



**TECHNICAL AND COMPLIANCE COMMITTEE  
SEVENTH REGULAR SESSION**

Pohnpei, Federated States of Micronesia

28 Sept -4 Oct 2011

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**Statement from Ecuador (Amended) Rev. 2**

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**WCPFC-TCC7-2011-EC/Rev. 2**

**Prepared by Ecuador<sup>1</sup>**

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<sup>1</sup> Ecuador

## STATEMENT MADE BY ECUADOR ON TCC7 MEETING

Mr Chairman:

The small Working Group that met on Thursday evening to review compliance of requirements established in CMM-2009-11 IATTC, analyzed -among others- Ecuador's CNM Application for 2012

According to that analysis

- Ecuador presented the application within the deadline and submitted it in English.
- Ecuador has provided an explicit commitment to cooperate fully and accept high seas boarding.
- Ecuador not only has expressed a commitment to provide a financial contribution for 2012, but already did make the contribution for an amount that exceeds 2011 and 2012 fees.
- Regarding the case that some vessels might have problems with their VMS when they enter the overlap area between WCPFC and IATTC, Ecuadorian Vice Minister personally expressed in that meeting his commitment to fix this inconvenience to assure all authorized Ecuadorian flagged vessels to operate in the WCPFC Convention Area are equipped with the VMS and shall be operational at all times while they are in the WCPFC Convention Area. Also to send Part 1 and Part 2 2010 and 2011 annual reports
- There is no information of non-compliance by Ecuador in any RFMO, and also no reported incidents of non-compliance by Ecuador of the national laws and regulations of any coastal State member of the WCPFC.

So far, it didn't seem to be major problems for the renewal of Ecuador CNM status in WCPFC. However, some questions were raised as weather Ecuadorian vessels fishing in high seas in the overlapped area with IATTC would constitute an issue of no compliance. The legal advisor said Yes, but also recognized along with other participants, that this issue represents up to now, a grey area of interpretation, and constitute an issue that's being discussed but not yet agreed between WCPFC and IATTC.

It is the duty of both Commissions to urgently find a final and fair solution for the management of the so called overlapped area. The draft report that is in front us, in short demands Ecuador to stop fishing in high seas in the overlapped area, where for more than 50 years Ecuadorian vessels have been fishing. This new requirement intends a permanent prohibition not only for those vessels licensed by some WCPFC member countries, but the whole Ecuadorian fleet.

Long away before anybody would think about creating a new RFMO in the Western and Central Pacific Ocean, Ecuador, as a Member of IATTC, has been fishing in the Eastern and Central Pacific Ocean including what now is a co-shared zone overlapped by WCPFC when the 2000 Convention was signed. By the way, Ecuador and other Eastern Pacific Coastal states did not even have a chance to participate in those discussions.

We feel this requirement grasps historical fishing rights in part of IATTC fishing grounds. If this requirement remains, unfortunately Ecuador would not have any possibility of accepting it.

Finally we would like to express that from our point of view RFMOs should invite fishing countries to become Members or Cooperative Non Members facilitating the process, not setting excessive requirements

that would end impeding their participation. This should be an issue of technical, cooperative and political interest, rather than excessive requirements too difficult or even impossible to meet.

Contrarily of what the drafts states, Ecuador asks to specifically state that WCPFC participatory rights for Ecuador and other IATTC coastal member countries do not apply in the overlapped area with IATTC, at least until both Commissions have reached a written agreement.

Mr. Chairman, please insert this statement in the minutes of this meeting.

Pohnpei, October 3th 2011