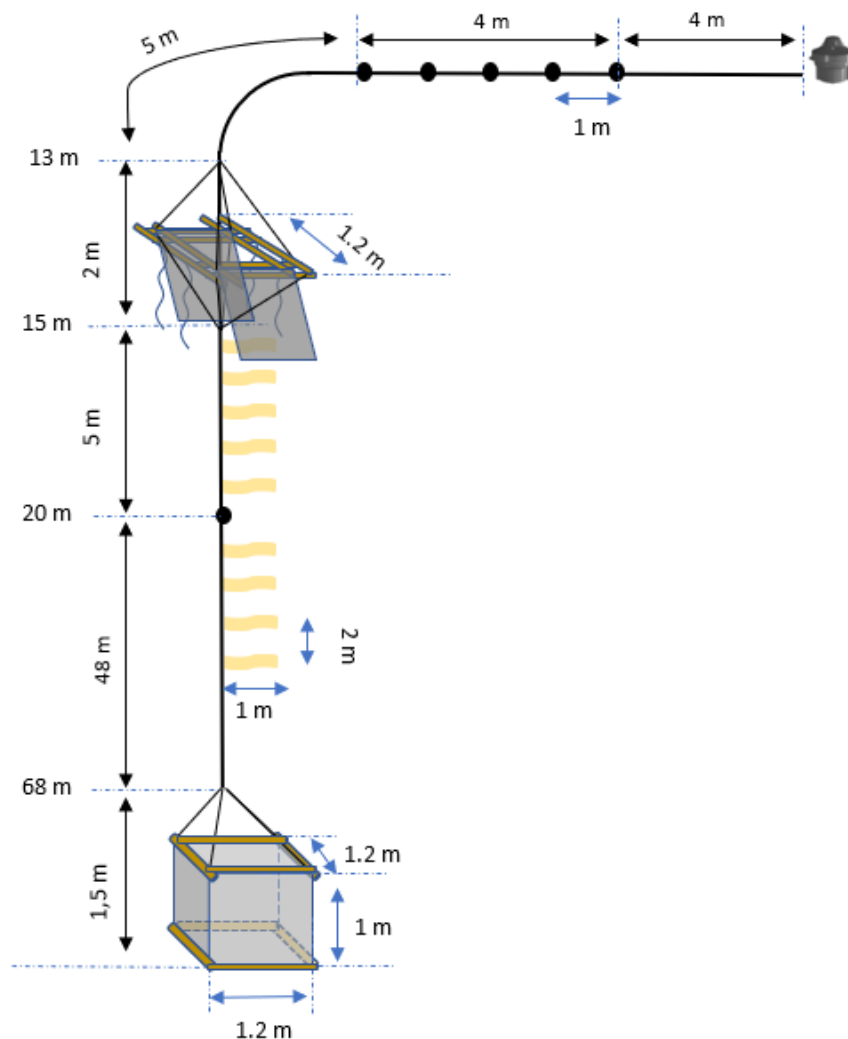
We will also be able to request and discuss skipper logbook data, which should include detailed information about the use of, deployment, retrieval, and number of FADs used on board. This will be critical information when assessing the effectiveness of the FAD management plans.

The FIP will also utilise the visit to conduct the skipper training that was mentioned in the previous FIP update report. In doing so, we will be able to engage with the crew and inform them about the importance of appropriate recording and use of FADs.

*Evidence*

- SPC BioFAD proposals (see supporting documents tab)
- JellyFAD diagram
- Site Visit Agenda (see supporting documents tab)

**DCP Biodegradable - JellyFAD**



Secondary species management – shark finning	
<i>Activity 1.1</i> – Shark finning risk assessment and management strategy, including assessing the effectiveness of NPOAs for sharks within the UoAs.	Fishery Progress timeline: <ul style="list-style-type: none"> <li>June 2020</li> <li>December 2020</li> <li>June 2021</li> <li>December 2021</li> <li>June 2022</li> </ul>
<i>Activity 1.2</i> – Analyse, if necessary, the need for EMS on fleet to provide third-party coverage of fleet activities with regard to shark finning.	
<i>Activity 1.3</i> – Development of a fleet-level generic bycatch reduction strategy to minimise bycatch levels, especially for associated sets. Strategy should include best-practice handling procedures.	
<i>Activity 1.4</i> – Put in place additional management measures, if required.	
<i>Activity 1.5</i> – Review effectiveness of management strategy.	
<b>Update as of June 2020</b>	
<p>An updated shark and turtle policy has been created to be all encompassing and to align better with the ISSF.</p> <p>All vessels are on the PVR and an ETP Management Strategy is nearing completion which shall be introduced and accepted at the fleet level.</p> <p><b>Evidence:</b></p> <p><b>Shark and Turtle Policy</b></p>	
<b>Update as of December 2020</b>	
<p>As we are still unable to travel, we have focused on providing the vessels with resources to aid in this action. We have created commonly encountered bycatch species to aid skippers in species identification.</p> <p>Also, we have completed the ETP management strategy, and these are being put onto vessels.</p> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li><b>Bycatch posters</b></li> </ul> <p><b>ETP Management Strategy</b></p>	
<b>Update as of June 2021</b>	
<p>This action is still open until we have received independent catch data from flag states. We are continuing to push flag states but so far have received no data.</p> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li><b>NA</b></li> </ul>	
<b>Update as of December 2021</b>	
<p>The FIP and the vessel company have sent multiple requests to the flag states and are still yet to receive any historical data that verifies that shark finning is not happening. We are confident this is the case but need the required information to validate this claim.</p> <p><b>Evidence:</b></p> <p><b>NA</b></p>	
<b>Update as of June 2022</b>	

Marpesca has introduced a new shark finning policy across all vessels within the fleet, including the purse seine vessels enrolled in this FIP.

During a site visit, scheduled for August, 2022, the FIP coordinator will be able to verify in-person that this policy (and other Principle 2 policies) are being strictly adhered to.

*Evidence:*

Shark finning policy (see Appendix I and supporting documents tab)

Legal and/or customary framework	
<i>Activity 1.1</i> – Conduct a review of fishery dispute mechanisms and customary fishery rights of Ecuador, Nicaragua, and Panama.	Fishery Progress timeline: <ul style="list-style-type: none"> <li>• June 2020</li> <li>• December 2020</li> <li>• June 2021</li> <li>• December 2021</li> <li>• June 2022</li> </ul>
<i>Activity 1.2</i> – Hold regular stakeholder meetings to develop dispute mechanisms and customary rights where absent	
<i>Activity 1.3</i> – Ensure appropriate transparent and effective dispute resolution and respect for rights is enshrined in legislation	
<b>Update as of June 2020</b>	
<p>Due to COVID-19 we have been unfortunately unable to meet to discuss these issues with the flag states and the contacts we have compiled.</p> <p>We shall attempt to speak to delegates at the IATTC meeting in August.</p>	
<b>Update as of December 2020</b>	
<p>Due to the delayed RFMO meeting we sent advocacy letters in advance to the meeting hosted the week of 30 November. These letters were well received by the flag states. We eagerly anticipate the formal conclusions that shall be released in January 2021. Once these have been released, we will pursue a meeting either in person or virtually with the flag states to run through gaps in the P3 assessment and how to close these out.</p> <p>If required, we will also create a ToR to hire a local consultant in the region to carry out further analyses and reviews of the fishery management systems.</p> <p><b>Evidence:</b></p> <p><b>Advocacy Letters sent to the flag states</b></p>	
<b>Update as of June 2021</b>	
<p>A ToR has been created to conduct a review using a consultant that has relevant experience and language skills of the region. This shall be sent out soon and the review shall take place engaging with authorities and identifying how we could close the gaps. This review of Panama and Nicaragua will be completed in Q1 2022.</p> <p>We have attempted to engage with flag states with no response. We shall continue to attempt to host a call with them.</p> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li>• NA</li> </ul>	
<b>Update as of December 2021</b>	
<p>A consultant has been confirmed and is currently drafting an updated review of Principle 3 using native language skills and contacts within the ministries. This first draft will be completed by the end of 2021 with the finalised version being done by January 2021 where the new scores will be taken into account.</p> <p>Officials from the EU have been visiting Panama to check the country’s progress on its efforts to get rid of its yellow card. The nation was handed the EU warning in December 2019 for not effectively monitoring its vessels for illegal fishing and not putting in place a strict sanctioning system. According to ARAP, as of July of this year, the country has completed 75 percent of the work needed to remove the yellow card. One large action was for Panama to update its fisheries legislation. This has been done and will be coming into effect in the coming months along with further protocols such as those to improve traceability efforts. As a FIP, we eagerly await these new protocols and the legislation and will update the FIP scoring when released.</p>	

<p><b>Evidence:</b></p> <p><i>ToR</i></p>
<p><b>Update as of June 2022</b></p> <p>An external review of the new Panamanian Fishing Law was carried out in 2021 for yellowfin tuna in response to the yellow card imposed by the EU for non-cooperation with fighting illegal, unreported, and unregulated (IUU) fishing. The main findings from the external review are as follows:</p> <p>“Law 204, from March 2021, regulates fishing and aquaculture in the Republic of Panama. Article 4 establishes, “It is the responsibility of the Authority to prepare, update and execute the National Fisheries and Aquaculture Policy, in coordination with all those entities related to fishing, aquaculture, related activities and activities related to fishing.” Also, Article 5 says, “ The Authority is empowered to regulate fishing, aquaculture, related activities and activities related to fishing throughout the national territory, in continental waters and marine areas under the sovereignty and jurisdiction of Panama. Thus, itself is empowered to regulate fishing and activities related to fishing carried out by Panamanian nationals or Panamanian-flagged vessels that operate beyond marine areas under the jurisdiction of Panama.” In addition, Article 8 establishes that the Authority will exercise its management taking into account general principles of the fisheries and aquaculture sector, with particular attention to Sustainability, Precautionary criterion, Participation, Cooperation, Prevention, and Ecosystem approach. As a result, and considering Panama’s membership and participation with several regional fisheries bodies, S.G. 80 is met for Sla.</p> <p>Article 134 of the Law establishes that “The administrative sanctioning process will be carried out following the principles of procedural economy, uniformity, speed, efficiency, simplification of procedures, publicity, and impartiality, with full respect for the due legal process and the right of defence of the interested. In addition, an appropriate dispute resolution framework is provided through a full-scale judicial system. As a result, S.G. 80 is met for Slb.</p> <p>Article 10 of the same Law says that “The general objectives of this Law are: 11. To ensure access and use of aquatic resources to coastal communities and towns natives.” Which is supported by Article 28 as well. Also, Article 50, says “For the purposes of this Law, the fishing activity carried out by Panamanian natural persons and foreigners domiciled in the Republic of Panama, with the purpose of feeding those who carry it out, their relatives and neighbours, shall be considered fishing for domestic consumption. The activity is generally carried out from the beaches or banks, and if you use boats, these are canoes or other rudimentary boats, using rudimentary fishing gear. The catches may not be marketed, and the Authority may regulate the activity.” As a result, Slc scores higher than SG80.”</p> <p>As a result of the findings from the external review, this PI for Panama can be closed out.</p> <p>The FIP coordinator is also preparing for a site visit to Panama in August to meet with the FIP participant as well as the governing body, ARAP to initiate the essential collaboration required to improve the Principle 3 management scoring for the fishery and the wider Panamanian EEZ. This will be a pivotal step in the progression of the FIP because we can then begin communicating with fisheries ministers and build a relationship with the industry in Panama in an attempt to improve the current fisheries management, specifically for tuna.</p> <p><i>Evidence:</i></p> <ul style="list-style-type: none"> <li>• P3 update report for Panama (supporting documents tab).</li> <li>• Site visit agenda</li> <li>• ARAP meeting agenda</li> </ul>

Fishery specific objectives	
<i>Activity 1.1</i> – Conduct a review of fishery specific management legislation of Ecuador, Nicaragua, and Panama with input from relevant stakeholders and produce a report of findings. Any new information found will be used to update this workplan as necessary.	Fishery Progress timeline: <ul style="list-style-type: none"> <li>• June 2020</li> <li>• December 2020</li> <li>• June 2021</li> <li>• December 2021</li> <li>• June 2022</li> </ul>
<i>Activity 1.2</i> – Meet with national management authorities of Ecuador, Nicaragua and Panama and other key stakeholders.	
<i>Activity 1.3</i> – The stakeholder group shall meet annually to discuss progress and formulation of tuna management plan where not in place.	
<i>Activity 1.4</i> – Produce a tuna management plan which explicitly lists the short- and long-term objectives.	
<i>Activity 1.5</i> – Review appropriateness of tuna management plan implemented and amend as necessary.	
<b>Update as of June 2020</b>	
<p>Due to COVID-19 we have been unfortunately unable to meet to discuss these issues with the flag states and the contacts we have compiled.</p> <p>We shall attempt to speak to delegates at the IATTC meeting in August.</p>	
<b>Update as of December 2020</b>	
<p>Due to the delayed RFMO meeting we sent advocacy letters in advance to the meeting hosted the week of 30 November. These letters were well received by the flag states. We eagerly anticipate the formal conclusions that shall be released in January 2021. Once these have been released, we will pursue a meeting either in person or virtually with the flag states to run through gaps in the P3 assessment and how to close these out.</p> <p>If required, we will also create a ToR to hire a local consultant in the region to carry out further analyses and reviews of the fishery management systems.</p> <p><b>Evidence:</b></p> <p><b>Advocacy Letters sent to the flag states</b></p>	
<b>Update as of June 2021</b>	
<p>A ToR has been created to conduct a review using a consultant that has relevant experience and language skills of the region. This shall be sent out soon and the review shall take place engaging with authorities and identifying how we could close the gaps.</p> <p>We have attempted to engage with flag states with no response. We shall continue to attempt to host a call with them.</p> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li>• NA</li> </ul>	
<b>Update as of December 2021</b>	
<p>A consultant has been confirmed and is currently drafting an updated review of Principle 3 using native language skills and contacts within the ministries. This first draft will be completed by the end of 2021 with the finalised version being done by January 2021 where the new scores will be taken into account.</p> <p>Officials from the EU have been visiting Panama to check the country’s progress on its efforts to get rid of its yellow card. The nation was handed the EU warning in December 2019 for not effectively monitoring its vessels for illegal fishing and not putting in place a strict sanctioning system. According to ARAP, as of July of this year,</p>	

the country has completed 75 percent of the work needed to remove the yellow card. One large action was for Panama to update its fisheries legislation. This has been done and will be coming into effect in the coming months along with further protocols such as those to improve traceability efforts. As a FIP, we eagerly await these new protocols and the legislation and will update the FIP scoring when released. This review of Panama and Nicaragua will be completed in Q1 2022.

**Evidence:**

**ToR**

**Update as of June 2022**

The external review for EPO yellowfin tuna demonstrated that there are no current management measures related to large pelagics across the Panamanian EEZ, which means there is no further progress with this PI.

The FIP coordinator is also preparing for a site visit to Panama in August to meet with the FIP participant as well as the governing body, ARAP to initiate the essential collaboration required to improve the Principle 3 management scoring for the fishery and the wider Panamanian EEZ. This will be a pivotal step in the progression of the FIP because we can then begin communicating with fisheries ministers and build a relationship with the industry in Panama in an attempt to improve the current fisheries management, specifically for tuna.

**Evidence:**

- P3 update report for Panama (supporting documents tab).
- Site visit agenda
- ARAP meeting agenda

Decision-making processes	
<i>Activity 1.1</i> – Conduct review of decision-making processes in Ecuador, Nicaragua, and Panama to fully understand gaps identified in pre-assessment.	Fishery Progress timeline: <ul style="list-style-type: none"> <li>• June 2020</li> <li>• December 2020</li> <li>• June 2021</li> <li>• December 2021</li> <li>• June 2022</li> </ul>
<i>Activity 1.2</i> – Define decision-making processes in the management plan.	
<i>Activity 1.3</i> – Hold consultations with relevant stakeholders to incorporate 8b into decision-making processes. Multiple consultations may need to be held.	
<i>Activity 1.4</i> – Implement the decision-making process, ensuring stakeholder are consulted and informed.	
<i>Activity 1.5</i> – Review the efficacy of the decision-making process.	
<b>Update as of June 2020</b>	
Due to COVID-19 we have been unfortunately unable to meet to discuss these issues with the flag states and the contacts we have compiled.	
We shall attempt to speak to delegates at the IATTC meeting in August.	
<b>Update as of December 2020</b>	

Due to the delayed RFMO meeting we sent advocacy letters in advance to the meeting hosted the week of 30 November. These letters were well received by the flag states. We eagerly anticipate the formal conclusions that shall be released in January 2021. Once these have been released, we will pursue a meeting either in person or virtually with the flag states to run through gaps in the P3 assessment and how to close these out.

If required, we will also create a ToR to hire a local consultant in the region to carry out further analyses and reviews of the fishery management systems.

**Evidence:**

**Advocacy Letters sent to the flag states**

**Update as of June 2021**

A ToR has been created to conduct a review using a consultant that has relevant experience and language skills of the region. This shall be sent out soon and the review shall take place engaging with authorities and identifying how we could close the gaps.

We have attempted to engage with flag states with no response. We shall continue to attempt to host a call with them.

**Evidence:**

- NA

**Update as of December 2021**

A consultant has been confirmed and is currently drafting an updated review of Principle 3 using native language skills and contacts within the ministries. This first draft will be completed by the end of 2021 with the finalised version being done by January 2021 where the new scores will be taken into account.

Officials from the EU have been visiting Panama to check the country’s progress on its efforts to get rid of its yellow card. The nation was handed the EU warning in December 2019 for not effectively monitoring its vessels for illegal fishing and not putting in place a strict sanctioning system. According to ARAP, as of July of this year, the country has completed 75 percent of the work needed to remove the yellow card. One large action was for Panama to update its fisheries legislation. This has been done and will be coming into effect in the coming months along with further protocols such as those to improve traceability efforts. As a FIP, we eagerly await these new protocols and the legislation and will update the FIP scoring when released. This review of Panama and Nicaragua will be completed in Q1 2022.

**Evidence:**

*ToR*

**Update as of June 2022**

In the external review conducted in 2021, there are some evident decision-making processes in place but there are no specific objectives or management plans initiated, which means the decision-making process is not effective so far.

The FIP coordinator is also preparing for a site visit to Panama in August to meet with the FIP participant as well as the governing body, ARAP to initiate the essential collaboration required to improve the Principle 3 management scoring for the fishery and the wider Panamanian EEZ. This will be a pivotal step in the progression of the FIP because we can then begin communicating with fisheries ministers and build a relationship with the industry in Panama in an attempt to improve the current fisheries management, specifically for tuna.

*Evidence:*

- P3 update report for Panama (supporting documents tab).



- Site visit agenda
- ARAP meeting agenda

Compliance and enforcement	
<i>Activity 1.1</i> – Review MCS systems in place in the fisheries.	Fishery Progress timeline: <ul style="list-style-type: none"> <li>• June 2020</li> <li>• December 2020</li> <li>• June 2021</li> <li>• December 2021</li> <li>• June 2022</li> </ul>
<i>Activity 1.2</i> – Develop plan to combat the gaps identified in the national MCS systems based on findings of report.	
<i>Activity 1.3</i> – Hold consultations with relevant stakeholders to discuss implementation and potential adjustments to plan.	
<i>Activity 1.4</i> – Implement finalised plan where necessary, allocating the necessary resources to ensure successful employment of improved MCS system.	
<i>Activity 1.5</i> – Review effectiveness of MCS system implemented and adjust where necessary.	
<b>Update as of June 2020</b>	
<p>Due to COVID-19 we have been unfortunately unable to meet to discuss these issues with the flag states and the contacts we have compiled.</p> <p>We shall attempt to speak to delegates at the IATTC meeting in August.</p>	
<b>Update as of December 2020</b>	
<p>Due to the delayed RFMO meeting we sent advocacy letters in advance to the meeting hosted the week of 30 November. These letters were well received by the flag states. We eagerly anticipate the formal conclusions that shall be released in January 2021. Once these have been released, we will pursue a meeting either in person or virtually with the flag states to run through gaps in the P3 assessment and how to close these out.</p> <p>If required, we will also create a ToR to hire a local consultant in the region to carry out further analyses and reviews of the fishery management systems.</p> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li>• <b>Advocacy Letters sent to the flag states</b></li> </ul>	
<b>Update as of June 2021</b>	
<p>A ToR has been created to conduct a review using a consultant that has relevant experience and language skills of the region. This shall be sent out soon and the review shall take place engaging with authorities and identifying how we could close the gaps.</p> <p>We have attempted to engage with flag states with no response. We shall continue to attempt to host a call with them.</p> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li>• <b>NA</b></li> </ul>	
<b>Update as of December 2021</b>	

A consultant has been confirmed and is currently drafting an updated review of Principle 3 using native language skills and contacts within the ministries. This first draft will be completed by the end of 2021 with the finalised version being done by January 2021 where the new scores will be taken into account.

Officials from the EU have been visiting Panama to check the country’s progress on its efforts to get rid of its yellow card. The nation was handed the EU warning in December 2019 for not effectively monitoring its vessels for illegal fishing and not putting in place a strict sanctioning system. According to ARAP, as of July of this year, the country has completed 75 percent of the work needed to remove the yellow card. One large action was for Panama to update its fisheries legislation. This has been done and will be coming into effect in the coming months along with further protocols such as those to improve traceability efforts. As a FIP, we eagerly await these new protocols and the legislation and will update the FIP scoring when released. This review of Panama and Nicaragua will be completed in Q1 2022.

**Evidence:**

**ToR**

**Update as of June 2022**

The 2021 external review of the new Panamanian Fishing Law that was devised in response to the EU yellow card demonstrated that although there are new Laws required to be implemented by longline vessels, there was no mention of purse seine vessels within monitoring, control and surveillance.

There are clear sanctions imposed on vessels that are deemed to be in non-compliance with the new law and evidence that they are applied.

There is also some existing evidence, which demonstrates that fishers are in compliance with management systems and are also forthright with information when asked for it. Decree 111 discusses traceability and is clear to fishers that a well-managed fishery could improve market access.

There is no evidence of systematic non-compliance within the fishery, due to the tight regulations about gear control.

The FIP coordinator is also preparing for a site visit to Panama in August to meet with the FIP participant as well as the governing body, ARAP to initiate the essential collaboration required to improve the Principle 3 management scoring for the fishery and the wider Panamanian EEZ. This will be a pivotal step in the progression of the FIP because we can then begin communicating with fisheries ministers and build a relationship with the industry in Panama in an attempt to improve the current fisheries management, specifically for tuna.

**Evidence:**

- P3 update report for Panama (supporting documents tab).
- Site visit agenda
- ARAP meeting agenda

Monitoring and management performance evaluation	
<i>Activity 1.1</i> – Review fishery-specific management processes currently in place.	Fishery Progress timeline: <ul style="list-style-type: none"> <li>• June 2020</li> <li>• December 2020</li> </ul>
<i>Activity 1.2</i> – Develop plan to combat the gaps identified in the national fishery-specific systems based on findings of report.	

<p><i>Activity 1.3</i> – Hold consultations with relevant stakeholders to discuss implementation and potential adjustments to plan.</p>	<ul style="list-style-type: none"> <li>• June 2021</li> <li>• December 2021</li> <li>• June 2022</li> </ul>
<p><i>Activity 1.4</i> – Implement finalised plan with binding commitment and requirements to undertake reviews where necessary.</p>	
<p><i>Activity 1.5</i> – Review effectiveness of review system implemented and adjust where necessary.</p>	
<p><b>Update as of June 2020</b></p>	
<p>Due to COVID-19 we have been unfortunately unable to meet to discuss these issues with the flag states and the contacts we have compiled.</p>	
<p>We shall attempt to speak to delegates at the IATTC meeting in August.</p>	
<p><b>Update as of December 2020</b></p>	
<p>Due to the delayed RFMO meeting we sent advocacy letters in advance to the meeting hosted the week of 30 November. These letters were well received by the flag states. We eagerly anticipate the formal conclusions that shall be released in January 2021. Once these have been released, we will pursue a meeting either in person or virtually with the flag states to run through gaps in the P3 assessment and how to close these out.</p> <p>If required, we will also create a ToR to hire a local consultant in the region to carry out further analyses and reviews of the fishery management systems.</p>	
<p><b>Evidence:</b></p>	
<ul style="list-style-type: none"> <li>• <b>Advocacy Letters sent to the flag states</b></li> </ul>	
<p><b>Update as of June 2021</b></p>	
<p>A ToR has been created to conduct a review using a consultant that has relevant experience and language skills of the region. This shall be sent out soon and the review shall take place engaging with authorities and identifying how we could close the gaps.</p>	
<p>We have attempted to engage with flag states with no response. We shall continue to attempt to host a call with them.</p>	
<p><b>Evidence:</b></p>	
<ul style="list-style-type: none"> <li>• <b>NA</b></li> </ul>	
<p><b>Update as of December 2021</b></p>	
<p>A consultant has been confirmed and is currently drafting an updated review of Principle 3 using native language skills and contacts within the ministries. This first draft will be completed by the end of 2021 with the finalised version being done by January 2021 where the new scores will be taken into account.</p>	
<p>Officials from the EU have been visiting Panama to check the country’s progress on its efforts to get rid of its yellow card. The nation was handed the EU warning in December 2019 for not effectively monitoring its vessels for illegal fishing and not putting in place a strict sanctioning system. According to ARAP, as of July of this year, the country has completed 75 percent of the work needed to remove the yellow card. One large action was for Panama to update its fisheries legislation. This has been done and will be coming into effect in the coming months along with further protocols such as those to improve traceability efforts. As a FIP, we eagerly await these new protocols and the legislation and will update the FIP scoring when released. This review of Panama and Nicaragua will be completed in Q1 2022.</p>	
<p><b>Evidence:</b></p>	

**ToR**

**Update as of June 2022**

The 2021 external review of the Panamanian Fishing Law includes the following updates:

“Law 204 has mechanisms to evaluate at least critical parts of the fishery-specific management system, but this hasn’t been implemented yet. There are management evaluations at the RFMO level, but that doesn’t reflect within the EEZ.

There is no fishery-specific management system, but once the management plans are developed, they should contain internal and external reviews. Again, this is different at the RFMO level, where there are internal and external reviews, even for commercial objectives like complying with market requirements (I.E., European Union inspections and evaluations).”

The FIP coordinator is also preparing for a site visit to Panama in August to meet with the FIP participant as well as the governing body, ARAP to initiate the essential collaboration required to improve the Principle 3 management scoring for the fishery and the wider Panamanian EEZ. This will be a pivotal step in the progression of the FIP because we can then begin communicating with fisheries ministers and build a relationship with the industry in Panama in an attempt to improve the current fisheries management, specifically for tuna.

*Evidence:*

- P3 update report for Panama (supporting documents tab).
- Site visit agenda
- ARAP meeting agenda

## Conclusion for the June 2022 6-month update

To conclude, the fishery has made some progress in its FIP action plan since it was first published on FisheryProgress. A Principle 1 update for skipjack tuna was conducted after an *interim* stock assessment was taken on EPO skipjack in 2022. The results were indicative of improved health of the skipjack stock in the EPO and increased the scoring across all performance to meet SG80. Of course, this being an *interim* assessment, the FIP recommends IATTC conduct a full stock assessment in the near future to corroborate the *interim* results and to gain exact data, which will enable a more efficient and reliable estimate of stock health.

One of the main updates for Principle 2 is the implementation of a shark finning policy across the fishery and vessels. A company-wide policy, Marpesca uses this documentation to ensure that all crew understand that shark finning is not permitted. Further evidence will be required to prove that this is not being practiced onboard the vessels, by the way of either fisheries observer data, or electronic monitoring systems (EM).

With the release of the 2021 external review of the Principle 3 performance in Panama, it became clear that there are few fishery-specific management plans or objectives. However, in the near future, specific management plans are expected to be implemented across Panamanian fisheries that operate within the EEZ.

## Appendix I



Eastern Pacific Ocean tuna – purse seine FIP (Marpesca), 2022

### Eastern Pacific Ocean tuna – purse seine FIP (Marpesca) Position Statement for the 2022 100<sup>th</sup> Annual meeting of IATTC

Drafted with agreement from all Eastern Pacific Ocean tuna – purse seine FIP (Marpesca)  
participants – May 2022

The submission of this position statement is regarding the Fishery Improvement Project (FIP) currently being undertaken by the Eastern Pacific Ocean tuna – purse seine fishery (Marpesca). The fishery targets bigeye tuna (*Thunnus obesus*), skipjack (*Katsuwonus pelamis*), and yellowfin (*Thunnus albacares*) tuna. The FIP has five purse seine vessels flagged to Ecuador, Nicaragua, and Panama, fishing on the Eastern Pacific Ocean (EPO) (and occasionally in national Exclusive Economic Zone). They are operated by Marpesca and are managed regionally by the IATTC. The fishery uses Fish Aggregating Devices (FADs). To find out more information on the present FIP, please view the public FisheryProgress profile [here](#).

This FIP aims to meet the rising global demand for tuna in a sustainable manner by assuring catches do not exceed sustainable levels, promoting the ecosystem-based approach to fisheries management and strengthening policy and governance systems in the region. The end goal is to achieve certification under the Marine Stewardship Council Fisheries Standard by 2025.

As part of this FIP reaching MSC certification, there are various actions which need to be undertaken which involve a range of different stakeholders. To ensure the FIP meets these objectives, we need the support of the IATTC and urge action at the IATTC annual meeting this year on multiple topics laid out in this position statement.

The Eastern Pacific Ocean tuna - purse seine FIP (Marpesca) strongly urges the IATTC and its member states to ensure the IATTC acts in August at the Annual Meeting of the IATTC commission to:

1. Adopt precautionary tuna conservation and management measures, based on the current scientific advice, including additional FAD management measures;
2. Request the Scientific Staff to provide science-based limits on active FADs, deployments and/or sets;
3. Require the provision of raw data from echo-sounder buoys and amend the FAD resolution to include clear timelines to develop FAD marking guidelines and ownership rules and transitioning to the use of FADs without netting and made primarily of biodegradable materials;
4. Accelerate development of MSE for bigeye, skipjack, and yellowfin tuna;
5. Adopt the EMS workplan. Establish and require a fleet-wide observer programme (human or electronic) for purse seine vessels by 2023;
6. By 2023, adopt a Port State Measures Resolution; and
7. Establish a work plan to operationalize paragraphs 5-8 of C-11-07 on Compliance and to develop audit points.



Eastern Pacific Ocean tuna – purse seine FIP (Marpesca), 2022

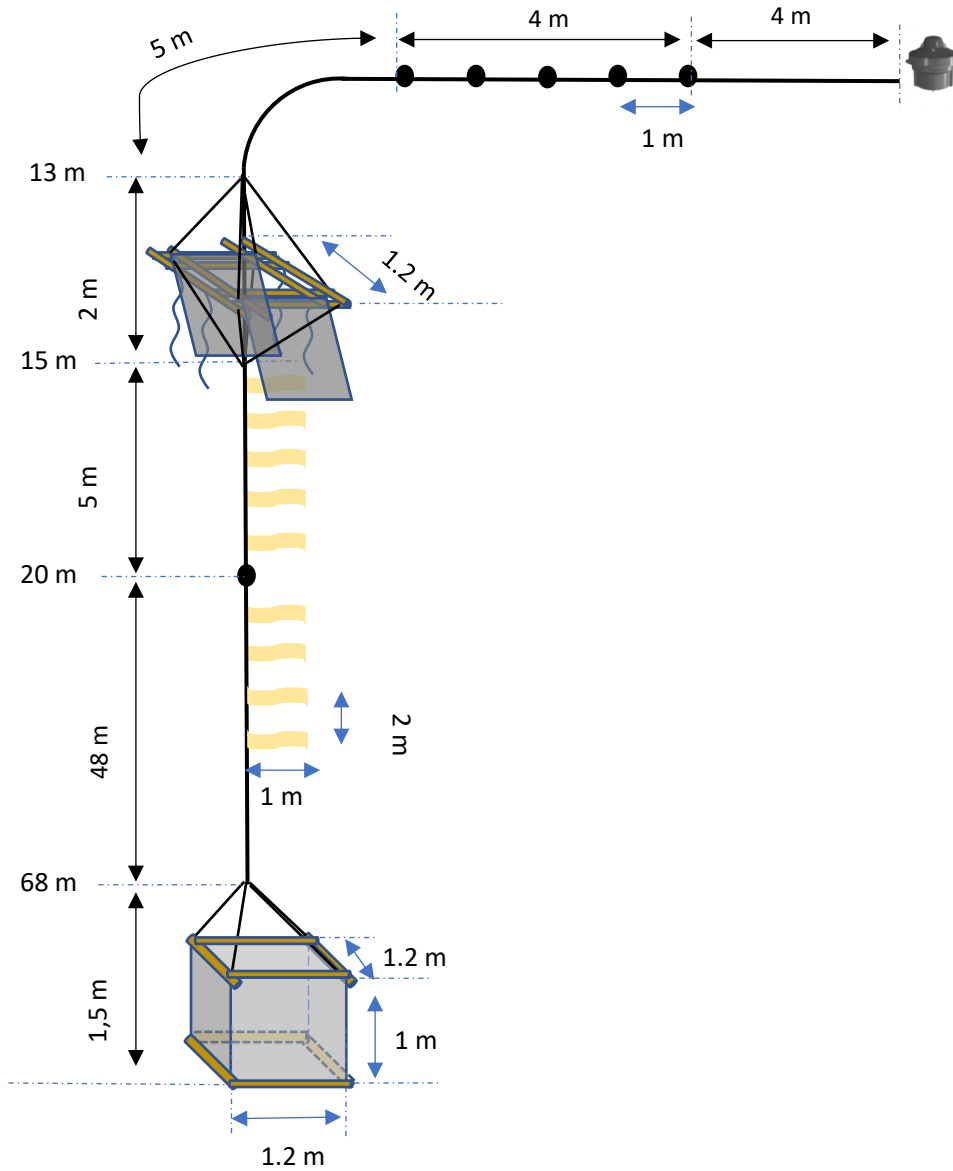
If the above-mentioned Asks are addressed effectively, they will have a positive impact on long-term sustainability and improve overall health of Panamanian coastal ecosystems to allow local fisheries and our FIP to achieve sustainability targets, with particular focus on MSC certification.

For any further information, please contact the FIP manager Emily Wardrop at [e.wardrop@keytraceability.com](mailto:e.wardrop@keytraceability.com)

*Signed on behalf of the Eastern Pacific Ocean tuna – purse seine FIP (Marpesca)*

*May 2022*

### DCP Biodegradable - JellyFAD





# MARPESCA GROUP FISHING VESSELS



## PUBLIC POLICY ON SHARK FINNING

In the MARPESCA GROUP fishing fleet we are aware that unintentional bycatch represents a significant danger to non-target marine life. We recognize that most shark species are highly susceptible to overfishing and many are considered threatened or endangered. We understand that the wasteful practice of shark finning contravenes many international rules and regulations; including those of the major regional fisheries management organizations (RFMOs).

Shark finning is the practice of retaining shark fins and disposing of the rest of the carcass while at sea. It is a lucrative operation due to the high price charged by consumers around the world (Carr, et al., 2013). The practice goes against the FAO Code of Conduct for Responsible Fisheries and its International Plan of Action for the Conservation and Management of Sharks, as well as the resolutions of several other international marine bodies, all of which call for minimizing waste and the discard. The MARPESCA GROUP recognizes the Guide to Sustainable Longline Fishing Practices of the ISSF skippers and recognizes the best practices to mitigate bycatch, management and release of sharks. All handling and release will be carried out under the supervision of trained crew members who have undergone extensive training.

### Public politics

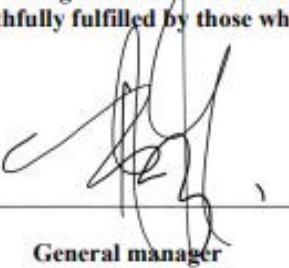
The MARPESCA GROUP declares in this public policy, to prohibit shark finning on board all vessels and demonstrate that this does not currently occur.

The MARPESCA GROUP fleet adopts the "fins naturally attached" rule for sharks and any sharks retained will be landed whole and reported. Shark species whose retention is prohibited by national legislation or RFMO regulations will be released alive to the best of the crew's ability. Our company adheres to the following best practices, at a minimum:

## MARPESCA GROUP FISHING VESSELS

1. Does not actively target sharks;
2. Do not cast shark lines on buoys;
3. Prohibit the use of wire traces;
4. Prohibit the practice of shark finning and our policy is posted on the boat for the crew to be aware of;
5. Do not retain oceanic whitetip sharks or silky sharks;
6. For other sharks that are landed, the carcass is retained with the fins attached naturally or partially cut off and tied to the shark;
7. Record the species in the fishing log of all sharks that are landed;
8. Promote best practices for shark bycatch and release management and the fishery makes every effort to release these individuals alive.

**This Public Policy on shark finning is part of the commitments adopted by the senior management of GRUPO MARPESCA, therefore, they are faithfully fulfilled by those who make up the same.**



General manager

**The MARPESCA GROUP Socializes politics with the crew members of our vessels through posters in communal areas and training with the aim of making known the commitments made by the group.**

**Passed: 10-10-2021**