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**FFA MEMBERS: COMMENTS ON CMM FOR BIGEYE, YELLOWFIN AND  
SKIPJACK TUNA**

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**WCPFC10-2013-DP03**  
**5 November 2013**

**BY FFA MEMBERS**



1 November 2013

Glenn Hurry  
Executive Director  
Western and Central Pacific Fisheries Commission  
PO Box 2356 Kolonia  
Federated States of Micronesia

Dear Professor Hurry,

**FFA Member's Comments on conservation and management measures 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.

FFA Members have reviewed the proposals and comments from other Commission Members, taking into account the discussions at the Tokyo Working Group and TCC9. We are pleased to provide the following comments on issues relating to a new tropical tuna CMM to replace the temporary CMM 2012-01. The submission of this letter is without prejudice to the further development of positions by FFA Members individually or collectively.

FFA Members support the PNA/Japan Joint Proposal and consider that it should be the basis for further discussion on a new tropical tuna CMM, while noting that other proposals include useful elements. The Joint Proposal represents the most comprehensive response to the scientific advice. It also does so in a way that accords with key requirements in the Convention, including Article 30.

**Overall measures**

Overall, FFA Members continue to support the principle of matching reductions in purse seine FAD effort and longline bigeye catches, based on the advice from SPC on options for removing bigeye overfishing. FFA Members support flexible measures to achieve the required reduction in fishing mortality to achieve MSY.

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

FFA Members appreciate the increased interest and understanding of other CCMs, in addressing the need to avoid the transfer of a disproportionate burden of conservation action from a tropical tuna CMM to developing country CCMs, especially SIDS. The Joint Proposal includes a number of elements including the high seas FAD closure, the high seas longline closure, the high seas effort limit and the Fund in para (14) which provide the Commission with the opportunity to meet its obligation to secure the conservation and management outcomes targeted by the new CMM without transferring a disproportionate burden to SIDS.

## **Purse Seine Measures**

With respect to purse seine measures, FFA Members propose that:

- A. Clear fishing effort limits or equivalent catch limits across the entire purse seine fishery are necessary for effective management of fishing for skipjack and ensuring the effectiveness of FAD-related measures for the conservation of bigeye tuna. The limits should include a clearly specified limit to fishing days in the high seas.
- B. FFA Members support the management of the high seas effort limit as an Olympic limit, to be replaced with an allocated effort limit when an allocation is agreed.
- C. A fee per fishing day for high seas effort, could be used to contribute towards ensuring that there is no disproportionate burden on SIDS Members adversely affected by measures to limit FAD use. A fee per fishing day of US\$6,000 would reflect the current value of access for purse seine vessels in the region. As explained above, we see this as an interim arrangement so the purchase of days would not establish ongoing rights.
- D. Reductions in FAD use are required to reduce fishing mortality of juvenile tunas, especially bigeye tuna. FFA Members consider that a system to clearly limit the number of FAD sets, applied zonally, is necessary for fully effective management of the effect of FAD fishing on juvenile tunas. FFA members will be implementing a system of zone-based FAD set limits to replace the FAD closure in their waters, and the new CMM needs to provide for a transition to this arrangement.
- E. FFA Members support the approach in the Joint Proposal with options for fleets to apply FAD set limits or longer FAD closures, and the proposed high seas FAD closure, as a move in the direction of applying comprehensive zone-based FAD set limits. Some additional work is needed on the details of the FAD set limit option to ensure that it is effective and easily understood, and is not unduly burdensome on small fleets and SIDS domestic vessels.
- F. FFA Members share the concern of other CCMs, including the EU and Korea, to ensure the effectiveness of the FAD closure and will support proposals that will achieve that purpose.

## **Longline Measures**

With respect to longline measures:

- A. Clear limits on longline catch or effort are necessary to achieve fully effective conservation of bigeye tuna. This requires reform of the current system of longline measures. FFA Members will be implementing zone-based longline vessel day schemes, or equivalent catch limits in their EEZs, which need to be provided for in the CMM.

- B. In the meantime, FFA Members support the proposals for longline catch limits in the draft proposal as a realistic response to the need for reductions in fishing mortality on bigeye tuna from the longline fishery, while noting that the proposed limits fall short of the level of reduction that we understood was being targeted for the new CMM. Recognising the importance of the longline bigeye catch limits, FFA Members are interested in discussion on options that would allow some flexibility on the mechanism for implementation of these limits for Commission Members with longline fleets while achieving the same reductions in fishing mortality for bigeye tuna.
- C. The limits also need to be consistent with the application of WCPFC measures in the overlap area with IATTC. FFA Members request the preparation of information relating to the proposed limits that separately identifies catches in the overlap area so that double-counting can be avoided.
- D. There will need to be staging of the reductions from 2014 to 2017 with clear rules, including penalties and paybacks for exceeding annual catch limits.
- E. FFA Members support the proposed high seas longline closure linked to the FAD closure as an important response to the need to reduce longline effort, improve control over distant water high seas longline fisheries, and increase the economic contribution to SIDS from the longline fleets that will benefit from the FAD-related measures applied in SIDS waters
- F. The measure needs to ensure that effort is not transferred to target albacore or swordfish.

### **Capacity Management**

FFA Members welcome the emerging support for freezing non-SIDS purse seine and longline fleets at current levels, and the development of a longer term plan for capacity management. We continue to believe that regional tuna fisheries are best managed by effort or catch restrictions which remove incentives that lead to the creation of excess capacity and encourage industry-based capacity adjustments that tend to be more efficient and easier to implement. However, we attach great importance to the opportunity to apply capacity limits in the longline fishery. Therefore we support the proposed limits on the capacity of non-SIDS longline and purse seine fleets as a transitional arrangement while SIDS fleets are expanding to replace foreign fleets, provided this does not create obstacles to domestic development.

With respect to the draft provisions on capacity management in the Joint Proposal, we recognise the need for further clarification of the application of the proposed approach, especially for the longline fishery.

## 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.

### Improving Monitoring and Data Collection

FFA Members consider that weaknesses in monitoring and data collection continue to be a serious problem for effective implementation of conservation and management measures for tropical tuna. We note that the preparation of the new CMM has been significantly impeded by uncertainties that result from data gaps and apparent inaccuracies in data.

The most important gap is the lack of operational data, especially longline operational data. In addition, FFA Members are concerned about the apparent systematic under-reporting of purse seine effort by some fleets reported to the Scientific Committee and TCC, and the difficulties faced by the TCC in monitoring compliance with reporting of discards. It is important that these fundamental data issues should be addressed in the new CMM.

### Remedial Actions

FFA members propose that the following principles should be applied as remedial actions within the new CMM:

- poor data = better monitoring ie increased ROP coverage;
- overcatch or exceed allowable effort = 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
Overfishing of catch limit	Pay back in following year for 1 <sup>st</sup> offence, payback at double the rate for 2nd 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 the proposals in this letter will significantly improve the effectiveness of the new CMM.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Diaka', written in a cursive style.

Mr Sylvester Diaka  
Chair  
Forum Fisheries Committee