



**COMMISSION**  
**ELEVENTH REGULAR SESSION**  
Faleata Sports Complex, Apia, SAMOA  
1 - 5 December 2014

---

**STRENGTHENING OF CONSERVATION AND MANAGEMENT MEASURE 2013-01 FOR  
BIGEYE, YELLOWFIN AND SKIPJACK TUNA**

---

**WCPFC11-2014-DP08**  
**3 November 2014**

**Paper submitted by FFA Members**



**FFA**

1 November 2014

Dr SungKwon Soh  
Interim Executive Director  
Western and Central Pacific Fisheries Commission  
PO Box 2356, Kolonia  
Federated States of Micronesia

Dear SungKwon,

**Strengthening of Conservation and Management Measure 2013-01 for bigeye, yellowfin and skipjack tuna**

I write in my capacity as the Chair of the Forum Fisheries Committee on behalf of the 17 FFA Members. Please circulate this letter to other CCMs.

The submission of this letter is without prejudice to the further development of positions by FFA Members individually or collectively.

FFA Members have reviewed the advice from the Scientific Committee on the status of the key tropical tuna stocks, especially bigeye tuna, and the information available from the Technical and Compliance Committee on the pattern of compliance with elements of the previous tropical tuna CMMs. We are pleased to provide the following comments on issues relating to CMM 2013-01.

FFA Members consider that the updated scientific advice on bigeye tuna and the information pointing to shortfalls in effectiveness of the FAD management measures and the longline bigeye catch limits, requires action to be taken by the Commission at this session to improve the effectiveness of these key elements of CMM 2013-01.

FFA Members have had the opportunity to review the Draft developed by PNA and Tokelau, and believe that the Draft provides a comprehensive starting point for improving CMM 2013-01. It also does so in a way that accords with key requirements in the Convention, including Article 30.

**Provision of Operational Data**

The provision of operational data is now the key constraint to improving the management and conservation of the tropical tuna stocks. FFA Members have submitted a separate draft CMM to assist CCMs that have been unable to meet their obligations to provide operational data in a full and open manner as Commission data. We strongly urge those involved to find a way to ensure that this data is made available. The continuing failure to provide this data greatly jeopardises genuine progress in improving the effectiveness of the tropical tuna conservation and management measure.

## **Avoiding Transfer of a Disproportionate Burden to SIDS**

FFA Members are looking forward to the Chair's Workshop on Implementation of CMM 2013-06 and Disproportionate Burden, which we see as an important opportunity to make progress in developing a shared vision among CCMs on a critical element of the WCPFC Convention. We are submitting separate papers for that Workshop relating to the work of the Commission as a whole. However, it remains critically important for the successful implementation of CMM 2013-01 that the Commission adopts arrangements to ensure that this CMM, consistent with the Convention Article 30 2(c), does not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto SIDS.

## **Purse Seine Measures**

FFA Members look forward to discussion on the range of proposals in the Joint Draft to improve the purse seine measures, in particular to improve the effectiveness of the FAD closure.

FFA members are keen to continue the progress made in CMM 2012-01 and 2013-01 of strengthening the provisions for regulation of purse seine effort, including by revisiting the issue of high seas effort limits, which were only agreed to for 2014. In addition, FFA Members are concerned that the effectiveness of the purse seine effort limits in the CMM is being reduced by effort creep, and suggest that the Commission should begin to include provisions to ensure that effort creep is appropriately taken into account in the CMM.

FFA members note that there are some elements of CMM 2013-01 that have been flagged for further development because they do transfer a disproportionate burden. The fifth month FAD closure for 2015 is one such element and FFA members are concerned that at this stage there do not appear to be any specific proposals that would address this issue.

## **Longline Measures**

The information provided to TCC10 on the recent high level of bigeye catches in the longline fishery and on compliance failures in the longline fishery point to the need for improvements in the longline provisions, and for the longline sector to make a greater contribution to the conservation and management of bigeye tuna.

FFA members continue to believe that some form of effort management to complement the catch limits is required to reduce the fishing mortality from longlining and as discussed in previous meetings and indicated in CMM2013-01, we remain committed to the development of zone based measures over time.

## **Yellowfin Tuna**

FFA Members support an explicit limitation on longline catches for yellowfin in addition to measures to reduce fishing mortality on juvenile yellowfin tuna.

## Remedial Actions

FFA members propose that the following principles could be applied as remedial actions, either within the new CMM or as part of the responses to non-compliance under the CMS:

- poor data addressed through better monitoring ie increased ROP coverage;
- overcatch or exceeding allowable effort requires pay-back;
- stronger penalties for repeat offenders.

<b>Implementation Issue</b>	<b>Remedial Action</b>
Non provision of operational data	Double ROP LL observer coverage requirement, rationale is that this provides more real time data and at least addresses lack of data (in addition to the provisions in the data rules that CCMs not submitting operational level data would lose access to other non-public domain data)
Overfishing of catch limit	Pay back in following year for 1 <sup>st</sup> offence, payback at double the rate for 2 <sup>nd</sup> offence, black list the fleet for 3 <sup>rd</sup> offence  Some further work required on how to operationalise it, whether the second offence must be within a certain timeframe of the first offence, whether different magnitudes of overcatch are treated the same etc.
Setting on a FAD during FAD closure period	Offence under IUU CMM – so penalty not specified here also reference to national laws
Not carrying an observer	Offence under IUU CMM – so penalty not specified here. This will also be a breach of coastal State national laws
Exceeding high seas effort allocation	Same principle as over catch, pay back in following year with increased penalties for repeat offenders

FFA Members believe that these proposals will significantly improve the effectiveness of CMM 2013-01.

## Adoption of a Target Reference Point for Skipjack

FFA Members support the proposal by PNA Members and Tokelau for the adoption of a WCPFC Target Reference Point for skipjack. We see this as an important practical demonstration of the approach that is captured in the FFA proposed CMM on establishing a harvest strategy for key tuna species in the WCPO, and a valuable precedent for making progress on harvest strategies for all the key tuna stocks.

Adoption of the proposed Target Reference Point will make a substantial contribution to ensuring the sustainability of the skipjack stock and the fisheries that it supports. At the same time, it will provide a clear basis for limiting the pressure from the purse seine fishery on the availability of skipjack throughout its range and impact of the purse seine fishery and on other species, especially bigeye and yellowfin tuna, and the fisheries for those species.

The submission of these views is without prejudice to the further development of positions by FFA Members individually or collectively.

We look forward to constructive and productive deliberations at WCPFC11.

Yours Sincerely

A handwritten signature in grey ink, appearing to read 'Feleti Tulafono', is written over the printed name.

**Feleti Tulafono**  
Chair  
Forum Fisheries Committee