



**Western and
Central Pacific
Fisheries
Commission**

2020

**Handbook of Conservation
Management Measures &
Resolutions
For
WCPFC Regional Observer
Programmes**

Version 6.0

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Introduction

The sixth handbook of Conservation and Management Measures and Resolutions (CMM's) has been prepared by the WCPFC Secretariat in response to a tasking from the 16th regular annual session of the WCPFC held in Port Moresby Papua New Guinea - WCPFC16. This electronic version is updated annually; with the year indicated on the front of the booklet as an important identifier of the period of validity. Conservation and Management Measures (CMMs) are adopted at the annual Commission meeting which is typically in early December. CMMs usually become binding 60 days after they are adopted. For example, a booklet dated 2020 would contain all the valid CMMs until a given date in early February of the following year 2021.

It should be noted that not all CMMs specifically require observer data or information input and may have little relevance to observer duties. Therefore, not all current CMMs and Resolutions are included in this electronic handbook; CMM's provided are in the form as agreed by the Commission and unfortunately include a small number of typos and spelling errors contained in the CMM's when adopted and therefore unable to be corrected.

Observers in the WCPO are engaged by CCMs, or their representative agencies/providers to collect verified catch data and other scientific data and to monitor the implementation of CMMs by vessels and vessel operators. The data that observers collect is critical to the effective functioning of the Commission and observers are responsible for the accuracy and completeness of the data they collect. Observers are required to be independent and impartial and are reminded of their rights and responsibilities.

The WCPFC Secretariat has provided some accompanying notes as a guide to assist Regional Observer Programmes (ROP) observers to have a better understanding the CMMs that influence the data and information they collect as part of their duties. Observer notes are placed into one of five groups of similar types of CMMs. CMM's contained in this booklet that are relevant to observers are listed in **Bold Font** in the "Complete List of current CMMs and Resolutions of the WCPFC is on Page 19

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Guidance on interpreting Commission decisions

Conservation and Management Measures (CMMs) describe binding decisions relating to conservation and management measures addressed to members of the Commission and Cooperating non-members.

Resolutions describe non-binding statements and recommendations addressed to members of the Commission and Cooperating non-members.

Both are sequentially numbered and include the year of adoption.

Some CMM's will remain unchanged each year. However, when changes to existing CMMs or if new CMMs are agreed by the Commission there is usually a 60day period after the regular WCPFC annual session ends, and before the decision comes into effect. Occasionally, the Commission agrees to delay the start date of a CMM to allow more time for Members to implement the decision, and this will be specified in the body of the CMM. In other instances, the rules and requirements in a CMM are specific to set periods of time.

If ROP observers have any questions on how to interpret a CMM, they are encouraged to first contact the coordinator of their national or sub regional Observer Programme, or if not available to the Compliance Manager or the ROP Coordinator at the Commission Secretariat

CMM's included in the tables below are current from

Feb 9 2020 to Feb 2021 (unless otherwise stated in the CMM)

CMM's related to observer work are listed in **Bold Font**, other current CMM's not contained in this booklet are listed for reference and are available on the "WCPFC Website "WCPFC.int"

CMMs applying to Tuna, Billfish & Sharks

Species & Fisheries	Observer Notes	Reference
<p>Big eye, Yellowfin, Skipjack:</p> <p>(Includes all commercial fisheries for bigeye, yellowfin and skipjack in the Western and Central Pacific Ocean</p>	<p>CMM 2018-01 replaces CMM 2017-01, CMM 2016-01 CMM 2015-01, CMM 2014-01 CMM 2013-01 and CMM 2012-01; the original version CMM 2008-01 (now replaced) first introduced 100% observer coverage for purse seiners. CMM 2018-01 has rules regarding the Philippines activities in High Seas Pocket 1 (Attachment 2).</p> <p>CMM 2018-01 also has important FAD Set Management information para 16 - 22</p> <p>For three (3) months (July, August and September) there is a prohibition of deploying, servicing or setting on FADs in place for most purse seine vessels fishing in EEZs and high seas. the 3-month closure applies to most vessels, but some may be exempted under 3IA.</p> <p>There are other FAD measures that purse seine vessels may be subject to as directed by their flag CCM, including additional FAD closure periods in high seas where vessels are asked to select one of two, two-month periods for closure, there are some exemptions</p> <p>Observers should try to understand what option is involved with any vessel they are on for observation purposes. Whatever option is used it is extremely important that Observers continue to record carefully all FAD sets, on their relevant WCPFC FAD information form or the SPC/FFA Form Gen-5 when operating in the Convention Area.</p>	<p>CMM 2018-01</p>

CMMs applying to Tuna, Billfish & Sharks

Species & Fisheries	Observer Notes	Reference
CMM on the application of high seas catch retention	<p>CMM 2009-02 provides the rules for catch retention and FAD closures on the high seas which apply to the purse seine fishery.</p> <p>Catch Retention - a purse seine vessel is not permitted to discard tuna species unless they come under the category discussed in paras 9a & 9b. All tuna species in a condition other than “unfit for human consumption” must be retained. Observers are asked to record all tuna discards and their condition on discarding</p>	CMM 2009-02
CMM on the application of high seas FAD closures	<p>Par 3-7 of CMM 2009-02 indicate the rules for the FAD closure periods indicated in CMM 2018-01.</p> <p>Observers are asked to record carefully all FAD sets, on the relevant FAD information form or the SPC/FFA Form Gen-5 when operating in the WCPO</p>	CMM 2009-02
South-West Swordfish: (Longline fisheries in area south of 20°S, as well as limit effort north of 20°S)	<p>This CMM requires CCMs to limit the number of vessels that fish for swordfish south of 20°S and to limit their catches. CCMs are to annually report all catches of swordfish in the Convention Area, including the catches and the number of vessels fishing for swordfish south of 20°S</p> <p>Observers are asked to identify the species correctly and collect all data as required by the minimum standard data fields.</p>	CMM 2009-03

CMMs applying to Tuna, Billfish & Sharks

Species & Fisheries	Observer Notes	Reference
South-West Striped Marlin: (Longline fisheries in area south of 15°S)	This CMM requires CCMs to limit the number of vessels that fish for striped marlin in the area south of 15°S. CCMs are to annually report all catches of striped marlin by their vessels in the Convention Area, including the catches and number of vessels fishing for striped marlin south of 15°S. Observers are asked to identify the species correctly and collect all data as required by the minimum standard data fields.	CMM 2006-04
North Pacific Albacore: (Longline and troll fisheries in the North Pacific Ocean (north of the equator))	The CMM 2019-03 replaces CMM 2005-03 and requires CCMs to limit fishing effort for North Pacific Albacore in areas north of the equator. All CCMs are to annually report all catches of albacore in the Convention Area, including catches and fishing effort for albacore north of the equator. Observers are asked to identify the species correctly and collect all data as required by the minimum standard data fields	CMM 2019-03
North Pacific Striped Marlin: Fisheries in the North Pacific Ocean	The CMM requires CCMs to limit catches of North Pacific Striped Marlin. All CCMs are to annually report on all catches of North Pacific Striped Marlin by its vessels north of the equator. Observers are asked to identify the species correctly and collect all data as required by the minimum standard data fields.	CMM 2010-01

CMMs applying to Tuna, Billfish & Sharks

Species & Fisheries	Observer Notes	Reference
Sharks	CCMs shall require their vessels to have on board fins that total no more than 5% of the weight of sharks on board up to the first point of landing. Other alternatives are contained in the CMM 2010-07; long line vessels Observer should Identify shark species and record data as required by the minimum standard data fields. Observers are reminded that the deliberate taking, retaining, and or processing of whale sharks, silky sharks and oceanic white tip sharks is prohibited	CMM 2010-07 CMM 2014-05 These CMM's will be replaced by CMM 2019-04 on 1st Nov 2020
South Pacific Albacore (Longline fisheries in area south of 20°S, and some troll fisheries)	This CMM requires CCMs to limit the number of vessels actively fishing for South Pacific Albacore in areas south of 20°S. CCMs are to annually report the catch levels taken by each of their fishing vessels that has taken SP Albacore, as well as the numbers of vessels actively fishing for SP Albacore south of 20°S. Observers are asked to collect all information as required in the minimum standard data fields for this species. Observer information will assist in verifying CCM reports.	CMM 2015-02
Pacific bluefin: (Fisheries north of 20°N, but this species may be caught south of 20°N)	CMM 2019-02 replaces CMM 2018-02 CMM 2017-08 & CMM 2016-04 and requires CCMs to limit effort for Pacific bluefin tuna in the Convention Area north of 20°N. All CCMs are to annually report on all catches of Pacific bluefin by its vessels. Observers are asked to identify the species and are asked to collect data as required by the minimum standard data fields and to note especially small Pacific bluefin tuna less than 30Kg. and over 30Kg. In the Southern waters of the Convention Area species caught are more than likely to be Southern bluefin tuna.	CMM 2019-02

Species of Special Interest (SSIs)

SSI	Observer Notes	Reference
Non-target fish species: All fisheries	This Resolution asks operators, where practicable, to avoid catching non-target fish species that are not retained. Observers are asked to record all species caught in the W CPO and all discards in accordance with the minimum standard	Res. 2005-03
Seabirds: All fisheries	CMM 2018-03 replaces CMM 2017-06 & CMM 2015-03 which replaced CMM 2012-07. The CMM has data collection implications for observers who are on vessels that may accidentally capture birds in their fishing activities. There are also rules for the use of mitigation measure by longline operators operating in the area south of 30°S and 23°S - 30°S and north of 23°N. Observers are asked to record all mitigation measures used, including photos of mitigation structures, and especially important photos of any bird.	CMM 2018-03
Sea Turtles: All fisheries	CMM 2018-04 will replace CMM 2008-03. It sets out procedure that vessel operators are to follow by gear type to mitigate impacts of fishing on sea turtles. Longline vessels must carry and use line cutters and de-hookers to handle and promptly release sea turtles caught or entangled; purse seine vessels are to carry and employ dip nets. There are more specific sea turtle mitigation measure requirements in shallow-set swordfish fisheries. Observers collect the standard data fields, and report on the mitigation devices and their use by an operator when handling hooked or entangled turtles. Observers may assist, but not be responsible if asked, to ensure that turtles are safely unhooked by the crew, if landed and returned to the water.	CMM 2018-04 Effective 1st Jan 2020

Species of Special Interest (SSIs)

SSI	Observer Notes	Reference
Oceanic Whitetip Sharks	<p>CMM 2011-04 prohibits vessel operators from retaining, transshipping, storing or landing any oceanic whitetip sharks caught in the Convention Area, in whole or in part. The CMM indicates that an estimate of the catch of these sharks shall be through data collected from observer programmes and other means. Vessel operators must release these sharks alive in a manner that results in as little harm to the shark as possible; and, alive or dead, they may not retain any part of these sharks and cannot process these sharks for fins or other parts. Observers are asked to record the number of releases of oceanic whitetip sharks caught in the Convention Area, including the life status on being caught and the status upon release (dead or alive). As part of a research project approved by the Commission Scientific Committee some observers may be required to collect biological material from oceanic whitetip sharks landed as dead;</p>	<p>CMM 2011-04</p> <p>This CMM will be replaced by CMM 2019-04 on 1st Nov 2020</p>
Whale Sharks: Purse seine fishery	<p>CMM 2012-04 prohibits purse seine vessel operators from setting on a school of tuna associated with a whale shark.</p> <p>This CMM explains what procedures must be carried out when a whale shark is caught by a purse seine vessel and requires countries to annually report on all instances where whale sharks have been encircled by purse seine nets. Observers are asked to record all the necessary details when a whale shark is caught or sighted in a set</p>	<p>CMM 2012-04</p> <p>This CMM will be replaced by CMM 2019-04 on 1st Nov 2020</p>

CMMs applying to Tuna, Billfish & Sharks

Species & Fisheries	Observer Notes	Reference
Sharks	<p>CMM 2019-04 replaces CMM 2010-07, CMM 2011-04, CMM 2012-06 CMM 2013-08 and CMM 2014-05.</p> <p>CMM 2019-04 combines the replaced CMM's with added additional directions on all shark species.</p> <p>CCMs Vessels and vessels under charter arrangements to the CCM are prohibited from retaining, transshipping, or storing any oceanic whitetip shark, or silky shark, in whole or in part on board their vessels</p> <p>CCMs shall prohibit their flagged vessels from setting a purse seine on a school of tuna associated with a whale shark if the animal is sighted prior to the start of the set.</p> <p>CCMs shall ensure that sharks that are caught and are not to be retained are hauled alongside the vessel before being cut free, so the observer or electric monitoring can facilitate a species I'D</p> <p>CCMs shall take measures necessary to require that <u>all sharks</u> retained on board their vessels are fully utilized.</p> <p>CCMs shall ensure that the practice of finning is prohibited. and require their vessels to process sharks with fins naturally attached to the carcass. However, if not attached at least one of the following must occur</p> <ul style="list-style-type: none"> • Individual shark carcass and its fins are stored in the same bag; • Each individual shark carcass is bound to its fins using rope or wire; • Identical and uniquely numbered tags are attached to each shark carcass and its fins, so that inspectors can identify a match of the carcass and fins <p>CCM Tuna and Billfish longliners shall ensure that their vessels comply with at least one of the following options:</p> <ul style="list-style-type: none"> • do not use or carry wire trace • do not use branch lines as shark lines attached to the floats 	<p>CMM 2019-04</p> <p>Effective from 1st Nov 2020</p>

SSI	Observer Notes	Reference
<p>Silky Sharks</p>	<p>CMM 2013-08 prohibits vessels from retaining on board, transshipping, storing on a fishing vessel or landing any silky shark caught in the Convention Area, in whole or part.</p> <p>Vessel operators must release silky sharks alive and in a manner that results in as little harm to the shark as possible; and, alive or dead, they may not retain any part of the sharks and cannot process these sharks or fins or other parts.</p> <p>Observers are asked to record the number of releases of silky sharks caught in the Convention Area, including the life status on being caught and the status upon release (dead or alive). As part of research approved by the Commission Scientific Committee some observers may be required to collect biological material from dead landed silky sharks.</p>	<p>CMM 2013-08</p> <p>This CMM will be replaced by CMM 2019-04 on 1st Nov 2020</p>
<p>Cetaceans: Purse seine fishery</p>	<p>CMM 2011-03 prohibits purse seine setting on a school of tuna associated with Cetaceans. Member Countries are required to annually report any instances in which Cetaceans are encircled by purse seine nets. The CMM notes that the Secretariat reports on the implementation of this measure using data collected from observer programmes.</p> <p>Observers are asked to complete all the necessary data fields, with sets involving cetaceans it is a priority when reporting; if caught in the net deliberately or accidentally, the life status on being caught and released (dead or alive) must be recorded by observers. Vessel operators must take all reasonable steps to ensure the safe release of these animals.</p>	<p>CMM 2011-03</p>

Species & Fisheries	Observer Notes	Reference
<p>Mobulids & Manta Rays</p>	<p>This CMM is the first on manta rays and mobulid rays and applies to all fishing vessels fishing in the high seas or in the EEZ's in the Convention Area. the Scientific Committee confirmed that as species of special interest, manta and mobulas rays will have all required data collected under the Regional Observer Programme Minimum Standard Data Fields;</p> <p>All fishing vessels are to promptly release alive and unharmed, to the extent practicable, mobulid rays as soon as possible, and to do so in a manner that will result in the least possible harm to the individuals captured.</p> <p>Fishing vessels should implement the handling practices detailed in Annex 1 of the CMM, while taking into consideration the safety of the crew Observers if required shall be allowed to collect biological samples of mobulid rays caught in the WCPFC Convention Area that are dead at haul-back.</p>	<p>CMM 2019-05</p> <p>This CMM will take effect Jan 1st 2021</p>

CMMs that specify gear restrictions or requirements for daily catch and effort reporting

Topic	Observer Notes	Reference
Requirements for markings and identification of fishing vessels	CMM 2004-03 lists the requirements to implement the international standards and specifications published by FAO for Marking and Identification of Fishing Vessels. Observers are asked to report on the minimum standard data fields on vessel markings. Observers are asked to check the markings of the vessel to ensure that they are up to the standards required.	CMM 2004-03
Driftnets	CMM 2008-04 prohibits vessels from using large scale driftnets on the high seas. Countries are asked to report annually on measures taken in relation to monitoring, control and surveillance of large-scale driftnet fishing on the high seas. Observers are asked to report if a vessel has a large-scale driftnet on board – the definition can be found in the CMM. Abandoned drift nets that are observed in the water must also be reported, because ghost-fishing can have ongoing detrimental impact on the marine ecosystem including species of special interest.	CMM 2008-04

CMMs that specify gear restrictions or requirements for daily catch and effort reporting

Topic	Observer Notes	Reference
Data Buoys	<p>CMM 2009-05 seeks to protect data buoys, which are important for weather and tsunami monitoring, from damage due to fishing activities. Operators are prohibited from fishing within one nautical mile of or interacting with a data buoy. Operators are encouraged to report all entanglements to the flag State.</p> <p>Observers are asked to note the buoys describe in this CMM and the information package attachment. When a vessel encounters one of the buoys described in this CMM, an observer must collect information as required in the CMM, noting the type of buoy and its location.</p>	CMM 2009-05
Daily catch and effort reporting	<p>CMM 2013-05 requires that operators maintain daily catch and effort records on board the vessel and to submit a copy to the flag State at prescribed times. This CMM is intended to ensure that all CCMs can provide detailed catch and effort data on their fishing activities to the Commission, in accordance with WCPFC rules for scientific data submission.</p> <p>Observers have the right to inspect this daily vessel log, to get information required for ROP forms. Observers are asked to note whether the vessel operator maintains this log daily.</p>	CMM 2013-05

**CMMs relevant to the Monitoring, Control and Surveillance (MCS)
Scheme, including Regional Observer Programme**

MCS Measures	Observer Notes	Reference
WCPFC high seas boarding and inspection procedures	This CMM allows Member who have notified the Commission of their authorised inspection vessels and inspectors to board and inspect other CCMs vessels when on the high seas. AU, CA, CI, FM, FR, JP, KI, KR, NZ, PG, TW, TV, US have vessels on the inspection register. Observers must cooperate with any request from the inspecting officer. Observers must also record the boarding by completing the required data fields.	CMM 2006-08
Regional Observer Programme	<p>The four relevant CMMs setting out the rules for the ROP, including when a ROP observer is required and their safety.</p> <p>CMM 2006-07 created the Terms of Reference for the working group that led to the establishment of the ROP.</p> <p>CMM 2018-05 replaces CMM 2007-01 and its Annexes, outline the rights and responsibilities of an observer, vessel master and crew. Observers should refer to this CMM, especially if unsure of their rights and responsibilities when on board a vessel.</p> <p>CMM 2012-03 requires that vessel operators fishing for fresh fish north of 20°N must achieve 5% ROP observer coverage of effort</p> <p>CMM 2017-03 Replaces CMM 2016-03 and is for the “Protection of WCPFC ROP Observers” The CMM gives the requirements that Observer Providers, Flag States and Vessels are to follow, if an observer dies, is missing or presumed fallen overboard, suffers from a serious illness or injury that threatens his or her health or safety, or if an observer has been assaulted, intimidated, threatened, or harassed such that their health or safety is endangered.</p>	<p>CMM 2006-07</p> <p>CMM 2018-05</p> <p>CMM 2012-03</p> <p>CMM 2017-03</p>

CMMs relevant to the Monitoring, Control and Surveillance (MCS) Scheme, including Regional Observer Programme

MCS Measures	Observer Notes	Reference
<p>Regulation of transshipment- <i>Transshipment is unloading of fish on board a vessel to a fish carrier or another fishing vessel either at sea or in port</i></p>	<p>CMM 2009-06 sets out the rules for all transshipment in the Convention Area including catches transshipped outside the Convention Area.</p> <p>Transshipment by purse seine vessels outside of port is prohibited, except for certain granted exemptions (see para 25) or for reasons of force majeure (see paras 23 and 24) All transshipment by purse seine on the high seas is prohibited. Transshipment with vessels not on WCPFC Record is prohibited (unless authorized by a decision of the Commission)</p> <p>Non-purse seine vessels (longline, pole and line, troll) may transship in national waters in accordance with domestic laws. CCMs may authorize non-purse seine vessels to transship on the high seas under limited circumstances, and with prior notification and reporting required</p> <p>100% observer monitoring required where transshipment at sea is allowed, generally on the carrier vessel (para 13)</p> <p>Observers allocated to carry out duties on carriers wishing to transship on the high seas must note the obligations under this CMM, especially paras 13 - 15. Observers are asked to report all transshipment events in accordance with the minimum data fields and on the Commission transshipment forms. Observers must monitor implementation of the CMM and that quantities transshipped are consistent with quantities declared by the operator of the vessel</p>	<p>CMM 2009-06</p>

CMMs relevant to the Monitoring, Control and Surveillance (MCS) Scheme, including Regional Observer Programme

MCS Measure	Observer Notes	Reference
Vessels without Nationality	CMM 2009-09 declares vessels without nationality (no flag or flying more than 1 flag) to be deemed to have undermined the W CPF Convention and CMMs. Observers are asked to report all vessels sighted while in the Convention Area	CMM 2009-09
Eastern High Seas Pocket Special Management Area (EHSP-SMA)	CMM 2016-02 replaces CMM 2010-02 that establish the the eastern high seas pocket Special Management Area (EHSP-SMA): which is the area of high seas bounded by the Exclusive Economic Zones of the Cook Islands to the west, French Polynesia to the east and Kiribati to the north. The EHSP- SMA purpose is to increase MCS information and deter IUU fishing. Observers are asked to collect all data as required by the minimum standard data fields. Vessel sighting information is particularly important in the EHSP- SMA and should reported as soon as possible	CMM 2016-02
List of IUU Vessels	CMM 2019-07 replaces CMM 2010-06 establishes a process for a list of vessels presumed to have carried out IUU fishing in the Convention Area. Observers are asked to record information on vessel sightings to identify vessels who may be undertaking IUU fishing.	CMM 2019-07
Labour Standards on Fishing Vessels	CCMs are encouraged to make every effort to ensure that their relevant national legislation fully extends to all crew working on fishing vessels flying their flag in the WCPF Convention Area and, where appropriate and applicable are encouraged to adopt measures into their national legislation to establish minimum standards regulating crew labour conditions on their vessels. CCMs are encouraged to implement measures, consistent with generally accepted international minimum working standards for crew working on fishing vessels	Resolution 2018-01

CMMs relevant to the Monitoring, Control and Surveillance (MCS) Scheme, including Regional Observer Programme

MCS Measure	Observer notes	Reference
Compliance Monitoring Scheme	CMM 2019-06 replaces CMM 2018-07, CMM 2017-07 & 2015-07. The purpose of the WCPFC Compliance Monitoring Scheme (CMS) is to ensure that Members, Cooperating Non- Members and Participating Territories (CCMs) implement and comply with obligations arising under the Convention and Conservation and Management Measures (CMMs) adopted by the Commission. Much of the data collected by observers is important in determining compliance with these articles.	CMM 2019-06
Record of Fishing Vessels and authorisation to fish	CMM 2018-06 is a further revision of CMM 2017-05 which revised CMM 2013-10. Only vessels on the WCPFC Record of Fishing Vessels are authorized to fish in the WCPFC Convention Area. Data collected by observers as part of the minimum standard data fields cover the reporting requirements as set out in CMM 2014-03; & CMM 2013-04 The country codes in att 6 of CMM 2014-03 are a internationally recognized standard (ISO 3166)	CMM 2018-06 CMM 2013-04 CMM 2014-03
Commission VMS	The Commission vessel monitoring system (VMS) was established in 2009. All vessels fishing on the high seas in the Convention area must have an operational VMS that meets WCPFC requirements. CMM 2014-02 sets out the rules for the operation of the Commission VMS and it provides the Commission with the means to monitor the movement of vessels in most waters of the Convention Area, including high seas waters. Observers are asked to check and record the system type and model of the ALC.	CMM 2014-02

CMMs relevant to the Monitoring, Control and Surveillance (MCS) Scheme, including Regional Observer Programme

MCS Measure	Observer Notes	Reference
Limit Marine Pollution from Fishing Vessels	<p>Commission members, Co-operating members and participating territories are encouraged to become parties to MARPOL.</p> <p>Fishing Vessels will prohibit the discharge of any products containing plastics and polystyrene in the WCPFC Convention Area. (does not include fishing gear)</p> <p>CCMs are also encouraged to prohibit their fishing vessels from discharging into the sea - oil, fuel products, oily residues, garbage including fishing gear, (recoverable FADs and nets are not included) food & domestic waste, incinerator ashes, cooking oils and sewage (except sewage permitted under international instruments) Observers are asked to note the discharge of any products into the sea and report it on the appropriate forms.</p>	CMM 2017-04

Other important CMMs and Resolutions which are Administrative in Nature

Topic	Observer Notes	Reference
Cooperating Non-Members (CNMs)	This CMM sets out a process for CNMs to apply for renewal of CNM status each year	CMM 2009-11
Landings of purse seine vessels at non-CCM ports	The Commission is to establish, an arrangement with a non-CCM to enable collection of species and size composition data from canneries, regarding purse seine catches in the Convention Area	CMM 2009-10

Other important CMMs and Resolutions which are Administrative in Nature

Topic	Observer Notes	Reference
Small Island Developing States and Territories	This CMM and Resolution sets out principles which are intended to influence future decisions by the Commission. Also see Article 30 of Convention. These principles are relevant for the development of the ROP.	Res 2008-01 CMM 2013-07
Best available science	This resolution contains principles for strengthening data collection for science.	CMM 2012-01
Development of CMMs	The CMM sets out criteria that are to be considered by the Commission in the development of CMM proposals.	CMM 2013-06
Harvest strategy approach for key fisheries and stocks in the WCPO	This CMM is to develop and implement a harvest strategy approach for each of the key fisheries or stocks under the purview of the Commission according to the process set out in the CMM 2014-06	CMM 2014-06
CMM on Reference point for WCPO Skipjack tuna	The CMM gives target reference points based on the spawning biomass. This shall be an interim target reference point until it is reviewed by the Commission no later than 2019, and may be reviewed at any time relevant additional information is made available.	CMM 2015-06
Charter Notification Scheme	This CMM includes a notification process to keep the Commission updated of charter arrangements in the WCPO. The CMM limits charters to vessels on the WCPFC Record of Fishing Vessels. Observers are asked to detail vessel sightings in support of this measure.	CMM 2016-05

References in bold in this table are included in this booklet.
CMM's not in bold are available on the "WCPFC.int" Website

CMM	Pg #	Title
2004-03	24	Specifications for the Marking and Identification of Fishing Vessels.
2004-04		Resolution on Conservation and Management Measures.
Res. 2005-03	167	Resolution on Non-target fish Species.
2006-04	28	CMM for Striped Marlin in the Southwest Pacific.
2006-07	29	CMM for the Regional Observer Programme
2006-08		Western and Central Pacific Fisheries Commission Boarding and Inspection Procedures
2008-04	33	CMM to prohibit the use of Large-Scale Driftnets on the High Seas in the Convention Area.
Res. 2008-01		Resolution on aspirations of SIDS and Territories.
2009-02	35	CMM on the Application of High Seas FAD Closures and Catch Retention.
2009-03	38	CMM for Swordfish.
2009-05	43	CMM for Prohibiting Fishing on Data Buoys including information package on Data Buoys.
2009-06	50	CMM on the Regulation of Transshipment.
2009-09		CMM for Vessels without Nationality
2009-10		CMM to monitor landings of purse seine vessels at ports so as to ensure reliable catch data by
2009-11		CMM for Cooperating Non-Members.
2010-01	58	CMM for North Pacific Striped Marlin
2010-07	60	CMM for Sharks. (To be Replaced by CMM 2019-04 on 1 st Nov 2020)
2011-03	63	CMM to Address Impact of Purse Seine Fishing Activities on Cetaceans
2011-04	65	CMM for Oceanic Whitetip Sharks. (To be Replaced by CMM 2019-04 on 1 st Nov 2020)
2012-03	67	CMM for Implementation of the ROP by vessels fishing north of 20N.

References in bold in this table are included in this booklet.
CMM's not in bold are available on the "WCPFC.int" Website

CMM	Pg #	Title
2012-04	68	CMM on the protection of whale sharks from purse seine operations. (To be Replaced by CMM 2019-04 1 st Nov 2020)
	70	Guidelines for the Safe Release of Encircled Animals, Including Whale Sharks
Res. 2012-01		Resolution on the best available science.
2013-04		CMM for WCPFC Implementation of a Unique Vessel Identifier (UVI).
2013-05	71	CMM on Daily Catch and Effort reporting.
2013-06		CMM on criteria for the consideration of CMM proposals
2013-07		CMM on the specific requirements of Small Island Developing States and Territories.
2013-08	73	CMM for Silky Sharks. (To be Replaced by CMM 2019-04 1 st Nov 2020)
2014-02		CMM for Commission VMS.
2014-03		CMM on Standards, Specifications and Procedures for the WCPFC Record of Fishing Vessels.
2014-05	75	CMM for Sharks. (To be Replaced by CMM 2019-04 1st Nov 2020)
2014-06		CMM to develop and implement a harvest strategy
2015-02	77	CMM for South Pacific Albacore
2015-06		CMM on a Target Reference Point for WCPO Skipjack
2016-02	79	CMM for the Eastern High Seas Pocket Special Management Area
2016-05		CMM on Charter Notification Scheme.
2017-02		CMM on Minimum Standards for Port State Measures
2017-03	83	CMM on Protection of WCPFC ROP Observers
2017-04	88	CMM on Marine Pollution
2018-01	91	CMM for Bigeye, Yellowfin, Skipjack Tuna in Western and Central Pacific Ocean

References in bold in this table are included in this booklet.
CMM's not in bold are available on the "WCPFC.int" Website.

CMM	Pg#	Title
2018-03	107	CMM to Mitigate the Impact of Fishing for Highly Migratory Fish Stocks on Sea birds
2018-04	117	CMM of Sea Turtles
SC-06	121	WCPFC Guidelines for the handling of Sea Turtles
SC-07	126	WCPFC Guidelines for the handling of Sea Turtles (Graphics)
2018-05	128	CMM for the Regional Observer Programme
2018-06	138	WCPFC Record of Fishing Vessels and Authorisation to Fish
2018-07		CMM for Compliance Monitoring Scheme
Res 2018-01	168	Resolution on Labour standards for Crew on Fishing Vessels
2019-01		Cooperating Non Members
2019-02	146	CMM for Pacific Bluefin
2019-03	152	CMM for North Pacific Albacore
2019-04	155	CMM for Sharks (Effective from 1 Nov 2020)
2019-05	163	CMM on Mobulid Rays caught in association with fisheries in the WCPFC Convention Area (Effective from 1st Jan 2021
2019-06		CMM for the Compliance Monitoring Scheme
2019-07		CMM to establish a List of Vessels presumed to have carried out Illegal, Unreported and Unregulated fishing activities in the WCPO.
2019-08		CMM for Charter Notification Scheme



**INAUGURAL SESSION
9-10 December 2004
Pohnpei, Federated States of Micronesia**

Specifications for the Marking and Identification of Fishing Vessels¹

Conservation and Management Measure – 2004 – 03

1. GENERAL PROVISIONS

1.1 Purpose, basis and scope

1.1.1 These specifications are intended to implement the FAO Standard Specifications for the Marking and Identification of Fishing Vessels for the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC).

1.1.2 These specifications shall apply to the operation of all fishing vessels of members of the Commission authorized to fish in the Convention Area beyond areas of national jurisdiction.

1.1.3 These specifications shall be interpreted and applied in the context of and in a manner consistent with the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean.

1.2 Definitions

For the purpose of these Specifications:

“Convention” means the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean.

“deck” means any surface lying in the horizontal plane, including the top of the wheelhouse;

“FAO Standard Specifications for the Marking and Identification of Fishing Vessels” means the Standard Specifications and Guidelines approved by the FAO Committee on Fisheries (COFI) at its 18th Session, Rome, 10-14 April 1989;

¹As proposed in the Final Report of Working Group III [WCPFC/PrepCon/47]

“vessel” means any fishing vessel, as defined in Article 1, paragraph (e) of the Convention and authorized by a member of the Commission to fish in the Convention area beyond areas of the member’s national jurisdiction, and includes a boat, skiff or craft (including aircraft) carried on board the fishing vessel and required for fishing operations;

“operator” means any person who is in charge of or directs or controls a vessel, or for whose direct economic or financial benefit the vessel is being used, including the master, owner, and charterer.

2. REQUIREMENTS AND APPLICATION

2.1 General requirements

2.1.1 Each member of the Commission shall ensure that operators of vessels:

(a) are required to mark the vessels for their identification with their International Telecommunication Union Radio Call Signs (IRCS);

(b) are required to mark vessels to which an IRCS has not been assigned, with the characters allocated by the International Telecommunication Union (ITU) to the member of the Commission concerned or such other characters of national identification as may be required under bilateral fishery agreements and followed by, as appropriate, the fishing authorization or vessel registration number assigned to the vessel by the member of the Commission concerned. In such cases, a hyphen shall be placed between the nationality identification characters and the licence or registration number identifying the vessel.

2.1.2 Whichever system is used from 2.1.1. (a) or (b) above, that identifier shall, hereinafter be called the WCPFC Identification Number (WIN).

2.1.3 The members of the Commission shall ensure that:

(a) apart from the vessel’s name or identification mark and the port of registry as may be required by international practice or national legislation, the WIN as specified shall be the only other vessel identification mark consisting of letters and numbers to be painted on the hull or superstructure;

(b) the requirement for the marking of fishing vessels with the WIN is a condition for authorization to fish in the Convention Area beyond areas of national jurisdiction;

(c) the following are offences under national legislation:

- (i) non-compliance with these specifications;
- (ii) non-marking or wrongful marking of vessel;
- (iii) deliberate removal or obstruction of the WIN;
- (iv) the use of the WIN allocated to another operator or to another vessel; and

(d) offences listed in paragraph 2.1.3.(c) above may be grounds for refusing authorization to fish.

2.2 Markings and other technical specifications

2.2.1 Each member of the Commission shall ensure that the operator displays the WIN in the English language prominently at all times:

(a) on the vessel's hull or superstructure, port and starboard. Operators may place fixtures that are inclined at an angle to the vessel's side or superstructure provided that the angle of inclination would not prevent sighting of the sign from another vessel or from the air;

(b) on a deck, except as provided for in paragraph 2.2.4 below. Should an awning or other temporary cover be placed so as to obscure the mark on a deck, the awning or cover shall also be marked. These marks should be placed athwartships with the top of the numbers or letters towards the bow.

2.2.2 Each member of the Commission shall ensure that that the Operator places the WIN:

(a) as high as possible above the waterline on both sides of the vessel and that such parts of the hull as the flare of the bow and the stern are avoided;

(b) in a manner that does not allow the marks to be obscured by the fishing gear whether it is stowed or in use;

(c) so that they are clear of flow from scuppers or overboard discharges including areas which might be prone to damage or discolouration from the catch of certain types of species; and,

(d) so that they do not extend below the waterline.

2.2.3 Undecked vessels shall not be required to display the WIN on a horizontal surface. However, operators should be encouraged by the member of the Commission, where practical, to fit a board on which the WIN is placed so that it may be clearly seen from the air.

2.2.4 Boats, skiffs and craft carried by the vessel for fishing operations shall bear the same WIN as the vessel concerned.

2.2.5 The members of the Commission shall ensure that operators of vessels comply with the following in placing the WIN on the vessel:

(a) that block lettering and numbering is used throughout;

(b) that the width of the letters and numbers is in proportion to the height;

(c) the height (h) of the letters and numbers is in proportion to the size of the vessel shall be in accordance with the following:

(i) for the WIN to be placed on the hull, superstructure and/or inclined surfaces:

<u>Length of vessel overall (LOA) in metres (m)</u>	<u>Height of letters and numbers in metres (m) is not less than:</u>
25 m and over	1.0 m
20 m but less than 25 m	0.8 m

5. The Northern Committee shall, in coordination with International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean and other scientific bodies conducting scientific reviews of this stock, including the WCPFC Scientific Committee, monitor the status of North Pacific albacore and report to the Commission on the status of the stock at each annual meeting, and make such recommendations to the Commission as may be necessary for their effective conservation.
6. The Commission shall consider future actions with respect to North Pacific albacore based on recommendations of the Northern Committee.
7. The CCMs shall work to maintain, and as necessary reduce, the level of fishing effort on North Pacific albacore within the Convention Area commensurate with the long-term sustainability of the stock.
8. The WCPFC Executive Director shall communicate this resolution to the IATTC and request that the two Commissions engage in consultations with a view to reaching agreement on a consistent set of conservation and management measures for North Pacific albacore, and specifically, to propose that both Commissions adopt as soon as practicable uniform conservation and management measures and any reporting or other measures needed to ensure compliance with agreed measures.
9. The provisions of paragraph 2 shall not prejudice the legitimate rights and obligations under international law of those small island developing State Members and participating territories in the Convention Area whose current fishing activity for North Pacific albacore is limited, but that have a real interest in, and history of, fishing for the species, that may wish to develop their own fisheries for North Pacific albacore in the future.
10. The provisions of paragraph 9 shall not provide a basis for an increase in fishing effort by fishing vessels owned or operated by interests outside such small island developing State Members or participating territories, unless such fishing is conducted in support of efforts by such Members and territories to develop their own domestic fisheries.



THIRD REGULAR SESSION

Apia, Samoa

11-15 December 2006

CONSERVATION AND MANAGEMENT MEASURE FOR STRIPED MARLIN IN THE SOUTHWEST PACIFIC

Conservation and Management Measure 2006-04

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean

In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean and the provisions of UNCLOS:

Noting that the first regional assessment undertaken for striped marlin in the Southwestern Pacific region has indicated consistent declines in stock abundance;

Further noting that the Scientific Committee has recommended as a precautionary measure that there be no increases in fishing mortality on this stock until estimates of stock status are more certain, as increases in fishing mortality are likely to move the stock towards an overfished state;

Adopts, in accordance with the Article 10 of the WCPFC Convention that:

1. Commission Members, Cooperating Non-Members, and participating Territories (CCMs) shall limit the number of their fishing vessels fishing for striped marlin in the Convention Area south of 15°S, to the number in any one year between the period 2000 – 2004.
2. Paragraph 1 shall not prejudice the legitimate rights and obligations under international law of small island developing State and Territory CCMs, in the Convention Area who may wish to pursue a responsible level of development of their own fisheries for striped marlin in the Convention Area south of 15°S from 2000 - 2004 levels, and the legitimate rights and obligations of coastal states who may wish to pursue a responsible level of development within their fisheries waters.
3. CCMs shall cooperate to protect the long-term sustainability and economic viability of the fisheries for striped marlin in the Southwest Pacific, and in particular shall cooperate on research to reduce uncertainty with regard to the status of striped marlin stocks.
4. In accordance with paragraph 1, CCMs shall provide information to the Commission, by 1 July 2007, on the number of their vessels that have fished for striped marlin in the Convention area south of 15°S, during the period 2000 – 2004, and in doing so, nominate the maximum number of vessels that shall continue to be permitted to fish for striped marlin in the area south of 15°S. CCMs shall report annually to the Commission the catch levels of their fishing vessels that have taken striped marlin as a bycatch as well as the number and catch levels of vessels fishing for striped marlin in the Convention Area south of 15°S.
5. Paragraphs 1-4 do not apply to those coastal states CCMs south of 15 degrees south in the Convention Area who have already taken, and continue to take, significant steps to address concerns over the status of striped marlin in the Southwestern Pacific region, through the establishment of a commercial moratorium on the landing of striped marlin caught within waters under their national jurisdiction.
6. The Executive Director shall compile and disseminate the information provided to the Commission by CCMs in accordance with para 4. The Technical and Compliance Committee shall monitor and review compliance with this measure and make recommendations to the Commission as may be necessary.



THIRD REGULAR SESSION

Apia, Samoa

11-15 December 2006

**CONSERVATION AND MANAGEMENT MEASURE FOR THE REGIONAL
OBSERVER PROGRAMME**

Conservation and Management Measure 2006-07

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean

In accordance with Article 28 of the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific:

Recalling the decision of the Commission at its Second Regular Session to proceed with the hybrid option recommended by Working Group III of the Preparatory Conference for the Establishment of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific and identified in WCPFCTCC1-2005/14;

Committed to the implementation of Article 30 relating to recognition of the special requirements of developing states

Noting that the Commission shall develop a regional observer programme to collect verified data, other scientific data, and additional information related to the fishery from the Convention Area and to monitor the implementation of the conservation and management measures adopted by the Commission;

Further noting that the regional observer programme shall consist of independent and impartial observers authorized by the Secretariat of the Commission and that the programme should be coordinated, to the maximum extent possible with other regional, subregional and national observer programmes.

Adopts in accordance with Article 10 of the WCPFC Convention the following provisions relating to the development of the WCPFC Observer Programme.

1. The Commission hereby establishes the procedures to develop the WCPFC Regional Observer Programme.
2. The ROP will be adopted at the 4th regular session of the Commission in 2007.
3. The Commission hereby establishes an intersessional working group to develop the regional observer programme (IWG –ROP). The TOR for the IWG-ROP shall be those adopted by the Second Regular Session of the Technical and Compliance Committee and are attached as Attachment 1.
4. The Commission notes the proposal from the members of the Pacific Island Forum Fishing Agency, “Conservation and Management Measure for the Regional Observer Programme WCPFC3-2006-DP05”. This proposal shall be forwarded to the IWG – ROP for consideration in the development of a ROP.

**The Commission for the Conservation and Management of Highly Migratory Fish
Stocks in the Western and Central Pacific Ocean**

**Technical and Compliance Committee
Second Regular Session**

**28 September - 03 October 2006
Brisbane, Australia**

**INTERSESSIONAL WORKING GROUP ON A REGIONAL OBSERVER
PROGRAMME**

1. The Technical and Compliance Committee (TCC):
 - Recalling Article 28 of the Convention that requires a Regional Observer Programme (ROP) for the Convention Area that has the following characteristics:
 - i. Organized in a flexible manner;
 - ii. Be cost effective and coordinated with existing regional, sub-regional and national observer programmes to avoid duplication;
 - iii. Consists of independent and impartial observers authorized by the Secretariat; and
 - iv. Training and certification of observers will occur in accordance with uniform procedures.
 - further recalling the Commission agreed to proceed with the “hybrid” option for the ROP; and
 - recognizing the need for further works to expedite the implementation of the ROP;
 - recommended that the Commission establish an Intersessional Working Group for the Regional Observer Programme (IWF-ROP) for this purpose, and the TCC developed the draft Terms of Reference set out in paragraphs 2 and 3 as a guide for the Commission.

DRAFT Terms of reference

2. The TCC further recommended that the IWG-ROP should *inter alia*:
 - i. comment on the adequacy of near and long term objectives for the design of the ROP;
 - ii. consider the institutional and financial arrangements necessary to support the ROP and its implementation
 - iii. consider science, technical, compliance-related, practical and economic elements of the programme and their feasibility
 - iv. develop a detailed strategic plan, including a practical time table, for the development

- and phased implementation of the ROP, taking into account the characteristics of each fishery;
- v. develop procedures for deployment observers under the ROP
 - vi. consider a list of tasks for ROP observers for each fishery;
 - vii. consider standard and harmonized procedures for observers, including data and reporting formats and debriefing procedures;
 - viii. consider ROP observer coverage taking into account other observer programmes and other means of collecting data required by the Commission.
 - ix. consider operational procedures and guidelines for security of observer data;
 - x. develop, in cooperation with main existing observer programmes in the Convention Area, a draft observer provider certification standard and procedure, to include *inter alia*:
 - a. Recruitment, selection, qualifications and training of individuals;
 - b. Capability to implement the technical and operational protocols for the observer role and tasks, including data management issues, as required by the Commission;
 - c. Day to day management of observers, including all personnel and financial matters, and the co-ordination of all logistical components;
 - d. Capacity to handle efficiently, effectively and safely the deployment and recovery of observers;
 - e. Capacity to arrange for debriefing of observers and primary checking and validation of data collected and reports prepared;
 - f. Safety policies and procedures; and
 - g. Maintenance of good communications links with client States, companies and vessels receiving observers.
 - xi. prepare guidelines for the rights, duties and responsibilities of observers;
 - xii. develop a procedure for facilitating the development of national observer programmes to achieve Commission certification;
 - xiii. consider data management needs for the ROP;
 - xiv. prepare standards for safety at sea course for observers;
 - xv. consider a code of conduct for observers and procedures for monitoring observer's compliance with the code;
 - xvi. provide recommendations to the Commission regarding safety standards to be met for carrying observers.
3. The TCC recommended that the IWG-ROP should review the first draft of a Programme Document contained in WCPFC-TCC2-2006-11, in light of discussion at TCC2 reported in paragraphs 52 to 69 of the TCC2 report and prepare a revised draft.
 4. Acknowledging the need to include scientific data issues in the development of the ROP, the TCC recommended that the Commission consult with the Chair of the SC regarding the final Terms of Reference of the IWG-ROP. The TCC also suggested the Chair of the SC facilitate input from the SC inter-sessionally to the TOR in collaboration with the

Secretariat and the Secretariat distribute the ToR to SC and TCC participants of CCMs to assist CCMs in preparing for subsequent discussion at the Commission.

5. In order to address the Terms of Reference in Paragraphs 2 and 3, the TCC recommended that the IWC-ROP should work inter-sessionally and to the maximum extent possible, conduct its work by electronic means.
6. The TCC further recommended that the revised draft of the Regional Observer Programme Document and other documents prepared by the IWG-ROP as necessary should be submitted to the SC and TCC [2 months] in advance of the SC3 meeting for consideration by SC3 and TCC3 and the preparation of recommendations for the Commission. A revised version of the Programme Document **and other documents**, addressing comments from the SC3 and TCC3 should be prepared by the Secretariat and submitted to the Commission at least 40 days in advance of its 4th meeting



FIFTH REGULAR SESSION

Busan, Republic of Korea

8-12 December 2008

CONSERVATION AND MANAGEMENT MEASURE TO PROHIBIT THE USE OF LARGE SCALE DRIFTNETS ON THE HIGH SEAS IN THE CONVENTION AREA

Conservation and Management Measure 2008-04

The Western and Central Pacific Fisheries Commission (WCPFC);

Recalling that the United Nations General Assembly (UNGA) Resolution 46/215 calls for a global moratorium on large-scale high seas driftnet fishing and the Wellington Convention seeks to prohibit driftnet fishing activities in its convention area;

Noting that a number of vessels continue to engage in large-scale high seas driftnet fishing in the North Pacific Ocean, including within the Western and Central Pacific Fisheries Convention area (Convention Area);

Mindful that any vessel fishing with large-scale driftnets on the high seas in the Convention Area, or configured to conduct large-scale high seas driftnet operations, has the capacity to take species of concern to the WCPFC and is likely to undermine the effectiveness of Conservation and Management Measures (CMMs) adopted by the WCPFC;

Noting with concern that recent information indicates that such vessels are interacting more frequently with highly migratory species, such as tunas, swordfish, sharks, and other species covered by the Convention; and that associated “ghost fishing” by lost or discarded driftnets have serious detrimental effects on these species of concern and the marine environment;

Aware that the WCPFC Northern Committee in its 4th Regular Session recommended that the WCPFC adopt a CMM prohibiting large-scale high seas driftnet fishing in the Convention Area;

Adopts the following CMM in accordance with Article 10 of the Convention:

1. The use of large-scale driftnets¹ on the high seas within the Convention Area shall be prohibited and such nets shall be considered prohibited fishing gear, the use of which shall constitute a serious violation in accordance with Article 25 of the Convention.
2. CCMs shall take all measures necessary to prohibit their fishing vessels from using large-scale driftnets while on the high seas in the Convention Area.
3. A CCM-flagged fishing vessel will be presumed to have used large-scale driftnets on the high seas in the Convention Area if it is found operating on the high seas in the Convention Area and is configured² to use large-scale driftnets or is in possession of large-scale drift-nets.
4. Paragraph 3 is not intended to apply to a CCM-flagged vessel that can demonstrate that it is duly authorized to use large-scale driftnets in waters under national jurisdiction and while on the high seas in the Convention Area all of its large-scale driftnets and related fishing equipment are stowed or secured in such a manner that they are not readily available to be used for fishing.
5. CCMs shall include in Part 2 of their Annual Reports a summary of monitoring, control, and surveillance actions related to large-scale driftnet fishing on the high seas in the Convention Area.
6. The WCPFC shall periodically assess whether additional measures should be adopted and implemented to ensure that large-scale driftnets are not used on the high seas in the Convention Area.
7. Nothing in this measure shall prevent CCMs from applying more stringent measures to regulate the use of large-scale driftnets.

¹ “Large-scale driftnets” are defined as gillnets or other nets or a combination of nets that are more than 2.5 kilometers in length whose purpose is to enmesh, entrap, or entangle fish by drifting on the surface of, or in, the water column.

² “Configured” to use large-scale drift-nets means having on board gear, either assembled or disassembled, that collectively would allow the vessel to deploy and retrieve large-scale driftnets.



SIXTH REGULAR SESSION

Papeete, Tahiti, French Polynesia

7-11 December 2009

**CONSERVATION AND MANAGEMENT MEASURE ON THE APPLICATION OF
HIGH SEAS**

FAD CLOSURES AND CATCH RETENTION

Conservation and Management Measure 2009-02

Recalling that CMM 2008-01¹ provides for a FAD closure and catch retention by purse seine vessels in the area bounded by 20°N and 20°S;

Concerned to ensure clear rules for the application of the provisions relating to the FAD closure and catch retention;

Concerned to ensure compatibility of measures established for the high seas with those already adopted for areas under national jurisdiction in accordance with Article 8 (1);

Conscious that incomplete or inconsistent application of the elements of CMM 2008-01 will undermine the effectiveness of the Measure;

Recalling that the PNA have developed detailed Regulations for the implementation of FAD closures and catch retention in their EEZs;

Concerned at reports by the WCPFC Secretariat and Members about cases of inconsistent application of the two month FAD closure in the high seas in 2009;]]

Adopts, in accordance with Article 10 of the Convention, the following Measure to be read as a part of CMM 2008-01:

OBJECTIVES

1. The objectives of this Measure are:
 - a. to ensure consistent and robust application of FAD closures and catch retention in the high seas between 20°S and 20°N through the specification of minimum standards.
 - b. to apply high standards to the application of the FAD closure and catch retention in order to remove any possibility for the targeting of aggregated fish, or the discard of small fish.
2. Each CCM shall take the necessary measures to ensure that purse seine vessels flying its flag on the high seas comply with these rules in the application of the provisions of CMM 2008-01 relating to a FAD closure and catch retention.

¹ Conservation and Management Measure for Bigeye and Yellowfin Tuna in the Western and Central Pacific Ocean

Rules for FAD Closure

3. The definition of a FAD in footnote 1 to CMM 2008-01 shall be interpreted as including:
“any object or group of objects, of any size, that has or has not been deployed, that is living or non-living, including but not limited to buoys, floats, netting, webbing, plastics, bamboo, logs and whale sharks floating on or near the surface of the water that fish may associate with”
4. During the FAD closure period specified in CMM 2008-01, no purse seine vessel shall conduct any part of a set within one nautical mile of a FAD. That is, at no time may the vessel or any of its fishing gear or tenders be located within one nautical mile of a FAD while a set is being conducted.
5. The operator of a vessel shall not allow the vessel to be used to aggregate fish, or to move aggregated fish including using underwater lights and chumming.
6. A FAD and/or associated electronic equipment shall not be retrieved by a vessel during the period of a FAD closure unless:
 - a. the FAD and/or associated electronic equipment are retrieved and kept on board the vessel until landed or until the end of the closure; and
 - b. the vessel does not conduct any set either for a period of seven (7) days after retrieval or within a fifty (50) mile radius of the point of retrieval of any FAD.
7. In addition to paragraph 6, vessels shall not be used to operate in cooperation with each other in order to catch aggregated fish. No vessel shall conduct any set during the prohibition period within one nautical mile of a point where a FAD has been retrieved by another vessel within twenty four (24) hours immediately preceding the set.

Rules for Catch Retention

8. Where the operator of a vessel determines that fish should not be retained on board for reasons related to the size, marketability, or species composition, the fish shall only be released before the net is fully pursed and one half of the net has been retrieved.
9. Where the operator of a vessel determines that fish should not be retained on board because they are “unfit for human consumption”, the following definitions shall be applied:
 - a. “unfit for human consumption” includes, but is not limited to fish that:
 - i. is meshed or crushed in the purse seine net; or
 - ii. is damaged due to shark or whale depredation; or
 - iii. has died and spoiled in the net where a gear failure has prevented both the normal retrieval of the net and catch and efforts to release the fish alive; and
 - b. “unfit for human consumption” does not include fish that:
 - i. is considered undesirable in terms of size, marketability, or species composition; or

- ii. is spoiled or contaminated as the result of an act or omission of the crew of the fishing vessel.
- 10. Where the operator of a vessel determines that fish should not be retained on board because it was caught during the final set of a trip when there is insufficient well space to accommodate all fish caught in that set, the fish may only be discarded if:
 - a. the vessel master and crew attempt to release the fish alive as soon as possible;
 - b. no further fishing is undertaken after the discard until the fish on board the vessel has been landed or transhipped.
- 11. Fish shall not be discarded from the vessel until after an observer has estimated the species composition of the fish to be discarded.
- 12. The operator of the vessel shall submit[to the Executive Director a report that includes the following information within forty-eight 48 hours after any discard:
 - a. Name, flag and WCPFC Identification Number of the vessel;
 - b. Name and nationality of master;
 - c. Licence number;
 - d. Name of observer on board;
 - e. Date, time and location (latitude/longitude) that discarding occurred;
 - f. Date, time, location (latitude/longitude) and type (drifting FAD, anchored FAD, free school etc) of the shot;
 - g. Reason that fish were discarded (including statement of retrieval status if fish were discarded in accordance with paragraph 6);
 - h. Estimated tonnage and species composition of discarded fish;
 - i. Estimated tonnage and species composition of retained fish from that set;
 - j. If fish were discarded in accordance with paragraph 10, a statement that no further fishing will be undertaken until the catch on board has been unloaded; and
 - k. Any other information deemed relevant by the vessel master.
- 13. The operator of the vessel shall also provide a hard copy of the information described in para 12 to the WCPFC Observer on board.



SIXTH REGULAR SESSION
Papeete, Tahiti, French Polynesia
7-11 December 2009

CONSERVATION AND MANAGEMENT FOR SWORDFISH

Conservation and Management Measure 2009-03¹

The Commission For The Conservation And Management Of Highly Migratory Fish Stocks In The Western And Central Pacific Ocean

In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean and the provisions of UNCLOS:

Noting that the stock assessment undertaken for swordfish in the South Western Pacific region indicated an increase in south-west stock abundance in recent years and the model projections predict further increase at current levels of fishing mortality. Plausible assessments indicate that overfishing is not occurring and the south western Pacific swordfish stock is not in an overfished state;

Noting that due to the uncertainty in the 2008 stock assessment for south-western Pacific swordfish, the SC recommended that there be no further increase in catch or effort in order to keep the stock above its associated reference points;

Further noting that the Scientific Committee has recommended that there be no increases in fishing mortality for south-central Pacific swordfish as a precautionary measure given the lack of a formal assessment and that constraining fishing mortality to current levels is recommended until there is a better understanding of fishing impacts in the south-central Pacific stock and the relationship between this stock and other south Pacific stocks is more certain;

Acknowledging IATTC's recognition of the importance of establishing complementary conservation and management measures for species of mutual interest, and that swordfish stocks in the central Pacific are likely to occur in waters under the competence of both the WCPFC and IATTC;

Recognising the need for both IATTC and WCPFC to adopt conservation and management measures to provide for the sustainable management of swordfish stocks across the Pacific Ocean.

¹ Replaces CMM 2008-05

Recognising that well managed stocks of swordfish in the central south Pacific represent an important source of long-term economic opportunities for the domestic fisheries of small island development States and participating Territories;

Adopts, in accordance with the Article 10 of the WCPFC Convention that:

1. Commission Members, Cooperating Non-Members and participating Territories (CCMs) shall exercise restraint through limiting the number of their fishing vessels for swordfish in the Convention Area south of 20°S, to the number in any one year between the period 2000-2005 (listed in Annex 1).
2. In addition to vessel limits established under paragraph 1, CCMs shall exercise restraint through limiting the amount of swordfish caught by fishing vessels flagged to them in the Convention Area south of 20°S to the amount caught in any one year during the period 2000 – 2006.
3. CCMs shall not shift their fishing effort for swordfish to the area north of 20°S, as a result of this measure.
4. No later than 30 April 2010 CCMs shall nominate the maximum total catch of swordfish that it shall continue to be permitted to fish in the area south of 20°S. This amount shall be no more than their maximum verified catch declared to the Commission for any one year in the period 2000-2006.
5. Paragraphs 1 to 4 and paragraph 9 shall not prejudice the legitimate rights and obligations under international law of small island developing State and participating Territory CCMs, in the Convention Area who may wish to pursue a responsible level of development of their own fisheries in the Convention Area.
6. For the purposes of these measures, vessels operated under charter, lease or other similar mechanisms as an integral part of the domestic fleet of a coastal State, shall be considered to be vessels of the host State or Territory. Such charter, lease or other similar mechanism shall be conducted in a manner so as not to charter known IUU vessels.
7. CCMs shall cooperate to protect the long-term sustainability and economic viability of the fisheries for swordfish in the Southwest Pacific, and in particular shall cooperate on research to reduce uncertainty with regard to the status of swordfish stocks.
8. CCMs shall report to the Commission the total number of vessels that fished for swordfish and the total catch of swordfish for the following:
 - a. vessels flying their flag anywhere in the Convention Area south of 20°S other than vessels operating under charter, lease or other similar mechanism as part of the domestic fishery of another CCM;
 - b. vessels operating under charter, lease or other similar mechanism as part of their domestic fishery south of 20°S; and
 - c. any other vessels fishing within their waters south of 20°S.

This information shall be provided in Part 1 of each CCM's annual report. Initially, this information will be provided in the template provided at Annex 2 for the period 2000-2009 and then updated annually.

9. As an interim measure, and without prejudice to future decisions of the Commission relating to monitoring and responding to compliance with conservation and management measures, until the Commission adopts a scheme relating to compliance with CMMs which includes responses when a flag State exceeds any limits assigned to it, if it is determined by the Commission that the catch of vessels flying the flag of a CCM exceeds the total catch specified for them under paragraphs 2 and 4 above, that CCM will be subject to a reduction in their catch limit equal to the exceeded amount. The reduction will apply in the year immediately after it has been determined that the catch limit has been exceeded.

10. The Executive Director shall compile and disseminate the information provided to the Commission by CCMs in accordance with paragraph 8 above to the Technical and Compliance Committee each year. The Technical and Compliance Committee shall monitor and review compliance with this measure and make recommendations to the Commission as may be necessary.

11. This measure will be reviewed in 2011 by the Commission, including on the basis of advice from the Scientific Committee based on future stock assessments of South Pacific swordfish.

12. This measure replaces CMM 2008-05.

ANNEX 1 –

NUMBERS OF CCM-FLAG VESSELS THAT HAVE FISHED FOR SWORDFISH IN THE CONVENTION AREA SOUTH OF 20°S DURING THE PERIOD 2000 – 2007 (Maximum number of vessels per CCM are indicated in **Bold**)

(Source: WCPFC-TCC4-2008/10 (Rev.3) 30 September 2008 Attachment 2)

Year	Australia	Belize	Cook Islands	EU	Korea	New Caledonia (Bycatch)	New Zealand	Chinese Taipei			USA
								Seasonal >100GRT	By-catch >100 GRT	By-catch <100 GRT	
2000	140	0		0	22	15	103	10	41	17	
2001	159	0		0	22	12	132	10	41	17	
2002	144	0		0	22	11	151	10	42	17	
2003	134	0	16 [#]	0	24	15	132	12	55	17	
2004	121	0	15	8	22	25	99	8	39	17	
2005	100	0	6	14	23	15	57	6	40	19	
2006	55	0	8		6			4	27	26	2
2007	54	1 [^]		15 *	4		74 ^{^^}	3	16	30	2

*See EU Annual Report (Part 1) for the period 1 January – 31 December 2007

[^]See Belize catch and effort data (by-catch) reported to the Commission on 29 April 2008.

^{^^}See New Zealand Annual Report (Part 2) for the period 1 January-31 December 2007

Note application of paragraph 5; this figure is without prejudice to the Cook Islands right to develop its domestic fishery

REPORTING FORMAT FOR THE CATCH OF SWORDFISH PER FLAG CCM AND COASTAL CCM (TO BE SUBMITTED IN EACH CCMS ANNUAL REPORT (PART 1))

Year	CCM-flagged [#] vessels south of 20S		Chartered vessels [*]		Other vessels fishing within the CCM's waters south of 20S		
	Catch (tonnes)	Vessel numbers	Catch (tonnes)	Vessel numbers	Flag	Catch (tonnes)	Vessel numbers
2000							
2001							
2002							
2003							
2004							
2005							
2006							
2007							
2008							
2009							

- In accordance with paragraphs 6 and 8 a, Flag CCMs are not to report against chartered vessels.

* In accordance with paragraphs 6 and 8 b, chartering CCMs must report against chartered vessels.



SIXTH REGULAR SESSION
Papeete, Tahiti, French Polynesia
7-11 December 2009

**CONSERVATION AND MANAGEMENT MEASURE PROHIBITING FISHING ON DATA
BUOYS**

Conservation and Management Measure 2009-05

The Western and Central Pacific Fisheries Commission:

Aware that many nations, including Commission Members, operate and deploy data buoys throughout the Convention Area and oceans worldwide to gather information used to make improved weather and marine forecasts, provide assistance to fisheries by generating data on sea surface and subsurface measurements, provide assistance to search and rescue efforts at sea, and collect critical data used to conduct research on meteorological and oceanographic topics and climate prediction;

Knowing that highly migratory species, in particular tuna species, aggregate in the vicinity of data buoys.

Noting that a reduction of fishing around data buoys may assist the Commission in its efforts to reduce the mortality of juvenile bigeye and yellowfin tunas;

Recognizing that the World Meteorological Organization and the Intergovernmental Oceanographic Commission have determined that vandalism and damage to data buoys by fishing vessels are significant problems in the Pacific Ocean and worldwide;

Concerned that vandalism or damage to data buoys results in significant loss of data critical to weather forecasting, to the study of marine conditions, to tsunami warnings, to support for search and rescue efforts at sea, and that Commission Members expend considerable time and resources to locate, replace and repair data buoys damaged or lost by fishing methods or vandalism;

Noting that information about the description, type and location of several data buoy programs is publicly available through the Internet;

Further noting the mandate given to the Commission to adopt generally recommended international minimum standards for the responsible conduct of fishing operations;

Adopts the following conservation and management measure in accordance with Article 10 of the Convention:

1. CCMs shall prohibit their fishing vessels from fishing within one nautical mile of or interacting with a data buoy in the high seas of the Convention Area, which includes, but is not limited to, encircling the buoy with fishing gear; tying up to or attaching the vessel, or any fishing gear, part or portion of the vessel, to a data buoy or its mooring; or cutting a data buoy anchor line.
2. For the purposes of this measure, data buoys are defined as floating devices, either drifting or anchored, that are deployed by governmental or recognized scientific organizations or entities for the purpose of electronically collecting and measuring environmental data, and not for the purpose of fishing activities.
3. CCMs shall prohibit their fishing vessels from taking on board a data buoy unless specifically authorized or requested to do so by the Member or owner responsible for that buoy.
4. CCMs shall encourage their fishing vessels operating in the Convention Area to keep watch for moored data buoys at sea and to take all reasonable measures to avoid fishing gear entanglement or directly interacting in any way with those data buoys.
5. CCMs shall require their fishing vessels that become entangled with a data buoy to remove the entangled fishing gear with as little damage to the data buoy as possible. CCMs are encouraged to require their fishing vessels to report to them all entanglements and provide the date, location and nature of the entanglement, along with any identifying information contained on the data buoy. CCMs shall notify the Secretariat of all such reports.
6. Fishing activities inconsistent with paragraphs 1 and 2 above shall be deemed fishing activities that undermine the WCPF Convention and WCPFC conservation and management measures and shall constitute a serious violation in accordance with Article 25 of the Convention.
7. Notwithstanding paragraph 1, scientific research programs notified to and authorized by the Commission may operate fishing vessels within one nautical mile of a data buoy so long as they do not interact with those data buoys as described in paragraph 1.

**The Commission for the Conservation and Management of
Highly Migratory Fish Stocks in the Western and Central Pacific Ocean**

DATA BUOY INFORMATION PACKAGE

18 May 2010

Prepared by the Secretariat

Reference: CMM 2009-05 and Paragraph 297 of the WCPFC6 Summary Report

This package provides information to assist in the recognition of data buoys and minimize the damage to these buoys in accordance with CMM 2009-05. The following links provide sample information on the type of data buoys that fishers may encounter as well as links to maps that show the location of several of these types of buoys that are reporting to the National Data Buoy Centre and can be accessed by fishers through the internet. This information is updated regularly, but Members are reminded that the information package is not complete as many buoys are not on the internet and do not report to the National Data Buoy Centre.

National Data Buoy Centre <http://www.ndbc.noaa.gov/>

Data Buoy Cooperation Panel <http://www.jcommops.org/dbcp/>

Ocean weather Inc. <http://www.oceanweather.com/forecast/index.html>

Environmental Instruments and Systems

<http://www.oceanscientific.com/Products/MarineInstruments/tabid/56/agentType/ViewType/PropertyTypeID/20/Default.aspx>

Weather Buoys http://en.wikipedia.org/wiki/Weather_buoy

Note: The citations provided with each example are copied directly from the website and are not reflective of opinions or views of the WCPFC.



Weather Buoy operated by NOAA National Data Buoy Center



Weather Buoy / Data Buoy / Oceanographic Buoy operated by the MDS



OSIL Data Buoys

OSIL's range of Data Buoys are designed to cater for a wide array of instrumentation and are completely adaptable to each applications' needs. Each buoy will support instrumentation such as multiparameter sondes, current meters and meteorological instruments and are easy to handle, as well as transport.

The OSIL Buoys are manufactured using rotationally moulded polyethylene hulls around a galvanised steel or welded polyethylenecentral structure. The central structure has a large hole through the centre which allows the passage of instrumentation and cables from the tower down to the water. By positioning instrumentation in the centre of the buoy they are well protected from damage during transportation and deployment.

The buoys are available in four different sizes ranging from a diameter of 1.2 m with a buoyancy of 200 kg up to 3 m in diameter with a buoyancy of 9000kg. The buoyancy caters for the weight

of equipment such as solar panels and battery packs as well as monitoring instrumentation, proving how adaptable they are for any application.



OSIL Rapid Deployment Buoy

OSIL's Rapid Deployment Buoy is a cheap, quick and easy way to ensure constant and immediate data collection when other systems are out of action, or where an environmental situation requires monitoring. Its size and weight make it ideal for one person to handle in the field, and its single point mooring makes for easy deployment and recovery.

Manufactured from machined foam and finished with a durable rubberised coating, the Rapid Deployment Buoy is built with a central structure designed to safely accomodate the YSI 6600 while providing protection from collision damage.

Designed for four weeks of constant use, the Rapid Deployment Buoy carries a small solar panel with battery back-up. Weighing 25kg and having a total length of 1.2m, this buoy is easy to handle and deploy.



EMM68 Buoy

The EMM68 buoy provides a quickly deployable water quality monitoring platform with remote telemetry. The system can be lifted into place by two people, reducing deployment and maintenance costs while still maintaining a secure buoy that is difficult to steal or vandalize.

The entire system can be installed without divers, allowing for complete serviceability from a small boat or watercraft.



EMM350 PISCES Platform

The PISCES is a lightweight pontoon platform which supports water quality, water velocity and meteorological sensors as well as computer logging systems. The platform holds two topside aluminium chests that house the data acquisition system, cellular modem, and battery. The chests are easily serviceable from the water and accommodate multiple underwater cable connections.



EMM700 Water Quality Monitoring Buoy

YSI's EMM700 Water Quality Monitoring buoy is designed for applications which require a full array of sensors. The extra buoyancy supports a wide variety of instrumentation including radio, cellular or satellite telemetry hardware, data acquisition systems, meteorological sensors and YSI's 6-Series multi-parameter instrumentation. The EMM700 is designed for long-term monitoring in lakes, ponds, rivers, reservoirs and near coastal applications and it has a buoyancy weight of 700 lbs.

The EMM700 buoy is easy to handle and can be deployed from most small vessels. YSI's Floating platforms provide mounting for solar panels, battery packs, telemetry and data acquisition electronics, antenna, meteorological sensors, mooring assembly, and a collision lamp.



EMM2000 Coastal Monitoring Buoy

Endeco/YSI's EMM2000 Buoy is designed for harsh monitoring applications where wind and wave activity is significant. The buoy can support a wide variety of instrumentation including

radio, cellular or satellite telemetry hardware, data acquisition systems, meteorological sensors, and YSI's 6-Series multiparameter instrumentation.

The buoy provides 2000 lbs. of buoyancy for monitoring large lakes, reservoirs and coastal ocean area that require full ocean capability.



Data Buoy with Data Logger OMC-045-B-250

The OMC-045-B-250 is Observer's complete monitoring system including a data buoy and data logger. The very small buoy is designed for monitoring the water quality in low current situations and it can be used in lakes, ponds, reservoirs and rivers. During tests the OMC-045-B-250 has proved it's durability and because the system is rugged and light, deployment is very easy. It is possible to connect all YSI-6 series sondes to the buoy and the buoy is also suitable for use with other sondes or instruments. The OMC-045-B-250 comes complete with a 12A battery and a programmeable beacon light.

The OMC-045 Data Logger takes a reading using a user-selectable registration interval (default 15 minutes) and it is possible to configure limits (low, high and even high-high) on all measured parameters. If one of the readings is outside the pre-set limits the system will be switched to alarm-mode, in this mode the system can switch to an alarm registration interval (default 1 minute) and the system can send an alarm SMS if required. The system will stay in alarm mode until all parameters are within the limits again.

The OMC-045-B-250 comes complete with a Mooring Set (excluding anchor and chain) and a Maintenance Kit. An optional 24A battery is also available.



SIXTH REGULAR SESSION
Papeete, Tahiti, French Polynesia
7-11 December 2009

**CONSERVATION AND MANAGEMENT MEASURE ON THE REGULATION OF
TRANSHIPMENT**

Conservation and Management Measure 2009-06

The Commission for the Conservation and Management of Highly Migratory Fish Stock in the Western and Central Pacific Ocean,

Acknowledging that effective conservation and management of highly migratory fish stocks is dependent on the provision of accurate reporting of catches of such stocks in the Convention Area;

Recognizing that transshipment at sea is a common global practice, but that unregulated and unreported transshipment of catches of highly migratory fish stocks at sea, in particular on the high seas, contributes to distorted reporting of catches of such stocks and supports IUU fishing in the Convention Area;

Recalling Article 29(1) of the Convention which provides that in order to support efforts to ensure accurate reporting of catches, the members of the Commission shall encourage their fishing vessels, to the extent practicable, to conduct transshipment in port.

Recalling also Article 29(2) and (3) of the Convention that transshipment at a port or in an area within waters under the national jurisdiction of a member of the Commission shall take place in accordance with applicable national laws, and that the Commission shall develop procedures to obtain and verify data on the quantity and species transhipped both in port and at sea in the Convention Area and procedures to determine when transshipment covered by the Convention has been completed;

Recalling further Article 29(4) of the Convention that Transshipment at sea in the Convention Area beyond areas under national jurisdiction shall take place only in accordance with the terms and conditions set out in article 4 of Annex III to the Convention, and any procedures established by the Commission pursuant to Article 29(3). Such procedures shall take into account the characteristics of the fishery concerned;

Recalling further that Article 29(5) of the Convention prohibits transshipping at sea by purse seine vessels operating within the Convention Area, subject to specific exemptions which the Commission shall adopt in order to reflect existing operations;

Recognizing the importance of economic benefits from port operations to Small Island Developing State CCMs;

Noting that those CCMs with a real interest in undertaking monitoring, control and surveillance activities in the high seas require access to information about transshipment activities in the convention area before they occur.

Desiring to establish procedures to obtain and verify data on the quantity and species transhipped in

the Convention Area to ensure accurate reporting of catches, and enhance stock assessments of highly migratory fish stocks.

Adopts in accordance with Article 10 of the WCPFC Convention:

SECTION 1 – GENERAL RULES

1. This measure shall commence as soon as possible and no later than July 1, 2010¹.
2. The provisions of this Measure shall apply to all transshipment in the Convention Area of all highly migratory fish stocks covered by the Convention. CCMs that tranship outside the Convention Area highly migratory fish stocks covered by the Convention taken in the Convention Area shall provide the information related to those activities, as required in paragraphs 10, 11 and 12. Highly migratory fish stocks covered by the Convention shall not be transhipped at sea by purse seine vessels outside the Convention Area consistent with paragraph 25 of this measure.
3. The provisions of this Measure shall not apply to transshipment of highly migratory fish stocks where fish is taken and transhipped wholly in archipelagic waters or territorial seas.
4. Transshipment in a port or in waters under the national jurisdiction of a CCM shall take place in accordance with applicable national laws. With the exception of Section 2 (which applies article 29(5) of the Convention), nothing in this Measure shall prejudice the application of national laws when transshipment occurs in areas under the national jurisdiction of a CCM, including the application of more stringent requirements.
5. A CCM may notify the Executive Director of its designated port or ports for transshipment. The Executive Director shall circulate periodically to all members a list of such designated ports. “Port” includes offshore terminals and other installations for landing, transshipping, processing, refuelling or resupplying;
6. Nothing in this Measure shall derogate the obligations on flag states to ensure compliance by vessels flying their flag while operating on the high seas. Each CCM shall take necessary measures to ensure that vessels flying its flag comply with this Measure.
7. For the purposes of this Measure, CCMs are responsible for reporting against vessels flying their flag except where the vessel is operated under charter, lease or other similar mechanisms, as an integral part of the domestic fleet of a coastal state in the Convention Area. In such case, the chartering state shall be the CCM responsible for reporting against the vessel.
8. Pursuant to paragraph 7, chartering CCMs and flag CCMs will cooperate for the appropriate management of the vessel to ensure compliance.
9. For a carrier vessel that is flagged to a non-CCM and is included on the WCPFC Interim Register of non-Member Carrier and Bunker Vessels, the vessel master shall be responsible for reporting against the vessel unless it is operating under a charter arrangement.
10. A WCPFC Transshipment Declaration, including the information set out in Annex I shall be completed by both the offloading and receiving vessel for each transshipment in the Convention Area, and each transshipment of catch taken in the Convention Area. Where required in this Measure the Transshipment Declaration shall be sent to the Executive Director.

¹ Except paragraph 13(c) this Measure shall enter into effect 1 January 2011.

11. CCMs shall report on all transshipment activities covered by this Measure (including transshipment activities that occur in ports or EEZs) as part of their Annual Report in accordance with the guidelines at Annex II. In doing so, CCMs shall take all reasonable steps to validate and where possible, correct information received from vessels undertaking transshipment using all available information such as catch and effort data, position data, observer reports and port monitoring data.
12. Notices to the Executive Director under paragraphs 24 and 35.a.iii shall be given via a means of two-way communication by data (e.g., telex, facsimile, email). The CCMs responsible for reporting against both the offloading and receiving vessels are responsible for providing notices, but may authorise the vessel or the vessel operator to provide notices directly. Notices must include the information set out in Annex III.
13. Each CCM shall ensure that vessels they are responsible for carry observers from the WCPFC Regional Observer Programme (ROP) to observe transshipments at sea as follows:
 - a. for transshipments to receiving vessels less than or equal to 33 meters in length, and not involving purse seinecaught fish or frozen longlinecaught fish, 100% observer coverage starting on the effective date of this Measure, with the observer(s) deployed on either the offloading vessel or receiving vessel;
 - b. for transshipments other than those covered by subparagraph (a) and involving only troll-caught or pole-and-line-caught fish, 100% observer coverage starting 1 January 2013, with the observer(s) deployed on the receiving vessel.
 - c. for transshipments other than those covered by subparagraphs (a) and (b), 100% observer coverage starting on the effective date of this Measure, with the observer(s) deployed on the receiving vessel.
14. Observers shall monitor implementation of this Measure and confirm to the extent possible that the transshipped quantities of fish are consistent with other information available to the observer, which may include:
 - a. the catch reported in the WCPFC Transshipment Declaration;
 - b. data in catch and effort logsheets, including catch and effort logsheets reported to coastal States for fish taken in waters of such coastal States;
 - c. vessel position data; and
 - d. the intended port of landing.
15. Observers shall have full access to both the unloading and the receiving vessel in order to ensure that proper verification of catches can occur. The Commission shall develop guidelines for the safety of observers in moving between vessels as part of the ROP.
16. Receiving vessels shall only receive product from one unloading vessel at a time for each observer that is available to monitor the transshipment.
17. Any scheme or process developed and agreed by the Commission for the cross endorsement of observers from other RFMOs as part of the ROP shall apply to this measure.
18. The Commission shall provide appropriate financial and technical assistance to developing states, in particular small island developing states, in the implementation of this Measure

including in accordance to Article 30.

19. The measure shall be reviewed periodically in response to other measures and decisions taken by the Commission and taking into account the implementation of this and other measures.

1A – Transhipment to and from non-CCM Vessels

20. CCMs shall take measures to ensure that vessels do not tranship to or from a vessel flagged to a non-CCM unless that vessel is authorized by a decision of the Commission, such as:
- a. a non-CCM carrier vessel that is on the WCPFC Interim Register of non-CCM Carrier and Bunker Vessels established under CMM 2009-01; or
 - b. a non-CCM fishing vessel that is licensed to fish in the EEZ of a CCM in accordance with a decision of the Commission.
21. To retain any authorisation from the Commission relevant to paragraph 20, a non-CCM vessel shall not tranship to or from a non-authorised non-CCM vessel.
22. In cases where transhipment involves a non-CCM vessel specified in paragraph ~~18~~ 20.a, any required communications to the Executive Director, including pre-transhipment notices and transhipment declarations that are required under various sections of this measure, shall be responsibility of the vessel master of the carrier vessel or chartering CCM.

1B – Force Majeure or Serious Mechanical Breakdown

23. Unless otherwise stated, the restrictions in this measure shall not prevent a vessel from transshipping in cases of force majeure or serious mechanical breakdown that could threaten the safety of the crew or result in a significant financial loss though fish spoilage.
24. In such cases, the Executive Director must be notified of the transhipment and the circumstances giving rise to the force majeure within 12 hours of the completion of transhipment. The CCMs responsible for each vessel shall provide the Executive Director with a WCPFC Transhipment Declaration consistent with the requirement under paragraph 10 within 15 days of the transhipment.

SECTION 2 – TRANSHIPMENT FROM PURSE SEINE FISHING VESSELS

25. In accordance with Article 29 (5) of the Convention, transhipment at sea by purse seine vessels shall be prohibited except in respect of exemptions granted by the Commission for:
- a. existing group seine operations composed of small purse seine boats (fish hold capacity of 600 mt or less) flagged to Papua New Guinea and Philippines that meet the following conditions:
 - i. operate in tandem with freezer carrier boat/s to freeze the catch or if operating closer to base with ice carrier boat/s to store the fish,
 - ii. operate as one group together with their support vessels such as freezer carrier boat/s and/or ice carrier boat/s.
 - iii. undertake transhipment when refrigerated or other ice carrier boats dock alongside catcher boats and tranship fish from the catcher boats

- b. transshipment activities involving New Zealand flagged domestic purse-seine vessels where the fishing activity, transshipment and landing of fish all take place within New Zealand fisheries waters in accordance with New Zealand's existing legal and operational framework for monitoring and control of transshipment activity and the verification of catch.
26. CCMs seeking to apply an exemption for a vessel(s) that meets the conditions set out in paragraph 25, shall submit a written request to the Executive Director by 1 July of a given year that includes, at a minimum, the following information:
- a. Details about the vessel(s) as they are required to appear on the WCPFC Record of Fishing Vessels under CMM 2004-01;
 - b. The vessel's history of prior transshipment exemptions,
 - c. The main species and product forms that would be transhipped,
 - d. The areas where transshipments would take place, to as much detail as possible,
 - e. The period of exemption being requested, and
 - f. An explanation for the exemption request.
27. The Executive Director shall compile all requests for transshipment exemptions and circulate them to all CCMs at least 30 days in advance of the regular annual session of the Technical and Compliance Committee (TCC). The TCC shall review the requests and make recommendations to the Commission regarding the application of the exemptions in paragraph 26.
28. Taking into account the recommendations of the TCC, the Commission, during its regular annual session, shall consider each request and may adopt exemptions in accordance with Article 29(5) of the Convention. The Commission may attach to each granted exemption any conditions or requirements that it determines necessary to achieve the objectives of the Convention, such as limitations on areas, time periods or species, the fishing vessels that may be transhipped to, and any additional requirements necessary for the purposes of monitoring, control and surveillance.
29. CCMs shall only authorize those purse seine vessels that have received an exemption by the Commission to engage in transshipment outside of port. CCMs shall issue vessel-specific authorizations outlining any conditions or requirements identified by the Commission or CCM, and shall require that vessel operators carry such authorizations on board at all times.
30. The flag State CCM of any such authorized purse-seine vessel that is required to be on the WCPFC Record of Fishing Vessels shall notify the Executive Director that the vessel is authorized to engage in transshipment outside of port, in accordance with the Commission-granted exemption and shall indicate in such notification any limitations, conditions or requirements on its authorization.
31. The Executive Director shall maintain and make publicly available, including on the Commission's website, the list of purse seine vessels that have been granted exemptions and are authorized to tranship outside of port, as well as any corresponding conditions or provisions attached to their exemption.
32. All purse seine vessels, including those that receive an exemption to tranship at sea under the process described in paragraphs 26 24 to 30 28 shall be prohibited from commencing

transshipping on the high seas in the Convention Area.

SECTION 3 – TRANSHIPMENT FROM FISHING VESSELS OTHER THAN PURSE SEINE VESSELS

33. Transshipment from longline, troll and pole and line fishing vessels in national waters shall be managed in accordance with relevant domestic laws and procedures pursuant to paragraph 4.
34. There shall be no transshipment on the high seas except where a CCM has determined, in accordance with the guidelines described in paragraph 37 below, that it is impracticable for certain vessels that it is responsible for to operate without being able to tranship on the high seas, and has advised the Commission of such.
35. Where transshipment does occur on the high seas:
 - a. the CCMs responsible for reporting against both the offloading and receiving vessels shall, as appropriate:
 - i. advise the Commission of its procedures for monitoring and verification of the transshipments;
 - ii. indicate vessels to which the determinations apply.
 - iii. notify the information in Annex III to the Executive Director at least 36 hours prior to each transshipment.
 - iv. provide the Executive Director with a WCPFC Transshipment Declaration within 15 days of completion of each transshipment; and
 - v. Submit to the Commission a plan detailing what steps it is taking to encourage transshipment to occur in port in the future.
36. The Commission, through the TCC, shall review the application of the exemptions by relevant CCMs after a period of 3 years and every 2 years thereafter to establish whether monitoring and verification has been effective. After review, the Commission may prohibit transshipment on the high seas by any vessel or vessels in relation to which monitoring and verification of transshipment on the high seas is proven to have been ineffective, or establish or vary any conditions for transshipping on the high seas.
37. The Executive Director shall prepare draft guidelines for the determination of circumstances where it is impracticable for certain vessels to tranship in port or in waters under national jurisdiction. The Technical and Compliance Committee shall consider these guidelines, amend as necessary, and recommend them to the Commission for adoption in 2012. In the meantime, CCMs shall use the following guidelines when determining the practicability of high seas transshipments
 - a. The prohibition of transshipment in the high seas would cause a significant economic hardship, which would be assessed in terms of the cost that would be incurred to transship or land fish at feasible and allowable locations other than on the high seas, as compared to total operating costs, net revenues, or some other meaningful measure of costs and/or revenues; and
 - b. The vessel would have to make significant and substantial changes to its historical mode of operation as a result of the prohibition of transshipment in the high seas;
38. When adopting the Guidelines referred to in paragraph 37, the Commission shall consider

whether to prohibit transshipment in areas of high seas in the Convention Area entirely surrounded by the exclusive economic zones of members of the Commission and Participating Territories. This consideration will include a review of the catch and effort reported for fishing vessels in these areas, the information from Transshipment Declarations in these areas and the role of the areas in supporting IUU activities.

ANNEX I

INFORMATION TO BE INCLUDED IN WCPFC TRANSHIPMENT DECLARATION

1. A unique document identifier
2. the name of the fishing vessel and its WIN,
3. the name of the carrier vessel and its WIN
4. the fishing gear used to take the fish
5. the quantity of product² (including species and its processed state³) to be transhipped
6. the state of fish (fresh or frozen)
7. the quantity of by-product⁴ to be transhipped,
8. the geographic location⁵ of the highly migratory fish stock catches
9. the date and location⁶ of the transshipment
10. If applicable, the name and signature of the WCPFC observer
11. The quantity of product already on board the receiving vessel and the geographic origin⁷ of that product.

² Tuna and tuna-like species

³ Whole; gutted and headed; gutted, headed and tailed; gutted only, not gilled; gilled and gutted; gilled, gutted and tailed; shark fins.

⁴ Non tuna and tuna-like species

⁵ Geographic location of catch means sufficient information to identify what proportion of the catch was taken in the following areas: High seas, outside the WCPFC Convention Area, EEZs (listed separately). Location of catches not required for receiving vessel.

⁶ Location of transshipment is to be in decimal Latitude and Longitude to the nearest 0.1 degrees and accompanied by a description of the location, such as high seas, outside the convention area or within a named EEZ.

⁷ The origin of product shall be reported by RFMO area and will include the quantity of product from each different area.

ANNEX II

TRANSHIPMENT INFORMATION TO BE REPORTED ANNUALLY BY CCMs

Each CCM shall include in Part 1 of its Annual Report to the Commission:

- (1) the total quantities, by weight, of highly migratory fish stocks covered by this measure that were transhipped by fishing vessels the CCM is responsible for reporting against, with those quantities broken down by:
 - a. offloaded and received;
 - b. transhipped in port, transhipped at sea in areas of national jurisdiction, and transhipped beyond areas of national jurisdiction;
 - c. transhipped inside the Convention Area and transhipped outside the Convention Area;
 - d. caught inside the Convention Area and caught outside the Convention Area;
 - e. species;
 - f. product form; and
 - g. fishing gear used
- (2) the number of transhipments involving highly migratory fish stocks covered by this measure by fishing vessels that is responsible for reporting against, broken down by:
 - a. offloaded and received;
 - b. transhipped in port, transhipped at sea in areas of national jurisdiction, and transhipped beyond areas of national jurisdiction;
 - c. transhipped inside the Convention Area and transhipped outside the Convention Area;
 - d. caught inside the Convention Area and caught outside the Convention Area; and
 - e. fishing gear.

ANNEX III

INFORMATION TO BE INCLUDED IN NOTICES TO THE EXECUTIVE DIRECTOR

1. the name and WCPFC Identification Number (WIN) of the offloading vessel,
2. the name and WIN of the receiving vessel,
3. the product (including species and its processed state) to be transhipped,
4. the tonnage by product to be transhipped,
5. the date and estimated or proposed location⁸ of transhipment (latitude and longitude to a tenth of a degree with a margin of error of 24 nautical miles), and
6. the geographic location of the highly migratory fish stock catches^{9 10}

⁸ Location of transhipment is to be in decimal Latitude and Longitude to the nearest 0.1 degrees with a margin of error of 24 nautical miles and accompanied by a description of the location, such as high seas, outside the convention area or within a named EEZ. Notice can be updated if location changes.

⁹ Not required for receiving vessels

¹⁰ Geographic location of catch means sufficient information to identify what proportion of the catch was taken in the following areas: High seas, outside the WCPFC Convention Area, EEZs (listed separately). Location of catches not required for receiving vessel.



SEVENTH REGULAR SESSION

Honolulu, Hawaii, USA

6-10 December 2010

**CONSERVATION AND MANAGEMENT MEASURE FOR
NORTH PACIFIC STRIPED MARLIN**

Conservation and Management Measure 2010-01

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean:

Noting with concern that the best available scientific advice from the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) on the status of North Pacific Striped Marlin shows that the stock is subject to fishing mortality above levels that are sustainable in the long term;

Further noting the advice from the ISC that fishing mortality on the stock should be reduced from the 2003 levels;

Also noting that the Pacific Islands Forum Fisheries Agency (FFA) Members will be adopting a system of zone-based longline limits to replace the current system of flag-based arrangements within their Exclusive Economic Zones (EEZs);

Acknowledging the advice from the Scientific Committee that the information provided by the ISC does not support classification of North Pacific Striped Marlin as a “northern stock” under Annex 1 of the WCPFC Rules of Procedure;

Adopts, in accordance with Article 10 of the WCPF Convention:

1. This Measure shall apply in high seas and EEZs within the convention area north of the equator.
2. For the purposes of this measure, vessels operated under charter, lease or other similar mechanisms as an integral part of the domestic fleet of a coastal State, shall be considered to be vessels of the host State or Territory. Such charter, lease or other similar mechanism shall be conducted in a manner so as not to charter known IUU vessels.
3. Nothing in this measure shall prejudice the legitimate rights and obligations of Small Island Developing State Members and participating territories in the Convention Area seeking to develop their own domestic fisheries.
4. The total catch of North Pacific Striped Marlin will be subject to a phased reduction such that by 1 January 2013 the catch is [80%] of the levels caught in 2000 to 2003.
5. Each flag/chartering CCM with vessels fishing in the convention area north of the equator shall be subject to the following catch limits for North Pacific Striped Marlin for the years 2011 and beyond:
 - a. 2011 [10%] reduction of the highest catch between 2000 and 2003;

- b. 2012 [15%] reduction of the highest catch between 2000 and 2003;
 - c. 2013 and beyond: [20%] reduction of the highest catch between 2000 and 2003;
6. Each flag/chartering CCM shall decide on the management measures required to ensure that its flagged/chartered vessels operate under the catch limits specified in paragraph 5, noting that previous examples of such measures have included effort reductions, gear modification and spatial management.
 7. By 30 April 2011, each flag/chartering CCM shall report to the Commission verifiable information regarding its catch of North Pacific Striped Marlin by its flagged/chartered vessels north of the equator.
 8. Each year CCMs shall report in their Part 2 annual reports their implementation of this measure, including the measures applied to flagged/chartered vessels to reduce their catch and the total catch taken against the limits established under paragraphs 5 and 7.
 9. This measure shall be amended in 2011 based on the revised stock assessment for north Pacific striped marlin.



SEVENTH REGULAR SESSION

Honolulu, Hawaii, USA

6-10 December 2010

CONSERVATION AND MANAGEMENT MEASURE FOR SHARKS

Conservation and Management Measure 2010-07¹

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean;

In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean;

Recognizing the ecological and cultural significance of sharks in the western and central Pacific Ocean (WCPO);

Recalling that the United Nations Food and Agriculture Organization (FAO) International Plan of Action for the Conservation and Management of Sharks calls on FAO members, within the framework of their respective competencies and consistent with international law, to cooperate through regional fisheries organizations with a view to ensuring the sustainability of shark stocks as well as to adopt National Plans of Action for the conservation and management of sharks;

Recognizing the need to collect data on catch, effort, discards, and trade, as well as information on the biological parameters of many species, to enable effective shark conservation and management;

Recognizing further that certain species of pelagic sharks, such as basking shark and great white shark, have been listed on Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Resolves as follows:

1. Commission Members, Cooperating non-Members, and participating Territories (CCMs) shall implement, as appropriate, the FAO International Plan of Action for the Conservation and Management of Sharks (IPOA Sharks).
2. CCMs shall advise the Commission (in Part 2 of the annual report) on their implementation of the IPOA Sharks, including, results of their assessment of the need for a National Plan of Action and/or the status of their National Plans of Action for the Conservation and Management of Sharks.

¹ By adoption of this CMM (CMM 2010-07), the Commission rescinds CMM 2009-04 which has been revised and replaced.

3. National Plans of Action or other relevant policies for sharks should include measures to minimize waste and discards from shark catches and encourage the live release of incidental catches of sharks.

4. Each CCM shall include key shark species², as identified by the Scientific Committee, in their annual reporting to the Commission of annual catch and fishing effort statistics by gear type, including available historical data, in accordance with the WCPF Convention and agreed reporting procedures. CCMs shall also report annual retained and discarded catches in Part 2 of their annual report. CCMs shall as appropriate, support research and development of strategies for the avoidance of unwanted shark captures (e.g. chemical, magnetic and rare earth metal shark deterrents).

5. The Commission shall consider appropriate assistance to developing State Members and participating Territories for the implementation of the IPOA and collection of data on retained and discarded shark catches.

And adopts, in accordance with Articles 5 and 10 of the Convention, that:

6. CCMs shall take measures necessary to require that their fishers fully utilize any retained catches of sharks. Full utilization is defined as retention by the fishing vessel of all parts of the shark excepting head, guts, and skins, to the point of first landing or transshipment.

7. CCMs shall require their vessels to have on board fins that total no more than 5% of the weight of sharks on board up to the first point of landing. CCMs that currently do not require fins and carcasses to be offloaded together at the point of first landing shall take the necessary measures to ensure compliance with the 5% ratio through certification, monitoring by an observer, or other appropriate measures. CCMs may alternatively require that their vessels land sharks with fins attached to the carcass or that fins not be landed without the corresponding carcass.

8. As finer resolution data become available, the specification of the ratio of fin weight to shark weight described in paragraph 7 shall be periodically reviewed by the Scientific Committee (SC) and the SC will recommend any appropriate revisions to the Commission for its consideration. The SC and the Technical and Compliance Committee (TCC) are directed to consider if additional appropriate measures that give affect to paragraph 7 are required.

9. CCMs shall take measures necessary to prohibit their fishing vessels from retaining on board, transshipping, landing, or trading any fins harvested in contravention of this Conservation and Management Measure (CMM).

10. In fisheries for tunas and tuna-like species that are not directed at sharks, CCMs shall take measures to encourage the release of live sharks that are caught incidentally and are not used for food or other purposes.

11. Nothing in this measure shall prejudice the sovereignty and sovereign rights of coastal States, including for traditional fishing activities and the rights of traditional artisanal fishers, to apply alternative measures for the purpose of exploring, exploiting, conserving and managing

² The key shark species are blue shark, silky shark, oceanic whitetip shark, mako sharks, and thresher sharks, porbeagle shark (south of 20°S, until biological data shows this or another geographic limit to be appropriate) and hammerhead sharks (winghead, scalloped, great, and smooth).

sharks, including any national plans of action for the conservation and management of sharks, within areas under their national jurisdiction.

12. CCMs shall advise the Commission in Part 2 of the annual report on the implementation of this CMM and any alternative measures adopted under paragraph 11

13. On the basis of advice from the SC, the TCC and the Commission, CCMs shall review the implementation and effectiveness of this measure, and any alternative measures applied under paragraph 11 above, and shall consider the application of additional measures for the management of shark stocks in the Convention Area, as appropriate.

14. In 2010, the SC, and if possible in conjunction with the Inter-American Tropical Tuna Commission, provide preliminary advice on the stock status of key shark species and propose a research plan for the assessment of the status of these stocks.

15. This CMM shall apply to sharks caught in association with fisheries managed under the WCPF Convention, and to sharks listed in Annex 1 of the 1982 Convention.

16. The Commission shall consider appropriate assistance to developing State Members and participating Territories for the implementation of this measure, including, in accordance with Article 7 of the Convention, in areas under national jurisdiction.

17. This CMM shall replace 2009-04.



EIGHTH REGULAR SESSION

Tumon, Guam, USA

26-30 March 2012

CONSERVATION AND MANAGEMENT MEASURE FOR PROTECTION OF CETACEANS FROM PURSE SEINE FISHING OPERATIONS

Conservation and Management Measure 2011-03

The Western and Central Pacific Fisheries Commission;

In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention);

Recognising the ecological and cultural significance of cetaceans in the Western and Central Pacific Ocean (WCPO);

Mindful that cetaceans are particularly vulnerable to being encircled by purse seine nets, due to the propensity of tuna to form schools around them, or for toothed cetaceans to be attracted to the same prey as tuna;

Committed to ensuring that potential impacts on the sustainability of cetaceans from accidental mortality through purse seine operations are mitigated;

Required, by Articles 5(d) and (e) of the Convention, to adopt management arrangements for cetaceans as non-target and associated or dependent species, as they are incidentally caught by purse-seine fisheries in the WCPO.

Acknowledging that the conservation of these species depends on co-operative and coordinated activity at the international level, and that Regional Fisheries Management Organisations play an integral role in mitigating the impacts of fishing on these species;

Alarmed by observer reports on fishing activities by vessels flagged to Members, Co-operating Non-Members and Participating Territories that indicate a number of instances of interactions with these species, and instances of misreporting of such interactions in logbooks;

Adopts the following Conservation and Management Measure in accordance with Article 10 of the Convention:

1. CCMs shall prohibit their flagged vessels from setting a purse seine net on a school of tuna associated with a cetacean in the high seas and exclusive economic zones of the Convention Area, if the animal is sighted prior to commencement of the set.
2. CCMs shall require that, in the event that a cetacean is unintentionally encircled in the purse seine net, the master of the vessel shall:
 - (a) ensure that all reasonable steps are taken to ensure its safe release. This shall include stopping the net roll and not recommencing fishing operation until the animal has been released and is no longer at risk of recapture; and
 - (b) report the incident to the relevant authority of the flag State, including details of the species (if known) and number of individuals, location and date of such encirclement, steps taken to ensure safe release, and an assessment

of the life status of the animal on release (including, if possible, whether the animal was released alive but subsequently died).

3. In taking steps to ensure the safe release of the cetacean as required under paragraph 2(a), CCMs shall require the master of the vessel to follow any guidelines adopted by the Commission for the purpose of this measure.
4. In applying steps under paragraphs 2(a) and 3, the safety of the crew shall remain paramount.
5. CCMs shall include in their Part 1 Annual Report any instances in which cetaceans have been encircled by the purse seine nets of their flagged vessels, reported under paragraph 2(b).
6. The Secretariat shall report on the implementation of this conservation and management measure on the basis of observer reports, as part of the Annual Report on the Regional Observer Programme.
7. This Conservation and Management Measure shall enter into force on January 1, 2013.

To be Replaced by CMM 2019-04 Nov 1 2020



EIGHTH REGULAR SESSION

Tumon, Guam, USA

26-30 March 2012

CONSERVATION AND MANAGEMENT MEASURE FOR OCEANIC WHITETIP SHARK

Conservation and Management Measure 2011-04

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC);

Noting the Scientific Committee's concern about the steep declining standardized catch rates and size trends of oceanic whitetip shark (*Carcharhinus longimanus*) in longline and purse seine fisheries in the western and central Pacific Ocean and the Committee's recommendation that the WCPFC consider mitigation measures for the species at its eighth regular annual session;

Also noting that there are other species of sharks that show negative trends currently, or others that may in the future, and a more comprehensive approach to shark conservation may be considered for the other species where a non-retention policy may not be appropriate, this measure should therefore not set a precedent for managing all shark species in the Western and Central Pacific.

Recognizing the resolution of the Inter-American Tropical Tuna Commission (IATTC) on oceanic whitetip shark and desiring conservation and management measures that are consistent with those of the IATTC;

Adopts the following measures in accordance with Article 10 of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Convention):

1. Members, Cooperating Non-Members and Participating Territories (CCMs) shall prohibit vessels flying their flag and vessels under charter arrangements to the CCM from retaining on board, transshipping, storing on a fishing vessel, or landing any oceanic whitetip shark, in whole or in part, in the fisheries covered by the Convention.
2. CCMs shall require all vessels flying their flag and vessels under charter arrangements to the CCM to release any oceanic whitetip shark that is caught as soon as possible after the shark is brought alongside the vessel, and to do so in a manner that results in as little harm to the shark as possible.

3. CCMs shall estimate, through data collected from observer programs and other means, the number of releases of oceanic whitetip shark, including the status upon release (dead or alive), and report this information to the WCPFC in Part 1 of their Annual Reports.
4. The Commission shall consider the special needs of Small Island Developing States and Territories, including supplying species identification guides for their fleets and develop guidelines and training for the safe release of sharks.
5. Observers shall be allowed to collect biological samples from oceanic white tip sharks that are dead on haulback in the WCPO, provided that the samples are part of a research project approved by the Scientific Committee. In order to get approval, a detailed document outlining the purpose of the work, number of samples intended to be collected and the spatio-temporal distribution of the sampling effect must be included in the proposal. Annual progress of the work and a final report on completion will be presented to the Scientific Committee.
6. This measure shall be amended if appropriate at the 2012 Commission meeting taking into consideration the results of the stock assessment and be reviewed periodically thereafter.
7. This Conservation and Management Measure shall enter into force on January 1, 2013 and remain in place until the Commission decides otherwise.



**COMMISSION
NINTH REGULAR SESSION**

Manila, Philippines
2-6 December 2012

**CONSERVATION AND MANAGEMENT MEASURE FOR IMPLEMENTING THE REGIONAL
OBSERVER PROGRAMME BY VESSELS FISHING FOR FRESH FISH NORTH OF 20°N**

Conservation and Management Measure 2012-03

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean;

Recalling Article 28(1) of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC Convention), which requires the Commission to develop a Regional Observer Programme (ROP) to, among other things, collect verified catch data, and to monitor the implementation of the conservation and management measures adopted by the Commission;

Further recalling Article 28(7) of the WCPFC Convention, which requires the Commission to develop procedures and guidelines for the operation of the Regional Observer Programme;

Cognizant of Conservation and Management Measure (CMM) 2007-01, which established the procedures to develop the ROP, in particular paragraph 9 of Annex C of CMM2007-01, which gives considerations on special circumstances for fishing vessels used exclusively to fish for fresh fish in the area north of 20 degrees north;

Recommends, in accordance with paragraph 9 of Attachment K, Annex C of the CMM2007-01,

The ROP for fishing vessels used exclusively to fish for fresh fish in the area north of 20 degrees north shall be implemented in the following manner:

1. No later than 31 December 2014, CCMs shall commence implementation of observer programmes for fishing vessels used to fish for fresh fish beyond the national jurisdictions in the area north of 20 degrees north.
2. For such fishing vessels, CCMs shall achieve 5% coverage of the effort of each fishery fishing for fresh fish by the end of December 2014.
3. Observers shall be sourced from the WCPFC ROP.



**COMMISSION
NINTH REGULAR SESSION
Manila, Philippines
2-6 December 2012**

**CONSERVATION AND MANAGEMENT MEASURE FOR PROTECTION OF WHALE
SHARKS FROM PURSE SEINE FISHING OPERATIONS**

Conservation and Management Measure 2012-04

The Western and Central Pacific Fisheries Commission;

In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention);

Recognising the ecological and cultural significance of whale sharks in the Western and Central Pacific Ocean (WCPO);

Mindful that whale sharks are particularly vulnerable to exploitation including from fishing;

Concerned about the potential impacts of purse seine operations on the sustainability of whale sharks;

Required, by Article 5(d) and (e) of the Convention, to adopt management arrangements for whale sharks as non-target and associated or dependent species, as they are incidentally caught by purse-seine fisheries in the WCPO.

Acknowledging that the conservation of whale sharks depends on co-operative and coordinated activity at the international level, and that Regional Fisheries Management Organisations play an integral role in mitigating the impact of fishing on these species;

Alarmed by observer reports on fishing activities by vessels flagged to Members, Co- operating Non-Members and Participating Territories that indicate a number of instances of interactions with whale sharks and instances of misreporting of these interactions in logbooks;

Noting that the Parties to the Nauru Agreement (PNA) have prohibited the purse seine vessels fishing in their exclusive economic zones from conducting sets on or around whale sharks;

Recalling that Article 8 of the Convention requires compatibility of conservation management

measures established for the high seas and those adopted for areas under national jurisdiction;

Adopts the following Conservation and Management Measure in accordance with Article 10 of the Convention:

1. This measure shall apply to the high seas and exclusive economic zones of the Convention Area. CCMs shall prohibit their flagged vessels from setting a purse seine on a school of tuna associated with a whale shark if the animal is sighted prior to the commencement of the set.

2. For fishing activities in PNA exclusive economic zones, the prohibition shall be implemented in accordance with the Third Arrangement implementing the Nauru Agreement as amended on 11 September 2010.

3. Notwithstanding Paragraph 1 above, for fishing activities in exclusive economic zones of CCMs north of 30 N, CCMs shall implement either this measure or compatible measures consistent with the obligations under this measure and report the measures taken in the Part 2 report.

4. CCMs shall require that, in the event that a whale shark is not deliberately encircled in the purse seine net, the master of the vessel shall:

(a) ensure that all reasonable steps are taken to ensure its safe release.; and

(b) report the incident to the relevant authority of the flag State, including the number of individuals, details of how and why the encirclement happened, where it occurred, steps taken to ensure safe release, and an assessment of the life status of the whale shark on release (including whether the animal was released alive but subsequently died).

4. In taking steps to ensure the safe release of the whale shark as required under paragraph 4(a), CCMs shall require the master of the vessel to follow any guidelines adopted by the Commission for the purpose of this measure.

5. In applying steps under paragraphs 1, 4(a) and 5, the safety of the crew shall remain paramount.

6. CCMs shall advise in their Part 1 Annual Report of any instances in which whale sharks have been encircled by the purse seine nets of their flagged vessels, including the details required under paragraph 4(b).

7. The Secretariat shall report on the implementation of this conservation and management measure on the basis of observer reports, as part of the Annual Report on the Regional Observer Programme.

8. This Conservation and Management Measure shall enter into force on January 1, 2014.



**COMMISSION
TWELFTH REGULAR SESSION**
Bali, Indonesia
3-8 December 2015

**GUIDELINES FOR THE SAFE RELEASE OF ENCIRCLED ANIMALS, INCLUDING
WHALE SHARKS**

General principles

- Safety of the crew is a paramount consideration.
- When releasing encircled whale sharks, the stress the animal receives should be minimized to the extent possible.
- The following possible release methods should be used as general guidelines.
- The effectiveness of the following possible release methods has not been fully evaluated. Further scientific research is necessary in order to investigate survival after the release by various release methods. Therefore, CCMs are encouraged to conduct analysis on methods used by their purse seine vessels. In addition, several agencies have initiated a program of satellite tag deployments by experienced observers to assess survival of encircled animals associated with various release techniques.
- The appropriate release method should be chosen in a flexible manner depending on the circumstances and condition of the particular purse seine set, e.g. the size and orientation of the encircled animal, amount of fish in the purse seine set, weather conditions and brailing operation style.

As noted in the TCC9 Summary Report, Para 318, the PNA requires that when a whale shark is encountered in a purse seine net in PNA waters the net roll must be immediately stopped and the whale shark released.

In the WCPFC Convention Area the following actions are not recommended when releasing encircled whale sharks (see WCPFC-SC11-2015/EB-WP-03 Rev.1):

- Vertically lifting sharks by tail
- Pulling sharks by a loop hooked around its gill or holes bored into a fin
- Gaffing
- Leaving attached any towing ropes
- Brailing whale sharks larger than 2 meters
- Brailing whale sharks onto the deck



**COMMISSION
TENTH REGULAR SESSION**
Cairns, Australia
2-6 December 2013

**CONSERVATION AND MANAGEMENT MEASURE ON DAILY CATCH AND EFFORT
REPORTING**

Conservation and Management Measure 2013-05

The Commission for the Conservation and Management of Highly Migratory Fish Stock in the Western and Central Pacific Ocean:

Concerned that full and accurate data from fishing vessels is required to inform stock assessment and other scientific evaluation;

Noting that operational level catch and effort data provides significant value to scientific assessment;

Noting that members of the Secretariat of the Pacific Community cooperate to ensure consistent reporting frameworks for vessels licensed to fishing in their EEZs through a regional log sheet (“SPC/FFA Regional logsheet”) that is amended from time to time to ensure consistency with all current requirements of the WCPFC “Scientific data to be provided to the Commission”;

Further noting the requirements in Article 8 of the Convention for the Commission to take measures for high seas fisheries that are compatible with those that apply in EEZs;

Desiring to ensure consistent levels of reporting and usefulness of data for all vessels fishing in the Convention Area;

Adopts in accordance with Article 10 of the WCPFC Convention:

1. Each CCM shall ensure that the master of each vessel flying its flag in the Convention Area shall complete an accurate written or electronic log of every day that it spends at sea on the high seas of the Convention Area as follows:

- a. for days with fishing operations, the log must be completed by recording the effort and catch at the end of each fishing operation (i.e. end of a purse-seine set, end of a longline -haul, or at the end of the day in the case of all other fishing methods); or
- b. for days with no fishing operations but where any other ‘fishing effort¹’ occurred, then the relevant activities (e.g. “SEARCHING”, “DEPLOY/RETRIEVE FAD”) must be entered in the log at the end of the day; or
- c. for days with no fishing operations and no other ‘fishing effort¹’, the main activity of the day must be entered in the log at the end of the day.

¹ according to Article 1(d) of the Convention

2. Information recorded for each day with fishing operations shall, at a minimum, include the following:
 - a. The information specified in sections 1.3 to 1.6 of ANNEX 1 of the Scientific Data to be Provided to the Commission;
 - b. Catch information about other species not listed in those sections, but required to be reported by CCMs under other Commission decisions such as, inter alia, key shark species according to FAO species codes.
 - c. Interaction information about other species not listed in those sections, but required to be reported by CCMs under other Commission decisions such as, inter alia, key cetaceans, seabirds and sea turtles.
3. Each CCM shall require the master of each vessel flying its flag in the Convention Area provides an accurate and unaltered original or copy of the required information to its national authority within 15 days of the end of a trip or transshipment, or within the period specified by any existing national requirement for the provision of such information.
4. Each CCM shall require the master of each vessel flying its flag in the Convention Area to keep an accurate and unaltered original or copy of the required information pertaining to the current trip on board the vessel at all times during the course of a trip.
5. Non-compliance with this measure shall be considered in accordance with CMM 2010-06 or its successor.
6. This CMM is without prejudice to existing or additional reporting requirements.



**COMMISSION
TENTH REGULAR SESSION**

Cairns, Australia
2-6 December 2013

CONSERVATION AND MANAGEMENT MEASURE FOR SILKY SHARKS

Conservation and Management Measure 2013-08

The Western and Central Pacific Fisheries Commission (WCPFC):

In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean;

Recognizing the ecological and cultural significance of sharks in the western and central Pacific Ocean (WCPO);

Noting that the stock assessment undertaken for Silky sharks (*Carcharhinus falciformis*) caught in the Convention Area shows declining standardized catch rates in the Western and Central Pacific Ocean, along with a clear finding that the stock of this low productivity species is overfished, and that overfishing is occurring.

Recognizing that the stock assessment also concluded that the species was predominantly caught as by-catch in the WCPO, and that the greatest impact on the stock is attributed to bycatch from the longline fishery, but there are also significant impacts from the associated purse seine fishery which catches predominantly Juvenile individuals.

Further noting the Scientific Committee's recommendation that; The Commission should consider measures directed at by-catch mitigation as well as measures directed at targeted catch to improve the status of the silky shark population.

Adopts the following measures in accordance with Article 10 of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Convention):

1. Commission Members, Cooperating Non-Members and Participating Territories (CCMs) shall prohibit vessels flying their flag and vessels under charter arrangements to the CCM from retaining on board, transshipping, storing on a fishing vessel, or landing any silky shark caught in the Convention Area, in whole or in part, in the fisheries covered by the Convention.
2. CCMs shall require all vessels flying their flag and vessels under charter arrangements to the CCM to release any silky shark that is caught in the Convention Area as soon as possible after the shark is brought alongside the vessel, and to do so in a manner that results in as little harm to the shark as possible.

3. CCMs shall estimate, through data collected from observer programs and other means, the number of releases of silky shark caught in the Convention Area, including the status upon release (dead or alive), and report this information to the WCPFC in Part 1 of their Annual Reports.
4. The Commission shall consider the special needs of Small Island Developing States and Territories, including supplying species identification guides for their fleets and develop guidelines and training for the safe release of sharks.
5. Observers shall be allowed to collect biological samples from silky sharks caught in the Convention Area that are dead on haulback in the WCPO, provided that the samples are part of a research project approved by the Scientific Committee. In order to get approval, a detailed document outlining the purpose of the work, number of samples intended to be collected and the spatio-temporal distribution of the sampling effect must be included in the proposal. Annual progress of the work and a final report on completion will be presented to the Scientific Committee.
6. CCM's and the Scientific Committee shall continue work on bycatch mitigation measures and live release guidelines to avoid the initial catch of this species wherever possible, and maximize the number of incidentally caught individuals that can be released alive.
7. This measure shall be amended if appropriate, at the Commission meeting taking into account the results of the stock assessment and be reviewed periodically, thereafter. This measure shall become effective from 1 July 2014.



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

CONSERVATION AND MANAGEMENT MEASURE FOR SHARKS

Conservation and Management Measure 2014-05

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean;

Adopts, in accordance with Articles 5 and 10 of the Convention, that:

Measures for longline fisheries targeting tuna and billfish

1. CCMs shall ensure that their vessels comply with at least one of the following options:
 - a. do not use or carry wire trace as branch lines or leaders; or
 - b. do not use branch lines running directly off the longline floats or drop lines, known as shark lines. See Figure 1 for a schematic diagram of a shark line;

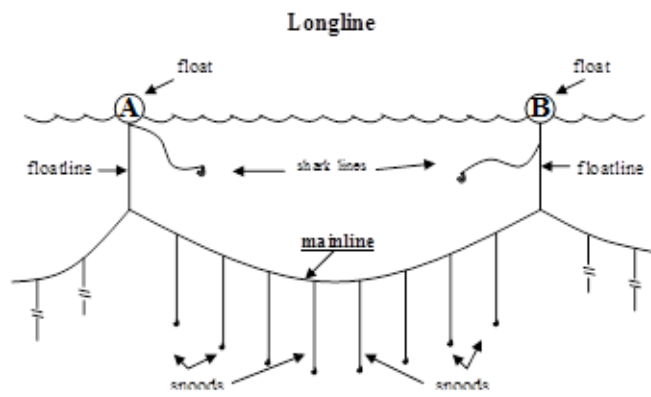
Measures for longline fisheries targeting sharks

2. For fisheries that target sharks in association with WCPFC fisheries, CCMs must develop a management plan for that fishery that includes specific authorisations to fish such as a licence and a TAC or other measure to limit the catch of shark to acceptable levels. These management plans must be developed by 1 July 2015, if possible and no later than 1 December 2015 and submitted to the Commission. These plans must explicitly demonstrate how the fisheries aim to avoid or reduce catch and maximises live release of specimens of highly depleted species such as silky and oceanic whitetip sharks caught incidentally. Those management plans submitted by 1 July shall be provided to the SC11 for review, before discussion at WCPFC 12. Plans submitted up to 1 December 2015 shall be reviewed in the subsequent year at SC12 and WCPFC13.

Review

3. On the basis of advice from the SC and TCC, the Commission, shall review the implementation and effectiveness of management arrangements provided in this measure including minimum data requirements, after 2 years of its implementation and shall consider the application of additional measures for the management of shark stocks in the Convention Area, as appropriate.
4. This CMM does not replace or prejudice any other existing shark CMM. This CMM shall come into force on 1 July 2015.

Figure 1 – Schematic diagram of a shark line





COMMISSION
TWELFTH REGULAR SESSION
Bali, Indonesia
3 - 8 December, 2015

**CONSERVATION AND MANAGEMENT MEASURE
FOR SOUTH PACIFIC ALBACORE**

Conservation and Management Measure 2015-02¹

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean

In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean:

Recalling that the Scientific Committee has advised the Commission that longline fishing mortality and longline catch be reduced to avoid further decline in the vulnerable biomass so that economically viable catch rates can be maintained;

Further recalling the recommendation by the Technical and Compliance Committee that the data requirements of CMM 2010-05 needed to be revised in order to make it more verifiable;

Noting that, given the age-specific mortality of the longline fleets, any significant increase in effort would reduce CPUE to low levels with only moderate increases in yields. CPUE reductions may be more severe in areas of locally concentrated fishing effort.

Further noting that estimates of MSY are highly uncertain because of the extrapolation of catch and effort well beyond any historical levels. Projections demonstrated that longline exploitable biomass, and hence CPUE, would fall sharply if catch and effort were increased to MSY levels. Therefore, the economic consequences of any such increases should be carefully assessed beforehand.

Adopts, in accordance with the Article 10 of the WCPFC Convention that:

1. Commission Members, Cooperating Non-Members, and participating Territories (CCMs) shall not increase the number of their fishing vessels actively fishing for South Pacific albacore in the Convention Area south of 20°S above 2005 levels or recent historical (2000-2004) levels.

¹ By adoption of this CMM (CMM 2015-02) the Commission rescinds CMM 2010-05 which has been revised and replaced.

2. The provisions of paragraph 1 shall not prejudice the legitimate rights and obligations under international law of small island developing State and Territory CCMs in the Convention Area for whom South Pacific albacore is an important component of the domestic tuna fishery in waters under their national jurisdiction, and who may wish to pursue a responsible level of development of their fisheries for South Pacific albacore.

3. CCMs that actively fish for South Pacific albacore in the Convention Area south of the equator shall cooperate to ensure the long-term sustainability and economic viability of the fishery for South Pacific albacore, including cooperation and collaboration on research to reduce uncertainty with regard to the status of this stock.

4. CCMs shall report annually to the Commission the annual catch levels taken by each of their fishing vessels that has taken South Pacific albacore, as well as the number of vessels actively fishing for South Pacific albacore, in the Convention area south of 20°S. Catch by vessel shall be reported according to the following species groups: albacore tuna, bigeye tuna, yellowfin tuna, swordfish, other billfish, and sharks. Initially this information will be provided for the period 2006-2014 and then updated annually. CCMs are encouraged to provide data from periods prior to these dates.

5. This measure will be reviewed annually on the basis of advice from the Scientific Committee on South Pacific albacore.



**COMMISSION
THIRTEENTH REGULAR SESSION**
Denarau Island, Fiji
5 – 9 December, 2016

**CONSERVATION AND MANAGEMENT MEASURE FOR THE
EASTERN HIGH-SEAS POCKET SPECIAL MANAGEMENT AREA**

Conservation and Management Measure 2016-02

The Western and Central Pacific Fisheries Commission (WCPFC):

Recalling that the objective of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention) is to ensure through effective management, the long-term conservation and sustainable use of the highly migratory fish stocks of the Western and Central Pacific Ocean in accordance with the 1982 Convention and the Agreement;

Concerned that IUU fishing activities in the Convention area undermine the effectiveness of the conservation measures adopted by the WCPFC.

Conscious of the need to address, as a matter of priority, the issue of vessels conducting IUU fishing activities from the Eastern High Seas Pocket (the 'E-HSP');

Determined to address the challenge of an increase in IUU fishing activities by way of counter-measures to be applied in respect to vessels in the E-HSP, without prejudice to further measures adopted in respect of CCMs and non-CCMs under the relevant WCPFC instruments;

Recognising Article 8(1) of the Convention requiring compatibility of conservation and management measures established for the high seas and those adopted for areas under national jurisdiction;

Recalling Article 8 (4) of the Convention which requires the Commission to pay special attention to the high seas in the Convention Area that are surrounded by exclusive economic zones (EEZs);

Noting that Article 30(1) of the Convention requires the Commission to give full recognition to the special requirements of developing States that are Parties to the Convention, in particular small island developing States and territories and possessions, in relation to the conservation and management of highly migratory fish stocks in the Convention Area and development of fisheries on such stocks;

Noting further that Article 30(2)(c) of the Convention requires the Commission to ensure that conservation and management measures do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto developing States Parties, and territories and possessions;

Adopts, in accordance with Article 10 of the Convention:

AREA OF APPLICATION

1. The E-HSP is the area of high seas bounded by the Exclusive Economic Zones of the Cook Islands to the west, French Polynesia to the east and Kiribati to the north. For the purposes of this

measure, the precise co-ordinates (geodetic information) shall be that used by the WCPFC vessel monitoring system (VMS) the co-ordinates is attached (Attachment A). A map showing the E-HSP is attached (Attachment B).

REPORTING

Vessel sightings

2. CCMs shall encourage their flagged vessels operating in the E-HSP to report sightings of any fishing vessel to the Commission Secretariat. Such information should include: date and time (UTC), position (true degrees), bearing, markings, speed (knots), and vessel type. Vessels should ensure this information is transmitted to the Secretariat within 6 hours of a sighting event taking place.

VMS

3. Adjacent coastal States/Territories shall receive continuous near real-time VMS data pursuant to paragraph 22 of the Commission's Rules and Procedures for the Protection, Access to, and Dissemination of High Seas Non-Public Domain Data and Information Compiled by the Commission for the Purpose of Monitoring, Control or Surveillance (MCS) Activities and the Access to and Dissemination of High Seas VMS Data for Scientific Purposes; and through a standing request under paragraph 5 of these Rules and Procedures.
4. Flag States shall monitor their vessels operating in the E-HSP, using at minimum the WCPFC VMS, to ensure compliance with this measure.

VESSEL LIST

5. The Commission Secretariat shall maintain a 'live list' of all fishing vessels present in the E-HSP, based on near-real time VMS information. This list will be made available to Commission Members through the WCPFC website.

TRANSHIPMENT

6. All transshipment activities are prohibited in the E-HSP from 1st January 2019.

COMPLIANCE

7. Vessels found to be non-compliant with this measure shall be dealt with in accordance with CMM 2010-06, and any other applicable measures adopted by the Commission

IMPLEMENTATION AND REVIEW OF MEASURE

8. The Secretariat shall prepare a report on the implementation and compliance of this measure to TCC each year.
9. The measures described above shall be reviewed every two years, in conjunction with the relevant advice from the Technical and Compliance Committee (TCC). This review shall consider, inter alia, whether the measure is having the intended effect and the extent to which all CCMs and fishing sectors are contributing to achieving the Commission's conservation objectives.
10. This measure shall not constitute a precedent and is restricted to the E-HSP.
11. This measure shall replace CMM2010-02, and shall remain in force until such time as the Commission adopts an alternative measure for the E-HSP.

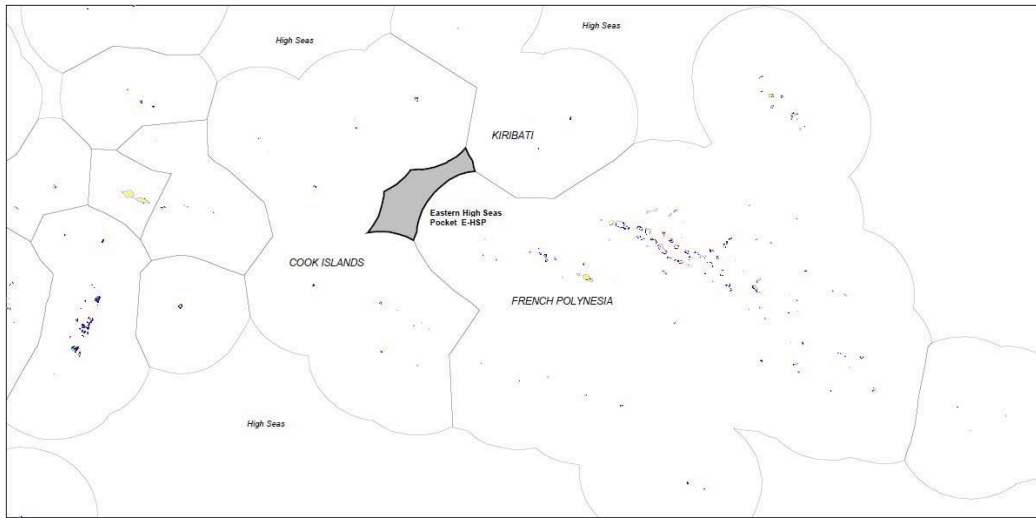
Attachment A: EHSP-SMA Coordinates as at April 2012

Coordinates of the Eastern High Seas Pocket - Special Management Area	
These coordinates are without prejudice to any negotiations or work on current boundaries and are subject to change as boundaries are resolved.	

LONGITUDE	LATITUDE
-155.495308	-11.375548
-155.498321	-11.391248
-155.375667	-11.6652
-155.144789	-12.031226
-155.087069	-12.286791
-155.011312	-12.527927
-154.988916	-12.541928
-155.011131	-12.528155
-155.4405	-12.58823
-155.8398	-12.7045
-156.3396	-12.96024
-156.748	-13.26971
-157.0805	-13.57845
-157.4277	-13.99567
-157.6434	-14.37697
-157.7986	-14.73752
-157.9131	-15.11709
-157.962	-15.46605
-158.039622	-15.653761
-158.122829	-15.877123
-158.127739	-15.869203
-158.231024	-15.803568
-158.36955	-15.745447
-158.496828	-15.694033
-158.661362	-15.634953
-158.821586	-15.583395
-159.026918	-15.539192
-159.190663	-15.503491
-159.372631	-15.472738
-159.548569	-15.453715
-159.736692	-15.448871
-159.90316	-15.449959
-160.083542	-15.463548
-160.226654	-15.480612
-160.365423	-15.495182
-160.451319	-15.514117
-160.406016	-15.448192
-160.316351	-15.338878
-160.217964	-15.213622
-160.156932	-15.110787
-160.074995	-14.978629

-160.011413	-14.890788
-159.926847	-14.750107
-159.87787	-14.621808
-159.79653	-14.407807
-159.75968	-14.275899
-159.711458	-14.113648
-159.682425	-13.98575
-159.655144	-13.863674
-159.621745	-13.726376
-159.619708	-13.634445
-159.616001	-13.561895
-159.614094	-13.509574
-159.561966	-13.476838
-159.464666	-13.417237
-159.323121	-13.349332
-159.212807	-13.287211
-159.104174	-13.209011
-158.983445	-13.143509
-158.882253	-13.049931
-158.744371	-12.94646
-158.649624	-12.872332
-158.560938	-12.795621
-158.495677	-12.723884
-158.424306	-12.639442
-158.333838	-12.548261
-158.2853	-12.45563
-158.071642	-12.43816
-157.8909	-12.42376
-157.747379	-12.436771
-157.631174	-12.428707
-157.4811	-12.39678
-157.229515	-12.356368
-157.039477	-12.306157
-156.868471	-12.243143
-156.665366	-12.174288
-156.495214	-12.106995
-156.3649	-12.01769
-156.25113	-11.967768
-156.113903	-11.894359
-156.012144	-11.844092
-155.895851	-11.761728
-155.77415	-11.66355
-155.688884	-11.572012
-155.593209	-11.478779
-155.495308	-11.375548

Attachment B: Eastern High Seas Pocket





**COMMISSION
FOURTEENTH REGULAR SESSION**
Manila, Philippines
3 – 7 December, 2017

**CONSERVATION AND MANAGEMENT MEASURE FOR THE PROTECTION OF WCPFC
REGIONAL OBSERVER PROGRAMME OBSERVERS**

Conservation and Management Measure 2017-03¹

The Western and Central Pacific Fisheries Commission (WCPFC):

In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention);

Recalling Article 28(7) of the WCPF Convention, which requires the Commission to develop procedures and guidelines for the operation of the Regional Observer Programme (ROP);

Further recalling that Annex III, article 3 of the Convention expressly requires that the vessel operator and each member of the crew shall allow and assist any person identified as an observer under the ROP to carry out all duties safely and that the operator or any crew member shall not assault, obstruct, resist, delay, refuse boarding to, intimidate or interfere with observers in the performance of their duties;

Committing to the implementation of conservation and management measure (CMM) 2007-01, which clearly states the rights of observers shall include, *inter alia*, the freedom to carry out their duties without being assaulted, obstructed, resisted, delayed, intimidated or interfered with in the performance of their duties;

Recognizing that observers play a critical role in supporting effective management outcomes and therefore it is critical that measures are in place to ensure their safety while undertaking their duties;

Noting that CMM 2007-01 specifies that the responsibilities of vessel operators and captains shall include, *inter alia*, ensuring that ROP observers are not assaulted, obstructed, resisted, delayed, intimidated, interfered with, influenced, bribed or attempted to be bribed in the performance of their duties;

¹ This measure revises and replaces CMM 2016-03. The only change made was to delete footnote 1.

Further Recognizing the commitments in Articles 98 and 146 of the United Nations Convention on the Law of the Sea (UNCLOS), to render assistance and protect human life, and the International Convention on Maritime Search and Rescue, as amended and overseen by the International Maritime Organization, which outlines the responsibilities of governments related to search procedures including the organization and coordination of actions, cooperation between States, and operating procedures for vessel operators and crew;

Further Noting the commitment in Article 94(7) of UNCLOS, regarding the duty of a flag State to cause an inquiry to be held into any loss of life or serious injury to nationals of another State which has been caused by a marine casualty or incident of navigation and involved a ship flying its flag;

Adopts the following conservation and management measure in accordance with the Article 10 of the Convention:

1. This CMM applies to WCPFC ROP observers on fishing trips operating under the WCPFC ROP.
2. Nothing in this measure shall prejudice the rights of relevant CCMs to enforce their laws with respect to the safety of observers consistent with international law.
3. In the event that a WCPFC ROP observer dies, is missing or presumed fallen overboard, the CCM to which the fishing vessel is flagged shall ensure that the fishing vessel:
 - a. immediately ceases all fishing operations;
 - b. immediately commences search and rescue if the observer is missing or presumed fallen overboard, and searches for at least 72 hours, unless the observer is found sooner, or unless instructed by the flag CCM to continue searching²;
 - c. immediately notifies the flag CCM;
 - d. immediately alerts other vessels in the vicinity by using all available means of communication;
 - e. cooperates fully in any search and rescue operation
 - f. whether or not the search is successful, return the vessels for further investigation to the nearest port, as agreed by the flag CCM and the observer provider;
 - g. provides the report to the observer provider and appropriate authorities on the incident; and
 - h. cooperates fully in any and all official investigations, and preserves any potential evidence and the personal effects and quarters of the deceased or missing observer.

² In the event of force majeure, flag CCMs may allow their vessels to cease search and rescue operations before 72 hours have elapsed.

4. Paragraphs 3(a), (c) and (h) apply in the event that an observer dies. In addition, the flag CCM shall require that the fishing vessel ensure that the body is well-preserved for the purposes of an autopsy and investigation.

5. In the event that a WCPFC ROP observer suffers from a serious illness or injury that threatens his or her health or safety, the CCM to which the fishing vessel is flagged shall ensure that the fishing vessel:

- a. immediately ceases fishing operations;
- b. immediately notifies the flag CCM
- c. takes all reasonable actions to care for the observer and provide any medical treatment available and possible on board the vessel;
- d. where directed by the observer provider, if not already directed by the flag CCM, facilitates the disembarkation and transport of the observer to a medical facility equipped to provide the required care, as soon as practicable; and
- e. cooperates fully in any and all official investigations into the cause of the illness or injury.

6. For the purposes of paragraphs 3 through 5, the flag CCM shall ensure that the appropriate Maritime Rescue Coordination Centre ³, observer provider and Secretariat are immediately notified.

7. In the event that there are reasonable grounds to believe a WCPFC ROP observer has been assaulted, intimidated, threatened, or harassed such that their health or safety is endangered and the observer or the observer provider indicates to the CCM to which the fishing vessel is flagged that they wish for the observer to be removed from the fishing vessel, the CCM to which the fishing vessel is flagged shall ensure that the fishing vessel:

- a. immediately takes action to preserve the safety of the observer and mitigate and resolve the situation on board;
- b. notifies the flag CCM and the observer provider of the situation, including the status and location of the observer, as soon as possible;
- c. facilitates the safe disembarkation of the observer in a manner and place, as agreed by the flag CCM and the observer provider, that facilitates access to any needed medical treatment; and
- d. cooperates fully in any and all official investigations into the incident.

³ <http://sarcontacts.info/>

8. In the event that there are reasonable grounds to believe that a WCPFC ROP observer has been assaulted, intimidated, threatened, or harassed but neither the observer nor the observer provider wishes that the observer be removed from the fishing vessel, the CCM to which the fishing vessel is flagged shall ensure that the fishing vessel:

- a. takes action to preserve the safety of the observer and mitigate and resolve the situation on board as soon as possible;
- b. notifies the flag CCM and the observer provider of the situation as soon as possible; and
- c. cooperates fully in all official investigations into the incident.

9. If any of the events in paragraphs 3 – 7 occur, port CCMs, shall facilitate entry of the fishing vessel to allow disembarkation of the WCPFC ROP observer and, to the extent possible, assist in any investigations if so requested by the flag CCM.

10. In the event that, after disembarkation from a fishing vessel of a WCPFC ROP observer, an observer provider identifies—such as during the course of debriefing the observer—a possible violation involving assault or harassment of the observer while on board the fishing vessel, the observer provider shall notify, in writing, the flag CCM and the Secretariat, and the flag CCM shall:

- a. investigate the event based on the information provided by the observer provider and take any appropriate action in response to the results of the investigation;
- b. cooperate fully in any investigation conducted by the observer provider, including providing the report to the observer provider and appropriate authorities of the incident; and
- c. notify the observer provider and the Secretariat of the results of its investigation and any actions taken.

11. CCMs shall ensure that their national observer providers:

- a. immediately notify the flag CCM in the event that a WCPFC ROP observer dies, is missing or presumed fallen overboard in the course of observer duties;
- b. cooperate fully in any search and rescue operation;
- c. cooperate fully in any and all official investigations into any incident involving an WCPFC ROP observer;
- d. facilitate the disembarkation and replacement of a WCPFC ROP observer in a situation involving the serious illness or injury of that observer as soon as possible;
- e. facilitate the disembarkation of a WCPFC ROP observer in any situation involving the assault, intimidation, threats to, or harassment of that observer to such an extent that the observer wishes to be removed from the vessel, as soon as possible; and

- f. provide the flag CCM with a copy of the observer report on alleged violations involving that provider's observer upon request, pursuant to the WCPFC Rules and Procedures for Protection, Access to, and Dissemination of Data Compiled by the Commission and Rules and Procedures for the Protection, Access to, and Dissemination of High Seas Non-Public Domain Data and Information Compiled by the Commission for the Purpose of Monitoring, Control or Surveillance (MCS) Activities and the Access to and Dissemination of High Seas VMS Data for Scientific Purposes.

12. Notwithstanding paragraph 1 CCMs shall ensure that any authorized High Seas Boarding and Inspection vessels flying their flag cooperate, to the greatest extent possible, in any search and rescue operation involving an observer. CCMs shall also encourage any other vessels flying their flag to participate, to the greatest extent possible, in any search and rescue operations involving a WCPFC ROP observer.

13. Where requested relevant observer providers, and CCMs shall cooperate in each other's investigations including providing their incident reports for any incidents indicated in paragraphs 3 through 8 to facilitate any investigations as appropriate.

14. The Technical and Compliance Committee and the Commission will review this conservation and management measure no later than 2019 and periodically thereafter. Notwithstanding this provision CCMs may submit a proposal to amend this CMM at any time.



**COMMISSION
FOURTEENTH REGULAR SESSION**

Manila, Philippines
3 – 7 December 2017

CONSERVATION AND MANAGEMENT MEASURE ON MARINE POLLUTION

Conservation and Management Measure 2017-04

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean

Concerned that marine pollution is increasingly recognised as a significant global problem, with detrimental impacts on ocean and coastal environments, wildlife, economies and ecosystems,

Recalling that the need to prevent and significantly reduce marine pollution of all kinds was affirmed at the United Nations Conference to Support the Implementation of Sustainable Development Goal 14 through the adoption of paragraph 13(g) of the ‘Our ocean, our future: call for action’ declaration;

Convinced that certain activities associated with fishing may affect the Western and Central Pacific marine environment and that these activities may play a notable role in WCPFC’s efforts to minimise incidental mortality of non-target species and impacts on marine ecosystems,

Noting that abandoned, lost or otherwise discarded fishing gear in the marine environment can damage marine, reef and coastal habitats, be harmful to marine life through ghost fishing, entanglement, ingestion and acting as habitat for the spread of invasive species, and create a navigation hazard,

Noting that the provisions of Annex V of International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto and by the Protocol of 1997 (MARPOL), prohibit the disposal of all fishing gear and plastics at sea,

Further noting that the provisions of Annex I, Annex IV and Annex VI of MARPOL manage and restrict the discharge of oil, sewage and air pollutants from ships at sea,

Noting that there is limited monitoring and implementation of MARPOL obligations on fishing vessels, and consequently little information exists about illegal pollution activities by fishing vessels at sea,

Further noting that the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter 1972 (London Convention) and the 1996 Protocol (London Protocol) manage or prohibit through regulation the dumping into the sea of wastes or other matter.

Recalling that information from observer reports suggests that fishing vessels are responsible for significant amounts of marine pollution in the Western and Central Pacific Ocean, even when observers are aboard, and that marine pollution is likely to be even more significant on fishing vessels, particularly longline fishing vessels, where observer coverage is very low,

Recognising that Article 30(1) of the Convention requires the Commission to give full recognition to the special requirements of developing States that are Parties to the Convention, in particular the small island developing States (SIDS) and Territories, in relation to the conservation and management of highly migratory fish stocks in the Convention Area and development of fisheries for such stocks;

Recognising further that Article 30(2) of the Convention requires the Commission to take into account the special requirements of developing States, in particular SIDS and Territories. This includes ensuring that conservation and management measures adopted by it do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto developing States Parties, and Territories;

Recalling the adoption of CMM 2013-07 which also recognises the special requirements of SIDS and territories;

Adopts, in accordance with Article 5 (d-f) and 10 (1)(h) of the Convention that:

1. Commission Members, Cooperating Non-Members and Participating Territories (CCMs) that are entitled to ratify, accept, approve or accede to the annexes of MARPOL and the London Protocol are encouraged to do so at the earliest possible opportunity if they have not already done so. CCMs that experience difficulties in becoming Parties to the MARPOL or London Protocol are encouraged to inform the International Maritime Organization of the circumstances thereof, so that consideration can be given to take appropriate action in this respect, including providing necessary technical assistance.
2. CCMs shall prohibit their fishing vessels operating within the WCPFC Convention Area from discharging any plastics (including plastic packaging, items containing plastic and polystyrene) but not including fishing gear.
3. CCMs are encouraged to prohibit their fishing vessels operating within the WCPFC Convention Area from discharging:
 - a) oil or fuel products or oily residues into the sea;
 - b) garbage, including fishing gear¹, food waste, domestic waste, incinerator ashes and

¹ Fishing gear, for the purposes of this measure, that are released into the water with the intention of later retrieval such as FADs, traps and static nets, are not considered garbage.

cooking oil; and

c) sewage,

except as would be permitted under applicable international instruments.

4. CCMs are encouraged to undertake research into marine pollution related to fisheries in the WCPFC Convention Area to further develop and refine measures to reduce marine pollution, and are encouraged to submit to SC and TCC any information derived from such efforts.
5. CCMs shall encourage their fishing vessels within the WCPFC Convention Area to retrieve abandoned, lost or discarded fishing gear and retain the material on board, separate from other waste for discharge to port reception facilities. Where retrieval is not possible or does not occur, CCMs shall encourage their fishing vessels to report the latitude, longitude, type, size and age of abandoned, lost or discarded fishing gear.
6. CCMs are requested to ensure adequate port reception facilities are provided to receive waste from fishing vessels. SIDS CCMs are requested to utilise, as appropriate, regional port reception facilities in accordance with international standards.
7. CCMs are encouraged to ensure that fishing vessels flying their flag and operating within the WCPFC Convention Area inform their flag State of ports in countries that are Party to the annexes of MARPOL which do not have adequate port reception facilities for MARPOL wastes.
8. CCMs shall cooperate, consistent with national laws and regulations, directly or through the Commission, and in accordance with their capabilities, to actively support SIDS and Territories through the provision of adequate port facilities for receiving and appropriately disposing of waste from fishing vessels.
9. CCMs are encouraged to develop communication frameworks to enable the recording and sharing of information on fishing gear loss in order to reduce loss and facilitate recovery of fishing gear.
10. CCMs are further encouraged to develop frameworks or systems to assist fishing vessels to report the loss of gear to their flag State, relevant coastal States, and the Commission.
11. CCMs are encouraged to conduct training and awareness programs for the crew and master of fishing vessels flying their flag regarding the impacts of marine pollution and operational practices to eliminate marine pollution caused by fishing vessels.
12. This measure will be reviewed by the Commission every 3 years to consider expanding the scope of measure with respect to the elimination of marine pollution caused by fishing vessels.
13. The date of implementation for this measure is 1 January 2019.



COMMISSION
FIFTEENTH REGULAR SESSION
Honolulu, Hawaii, USA
10 – 14 December 2018

**CONSERVATION AND MANAGEMENT MEASURE FOR BIGEYE, YELLOWFIN
AND SKIPJACK TUNA IN THE WESTERN AND CENTRAL PACIFIC OCEAN**

Conservation and Management Measure 2018-01*

PREAMBLE

The Western and Central Pacific Fisheries Commission (WCPFC):

Recalling that since 1999, in the Multilateral High Level Conferences, the Preparatory Conferences, and in the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Commission), a number of resolutions and Conservation and Management Measures (CMMs) have been developed to prevent or mitigate the overfishing of bigeye and yellowfin tuna and to limit the growth of fishing capacity in the Western and Central Pacific Ocean;

Recalling that the objective of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention) is to ensure through effective management, the long-term conservation and sustainable use of the highly migratory fish stocks of the Western and Central Pacific Ocean in accordance with the 1982 Convention and the Agreement;

Recalling further the final statement of the Chairman of the Multilateral High Level Conferences in 2000 that: "It is important to clarify, however, that the Convention applies to the waters of the Pacific Ocean. In particular, the western side of the Convention Area is not intended to include waters of South-East Asia which are not part of the Pacific Ocean, nor is it intended to include waters of the South China Sea as this would involve States which are not participants in the Conference" (Report of the Seventh and Final Session, 30th August- 5 September 2000, p.29);

Recognizing that the Scientific Committee has determined that the bigeye stock appears not to be experiencing overfishing and is not in an overfished condition and that the fishing mortality of bigeye should not be increased from the current level to maintain current or increased spawning biomass; that the yellowfin stock appears not to be experiencing overfishing and is not in an overfished condition and the current spawning biomass levels should be maintained; and that skipjack is currently moderately exploited, the fishing mortality level is sustainable, and that the spawning biomass be maintained near the target reference point;

* Version issued 2 May 2019

Recognizing further the interactions that occur between the fisheries for bigeye, yellowfin, and skipjack tuna;

Noting that Article 30(1) of the Convention requires the Commission to give full recognition to the special requirements of developing States that are Parties to the Convention, in particular small island developing States and Territories and possessions, in relation to the conservation and management of highly migratory fish stocks in the Convention Area and development of fisheries on such stocks, including the provision of financial, scientific, and technological assistance;

Noting further that Article 30(2) of the Convention requires the Commission to take into account the special requirements of developing States, in particular Small Island developing States and Territories. This includes ensuring that conservation and management measures adopted by it do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto developing States, Parties, and Territories;

Noting that Article 8(1) of the Convention which requires compatibility of conservation and management measures established for the high seas and those adopted for areas under national jurisdiction;

Recalling Article 8(4) of the Convention which requires the Commission to pay special attention to the high seas in the Convention Area that are surrounded by exclusive economic zones (EEZs);

Noting that the Parties to the Nauru Agreement (PNA) have adopted and implemented “A Third Arrangement Implementing The Nauru Agreement Setting Forth Additional Terms And Conditions Of Access To The Fisheries Zones Of The Parties”;

Noting further that the Parties to the Nauru Agreement have adopted and implemented a Vessel Day Scheme for the longline fishery, a Vessel Day Scheme for the purse seine fishery and a registry for FADs in the zones of the Parties, and may establish longline effort limits, or equivalent catch limits for longline fisheries within their exclusive economic zones.

Noting furthermore that the Members of the Pacific Islands Forum Fisheries Agency have indicated their intention to adopt a system of zone-based longline limits to replace the current system of flag-based bigeye catch limits within their EEZs, and a system of zone-based FAD set limits to replace the FAD closure and flag-based FAD set limits in their EEZs;

Acknowledging that the Commission has adopted a limit reference point (LRP) for bigeye, skipjack, and yellowfin tuna of 20% of the estimated recent average spawning biomass in the absence of fishing, and, for skipjack tuna, has also agreed to an interim target reference point (TRP) of 50% of the recent average spawning biomass in the absence of fishing (CMM 2015-06);

Acknowledging that the Commission has adopted CMM 2014-06 on Establishing a Harvest Strategy for Key Fisheries and Stocks in the Western and Central Pacific Ocean and a Work Plan to guide the development of key components of a Harvest Strategy, including the

recording of management objectives, adoption of reference points, and development of harvest control rules;

Adopts in accordance with Article 10 of the Convention, the following Conservation and Management Measure with respect to bigeye, yellowfin, and skipjack tuna:

PURPOSE

1. Pending the establishment of harvest strategies, and any implementing CMM, the purpose of this measure is to provide for a robust transitional management regime that ensures the sustainability of bigeye, skipjack, and yellowfin tuna stocks.

PRINCIPLES FOR APPLICATION OF THE MEASURE

Compatibility

2. Conservation and management measures established for the high seas and those adopted for areas under national jurisdiction shall be compatible in order to ensure conservation and management of bigeye, skipjack, and yellowfin tuna stocks in their entirety. Measures shall ensure, at a minimum, that stocks are maintained at levels capable of producing maximum sustainable yield, pending agreement on target reference points as part of the harvest strategy approach, as qualified by relevant environmental and economic factors including the special requirements of developing States in the Convention Area as expressed by Article 5 of the Convention.

Area of Application

3. This Measure applies to all areas of high seas and all EEZs in the Convention Area except where otherwise stated in the Measure.

4. Coastal states are encouraged to take measures in archipelagic waters and territorial seas which are consistent with the objectives of this Measure and to inform the Commission Secretariat of the relevant measures that they will apply in these waters.

Small Island Developing States

5. With the exception of paragraphs 16-25, 31, 33-38, and 50-54, nothing in this Measure shall prejudice the rights and obligations of those small island developing State Members and Participating Territories in the Convention Area seeking to develop their domestic fisheries.

6. For the avoidance of doubt, where the term “SIDS” is used throughout this measure, the term includes Participating Territories. The term “CCM” means Members, Cooperating Non-Members and Participating Territories.

7. In giving effect to this CMM, the Commission shall pay attention to:
- (a) the geographical situation of a small island developing State which is made up of non-contiguous groups of islands having a distinct economic and cultural identity of their own but which are separated by areas of high seas;
 - (b) the special circumstances of a State which is surrounded by the exclusive economic zones of other States and has a limited exclusive economic zone of its own; and
 - (c) the need to avoid adverse impacts on subsistence, small-scale and artisanal fishers.

GENERAL PROVISIONS

Charter Arrangements

8. For the purposes of paragraphs 39-41 and 45-49, attribution of catch and effort shall be to the flag State, except that catches and effort of vessels notified as chartered under CMM 2016-05 or its replacement shall be attributed to the chartering Member, or Participating Territory. Attribution for the purpose of this Measure is without prejudice to attribution for the purposes of establishing rights and allocation.

9. For purposes of paragraphs 39-41 and 45-49, catches and effort of United States flagged vessels operating under agreements with its Participating Territories shall be attributed to the Participating Territories. Such agreements shall be notified to the Commission in the form of notification under CMM 2016-05 or its replacement. Attribution for the purpose of this Measure is without prejudice to attribution for the purposes of establishing rights and allocation.

Overlap Area

10. Where flag CCMs choose to implement IATTC measures in the overlap area, any calculation of limits for the Convention Area (excluding the overlap area) that are done on the basis of historical catch or effort levels, shall exclude historical catch or effort within the overlap area. Notwithstanding decisions on application of catch and/or effort limits, all other provisions of this measure apply to all vessels fishing in the overlap area.

HARVEST STRATEGIES AND INTERIM OBJECTIVES FOR BIGEYE, SKIPJACK, AND YELLOWFIN TUNA

11. This measure is to create a bridge to the adoption of a harvest strategy for bigeye, skipjack, and yellowfin tuna stocks and/or fisheries in accordance with the work plan and indicative timeframes set out in the Agreed Work Plan for the Adoption of Harvest Strategies under CMM 2014-06, which includes the development of management objectives and target reference points. Taking into account the bridging role of this measure and the uncertainty framework for evaluating the impact of management measures on the bigeye stock, the Commission shall work towards achieving and sustaining the aims in paragraphs 12 to 14.

Bigeye

12. Pending agreement on a target reference point the spawning biomass depletion ratio ($SB/SB_{F=0}$) is to be maintained at or above the average $SB/SB_{F=0}$ for 2012-2015.

Skipjack

13. The spawning biomass of skipjack tuna is to be maintained on average at a level consistent with the interim target reference point of 50% of the spawning biomass in the absence of fishing, adopted in accordance with CMM 2015-06.

Yellowfin

14. Pending agreement on a target reference point the spawning biomass depletion ratio ($SB/SB_{F=0}$) is to be maintained at or above the average $SB/SB_{F=0}$ for 2012-2015.

15. The Commission at its 2019 annual session shall review and revise the aims set out in paragraphs 12 to 14 in light of advice from the Scientific Committee.

PURSE SEINE FISHERY

FAD Set Management

16. A three (3) months (July, August and September) prohibition of deploying, servicing or setting on FADs shall be in place between 0001 hours UTC on 1 July and 2359 hours UTC on 30 September each year for all purse seine vessels, tender vessels, and any other vessels operating in support of purse seine vessels fishing in exclusive economic zones and the high seas in the area between 20°N and 20°S.¹

17. In addition to the three month FAD closure in paragraph 16, except for those vessels flying the Kiribati flag when fishing in the high seas adjacent to the Kiribati exclusive economic zone,² and Philippines' vessels operating in HSP1 in accordance with Attachment 2, it shall be prohibited to deploy, service or set on FADs in the high seas for two additional sequential months of the year. Each CCM shall decide which two sequential months (either April – May

¹ Members of the PNA may implement the FAD set management measures consistent with the Third Arrangement Implementing the Nauru Agreement of May 2008. Members of the PNA shall provide notification to the Commission of the domestic vessels to which the FAD closure will not apply. That notification shall be provided within 15 days of the arrangement being approved.

² Those vessels fishing within a 100 nautical mile buffer zone extending from the high seas adjacent to the Cook Islands shall inform Kiribati and the Cook Islands authorities at least 24 hours prior to entry into and 24 hours prior to the exit from the buffer zone with estimated coordinates for entry and exit. Each report shall contain the vessel name, international radio call sign and position at time of reporting.

or November – December) shall be closed to setting on FADs by their fleets in the high seas for 2018, 2019 and 2020 and notify the Secretariat of that decision by March 1, 2018.[#]

[#] The Secretariat notes that WCPFC15 didn't sanction any specific revision to this paragraph but in 2019 some CCMs have notified a different choice of two sequential months to that notified in 2018.

18. The provisions of paragraphs 3 to 7 of CMM 2009-02 apply to the high seas FAD closures. In applying the provisions of paragraphs 16 and 17, any set where small amounts of plastic or small garbage that do not have a tracking buoy attached are detected shall not be considered to be a FAD set for the purposes of the FAD closure. This shall apply in 2019 only and will be reviewed to determine whether it resulted in increased catch of bigeye and small yellowfin tuna.

Non-entangling FADs

19. To reduce the risk of entanglement of sharks, sea turtles or any other species, as from 1st January 2020, CCMs shall ensure that the design and construction of any FAD to be deployed in, or that drifts into, the WCPFC Convention Area shall comply with the following specifications:

- The floating or raft part (flat or rolled structure) of the FAD can be covered or not. To the extent possible the use of mesh net should be avoided. If the FAD is covered with mesh net, it must have a stretched mesh size less than 7 cm (2.5 inches) and the mesh net must be well wrapped around the whole raft so that there is no netting hanging below the FAD when it is deployed.
- The design of the underwater or hanging part (tail) of the FAD should avoid the use of mesh net. If mesh net is used, it must have a stretched mesh size of less than 7 cm (2.5 inches) or tied tightly in bundles or “sausages” with enough weight at the end to keep the netting taut down in the water column. Alternatively, a single weighted panel (less than 7 cm (2.5 inches) stretched mesh size net or solid sheet such as canvas or nylon) can be used.

20. To reduce the amount of synthetic marine debris, the use of natural or biodegradable materials for FADs should be promoted. The use of non-plastic and biodegradable materials in the construction of FADs is encouraged.

21. The Scientific Committee shall continue to review research results on the use of non-entangling material and biodegradable material on FADs, and shall provide specific recommendations to the Commission as appropriate.

22. The Commission at its 2020 annual session, based on specific guidelines defined by the FAD Management Options Intersessional Working Group and advice from SC16 and TCC16 shall consider the adoption of measures on the implementation of non-entangling and/or biodegradable material on FADs.

Instrumented Buoys

23. A flag CCM shall ensure that each of its purse seine vessels shall have deployed at sea, at any one time, no more than 350 drifting Fish Aggregating Devices (FADs) with activated

instrumented buoys. An instrumented buoy is defined as a buoy with a clearly marked reference number allowing its identification and equipped with a satellite tracking system to monitor its position. The buoy shall be activated exclusively on board the vessel. A flag CCM shall ensure that its vessels operating in the waters of a coastal State comply with the laws of that coastal State relating to FAD management, including FAD tracking.

24. The Commission at its 2019 annual session, based on consideration in the FAD Management Options Intersessional Working Group, shall review whether the number of FADs deployed as set out in paragraph 23 is appropriate.

Zone-based purse seine effort control

25. Coastal CCMs within the Convention Area shall restrict purse seine effort and/or catch of skipjack, yellowfin and bigeye tuna within their EEZs in accordance with the effort limits established and notified to the Commission and set out in Table 1 of Attachment 1. Those coastal CCMs that have yet to notify limits to the Commission shall do so by 31 December 2018.

High seas purse seine effort control³

26. CCMs that are not Small Island Developing States shall restrict the level of purse seine effort on the high seas in the area 20°N to 20°S to the limits set out in Attachment 1, Table 2, except that the Philippines shall take measures on the high seas in accordance with Attachment 2.

27. CCMs shall ensure that the effectiveness of these effort limits for the purse seine fishery are not undermined by a transfer of effort in days fished into areas within the Convention Area south of 20°S. In order not to undermine the effectiveness of these effort limits, CCMs shall not transfer fishing effort in days fished in the purse seine fishery to areas within the Convention Area north of 20°N.

28. The limits set out in Attachment 1, Table 2 do not confer the allocation of rights to any CCM and are without prejudice to future decisions of the Commission. By 2020 the Commission shall agree on hard effort or catch limits in the high seas of the Convention Area and a framework for the allocation of those limits in the high seas amongst all Members and Participating Territories that adequately take into account Articles 8, 10 (3) and 30 of the Convention. The Commission shall also consider options as to how CCMs would use their limits.

29. *{The Commission agreed at WCPFC15 that paragraph 29 in CMM 2017-01 applied only in 2018}*

30. Where the catch and effort limits in paragraphs 25 and 26 have been exceeded, any overage of the annual limits by a CCM or the collective annual limits of a group of CCMs shall be deducted from the limits for the following year for that CCM or group of CCMs.

³ Throughout this measure, in the case of small purse seine fleets, of five vessels or less, the baseline level of effort used to determine a limit shall be the maximum effort in any period and not the average.

Catch retention: Purse Seine Fishery

31. To create an incentive to reduce the non-intentional capture of juvenile fish, to discourage waste and to encourage an efficient utilization of fishery resources, CCMs shall require their purse seine vessels fishing in EEZs and on the high seas within the area bounded by 20°N and 20°S to retain on board and then land or transship at port all bigeye, skipjack, and yellowfin tuna. (Paragraphs 8 to 12 of CMM 2009-02 set out the Commission's rules for catch retention in the high seas.) The only exceptions to this paragraph shall be:

- a) when, in the final set of a trip, there is insufficient well space to accommodate all fish caught in that set, noting that excess fish taken in the last set may be transferred to and retained on board another purse seine vessel provided this is not prohibited under applicable national law; or
- b) when the fish are unfit for human consumption for reasons other than size; or
- c) when serious malfunction of equipment occurs.

32. Nothing in paragraphs 16-18 and 31 shall affect the sovereign rights of coastal States to determine how these management measures will be applied in their waters, or to apply additional or more stringent measures.

Monitoring and Control: Purse Seine Fishery

33. Notwithstanding the VMS SSP, a purse seine vessel shall not operate under manual reporting during the FADs closure periods, but the vessel will not be directed to return to port until the Secretariat has exhausted all reasonable steps to re-establish normal automatic reception of VMS positions in accordance with the VMS SSPs. The flag State shall be notified when VMS data is not received by the Secretariat at the interval specified in CMM 2014-02 or its replacement, and paragraph 37.

34. CCMs shall ensure that purse seine vessels entitled to fly their flags and fishing within the area bounded by 20°N and 20°S exclusively on the high seas, on the high seas and in waters under the jurisdiction of one or more coastal States, or vessels fishing in waters under the jurisdiction of two or more coastal States, shall carry an observer from the Commission's Regional Observer Program (ROP) (CMM 2018-05).

35. Each CCM shall ensure that all purse seine vessels fishing solely within its national jurisdiction within the area bounded by 20°N and 20°S carry an observer. These CCMs are encouraged to provide the data gathered by the observers for use in the various analyses conducted by the Commission, including stock assessments, in such a manner that protects the ownership and confidentiality of the data.

36. ROP reports for trips taken during FADs closure period shall be given priority for data input and analysis by the Secretariat and the Commission's Science Provider.

37. VMS polling frequency shall be increased to every 30 minutes during the FAD closure period. The increased costs associated with the implementation of this paragraph will be borne by the Commission.

Research on Bigeye and Yellowfin

38. CCMs and the Commission are encouraged to conduct and promote research to identify ways for purse seine vessels to minimize the mortality of juvenile bigeye tuna and yellowfin tuna, particularly in accordance with any research plans adopted by the Commission.

LONGLINE FISHERY

39. As an interim measure, CCMs listed in Attachment 1, Table 3 shall restrict the level of bigeye catch to the levels specified in Table 3. Where the limits in Table 3 have been exceeded, any overage of the catch limit by a CCM listed in Table 3 shall be deducted from the catch limit for the following year for that CCM.

40. The Commission shall review the bigeye catch limits specified in Table 3 in 2019 based on any revised stock assessments and the recommendations of the Scientific Committee. The Commission may also take into account in setting any bigeye catch limits any plan submitted to the Secretariat by a CCM listed in Attachment 1, Table 3 to increase the level of monitoring and control of its longline vessels fishing in the Convention Area.

41. CCMs listed in Attachment 1, Table 3 shall report monthly the amount of bigeye catch by their flagged vessels to the Commission Secretariat by the end of the following month. The Secretariat shall notify all CCMs when 90% of the catch limits for a CCM is exceeded.

42. The limits set out in Attachment 1, Table 3 do not confer the allocation of rights to any CCM and are without prejudice to future decisions of the Commission.

43. Subject to paragraph 5, each Member that caught less than 2,000 tonnes in 2004 shall ensure that its bigeye catch does not exceed 2,000 tonnes annually.

44. By 2020 the Commission shall agree on hard limits for bigeye and a framework to allocate those limits amongst all Members and Participating Territories that adequately take into account Articles 8, 10 (3) and 30 of the Convention.

CAPACITY MANAGEMENT FOR PURSE SEINE AND LONGLINE VESSELS

Purse Seine Vessel Limits

45. CCMs, other than Small Island Developing States and Indonesia⁴, shall keep the number of purse seine vessels flying their flag larger than 24m with freezing capacity operating between 20°N and 20°S (hereinafter “LSPSVs”) to the applicable level under CMM 2013-01.

⁴ This paragraph shall not create a precedent with respect to application of exemptions to non-SIDS CCMs.

46. The concerned CCMs shall ensure that any new LSPSV constructed or purchased to replace a previous vessel or vessels, shall have a carrying capacity or well volume no larger than the vessel(s) being replaced, or shall not increase the catch or effort in the Convention Area from the level of the vessels being replaced. In such case, the authorization to fish in the Convention Area of the replaced vessel shall be immediately revoked by the flag CCM. Notwithstanding the first sentence in this paragraph, for those vessels for which building approval has already been granted and notified to the Commission before 1 March 2014, the construction of those vessels will be in accordance with existing regulations of the concerned CCMs.

Limits on Longline Vessels with Freezing Capacity

47. CCMs, other than Small Island Developing States and Indonesia⁵, shall not increase the number of their longline vessels with freezing capacity targeting bigeye tuna above the applicable level under CMM 2013-01.⁶

Limits on ice-chilled longline vessels landing fresh fish

48. CCMs, other than Small Island Developing States and Indonesia⁷, shall not increase the number of their ice-chilled longline vessels targeting bigeye tuna and landing exclusively fresh fish above the applicable level under CMM 2013-01, or above the number of licenses under established limited entry programmes applying during the operation of CMM 2013-01.⁸

49. Nothing in this measure shall restrict the ability of SIDS or Participating Territories to construct or purchase vessels from other CCMs for their domestic fleets.

OTHER COMMERCIAL FISHERIES

50. To assist the Commission in the further development of provisions to manage the catch of bigeye, yellowfin, and skipjack tunas, the Scientific and Technical and Compliance Committees during their meeting in 2019 will provide advice to the Commission on which fisheries should be included in this effort and what information is needed to develop appropriate management measures for those fisheries.

51. CCMs shall take necessary measures to ensure that the total catch of their respective other commercial tuna fisheries for bigeye, yellowfin or skipjack tuna, but excluding those fisheries taking less than 2,000 tonnes of bigeye, yellowfin and skipjack, shall not exceed either the average level for the period 2001-2004 or the level of 2004.

⁵ This paragraph shall not create a precedent with respect to application of exemptions to non-SIDS CCMs.

⁶ The provisions of this paragraph do not apply to those CCMs who apply domestic quotas, including individual transferable quotas, within a legislated/regulated management framework.

⁷ This paragraph shall not create a precedent with respect to application of exemptions to non-SIDS CCMs.

⁸ The provisions of this paragraph do not apply to those CCMs who apply domestic quotas, including individual transferable quotas, within a legislated/regulated management framework.

DATA PROVISION REQUIREMENTS

52. Operational level catch and effort data in accordance with the *Standards for the Provision of Operational Level Catch and Effort Data* attached to the Rules for *Scientific Data to be Provided to the Commission* relating to all fishing in EEZs and high seas south of 20N subject to this CMM except for artisanal small-scale vessels shall be provided to the Commission not only for the purpose of stocks management but also for the purpose of cooperation to SIDS under Article 30 of the Convention.^{9 10}

53. The Commission shall ensure the confidentiality of those data provided as non-public domain data.

54. CCMs whose vessel fish in EEZs and high seas north of 20N subject to this CMM shall ensure that aggregated data by 1 x 1 in that area be provided to the Commission, and shall also, upon request, cooperate in providing operational level data in case of Commission's stock assessment of tropical tuna stocks under a data handling agreement to be separately made between each CCM and the Scientific Provider. Those CCMs shall report such agreement to the Commission.

REVIEW AND FINAL PROVISIONS

55. The Commission shall review this CMM annually to ensure that the various provisions are having the intended effect.

56. *{The Commission agreed at WCPFC15 that paragraph 56 in CMM 2017-01 applied only in 2018}*

57. This measure replaces CMM 2017-01. This measure shall come into effect on 13 February 2019 and remain in effect until 10 February 2021 unless earlier replaced or amended by the Commission.

⁹ CCMs which had domestic legal constraints under CMM 2014-01 shall provide operational level data as of the date on which those domestic legal constraints were lifted.

¹⁰ This paragraph shall not apply to Indonesia, until it changes its national laws so that it can provide such data. This exception shall expire when such changes take effect but in any event no later than 31 December 2025. Indonesia will, upon request, make best effort to cooperate in providing operational level data in case of Commission's stock assessment of those stocks under a data handling agreement to be separately made with the Scientific Provider.

Attachment 1

Table 1: EEZ purse seine effort limits [paragraph 25]

Coastal CCMs' EEZ/Group	Effort in Vessel days/Catch limit	Comment
PNA	44,033 days	This limit will be managed cooperatively through the PNA Vessel Day Scheme.
Tokelau	1000 days	
Cook Islands	1,250 days	These CCMs are developing joint arrangements which may incorporate measures such as pooling and transferability of limits between EEZs.
Fiji	300 days	
Niue	200 days	
Samoa	150 days	
Tonga	250 days	
Vanuatu	200 days	
Australia	30,000 mt SKJ 600 mt BET 600 mt YFT	
French Polynesia	0	
Indonesia	*	
Japan	1500 days	
Korea	*	
New Zealand	40,000 mt SKJ	
New Caledonia	20,000 mt SKJ	
Philippines	*	
Chinese Taipei	*	
United States **	558 days	
Wallis and Futuna	*	

* Limits not notified to the Commission

** The United States notified the Secretariat of the combined US EEZ and high seas effort limits on 1 July 2016 (1828 fishing days on the high seas and in the U.S. EEZ (combined)). The US EEZ limit is understood to be this notified limit minus the high seas effort limit for the United States set out in Table 2 of Attachment 1

Table 2. High seas purse seine effort control [paragraphs 26-28]

CCM	
EFFORT LIMIT (DAYS)	
CHINA	26
ECUADOR	**
EL SALVADOR	**
EUROPEAN UNION	403
INDONESIA	(0)
JAPAN	121
NEW ZEALAND	160
PHILIPPINES	#
REPUBLIC OF KOREA	207
CHINESE TAIPEI	95
USA	1270
** subject to CNM on participatory rights	
# The measures that the Philippines will take are in Attachment 2.	

Table 3. Bigeye Longline Catch Limits [paragraphs 39-42]

Bigeye catch limits by flag	
CCMs	
Catch Limits	
CHINA	8,224
INDONESIA	5,889*
JAPAN	18,265
KOREA	13,942
CHINESE TAIPEI	10,481
USA	3,554
*Provisional and maybe subject to revision following data analysis and verification	
Japan will make an annual one-off transfer of 500 metric tonnes of its bigeye tuna catch limit to China.	

Attachment 2: Measure for Philippines

1. This Attachment shall apply to Philippine traditional fresh/ice chilled fishing vessels operating as a group.

AREA OF APPLICATION

2. This measure shall apply only to High Seas Pocket no. 1 (HSP-1), which is the area of high seas bounded by the Exclusive Economic Zones (EEZs) of the Federated States of Micronesia to the north and east, Republic of Palau to the west, Indonesia and Papua New Guinea to the south. For the purposes of this measure, the exact coordinates for the area shall be those used by the WCPFC vessel monitoring system (VMS). A map showing the HSP-1 Special Management Area is attached.

REPORTING

3. Philippines shall require its concerned vessels to submit reports to the Commission at least 24 hours prior to entry and no more than 6 hours prior to exiting the HSP-1 SMA. This information may, in turn, be transmitted to the adjacent coastal States/Territories.

The report shall be in the following format:

VID/Entry or Exit: Date/Time; Lat/Long

4. Philippines shall ensure that its flagged vessels operating in the HSP-1 SMA report sightings of any fishing vessel to the Commission Secretariat. Such information shall include: vessel type, date, time, position, markings, heading and speed.

OBSERVER

5. The fishing vessels covered by this measure shall employ a WCPFC Regional Observer on board during the whole duration while they operate in HSP-1 SMA in accordance with the provisions of CMM 2018-05.

6. Regional Observers from other CCMs shall be given preference/priority. For this purpose, the Philippines and the Commission Secretariat shall inform the CCMs and the Adjacent Coastal State of the deployment needs and requirements at 60 days prior expected departure. The Secretariat and the CCM that has available qualified regional observer shall inform the Philippines of the readiness and availability of the Regional Observer at least 30 days prior to the deployment date. If none is available, the Philippines is authorized to deploy regional observers from the Philippines.

VESSEL LIST

7. The Commission shall maintain an updated list of all fishing vessels operating in HSP1 SMA based on the foregoing vessel's entry and exit reports submitted to the Commission. The list will be made available to Commission Members through the WCPFC website.

MONITORING OF PORT LANDINGS

8. The Philippines shall ensure that all port landings of its vessels covered by this decision are monitored and accounted for to make certain that reliable catch data by species are collected for processing and analysis.

COMPLIANCE

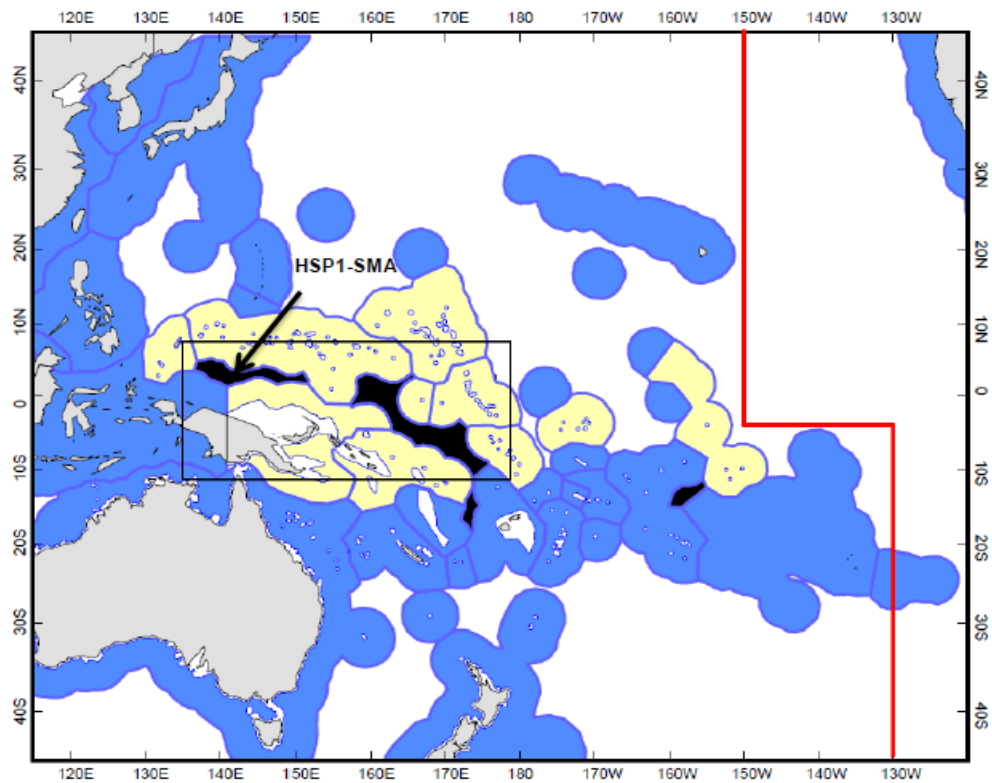
9. All vessels conducting their fishing activities pursuant to this Attachment to CMM 2018-01 shall comply with all other relevant CMMs. Vessels found to be non-complaint with this decision shall be dealt with in accordance with CMM 2010-06, and any other applicable measure adopted by the Commission.

EFFORT LIMIT

10. The total effort of these vessels shall not exceed 4,659¹⁴ days. The Philippines shall limit its fleet to 36 fishing vessels (described by the Philippines as catcher fishing vessels) in the HSP-1 SMA.

¹⁴ Reference Table 2(b), WCPFC9-2012-IP09_rev3

- Map Showing HSP-1 SMA Where the Arrangements in Attachment 2 Apply



This map displays indicative maritime boundaries only. It is presented without prejudice to any past, current or future claims by any State. It is not intended for use to support any past, current or future claims by any State or territory in the western and central Pacific or east Asian region. Individual States are responsible for maintaining the coordinates for their maritime claims. It is the responsibility of flag States to ensure their vessels are informed of the coordinates of maritime limits within the Convention Area. Coastal States are invited to register the coordinates for their negotiated and agreed maritime areas with the Commission Secretariat.



**COMMISSION
FIFTEENTH REGULAR SESSION**

Honolulu, Hawaii, USA
10 – 14 December 2018

**CONSERVATION AND MANAGEMENT MEASURE TO MITIGATE THE
IMPACT OF FISHING FOR HIGHLY MIGRATORY FISH STOCKS ON
SEABIRDS**

Conservation and Management Measure 2018-03

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean

Concerned that some seabird species, notably albatrosses and petrels, are threatened with global extinction;

Noting advice from the Commission for the Conservation of Antarctic Marine Living Resources that together with illegal, unreported and unregulated fishing, the greatest threat to Southern Ocean seabirds is mortality in longline fisheries in waters adjacent to its Convention Area;

Noting scientific research into mitigation of seabird bycatch in surface longline fisheries has showed that the effectiveness of various measures varies greatly depending on the vessel type, season, and seabird species assemblage present;

Noting the advice of the Scientific Committee that combinations of mitigation measures are essential for effective reduction of seabird bycatch;

Recognising the sovereign rights of coastal States for the purpose of exploring and exploiting, conserving and managing highly migratory fish stocks within areas under national jurisdiction;

Recalling Article 5 of the Convention, which in giving effect to members duty to cooperate in accordance with the 1982 Convention and the UNFSA, requires members of the Commission under Article 5(e) to adopt measures to minimise, *inter alia*, catch of non-target species; and

Further recognising Article 30 of the Convention and the need to ensure that conservation and management measures do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto developing States Parties, and territories and possessions.

Resolves as follows:

1. Commission Members, Cooperating Non-members and participating Territories (CCMs) should, to the greatest extent practical, implement the International Plan of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries (IPOA-Seabirds) if they have not already done so.
2. CCMs should report to the Commission on their implementation of the IPOA-Seabirds, including, as appropriate, the status of their National Plans of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries.

Adopts, in accordance with Article 5(e) and 10 (1)(c) of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean the following measures to address seabird bycatch:

South of 30° South

1. CCMs shall require their longline vessels fishing south of 30°S, to use either
 - a) at least two of these three measures:
 - i). weighted branch lines;
 - ii). night setting;
 - iii). tori lines; or
 - b) hook-shielding devices.

Table 1 does not apply south of 30° South. See Annex 1 for specifications of these measures.

25° South -30° South

2. CCMs shall require their longline vessels fishing in the area 25°S-30°S to use one of the following mitigation measures:
 - i) weighted branch lines;
 - ii) tori lines; or
 - iii) hook-shielding devices.

Table 1 does not apply in the area 25°S-30°S. See Annex 1 for specifications of these measures.

3. The extension of the scope of application of seabird mitigation measures from 30°S to 25°S shall not come into effect until 1 January 2020.

4. The requirements of paragraph 2 shall not apply in the EEZs of French Polynesia, New Caledonia, Tonga, Cook Islands and Fiji due to the low risk to seabirds. Those SIDS and Territories that have vessels operating south of 25° South are encouraged to collect data on seabird interactions, increase observer coverage rate as appropriate, and implement seabird mitigation measures when they operate within their EEZs.

5. The provisions in this section shall be reviewed no later than 3 years from the implementation date by the SC, based on the best available scientific information. The review shall consider both

the efficacy of the mitigation measures being used and the risk to vulnerable seabirds in areas where mitigation measures are not required and make recommendations to the Commission if needed.

North of 23° North

6. CCMs shall require their large-scale longline vessels of 24 meters or more in overall length fishing north of 23°N, to use at least two of the mitigation measures in Table 1, including at least one from Column A. CCMs also shall require their small-scale longline vessels less than 24 meters in overall length fishing north of 23°N, to use at least one of the mitigation measures from Column A in Table 1. See Annex 1 for specifications of these measures.

Table 1: Mitigation measures

<i>Column A</i>	<i>Column B</i>
<i>Side setting with a bird curtain and weighted branch lines¹</i>	<i>Tori line²</i>
<i>Night setting with minimum deck lighting</i>	<i>Blue-dyed bait</i>
<i>Tori line</i>	<i>Deep setting line shooter</i>
<i>Weighted branch lines</i>	<i>Management of offal discharge</i>
<i>Hook-shielding devices³</i>	

Other Areas

7. In other areas (between 25°S and 23°N), where necessary, CCMs are encouraged to have their longline vessels employ one or more of the seabird mitigation measures listed in Table 1.

General Principles

8. For research and reporting purposes, each CCM with longline vessels that fish in the Convention Area south of 25°S or north of 23°N shall submit to the Commission in part 2 of its annual report information describing which of the mitigation measures they require their vessels to use, as well as the technical specifications for each of those mitigation measures. Each such CCM shall also include in its annual reports for subsequent years any changes it has made to its required mitigation measures or technical specifications for those measures.

9. CCMs are encouraged to undertake research to further develop and refine measures to mitigate seabird bycatch including mitigation measures for use during the setting and hauling process and should submit to the Secretariat for the use by the SC and the TCC any information derived from such efforts. Research should be undertaken in the fisheries and areas to which the measure will be used.

¹ If using side setting with a bird curtain and weighted branch lines from Column A, this will be counted as two mitigation measures.

² If a tori line is selected from both Column A and Column B, this equates to simultaneously using two (i.e. paired) tori lines.

³ Hook-shielding devices can be used as a stand-alone measure.

10. The SC and TCC will annually review any new information on new or existing mitigation measures or on seabird interactions from observer or other monitoring programmes. Where necessary, an updated suite of mitigation measures, specifications for mitigation measures, or recommendations for areas of application will then be provided to the Commission for its consideration and review as appropriate.

11. CCMs are encouraged to adopt measures aimed at ensuring that seabirds captured alive during longlining are released alive and in as good condition as possible and that wherever possible hooks are removed without jeopardizing the life of the seabird concerned. Research into the survival of released seabirds is encouraged.

12. The intersessional working group for the regional observer programme (IWG-ROP) will take into account the need to obtain detailed information on seabird interactions to allow analysis of the effects of fisheries on seabirds and evaluation of the effectiveness of bycatch mitigation measures.

13. CCMs shall annually provide to the Commission, in Part 1 of their annual reports, all available information on interactions with seabirds reported or collected by observers to enable the estimation of seabird mortality in all fisheries to which the Convention applies. (see Annex 2 for Part 1 reporting template guideline). These reports shall include information on:

- a) the proportion of observed effort with specific mitigation measures used; and
- b) observed and reported species specific seabird bycatch rates and numbers or statistically rigorous estimates of species-specific seabird interaction rates (for longline, interactions per 1,000 hooks) and total numbers.

14. This Conservation and Management measure replaces CMM 2017-06, which is hereby repealed.

Annex 1. Specifications

1. Tori lines (South of 25° South)

1a) For vessels ≥ 35 m total length

- i. Deploy at least 1 tori line. Where practical, vessels are encouraged to use a second tori line at times of high bird abundance or activity; both tori lines shall be deployed simultaneously, one on each side of the line being set. If two tori lines are used baited hooks shall be deployed within the area bounded by the two tori lines.
- ii. A tori line using long and short streamers shall be used. Streamers shall be: brightly coloured, a mix of long and short streamers.
 - a. Long streamers shall be placed at intervals of no more than 5 m, and long streamers must be attached to the line with swivels that prevent streamers from wrapping around the line. Long streamers of sufficient length to reach the sea surface in calm conditions must be used.
 - b. Short streamers (greater than 1m in length) shall be placed no more than 1m apart.
- iii. Vessels shall deploy the tori line to achieve a desired aerial extent greater than or equal to 100 m. To achieve this aerial extent the tori line shall have a minimum length of 200m, and shall be attached to a tori pole >7 m above the sea surface located as close to the stern as practical.
- iv. If vessels use only one tori line, the tori line shall be deployed windward of sinking baits.

1b) For vessels < 35 m total length

- i. A single tori line using either long and short streamers, or short streamers only shall be used.
- ii. Streamers shall be: brightly coloured long and/or short (but greater than 1m in length) streamers must be used and placed at intervals as follows:
 - a. Long streamers placed at intervals of no more than 5m for the first 75 m of tori line.
 - b. Short streamers placed at intervals of no more than 1m.
- iii. Long streamers should be attached to the line in a way that prevent streamers from wrapping around the line. All long streamers shall reach the sea-surface in calm conditions. Streamers may be modified over the first 15 m to avoid tangling.
- iv. Vessels shall deploy the tori line to achieve a minimum aerial extent of 75 m. To achieve this aerial extent the tori line shall be attached to a tori pole >6 m above the sea surface located as close to the stern as practical. Sufficient drag must be created to maximise aerial extent and maintain the line directly behind the vessel during crosswinds. To avoid tangling, this is best achieved using a long in-water section of rope or monofilament.
- v. If two tori lines are used, the two lines must be deployed on opposing sides of the main line.

2. Tori lines (North of 23° North)

2a) Long Streamer

- i. Minimum length: 100 m
- ii. Must be attached to the vessel such that it is suspended from a point a minimum of 5m above the water at the stern on the windward side of the point where the hookline enters the water.
- iii. Must be attached so that the aerial extent is maintained over the sinking baited hooks.
- iv. Streamers must be less than 5m apart, be using swivels and long enough so that they are as close to the water as possible.
- v. If two (i.e. paired) tori lines are used, the two lines must be deployed on opposing sides of the main line.

2b) Short Streamer (For vessels ≥ 24 m total length)

- i. Must be attached to the vessel such that it is suspended from a point a minimum of 5m above the water at the stern on the windward side of a point where the hookline enters the water.
- ii. Must be attached so that the aerial extent is maintained over the sinking baited hooks.
- iii. Streamers must be less than 1m apart and be 30 cm minimum length.
- iv. If two (i.e. paired) tori lines are used, the two lines must be deployed on opposing sides of the main line.

2c) Short Streamer (For vessels < 24 m total length)

This design shall be reviewed no later than 3 years from the implementation date based on scientific data.

- i. Must be attached to the vessel such that it is suspended from a point a minimum of 5m above the water at the stern on the windward side of a point where the hookline enters the water.
- ii. Must be attached so that the aerial extent is maintained over the sinking baited hooks.
- iii. If streamers are used, it is encouraged to use the streamers designed to be less than 1m apart and be 30cm minimum length.
- iv. If two (i.e. paired) tori lines are used, the two lines must be deployed on opposing sides of the mainline.

3. Side setting with bird curtain and weighted branch lines

- i. Mainline deployed from port or starboard side as far from stern as practicable (at least 1m), and if mainline shooter is used, must be mounted at least 1m forward of the stern.
- ii. When seabirds are present the gear must ensure mainline is deployed slack so that baited hooks remain submerged.
- iii. Bird curtain must be employed:
 - Pole aft of line shooter at least 3m long;
 - Minimum of 3 main streamers attached to upper 2m of pole;
 - Main streamer diameter minimum 20mm;
 - Branch streamers attached to end of each main streamer long enough to drag on water (no wind) – minimum diameter 10mm.

4. Night setting

- i. No setting between nautical dawn and before nautical dusk.
- ii. Nautical dusk and nautical dawn are defined as set out in the Nautical Almanac tables for relevant latitude, local time and date.
- iii. Deck lighting to be kept to a minimum. Minimum deck lighting should not breach minimum standards for safety and navigation.

5. Weighted branch lines

- i. Following minimum weight specifications are required:
 - a) one weight greater than or equal to 40g within 50cm of the hook; or
 - b) greater than or equal to a total of 45g attached to within 1 m of the hook; or
 - c) greater than or equal to a total of 60 g attached to within 3.5 m of the hook; or
 - d) greater than or equal to a total of 98 g weight attached to within 4 m of the hook.

6. Hook-shielding devices

Hook-shielding devices encase the point and barb of baited hooks to prevent seabird attacks during line setting. The following devices have been approved for use in WCPFC fisheries:

- 1. Hookpods, which comply with the following performance characteristics⁴
 - a) the device encases the point and barb of the hook until it reaches a depth of at least 10 metres or has been immersed for at least 10 minutes;
 - b) the device meets current minimum standards for branch line weighting as specified in this Annex; and
 - c) the device is designed to be retained on the fishing gear rather than being lost.

7. Management of offal discharge

- i. Either no offal discharge during setting or hauling;
- ii. Or strategic offal discharge from the opposite side of the boat to setting/hauling to actively encourage birds away from baited hooks.

8. Blue-dyed bait

- i. If using blue-dyed bait it must be fully thawed when dyed.
- ii. The Commission Secretariat shall distribute a standardized colour placard.
- iii. All bait must be dyed to the shade shown in the placard.

⁴ Noted by SC14.

9. Deep setting line shooter

- i. Line shooters must be deployed in a manner such that the hooks are set substantially deeper than they would be lacking the use of the line shooter, and such that the majority of hooks reach depths of at least 100 m.

Annex 2. Guidelines for reporting templates for annual Part 1 reports

The following tables should be included in the annual Part 1 country reports, summarising the most recent five years.

Table x: Effort, observed and estimated seabird captures by fishing year for [CCM] [South of 30°S; 25°S-30°S; North of 23°N; or 23°N – 25°S¹]. For each year, the table gives the total number of hooks; the number of observed hooks; observer coverage (the percentage of hooks that were observed); the number of observed captures (both dead and alive); and the capture rate (captures per thousand hooks).

Year	Fishing effort				Observed seabird captures	
	Number of vessels	Number of hooks	Observed hooks	% hooks observed	Number	Rate ²
[year]						
[year]						
[year]						
[previous year e.g. 2017]						
[current year e.g. 2018]						

¹ Insert ‘North of 23°N’, ‘South of 30°S’, ‘25°S-30°S’ or ‘23°N – 25°S’. For CCMs fishing in all areas, provide separate tables for each area.

² Provide data as captures per one thousand hooks.

Table y: Proportion of mitigation types¹ used by the fleet in [year].

	Combination of Mitigation Measures	Proportion of observed effort using mitigation measures					
		South of 30°S	25°S-30°S	25°S to 23°N	North of 23°N		
	No mitigation measures						
Options required south of 25°S	TL + NS						
	TL + WB						
	NS + WB						
	TL + WB + NS						
	HS						
Other options 25°S-30°S	WB						
	TL						
Other options north of 23°N	SS/BC/WB/DSLS						
	SS/BC/WB/(MOD or BDB)						
Provide any other combination of mitigation measures here							
	Totals (must equal 100%)						

¹ TL = tori line, NS = night setting, WB = weighted branch lines, SS = side setting, BC = bird curtain, BDB = blue dyed bait, DSLS = deep setting line shooter, MOD = management of offal discharge, HS = hook-shielding device.

Table z: Number of observed seabird captures in [CCM] longline fisheries, 2012, by species and area.

Species	South of 30°S	25°S-30°S	North of 23°N	23°N –25°S	Total
E.g. Antipodean albatross					
[species name]					
[species name]					
[species name]					
[species name]					
[species name]					
[species name]					
Total					



COMMISSION
FIFTEENTH REGULAR SESSION
Honolulu, Hawaii, USA
10 – 14 December 2018

CONSERVATION AND MANAGEMENT OF SEA TURTLES

Conservation and Management Measure 2018-04*

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean;

In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean:

Recognizing the ecological and cultural significance of all species of sea turtles in the western and central Pacific Ocean (WCPO);

Further recognizing that the five marine turtle species in the WCPFC Convention Area are threatened or critically endangered;

Considering the adverse effects of fishing for highly migratory fish stocks on some populations of sea turtles in the WCPO through capture, injury and mortality;

Acknowledging that the Commission has adopted measures and reporting requirements for sea turtle interactions in longline fisheries that fish for swordfish in a shallow-set manner;

Deeply concerned that the Pacific leatherback (*Dermochelys coriacea*) subpopulations have declined drastically over the last three decades;

Guided by recent work that has led to advancements in best practices and technologies to avoid interactions and/or reduce the severity of interactions with sea turtles, through scientific studies including WCPFC and Common Oceans (ABNJ) Tuna Project workshops (2016) on the Joint Analysis of Sea Turtle Mitigation Effectiveness, which indicate that the use of large circle hooks and fish bait, independently and together, reduce the rate of interaction and significantly decreases sea turtle bycatch;

Acknowledging that many countries have undertaken circle hook trials in their longline fisheries in the last decade;

Affirming that additional measures should be undertaken to reduce sea turtle bycatch and mortality in tuna fisheries;

* Version issued 2 May 2019

Acknowledging that relatively simple proactive and reactive efforts on the part of fishermen can serve to both avoid sea turtle interactions and minimize the adverse consequences of such interactions when they occur;

Noting that shallow set longline fisheries also pose significant risks to vulnerable seabird populations in higher latitudes and the necessity to achieve a balance in mitigation requirements across species vulnerable to longline interactions;

Adopts, in accordance with Articles 5 and 10 of the Convention, that:

1. Commission Members, Cooperating non-Members and participating Territories (CCMs) will implement, as appropriate the FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations and ensure the safe handling of all captured sea turtles, in order to improve their survival.
2. CCMs shall report to the Commission in Part 2 of their annual reports the progress of implementation of this measure, including information collected on interactions with sea turtles in fisheries managed under the Convention.
3. All data collected by the WCPFC Regional Observer Program (ROP) on sea turtle interactions shall be reported as agreed to under other Commission data collection provisions.
4. CCMs shall require fishermen on vessels targeting species covered by the Convention to bring aboard, if practicable, any captured hard-shell sea turtle that is comatose or inactive as soon as possible and foster its recovery, including giving it resuscitation, before returning it to the water. CCMs shall ensure that fishermen are aware of and use proper mitigation and handling techniques, as described in WCPFC guidelines.
5. CCMs with purse seine vessels that fish for species covered by the Convention shall:
 - a. Ensure that operators of such vessels, while fishing in the Convention Area:
 - i. To the extent practicable, avoid encirclement of sea turtles, and if a sea turtle is encircled or entangled, take practicable measures to safely release the turtle.
 - ii. To the extent practicable, release all sea turtles observed entangled in fish aggregating devices (FADs) or other fishing gear.
 - iii. If a sea turtle is entangled in the net, stop net roll as soon as the turtle comes out of the water; disentangle the turtle without injuring it before resuming the net roll; and to the extent practicable, assist the recovery of the turtle before returning it to the water.
 - iv. Carry and employ dip nets, when appropriate, to handle turtles.
 - b. Require that operators of such vessels record all incidents involving sea turtles during fishing operations and report such incidents to the appropriate authorities of the CCM.

- c. Provide the results of the reporting under paragraph 5(b) to the Commission in their annual reporting of Scientific Data to be Provided to the Commission.
- d. Provide to the Commission the results of any research related to the development of modified FAD designs to reduce sea turtle entanglement and take measures to encourage the use of designs found to be successful at such reduction.

6. CCMs with longline vessels that fish for species covered by the Convention shall ensure that the operators of all such longline vessels carry and use line cutters and de-hookers to handle and promptly release sea turtles caught or entangled, and that they do so in accordance with WCPFC guidelines. CCMs shall also ensure that operators of such vessels are, where appropriate, required to carry and use dip-nets in accordance with these WCPFC guidelines.

7. CCMs with longline vessels that fish in a shallow-set manner¹ shall:

- a. Ensure that the operators of such vessels, while in the Convention Area, are required to employ or implement at least one of the following three methods to mitigate the capture of sea turtles:
 - i. Use only large circle hooks, which are fishing hooks that are generally circular or oval in shape and originally designed and manufactured so that the point is turned perpendicularly back to the shank. These hooks shall have an offset not to exceed 10 degrees.
 - ii. Use only finfish for bait.
 - iii. Use any other measure, mitigation plan² or activity that has been reviewed by the Scientific Committee (SC) and the Technical and Compliance Committee (TCC) and approved by the Commission to be capable of reducing the interaction rate (observed numbers per hooks fished) of turtles in shallow-set longline fisheries.
- b. The requirements of paragraph 7(a) need not be applied to those shallow-set longline fisheries determined by the SC, based on information provided by the relevant CCM, to have minimal³ observed interaction rates of sea turtles over a three-year period and a level of observer coverage of at least 10% during each of those three years.
- c. For the purpose of implementing this paragraph (7), establish and enforce their own operational definitions of shallow-set longline fisheries, large circle hooks, and any measures under 7(a)(iii) or adopted by the Commission under paragraph 12, ensuring that they are as enforceable as possible, and report these definitions to the Commission in Part 2 of their annual reports.

¹ “Shallow-set” fisheries are generally to be considered those in which the majority of hooks fish at depth shallower than 100 meters; however pursuant to paragraph 7(c) CCMs are to establish and enforce their own operational definitions.

² A mitigation plan details the actions that will be taken to achieve specified reductions in sea turtle interactions.

³ As determined by SC5.

- d. Provide for their longline vessels to record all incidents involving sea turtles during fishing operations and report such incidents to the appropriate authorities of the CCM.
- e. Provide the results of the reporting under paragraph 7(d) in their annual reporting of Scientific Data to be Provided to the Commission.

8. CCMs with longline fisheries other than shallow-set fisheries are urged to:

- a. Undertake research trials of circle hooks and other mitigation methods in those longline fisheries.
- b. Report the results of these trials to the SC and TCC, at least 60 days in advance of the annual meetings of these subsidiary bodies.

9. The SC and TCC will review information reported by CCMs pursuant to this measure. Where necessary an updated suite of mitigation measures, specifications for mitigation measures, or recommendations for their application will be developed by these committees and provided to the Commission for its consideration and review.

10. This measure authorizes the Secretariat to obligate resources available to the Special Requirements Fund to be used to assist developing State Members and Territories in implementing the FAO Guidelines to Reduce Sea Turtle Mortality. These funds can be used to train and encourage fishers to adopt appropriate methods and technologies to reduce interactions with sea turtles and to mitigate their adverse effects.

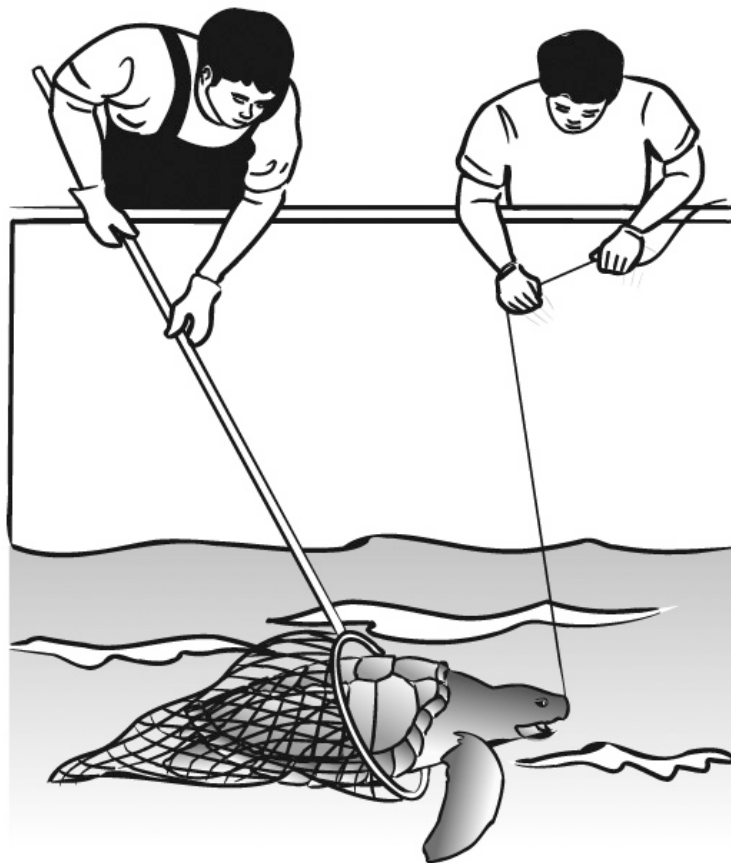
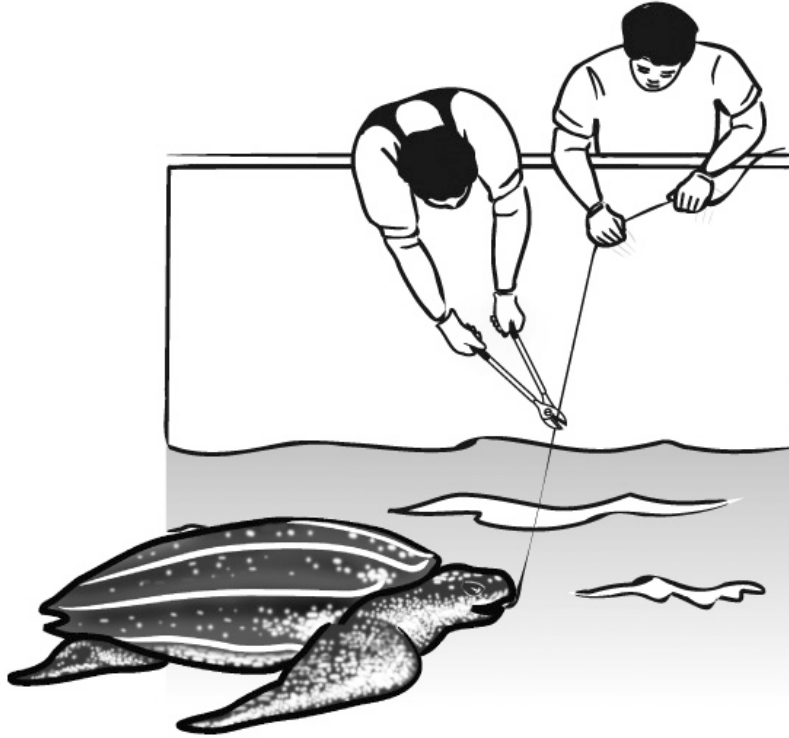
11. The Commission urges CCMs to contribute to the Special Requirements Fund to support eligible members in their efforts to implement this measure, or to provide such support through bilateral arrangements.

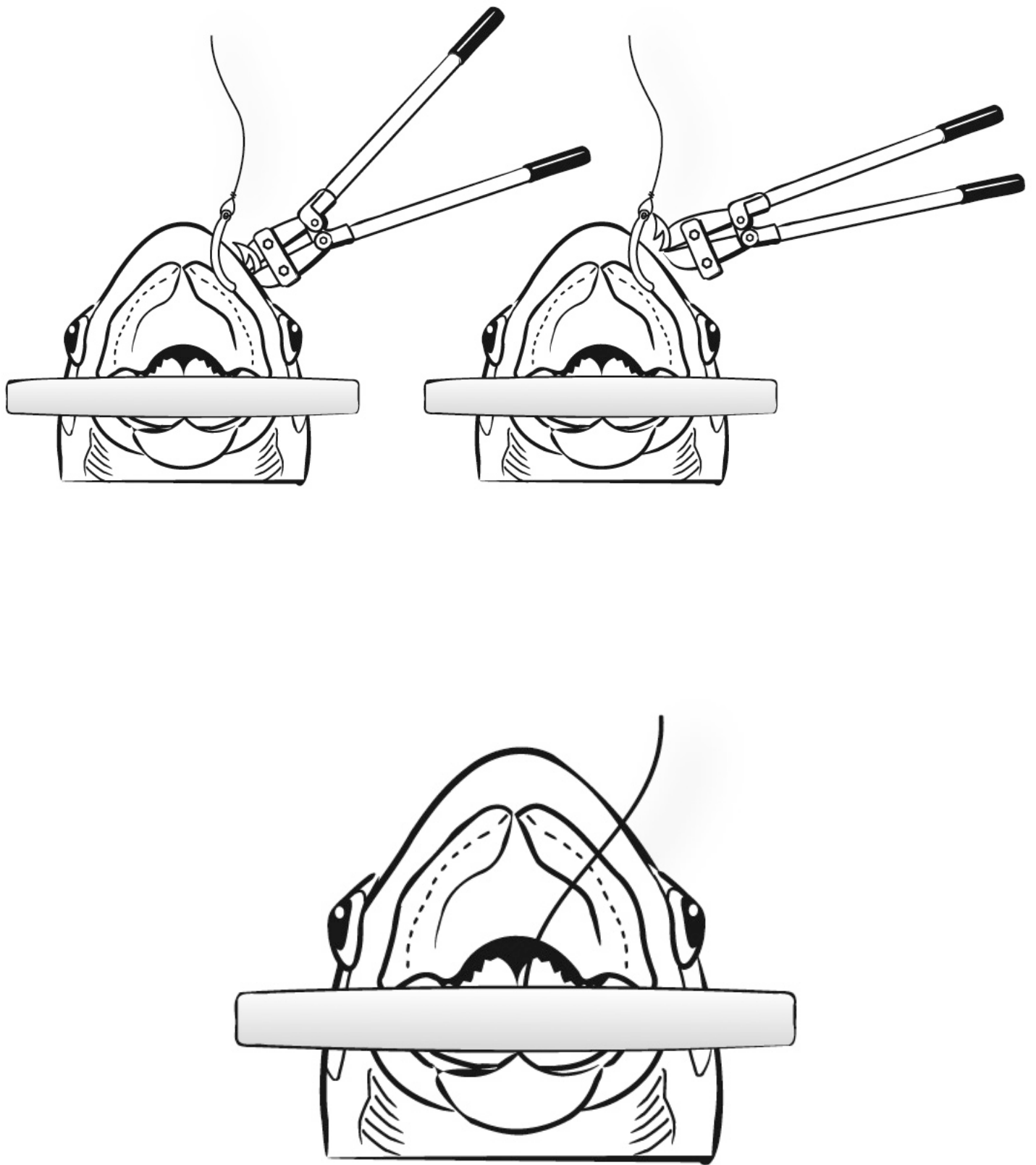
12. This measure will be reviewed by the Commission in 2021 to consider expanding the scope of the measure to include mitigation measures for deep-set longline fisheries, based on advice from the SC and TCC and on information provided by CCMs pursuant to this measure.

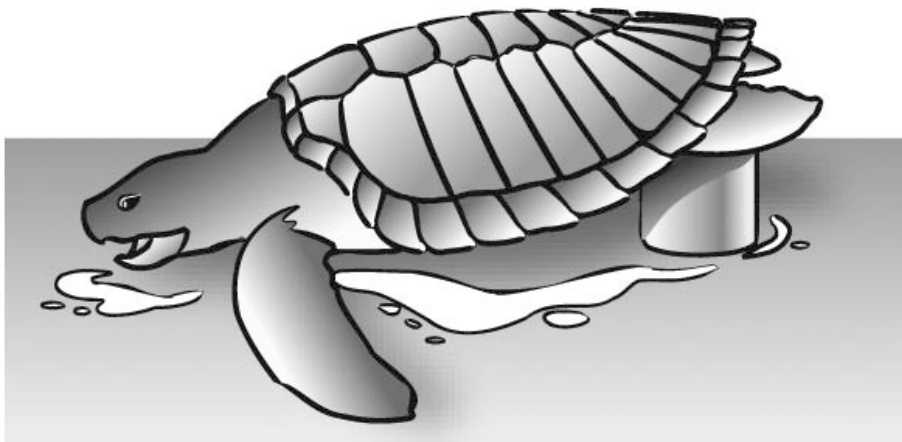
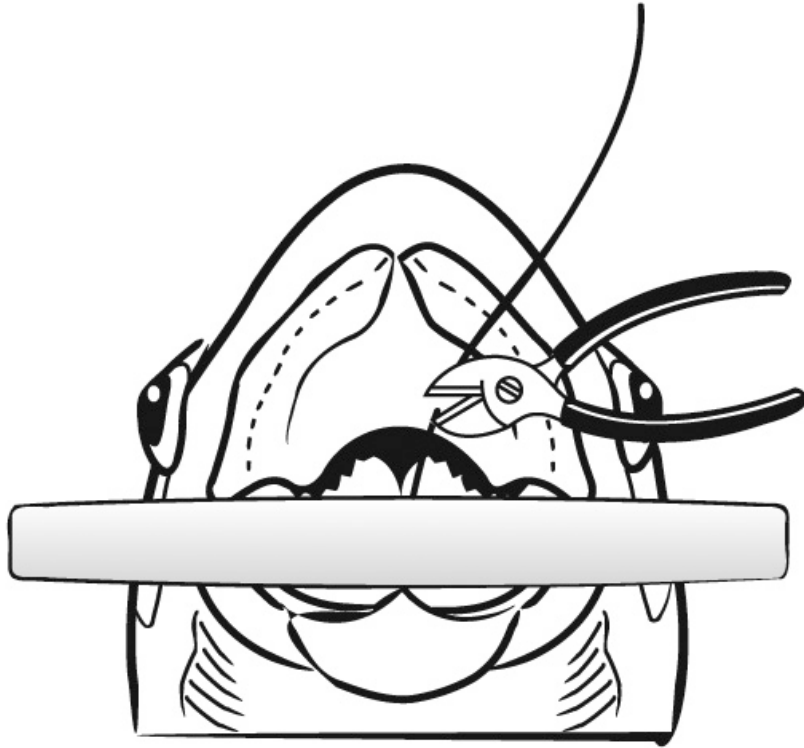
13. Nothing in this measure shall prejudice the sovereignty and sovereign rights of coastal States, including for traditional fishing activities and the rights of traditional artisanal fishers, to apply alternative measures for the purpose of exploring, exploiting, conserving and managing sea turtles, including any national plans of action for the conservation and management of sea turtles, within areas under their national jurisdiction.

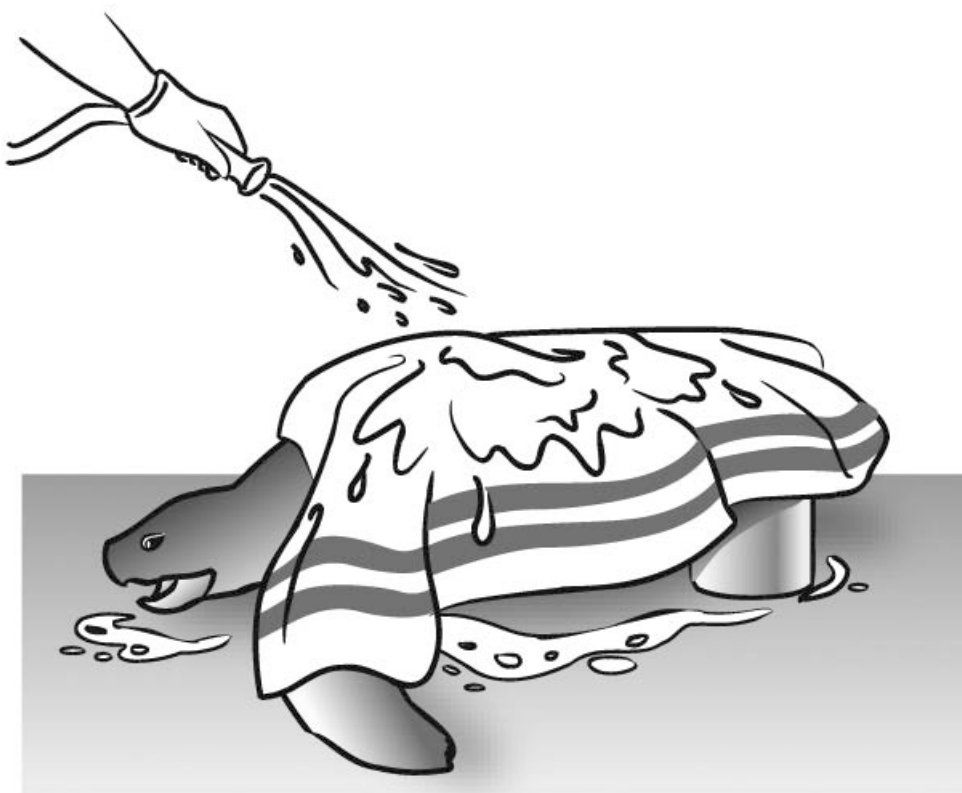
14. This measure will take effect on 1 January 2020, and shall replace CMM 2008-03.

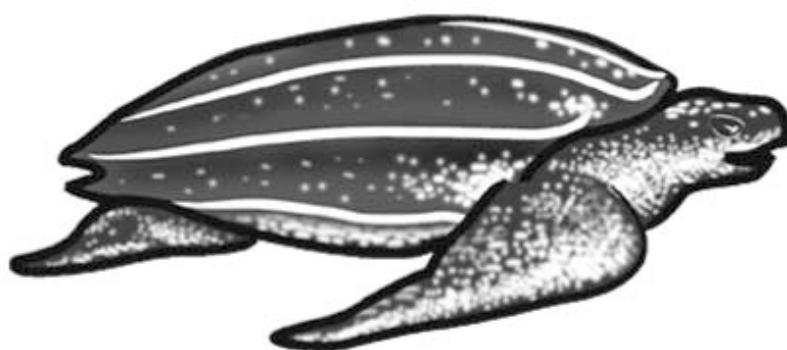
WCPFC Guidelines for the Handling of Sea Turtles - Graphics





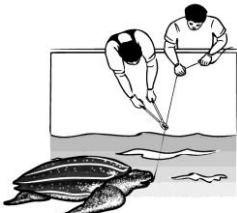
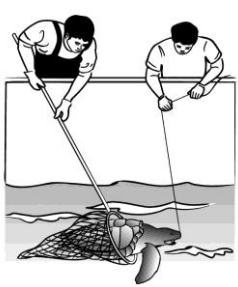
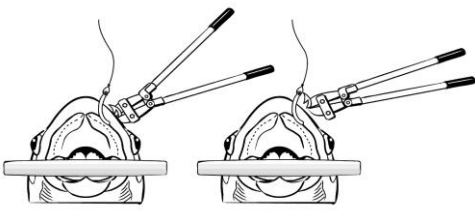











WCPFC Guidelines for the Handling of Sea Turtles

If a turtle is caught, the following steps should be taken to give it the best possible chance of survival. Operators of longline fishing vessels should follow Steps A to E if a sea turtle becomes hooked, and Steps A, C, D and E if it is entangled. If a sea turtle becomes entangled in a purse seine net, then operators should stop net roll as soon as the turtle comes out of the water, disentangle the turtle without injuring it and before resuming the net roll, then follow Steps A, C, D and E.

A	Assess the turtle's size: release the turtle if it is too big to handle safely, otherwise bring it on board without damaging it further	
	 <p>If the turtle is too large to bring on board, stop the vessel and bring the turtle as close to the boat as possible without putting too much strain on the line. This is especially important if the turtle is hooked rather than entangled. Cut the line as close to the hook as practical and remove tangled line from before the turtle swims away.</p>	 <p>If the turtle is small then ideally use a dip net to lift the turtle on board. When bringing the animal on board, do not damage it further by lifting it using the hooked line or gaffing its body.</p>
B	Once the turtle is on board, place a piece of wood in the turtle's mouth so it cannot bite, then cut the hook or line	
	 <p>If the hook is in the mouth, use a de-hooker to remove the hook from the turtle.</p> <p>Using a bolt cutter to remove the barb of the hook before removing the hook itself can reduce the chance of damaging the turtle during de-hooking.</p>	 <p>If the insertion point of the hook is not visible, remove as much line as possible without pulling too hard on the hook itself, and cut the line as close to the hook as practical.</p>
C	Assess the condition of the turtle before releasing it. When the turtle has recovered its strength, gently and promptly release it to the water. Resuscitation treatments may be applied to animals in bad condition.	
	 <p>If the turtle is sluggish or not active when lifted on board, it may have water in its lungs. In this case the rear flippers should be raised about 20cm off the deck while it is recovering.</p>	 <p>If practicable, place the turtle in a secure shaded location of the boat and cover its body with wet towels. Do not spray the turtle in the face with water or cover its nostrils with the towel.</p>
D	Carefully return the turtle to the water	
	<p>Gently put the turtle in the water head first, after slowing down or stopping the fishing vessel. Ensure that the turtle is clear of the vessel before motoring off.</p> 	E Record the interaction in your logbook and inform your fisheries department
		<p>Identify and record the turtle species, if possible, and record any tag numbers.</p> 

HANDLING OF TURTLES ENTANGLED BY LONGLINE GEAR

The point of this guidance is to encourage removal of as much line as possible before the turtle is free to swim away.

Visually assess whether the turtle is **hooked or entangled**. If it is entangled then the following steps should be followed, depending on whether the turtle is **dead or alive**. Note that it may be difficult to tell if the turtle is dead or alive when it is still in the water.

(1) Turtle looks dead and is too big to bring onboard:

If the turtle is too **big** to bring onboard, cut loose as much of the tangled lines as possible using a line cutter.

(2) Turtle is alive but too big to bring onboard:

Visually assess if the turtle is:

- A) Entangled only: use the line cutter to cut off the tangled lines in the water.
- B) Entangled and hooked externally: remove the hook if possible and then use the line cutter to cut off the tangled lines in the water.
- C) Entangled and hooked internally: follow the established procedure for handling a hooked turtle.
- D) Entangled turtle (heavily entangled): a gaff may be used to restrain the turtle by the tangled lines. Use the line cutter to cut off the tangled lines in the water, taking care not to cut the lines that are used to control the turtle before other lines have been cut and removed. More than one person may be required to assist, in order to prevent the turtle swimming away while still tangled.

(3) Turtle is small enough to be brought onboard:

If the turtle is **alive** then established guidelines should be applied (comatose handling, revival, and release). If it is **dead**, it should be brought on board to be measured and identified.



**COMMISSION
FIFTEENTH REGULAR SESSION**
Honolulu, Hawaii, USA
10 – 14 December 2018

**CONSERVATION AND MANAGEMENT MEASURE FOR THE
REGIONAL OBSERVER PROGRAMME**

Conservation and Management Measure 2018-05¹

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean;

Recalling Article 28(1) of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC Convention), which requires the Commission to develop a Regional Observer Programme to, among other things, collect verified catch data, and to monitor the implementation of the conservation and management measures adopted by the Commission;

Further recalling Article 28(7) of the WCPFC Convention, which requires the Commission to develop procedures and guidelines for the operation of the Regional Observer Programme;

Cognizant of Conservation and Management Measure 2006-07, which established the procedures to develop the WCPFC Regional Observer Programme;

Adopts, in accordance with Article 10 of the WCPFC Convention the following Conservation and Management Measure for the establishment of the WCPFC Regional Observer Programme (Commission ROP).

Establishment of the Commission ROP

1. There is hereby established the Commission ROP, which shall be coordinated by the Secretariat of the Commission.
2. The ROP shall be implemented on a phased basis. The implementation schedule is attached as Annex C.
3. The Secretariat of the Commission shall provide an annual report to the Commission with regard to the Commission ROP and on other matters relevant to the efficient operation of the programme.

¹ This measure updates and revises CMM 2007-01, and as was agreed by the Commission at WCPFC15 (2018).

Objectives of the Commission ROP

4. The objectives of the Commission ROP shall be to collect verified catch data, other scientific data, and additional information related to the fishery from the Convention Area and to monitor the implementation of the conservation and management measures adopted by the Commission.

Scope of the Commission ROP

5. The Commission ROP shall apply to the following categories of fishing vessels authorized to fish in the Convention Area in accordance with the Commission's Conservation and Management Measure 2004-01 (or its replacement CMM):

- i) vessels fishing exclusively on the high seas in the Convention Area, and
- ii) vessels fishing on the high seas and in waters under the jurisdiction of one or more coastal States and vessels fishing in the waters under the national jurisdiction of two or more coastal States.

Functions of observers

6. The functions of observers operating under the Commission ROP shall include collecting catch data and other scientific data, monitoring the implementation of the conservation and management measures adopted by the Commission and any additional information related to the fishery that may be approved by the Commission. When a vessel is operating on the same fishing trip both in waters under the national jurisdiction of its flag State and in the adjacent high seas, an observer placed under the Commission ROP shall not undertake any of these functions in waters under national jurisdiction of the flag State without the consent of the flag State.

Obligations of CCMs of the Commission

7. Each CCM of the Commission shall ensure that fishing vessels fishing in the Convention Area, except for vessels that operate exclusively within waters under the national jurisdiction of the flag State, are prepared to accept an observer from the Commission ROP if required by the Commission.

8. Each CCM of the Commission shall be responsible for meeting the level of observer coverage as set by the Commission.

9. CCMs shall source observers for their vessels as determined by the Commission.

10. CCMs shall explain to the vessel captain, observer duties relevant to appropriate measures adopted by the Commission.

11. CCMs shall take advantage of the information collected by observers for the purpose of investigations under Convention Articles 23 and 25, and shall cooperate in the exchange of such information, including by proactively requesting, responding to, and facilitating the fulfilment of requests for, copies of observer reports in accordance with standards adopted by the Commission, as applicable.

Role of the Commission and its subsidiary bodies

12. The Commission shall, through its subsidiary bodies within their respective mandates, monitor and supervise the implementation of the ROP, develop the priorities and objectives of the ROP, and assess the results of the ROP. The Commission may provide further direction concerning the operation of the ROP, as necessary. The Commission shall ensure the administration and coordination of the ROP is adequately resourced. The Commission may enter into contracts for the provision of the ROP.

Role of the Secretariat

13. Consistent with Article 15(4), the role of the Secretariat will be to:

- a) coordinate ROP activities, including, *inter alia*:
 - i) maintaining the ROP Manual and the ROP Observer Workbook;
 - ii) so that existing national programmes and sub-regional programmes participating in the ROP maintain standards as adopted by the Commission;
 - iii) receiving communications and providing reports on the ROP's operation to the Commission (and its subsidiary bodies); including target and achieved coverage levels;
 - iv) coordinating ROP activities with other RFMOs as directed and appropriate;
 - v) facilitating the use of authorized observers in the ROP;
 - vi) monitoring observer trainers and observer training courses for ROP observers to promote the maintenance of standards adopted by the Commission;
 - vii) that the ROP addresses the data and monitoring requirements of the Commission's CMMs;
 - viii) that appropriate information and data for the monitoring of the implementation of CMMs as adopted by the Commission are collected, compiled, stored and disseminated by the ROP in accordance with procedures adopted by the Commission;
 - ix) managing and administering observers for special situations as directed by the Commission;
 - x) support staff necessary to effectively administer the ROP; and
 - xi) maintain on the Commission website an up-to-date list of the National Observer Coordinators and their contact information, and copies of, or links to, each ROP provider's code of conduct for its observers.
- b) authorize observer providers to the ROP.

Role of coastal States

13. Each CCM shall nominate a WCPFC National Observer Coordinator, who shall be the contact point on matters related to the ROP, and keep the Secretariat informed of any changes to the Coordinator and his/her contact information.

Guiding principles for operation of the Commission ROP

14. The Commission ROP shall operate in accordance with the following principles:

i) The Commission ROP shall consist of independent and impartial observers qualified in accordance with criteria approved by the Commission;

ii) Vessels that operate principally in coastal waters, but occasionally venture on to the adjacent high seas or into the waters under the jurisdiction of a neighboring State, if they so agree, may carry observers of their own nationality provided those observers have been authorized by the Secretariat;²

iii) The Commission ROP shall be organized in a flexible manner that takes into account the nature of the fishery from the Convention Area and any other relevant factors the Commission may consider appropriate;

iv) To ensure cost effectiveness and to avoid duplication, the Commission's ROP shall be coordinated, to the maximum extent possible, with other regional, sub- regional and national observer programmes; and to this extent the Commission may enter into contracts or appropriate arrangements for the provision of the ROP.

v) The Commission ROP shall provide a sufficient level of coverage as approved by the Commission to ensure that the Commission receives appropriate data and information on catch levels and any additional information related to the fisheries within the Convention Area, taking into account the characteristics of the fisheries;

vi) Observers shall not unduly interfere with the lawful operations of the vessel and in carrying out their duties shall give due consideration to the operational requirements of the vessel and to the extent practicable minimize disruption to the operation of vessels fishing in the Convention Area; Observers shall comply with the Guidelines in **Annex A** — Guidelines for the Rights and Responsibilities of Observers.

vii) The Commission ROP shall be operated to ensure that observers shall not be unduly obstructed in the discharge of their duties. To this extent, CCMs of the Commission shall ensure that vessel operators comply with the Guidelines in **Annex B** — Guidelines for the Rights and Responsibilities of Vessel Operators, Captains and Crew.

viii) The Commission ROP shall ensure the security and confidentiality of non- aggregated data and other information which the Commission deems to be of a confidential nature; the release of data and other information collected by the Commission ROP shall be in accordance with guidelines set out in the Commission's Rules and Procedures for Access to, and Dissemination of, Data Compiled by the Commission.

² See TCC2 Summary Report, para 54ii: "the need to integrate existing national and regional observer programmes into the Commission programme and "to allow CCMs to continue to deploy national observers on vessels that principally operate in coastal waters and that occasionally extend their fishing operations on to the high seas."

Guidelines on the Rights and Responsibilities of Observers

In accordance with Annex III Article 3, and article 28 of the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific. The following guidelines for the Rights and Responsibilities of Observers shall apply to observers placed on a vessel under the Commission ROP.

1. The rights of observers shall include:

- a) Full access to and use of all facilities and equipment of the vessel which the observer may determine is necessary to carry out his or her duties, including full access to the bridge, fish on board, and areas which may be used to hold, process, weigh, and store fish.
- b) Full access to the vessel's records including its logs and documentation for the purpose of records inspection and copying, reasonable access to navigational equipment, charts and radios, and reasonable access to other information relating to fishing.
- c) Access to and use of communications equipment and personnel, upon request, for entry, transmission, and receipt of work related data or information.
- d) Access to additional equipment, if present, to facilitate the work of the observer while on board the vessel, such as high powered binoculars, electronic means of communication, etc.
- e) Access to the working deck during net or line retrieval and to specimens (alive or dead) in order to collect and remove samples.
- f) Notice by the vessel captain of at least fifteen (15) minutes before hauling or setting procedures, unless the observer specifically requests not to be notified.
- g) Access to food, accommodations, medical facilities, and sanitary facilities of a reasonable standard equivalent to those normally available to an officer on board the vessel.
- h) The provision of adequate space on the bridge or other designated area for clerical work and adequate space on the deck for observer duties.
- i) Freedom to carry out their duties without being assaulted, obstructed, resisted, delayed, intimidated or interfered with in the performance of their duties.

2. The responsibilities of observers shall include:

- a) Being capable of performing the duties set out by the Commission.
- b) Acceptance and compliance with agreed upon confidentiality rules and procedures with respect to the fishing operations of the vessels and of the vessel owners.
- c) Maintenance of independence and impartiality at all times while on duty in the ROP.

- d) Compliance with the ROP protocols for observers carrying out ROP duties on board a vessel.
- e) Compliance with the laws and regulations of the CCM that exercises jurisdiction over the vessel.
- f) Respecting the hierarchy and general rules of behavior that apply to all vessel personnel.
- g) Performance of duties in a manner that does not unduly interfere with the lawful operations of the vessel and in carrying out their functions they shall give due consideration to the operational requirements of the vessel and shall communicate regularly with the captain or master of the vessel.
- h) Familiarity with the emergency procedures aboard the vessel, including the locations of life rafts, fire extinguishers, and first aid kits.
- i) Communicating regularly with the vessel captain on relevant observer issues and duties.
- j) Observance of ethnic traditions of the crew and customs of the flag State of the vessel.
- k) Adherence to the applicable Code of Conduct for observers.
- l) Promptly writing and submitting reports to the Commission or national programme in accordance with procedures adopted by the Commission.

Guidelines on the Rights and Responsibilities of Vessel Operators, Captain and Crew

In accordance with Annex III, Article 3, and Article 28 of the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific. The following Guidelines on the Rights and Responsibilities of Vessel Operators, Captain and Crew shall apply when an observer is placed under the Commission ROP.

Rights and responsibilities of vessel operators and captains

1. The rights of vessel operators and captains shall include:

- a) Expectation that a reasonable period of prior notice of the placement of an ROP observer shall be given.
- b) Expectation that the observer will comply with the general rules of behavior, hierarchy, and laws and regulations of the CCM of the Commission that exercises jurisdiction over the vessel.
- c) Timely notification from the observer provider on completion of the observer's trip of any comments regarding the vessel operations. The captain shall have the opportunity to review and comment on the observer's report, and shall have the right to include additional information deemed relevant or a personal statement.
- d) Ability to conduct lawful operations of the vessel without undue interference due to the observer's presence and performance of necessary duties.
- e) Ability to assign, at his or her discretion, a vessel crew member to accompany the observer when the observer is carrying out duties in hazardous areas.

2. The responsibilities of vessel operators and captains shall include:

- a) Accepting onboard the vessel any person identified as an observer under the ROP when required by the Commission.
- b) Informing the crew of the timing of the ROP observer boarding as well as their rights and responsibilities when an ROP observer boards the vessel.
- c) Assisting the ROP observer to safely embark and disembark the vessel at an agreed upon place and time.
- d) Giving notice to the ROP observer at least fifteen (15) minutes before the start of a set or haul onboard, unless the observer specifically requests not to be notified.
- e) Allow and assist the ROP observer to carry out all duties safely.
- f) Allowing ROP observer full access to the vessel's records including vessel logs and documentation for the purpose of records inspection and copying.
- g) Allowing reasonable access to navigational equipment, charts and radios, and reasonable access to other information relating to fishing.
- h) Permitting access to additional equipment, if present, to facilitate the work of the ROP observer while onboard the vessel, such as high powered binoculars, electronic means of communication, etc.

- i) Allow and assist the ROP observer to remove and store samples from the catch.
- j) The provision to the ROP observer, while onboard the vessel, at no expense to the observer or the ROP observer's provider or government, with food, accommodation, adequate sanitary amenities, and medical facilities of a reasonable standard equivalent to those normally available to an officer onboard the vessel.
- k) The provision to the ROP observer, while onboard the vessel, insurance coverage for the duration of the observer's time onboard the vessel.
- j) Allow and assist full access to and use of all facilities and equipment of the vessel that the observer may determine is necessary to carry out his or her duties, including full access to the bridge, fish onboard, and areas which may be used to hold, process, weigh, and store fish.
- m) Ensuring the ROP observer is not assaulted, obstructed, resisted, delayed, intimidated, interfered with, influenced, bribed or is attempted to be bribed in the performance of their duties, ensuring the ROP observer is not coerced or convinced to breach his/her responsibilities, and facilitating the observer's adherence to the applicable code of conduct.

Rights and responsibilities of vessel crew

3. The rights of vessel crew shall include:

- a) Expectation that the ROP observer will comply with the general rules of behavior, hierarchy, and laws and regulations of the CCM that exercises jurisdiction over the vessel.
- b) Expectation that a reasonable period of prior notice of the placement of a ROP observer shall be given by the Captain.
- c) Reasonable expectation of privacy in crew personal areas.
- d) Ability to carry out duties associated with normal fishing operations without undue interference due to the ROP observer's presence and performance of their necessary duties.

4. The responsibilities of the vessel crew shall include:

- a) Not assaulting, obstructing, resisting, intimidating, influencing, or interfering with the ROP observer or impeding or delaying observer duties, not coercing or convincing the ROP observer to breach his/her responsibilities, and facilitating the observer's adherence to the applicable code of conduct.
- b) Compliance with regulations and procedures established under the Convention and other guidelines, regulations, or conditions established by the CCM that exercises jurisdiction over the vessel.
- c) Allowing and assisting full access to and use of all facilities and equipment of the vessel which the observer may determine is necessary to carry out his or her duties, including full access to the bridge, fish onboard, and areas that may be used to hold, process, weigh, and store fish.
- d) Allow and assist the ROP observer to carry out all duties safely.
- e) Allow and assist the ROP observer to remove and store samples from the catch.
- f) Compliance with directions given by the vessel captain with respect to the ROP observers duties.

Implementation programme for the Regional Observer Programme

1. When the measure enters into force, CCMs shall commence implementation of the ROP, in accordance with the measure adopted at WCPFC4, by using the sub-regional and national programmes already operational in the region. CCMs are encouraged to submit data from such programmes as soon as possible.
2. At the direction of the Commission, the IWG-ROP shall continue to develop the framework and important elements of the ROP (e.g. determination of minimum vessel size for observer coverage, training and accreditation of observers, roles and responsibilities of observers, data requirements, cost issues, and appropriate effort units for expressing coverage levels).
3. Arrangements in 2008 do not preclude future development of the ROP by the Commission.
4. No later than 31 December 2008:
 - Existing sub-regional programmes and national programmes shall be regarded as a part of the ROP, and shall continue unless otherwise determined by the Commission.
 - Data obtained through these observer programmes shall be submitted to the Commission and shall be considered Commission data.
5. During the period 1 January 2009–31 December 2010:
 - The Commission shall review the recommendations from the IWG-ROP, SC, and TCC and further develop, and refine as necessary, the ROP, including application of the ROP.
6. No later than 30 June 2012, CCMs shall achieve 5% coverage of the effort in each fishery under the jurisdiction of the Commission (except for vessels provided for in paras 9 and 10). In order to facilitate the placement of observers the logistics may dictate that this be done on the basis of trips.
7. At the 2012 annual sessions of the SC and TCC, the data generated by the ROP shall be reviewed and those subsidiary bodies shall make appropriate recommendations to the Commission. Based on the advice and recommendations of the SC and TCC, the Commission shall annually review the ROP and make adjustments as necessary. Among the elements of the ROP to be reviewed are the provisions of para 10 on vessels initially deferred from application of the ROP.
8. CCMs shall also be expected to meet any additional ROP observer obligations that may be included in any measure adopted by WCPFC, such as provisions of a catch retention measure, a FAD management measure or a transshipment measure. Such measures may include observer requirements for freezer longliners, purse seiners and/or carriers.

Special circumstances

9. Fishing vessels used exclusively to fish for fresh fish³ in the area north of 20 degrees north shall be accorded the following considerations:
 - i) At its 2008 annual session, the Northern Committee shall consider the implementation of the ROP adopted by the Commission by vessels fishing for fresh fish in the area north of 20 degrees north.
 - ii) At its 2010 annual session, the Northern Committee shall make recommendations to the Commission on the implementation of the ROP by fishing vessels fishing for fresh fish in the area north of 20 degrees north.
 - iii) The recommendations of the Northern Committee shall provide a date for implementation of the ROP by vessels fishing for fresh fish in the area north of 20 degrees north no later than 31 December 2014.
10. The implementation schedule for the following vessels shall be deferred:
 - i) small vessels, the minimum size of which shall be considered by the IWG-ROP for recommendation to the Commission in 2008.
 - ii) troll and pole-and-line vessels used for fishing for skipjack tuna or albacore (to be scheduled for review by the IWG-ROP).

³ For the purpose of this measure, “fresh fish” means highly migratory fish stocks that are live, whole or dressed/gutted, but not further processed or frozen.



**COMMISSION
FIFTEENTH REGULAR SESSION**
Honolulu, Hawaii, USA
10 – 14 December 2018

WCPFC RECORD OF FISHING VESSELS AND AUTHORIZATION TO FISH

Conservation and Management Measure 2018-06¹

A. Authorization to fish

1. Each member² of the Commission shall:

(a) authorize its vessels to fish in the Convention Area, consistent with article 24 of the Convention, only where it is able to exercise effectively its responsibilities in respect of such vessels under the 1982 Convention, the Agreement and this Convention;

(b) take necessary measures to ensure that its vessels comply with conservation and management measures adopted pursuant to the Convention;

(c) take necessary measures to ensure that fishing for highly migratory fish stocks in the Convention Area is conducted only by vessels flying the flag of a member of the Commission, and in respect of non-member carriers and bunkers, in accordance with Section D of this Measure³;

(d) take necessary measures to ensure that any fishing vessel flying its flag conducts fishing in areas under the national jurisdiction of another State only where the vessel holds an appropriate license, permit or authorization, as may be required by such other State;

(e) undertake to manage the number of authorizations to fish and the level of fishing effort commensurate with the fishing opportunities available to that member in the Convention Area;

(f) ensure that no authorization to fish in the Convention Area is issued to a vessel that has a history of illegal, unreported or unregulated (IUU) fishing, unless the ownership of the vessel has subsequently changed and the new owner has provided sufficient evidence demonstrating that the previous owner or operator has no legal, beneficial or financial interest in, or control of the vessels, or the member concerned is satisfied that, having taken into account all relevant facts, the vessel is no longer engaged in or associated with IUU fishing;

(g) withdraw authorizations to fish consistent with article 25(4) of the Convention;

¹ This measure revised CMM 2017-05 to expand footnote 4. CMM 2017-05 had revised CMM 2013-10 by inclusion of footnote 6. CMM 2013-10 had previously revised CMM 2009-01 to incorporate the UVI requirement adopted at WCPFC10. The revisions were: inclusion of paragraph 6(s), footnote 4 and paragraph 11.

² The term “member” when used in this measure includes cooperating non-members

³ This revision (CMM 2009-01 revised) was to correct a cross referencing error in paragraph 36

(h) take into account the history of violations by fishing vessels and operators when considering applications for authorization to fish by fishing vessels flying its flag;

(i) take necessary measures to ensure that the owners of the vessels on the Record flying its flag are citizens, residents or legal entities within its jurisdiction so that any control or punitive actions can be effectively taken against them.

2. Each member of the Commission shall take necessary measures to ensure that its fishing vessels, when in the Convention Area, only tranship to/from, and provide bunkering for, are bunkered by or otherwise supported by:

(a) vessels flagged to members, or

(b) Other vessels flagged to States not members of the Commission only if such vessels are on the WCPFC Interim Register of non-Member Carrier and Bunker Vessels established under section D below (the "Register"); or

(c) Vessels operated under charter, lease, or similar mechanisms in accordance with paragraphs 42 to 44 of this measure.

3. No member of the Commission shall allow any fishing vessel entitled to fly its flag to be used for fishing in the Convention Area beyond areas of national jurisdiction unless it has been authorized to do so by the appropriate authority or authorities of that member.

4. Each such authorization shall set forth for the vessel to which it is issued:

(a) the specific areas, species and time periods for which the authorization is valid;

(b) permitted activities by the vessel;

(c) a prohibition of fishing, retention on board, transshipment or landing by the vessel in areas under the national jurisdiction of another State except pursuant to any license, permit or authorization that may be required by such other State;

(d) the requirement that the vessel keep on board the authorization issued pursuant to paragraph 1 above, or certified copy thereof; any license, permit or authorization, or certified copy thereof, issued by a coastal State, as well as a valid certificate of vessel registration; and

(e) any other specific conditions to give effect to the provisions of the Convention and conservation and management measures adopted pursuant to it.

B. Members' record of fishing vessels

5. Pursuant to article 24(4) on the Convention, each member of the Commission shall maintain a record of fishing vessels entitled to fly its flag and authorized to fish in the Convention Area beyond its area of national jurisdiction, and shall ensure that all such fishing vessels are entered in that record.

6. Each member of the Commission shall submit, electronically where possible, to the Executive Director the following information with respect to each vessel entered in its record:

(a) name of the fishing vessel, registration number, WCPFC Identification Number (WIN), previous names (if known) and port of registry;

(b) name and address of the owner or owners;

- (c) name and nationality of the master;
- (d) previous flag (if any);
- (e) International Radio Call sign
- (f) vessel communication types and numbers (Inmarsat A, B and C numbers and satellite telephone number);
- (g) colour photograph of the vessel;
- (h) where and when the vessel was built;
- (i) type of vessel;
- (j) normal crew complement;
- (k) type of fishing method or methods;
- (l) length (specify type and metric);
- (m) moulded depth (specify metric);
- (n) beam (specify metric);
- (o) gross registered tonnage (GRT) or gross tonnage (GT);
- (p) power of main engine or engines (specify metric);
- (q) carrying capacity, including freezer type, capacity and number, fish hold capacity and capacity of freezer chambers (specify metric);
- (r) the form and number of the authorization granted by the flag State including any specific areas, species and time periods for which it is valid; and.
- (s) International Maritime Organization (IMO) number or Lloyd's Register (LR) number, if issued⁴

7. After 1 July 2005, each member of the Commission shall notify the Executive Director, within 15 days, or in any case within 72 hours before commencement of fishing activities in the Convention Area by the vessel concerned, of:

- (a) any vessel added to its Record along with the information set forth in paragraph 6;
- (b) any change in the information referred to in paragraph 6 with respect to any vessel on its record; and
- (c) any vessel deleted from its record along with the reason for such deletion in accordance with article 24 (6) of the Convention,

8. Each member of the Commission shall submit to the Executive Director, information requested by the Executive Director with respect to fishing vessels entered in its national record of fishing vessels within fifteen (15) days of such request.

9. Before 1 July of each year, each Member shall submit to the Executive Director a list of all vessels that appeared in its record of fishing vessels at any time during the preceding calendar year, together with each vessel's WCPFC identification number (WIN) and an indication of whether each vessel fished for highly migratory fish stocks in the Convention Area beyond its area of national jurisdiction. The indication shall be expressed as (a) fished, or (b) did not fish.

10. Members that operate lease, charter arrangements or similar arrangements that result in data reporting obligations being conferred to a party other than the flag State will make arrangements to ensure that the flag State can meet its obligations under paragraph 9.

⁴ Effective 1 January 2016, flag CCMs shall ensure that all their fishing vessels that are authorized to be used for fishing in the Convention Area beyond the flag CCM's area of national jurisdiction and that are at least 100 GT or 100 GRT in size have IMO or LR numbers issued to them. Effective 1 April 2020, flag CCMs shall ensure that all their motorized inboard fishing vessels of less than 100 GRT (or 100 GRT) down to a size of 12 meters in length overall (LOA), authorized to be used for fishing in the Convention Area beyond the flag CCM's area of national jurisdiction have an IMO or LR issued.

11. In assessing compliance with 6(s) above, the Commission shall take into account extraordinary circumstances in which a vessel owner is not able to obtain an IMO or LR number despite following the appropriate procedures. Flag CCMs shall report any such extraordinary situations in Part 2 of their annual reports.

C. WCPFC Record of Fishing Vessels

12. The Commission shall, in accordance with article 24(7) of the Convention and based on the information provided to the Commission in accordance with the Convention and these procedures, establish and maintain its own record of fishing vessels authorized to fish in the Convention Area beyond the national jurisdiction of the member of the Commission whose flag the vessel is flying. Such record shall be known as the WCPFC Record of Fishing Vessels (the “Record”).

13. The Record shall include for each vessel an indication of whether or not it was active in the Convention Area beyond its flag State’s area of national jurisdiction in each of the preceding years starting in 2007, consistent with the information provided by Members under paragraph 9.

14. The Executive Director shall ensure that due publicity is given to the Record and the Register including making its contents available through an appropriate website.

15. In addition, the Executive Director shall circulate an annual summary of the information contained in the Record and the Register to all members and participating territories (CCMs) of the Commission at least 30 days prior to the annual meeting of the Commission.

16. CCMs shall review their own internal actions and measures taken pursuant to paragraph 1, including sanctions and punitive actions and, in a manner consistent with domestic law as regards disclosure, report annually to the Commission the results of the review. In consideration of the results of such review, the Commission shall, if appropriate, request that the Flag State, or member, of vessels on the Record or the Register take further action to enhance compliance by those vessels with WCPFC conservation and management measures.

17. It is the responsibility of each member of the Commission to ensure that its fishing vessels have been placed on the WCPFC Record of Fishing Vessels in accordance with the requirements of this measure, and any vessel not included in the WCPFC Record of Fishing Vessels shall be deemed not to be authorized to fish for, retain on board, transship or land highly migratory fish stocks in the Convention Area beyond the national jurisdiction of its flag State. Each member of the Commission shall prohibit such activities by any vessel entitled to fly its flag that is not included on the Record and shall treat a violation of this prohibition as a serious violation. Such vessels shall be eligible to be considered for IUU listing.⁵

18. Each CCM shall further prohibit landing at its ports or transshipment to vessels flying its flag of highly migratory fish stocks caught in the Convention Area by vessels not entered on the Record or the Register.

19. Each CCM shall notify the Executive Director, in accordance with the relevant provisions of article 25 of the Convention, of any factual information showing that there are reasonable grounds to

⁵ This revision is to correct an omission in an amendment to this paragraph under CMM 2004-01 that was approved in WCPFC6, but not included in the new CMM 2009-01

suspect that a vessel that is not on the Record or the Register is or has been engaged in fishing for or transshipment of highly migratory fish stocks in the Convention Area.

20. If such vessel is flying the flag of a member of the Commission, the Executive Director shall notify that member and shall request that member to take the necessary measures to prevent the vessel from fishing for highly migratory fish stocks in the Convention Area and to report back on the actions taken with respect to the vessel.

21. Paragraphs 17 to 19 do not apply in respect of vessels that operate entirely in the Exclusive Economic Zone of a CCM and that are flagged to that CCM.⁶

22. If such vessel is flying the flag of a non-member without cooperating status or if the flag of the vessel cannot be determined, the Executive Director shall inform all CCMs so that they may, in addition to measures specified in paragraph 16, take appropriate action consistent with the Convention.

23. The Commission and the CCMs concerned shall communicate with each other, and make the best efforts with FAO and other relevant regional fishery management bodies to develop and implement appropriate measures, where feasible, including the establishment of records of a similar nature in a timely manner so as to avoid adverse effects upon fishery resources in other oceans. Such adverse effects might consist of excessive fishing pressure resulting from a movement of IUU fishing vessels between areas covered by other regional fishery management organizations.

24. If, through a decision of the Commission, a vessel that is contained on the Record is included on the WCPFC IUU List, the flag State or responsible State shall revoke, consistent with applicable national law, the vessels' authorization to fish beyond the national jurisdiction of its flag State. Executive Director shall remove that vessel from the Record as soon as practicable after being notified under paragraph 7(c).

D. WCPFC Interim Register of non-Member Carrier and Bunker Vessels

25. The Commission encourages all flag states of carrier and bunker vessels that operate in the Convention Area and have been listed on the Temporary Register of Non-CCM Carrier and Bunker Vessels to apply for Cooperating Non-Member (CNM) status as soon as possible. Towards that end, the Secretariat will share copies of this conservation and management measure with appropriate contacts in all such flag States as soon as practicable.

26. The Commission shall consider all such applicants in accordance with the conservation and management measure, noting its ability to grant CNM status to an applicant subject to the restriction that it may only provide carrier and bunker vessels to the fishery.

2010 to 2012

27. The Commission hereby establishes an Interim Register of Non-Member Carrier and Bunker Vessels (the "Register").

28. Vessels that are included by the Commission on the Register in accordance with the provisions of this section shall be authorised to be used in the Convention Area to receive transshipments of highly

⁶ Paragraphs 17 – 19 also do not apply to Samoan-flagged longline vessels that fish exclusively in the Samoa Exclusive Economic Zone, use an adjacent CCM's port for the purpose of unloading its catch in that port and that adjacent CCM does not object to the use of its port for this purpose.

migratory fish stocks and to bunker or otherwise supply CCM-flagged fishing vessels used to fish for highly migratory fish stocks in the Convention Area.

29. Any Member of the Commission may at any time submit to the Executive Director, in electronic format if possible, a list of any carrier vessels and bunker vessels that it wishes to be included on the Register. This List shall include the information described at paragraph 6 above as well as the flag State of the vessel.

30. The CCM(s) recommending vessels to be included on the Register shall attest that the vessel or vessels being recommended are not vessels:

- (a) with a history of illegal, unreported or unregulated (IUU) fishing, unless the ownership of the vessel has subsequently changed and the new owner has provided sufficient evidence demonstrating that the previous owner or operator has no legal, beneficial or financial interest in, or control of the vessels, or the CCM concerned is satisfied that, having taken into account all relevant facts, the vessel is no longer engaged in or associated with IUU fishing; or
- (b) that are currently listed on any of the IUU vessel lists adopted by regional fishery management organizations (RFMOs); or
- (c) that were removed from the Register pursuant to paragraph 39 within the one-year period prior to the receipt of the information under paragraph 4.

31. It shall be a condition for inclusion on the Register that the owner or manager/operator of the vessel provides a written undertaking, addressed to the Commission, that the owner, manager/operator and master of the carrier or bunker vessel will fully comply with all applicable decisions of the Commission, including conservation and management measures. Any reference in Commission decisions to member-flagged vessels shall be construed to include non-member flagged-vessels for the purposes of these written undertakings. These undertakings shall include an explicit commitment to allow any inspection duly authorized under the Commission's High Seas Boarding and Inspection Procedures to board and inspect the vessel on the high seas. These undertakings shall also include an agreement to cover the costs associated with complying with Commission decisions, such as the costs of VMS registration and observer placement.

32. Until such time as the Commission undertakes a review to determine vessel specific costs relevant to paragraph 31 above, vessels operators shall commit to pay a nominal fee to contribute to the work of the Commission.

33. It shall be the responsibility of the owner or manager/operator to ensure that any such undertaking is compliant with national laws of its flag State. In addition, the owner or manager/operator of the vessel is encouraged to obtain a statement of support from the flag State, including an explicit statement of its position in respect of high seas boarding and inspection.

34. The Secretariat will post on the Commission website a list of all the applicable conservation and management measures and other applicable Commission decisions that the written undertaking must cover. It will also be a condition that the owner, manager/operator or master of the carrier or bunker vessel will notify the Secretariat of any changes to the information provided under paragraph 29 within 15 days of the change.

35. Failure by the owner, manager/operator or master of a vessel on the Register to fully comply with applicable decisions of the Commission, including conservation and management measures, shall constitute an appropriate basis for placement of such vessel on the Commission's Draft IUU Vessel List

in accordance with the relevant conservation and management measure for establishing the WCPFC IUU Vessel List.

36. Within 7 business days of receipt of complete information for a carrier or bunker vessel under paragraphs 29 to 31, the Secretariat will include the vessel on the Register and within 7 business days of receipt of any changes to such information, the Secretariat will include the updated information in the Register. For each vessel, the Register will include all the information listed in paragraph 6, a copy of the written undertaking provided under paragraph 31, and the CCM(s) that requested inclusion of the vessel on the Register.

37. As soon as possible after receipt of complete information for a carrier and Bunker vessel under paragraphs 29 to 31, the Secretariat shall notify the flag State and provide an opportunity for the flag State to convey its position, including an explicit statement or position in respect of high seas boarding and inspection if not already done so under paragraph 31.

38. The Commission will periodically monitor the IUU vessel lists maintained by RFMOs. At any time that a vessel on the Register is also on one of those IUU vessel lists, the Secretariat will:

- (a) notify Members and the owner of the vessel of its finding and that the vessel will be removed from the Register, effective 30 days from the date of the notice; and
- (b) 30 days from the notice given under sub-paragraph (a), remove the vessel from the Register.

39. The Commission shall monitor the performance of the vessels on the Register with respect to the written undertakings submitted under paragraph 31. If at any time a Member of the Commission finds evidence that the owner, manager/operator or master of a vessel on the Register has failed to fully discharge those undertakings:

- (a) the Member of the Commission shall immediately submit such evidence to the Secretariat;
- (b) the Secretariat will immediately circulate such evidence to the CCMs of the Commission;
- (c) the Commission shall review the evidence and decide whether or not to remove the vessel from the Register. If the Commission is to next meet between 14 and 60 days after the circulation made under paragraph 39(b), such decision shall be made in the next session of the Commission, otherwise it shall be made in accordance with the Commission Rules of Procedure as they relate to inter-sessional decision-making;
- (d) if the Commission decides to remove a vessel from the Register, the Secretariat will notify the owner of the vessel of the decision within 7 days and remove the vessel from the Register 60 days after the Commission's decision.
- (e) The Executive Director shall advise all CCMs and the flag State of the completion of action taken under paragraph 39(d).

40. The Register shall expire 60 days after the Annual Regular Session of the Commission in 2012 unless the Commission decides otherwise at its Regular Annual Session in 2012. The TCC will conduct a review in 2011 and 2012 of the non-CCM flagged fleet including an assessment of potential economic impacts to HMS fisheries in the Convention Area and unforeseen circumstances that could arise through prohibition of non-CCM carriers and bunkers.

2013 and beyond

41. Noting paragraphs 25 and 26 above the Commission expects that after the annual regular session of the Commission in 2013, the majority of carrier and bunker vessels will be flagged to Members.

42. Notwithstanding this expectation, a carrier or bunker vessel flagged to a non-member but operated under charter, lease or other similar mechanisms as an integral part of the fishery of a CCM shall be considered to be vessels of the host CCM and, where the vessel shall be operating in waters under the jurisdiction of more than one CCM, must be included in the CCM's record of fishing vessels under section B accordingly. In such case, the Record shall distinguish between vessels flagged to the CCM and vessels affiliated through this provision.

43. Such a charter, lease or other arrangement shall provide for the host Member to conduct Monitoring, Control and Surveillance activities relevant to the vessel at any time and allow the Commission to place responsibility on the host Member for ensuring the vessel's compliance with conservation and management measures. Such charter, lease or other arrangement shall include an explicit condition that the vessel will fully comply with all applicable decisions of the Commission, including conservation and management measures. Any reference in Commission decisions to member-flagged vessels shall be construed to include non-member flagged-vessels for the purposes of these conditions. These conditions shall include an explicit commitment to allow any inspection duly authorized under the Commission's High Seas Boarding and Inspection Procedures to board and inspect the vessel on the high seas.

44. Such arrangements may only authorize non-member carrier and bunker vessels to operate in ports and waters under the jurisdiction of a member, as duly authorized by the host Member and the coastal State. The host Member acknowledges that failure by the vessel to comply with conservation and management measures will result in penalties that could include IUU listing, refusal to register other vessels of the same flag and sanctions against the host Member.

E. General

45. The Commission shall keep these procedures under review and may amend them as appropriate.

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COMMISSION
SIXTEENTH REGULAR SESSION
Port Moresby, Papua New Guinea
5 – 11 December 2019

**CONSERVATION AND MANAGEMENT MEASURE FOR
PACIFIC BLUEFIN TUNA**

Conservation and Management Measure 2019-02

The Western and Central Pacific Fisheries Commission (WCPFC):

Recognizing that WCPFC6 adopted Conservation and Management Measure for Pacific bluefin tuna (CMM 2009-07) and the measure was revised eight times since then (CMM 2010-04, CMM 2012-06, CMM 2013-09, CMM 2014-04, CMM 2015-04, CMM 2016-04, CMM2017-08 and CMM 2018-02) based on the conservation advice from the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) on this stock;

Noting with concern the latest stock assessment provided by ISC Plenary Meeting in July 2018, indicating the following:

- (1) SSB fluctuated throughout the assessment period (1952–2016), (2) SSB steadily declined from 1996 to 2010, and (3) the slow increase of the stock continues since 2011 including the most recent two years (2015-2016);
- The 2015 recruitment estimate is low and similar to estimates of previous years while the 2016 recruitment estimate is higher than the historical average, and the uncertainty of the 2016 recruitment estimate is higher than in previous years because it occurs in the terminal year of the assessment model and is mainly informed by one observation from troll age-0 CPUE index;
- The fishery exploitation rate in 2015-2016 exceeded all biological reference points evaluated by the ISC except FMED and FLOSS.
- Since the early 1990s, the WCPO purse seine fisheries, in particular those targeting small fish (age 0-1) have had an increasing impact on the spawning stock biomass, and in 2016 had a greater impact than any other fishery group.
- The projection results indicate that: the current management measures by the WCPFC (CMM 2018-02) and IATTC Resolution (C-18-01) under the low recruitment scenario resulted in an estimated 97% probability of achieving the initial biomass rebuilding target (6.7% of SSB_{F=0}) by 2024;
- The estimated probability of achieving the second biomass rebuilding target (20% of

SSBF=0) 10 years after the achievement of the initial rebuilding target or by 2034, whichever is earlier, is 96%; and

- Catching a high number of smaller juvenile fish can have a greater impact on future spawning stock biomass than catching the same weight of larger fish;

Noting also that in its response to requests from IATTC-WCPFC NC Joint Working Group, ISC Plenary Meeting in July 2019:

- Noted that the Japanese troll recruitment index value estimated for 2017 is similar to its historical average (1980-2017), that Japanese recruitment monitoring indices in 2017 and 2018 are higher than the 2016 value and that there is anecdotal evidence that larger fish are becoming more abundant in EPO, although this information needs to be confirmed for the next stock assessment expected in 2020;
- Recommended maintaining the conservation advice from ISC in 2018; and,
- Conducted projections of scenarios for catch increase in the same manner as in the 2018 assessment.

Further recalling that paragraph (4), Article 22 of the WCPFC Convention, which requires cooperation between the Commission and the IATTC to reach agreement to harmonize CMMs for fish stocks such as Pacific bluefin tuna that occur in the convention areas of both organizations;

Adopts, in accordance with Article 10 of the WCPFC Convention that:

General Provision

1 This conservation and management measure has been prepared to implement the Harvest Strategy for Pacific Bluefin Tuna Fisheries (Harvest Strategy 2017-02), and the Northern Committee shall periodically review and recommend revisions to this measure as needed to implement the Harvest Strategy.

Management measures

2 CCMs shall take measures necessary to ensure that:

- (1) Total fishing effort by their vessel fishing for Pacific bluefin tuna in the area north of the 20° N shall stay below the 2002–2004 annual average levels.
- (2) All catches of Pacific bluefin tuna less than 30 kg shall be reduced to 50% of the 2002– 2004 annual average levels. Any overage or underage of the catch limit shall be deducted from or may be added to the catch limit for the following year. The maximum underage that a CCM may carry over in any given year shall not exceed 5% of its annual initial catch limit.¹

¹ Notwithstanding paragraph 2 and 3, a CCM may carry over up to 17% of its initial 2019 catch limits, which remain uncaught, to 2020.

3 CCMs shall take measures necessary to ensure that all catches of Pacific Bluefin tuna 30kg or larger shall not be increased from the 2002-2004 annual average levels^{2,3}. Any overage or underage of the catch limit shall be deducted from or may be added to the catch limit for the following year. The maximum underage that a CCM may carry over in any given year shall not exceed 5% of its annual initial catch limit¹. However, in 2018, 2019, and 2020 CCMs may use part of the catch limit for Pacific bluefin tuna smaller than 30 kg stipulated in paragraph 2 (2) above to catch Pacific bluefin tuna 30 kg or larger in the same year. In this case, the amount of catch 30 kg or larger shall be counted against the catch limit for Pacific bluefin tuna smaller than 30 kg. CCMs shall not use the catch limit for Pacific bluefin tuna 30 kg or larger to catch Pacific bluefin tuna smaller than 30 kg. The ISC is requested to review, in its work referred to in Section 5 of Harvest Strategy, the implications of this special provision in terms of PBF mortality and stock rebuilding probabilities in 2020. Based on that review, in 2020 the Northern Committee will determine whether it should be continued past 2020, and if so, recommend changes to the CMM as appropriate.

4 All CCMs except Japan shall implement the limits in paragraph 2 and 3 on a calendar-year basis. Japan shall implement the limits using a management year other than the calendar year for some of its fisheries and have its implementation assessed with respect to its management year. To facilitate the assessment, Japan shall:

- a. Use the following management years:
 1. For its fisheries licensed by the Ministry of Agriculture, Forestry and Fisheries, use the calendar year as the management year.
 2. For its other fisheries, use 1 April – 31 March as the management year⁴.
- b. In its annual reports for PBF, for each category described in a.1 and a.2 above, complete the required reporting template for both the management year and calendar year clearly identifying fisheries for each management year.

5 CCMs shall report to the Executive Director by 31 July each year their fishing effort and <30 kg and ≥30 kg catch levels, by fishery, for the previous 3 year, accounting for all catches, including discards. The Executive Director will compile this information each year into an appropriate format for the use of the Northern Committee.

6 CCMs shall intensify cooperation for effective implementation of this CMM, including juvenile catch reduction.

7 CCMs, in particular those catching juvenile Pacific bluefin tuna, shall take measures to monitor and obtain prompt results of recruitment of juveniles each year.

² CCMs with a base line catch of 10 t or less may increase its catch as long as it does not exceed 10 t.

³ 300 tons of the catch limit of Pacific bluefin tuna 30kg or larger of Chinese Taipei may be transferred to Japan in 2020, subject to a notification by Chinese Taipei to the Secretariat. This transfer may apply for 2020 only. Adoption of this transfer does not confer the allocation of a right, and does not prejudice any future decision of the Commission.

⁴ For the category described a.2, the TCC shall assess in year 20XX its implementation during the management year that starts 1 April 20XX-1 (e.g., in the 2020 compliance review, the TCC will assess Japan's implementation for its fisheries licensed by the Ministry of Agriculture, Forestry and Fisheries during calendar-year 2019 and for its other fisheries during 1 April 2019 through 31 March 2020).

8 Consistent with their rights and obligations under international law, and in accordance with domestic laws and regulations, CCMs shall, to the extent possible, take measures necessary to prevent commercial transaction of Pacific bluefin tuna and its products that undermine the effectiveness of this CMM, especially measures prescribed in the paragraph 2 and 3 above. CCMs shall cooperate for this purpose.

9 CCMs shall cooperate to establish a catch documentation scheme (CDS) to be applied to Pacific bluefin tuna in accordance with the Attachment of this CMM.

10 CCMs shall also take measures necessary to strengthen monitoring and data collecting system for Pacific bluefin tuna fisheries and farming in order to improve the data quality and timeliness of all the data reporting;

11 CCMs shall report to Executive Director by 31 July annually measures they used to implement paragraphs 2, 3, 4, 5, 7, 8, 10 and 13 of this CMM. CCMs shall also monitor the international trade of the products derived from Pacific bluefin tuna and report the results to Executive Director by 31 July annually. The Northern Committee shall annually review those reports CCMs submit pursuant to this paragraph and if necessary, advise a CCM to take an action for enhancing its compliance with this CMM.

12 The WCPFC Executive Director shall communicate this CMM to the IATTC Secretariat and its contracting parties whose fishing vessels engage in fishing for Pacific bluefin tuna in EPO and request them to take equivalent measures in conformity with this CMM.

13 To enhance effectiveness of this measure, CCMs are encouraged to communicate with and, if appropriate, work with the concerned IATTC contracting parties bilaterally.

14 The provisions of paragraphs 2 and 3 shall not prejudice the legitimate rights and obligations under international law of those small island developing State Members and participating territories in the Convention Area whose current fishing activity for Pacific bluefin tuna is limited, but that have a real interest in fishing for the species, that may wish to develop their own fisheries for Pacific bluefin tuna in the future.

15 The provisions of paragraph 14 shall not provide a basis for an increase in fishing effort by fishing vessels owned or operated by interests outside such developing coastal State, particularly Small Island Developing State Members or participating territories, unless such fishing is conducted in support of efforts by such Members and territories to develop their own domestic fisheries.

16 This CMM replaces CMM 2018-02. On the basis of stock assessment conducted by ISC and reported to NC in 2020, and other pertinent information, this CMM shall be reviewed and may be amended as appropriate.

Development of a Catch Document Scheme for Pacific Bluefin Tuna

Background

At the 1st joint working group meeting between NC and IATTC, held in Fukuoka, Japan from August 29 to September 1, 2016, participants supported to advance the work on the Catch Documentation Scheme (CDS) in the next joint working group meeting, in line with the development of overarching CDS framework by WCPFC and taking into account of the existing CDS by other RFMOs.

1. Objective of the Catch Document Scheme

The objective of CDS is to combat IUU fishing for Pacific Bluefin Tuna (PBF) by providing a means of preventing PBF and its products identified as caught by or originating from IUU fishing activities from moving through the commodity chain and ultimately entering markets.

2. Use of electronic scheme

Whether CDS will be a paper based scheme, an electronic scheme or a gradual transition from a paper based one to an electronic one should be first decided since the requirement of each scheme would be quite different.

3. Basic elements to be included in the draft conservation and management measure (CMM)

It is considered that at least the following elements should be considered in drafting CMM.

- (1) Objective
- (2) General provision
- (3) Definition of terms
- (4) Validation authorities and validating process of catch documents and re-export certificates
- (5) Verification authorities and verifying process for import and re-import
- (6) How to handle PBF caught by artisanal fisheries
- (7) How to handle PBF caught by recreational or sport fisheries
- (8) Use of tagging as a condition for exemption of validation
- (9) Communication between exporting members and importing members
- (10) Communication between members and the Secretariat
- (11) Role of the Secretariat
- (12) Relationship with non-members
- (13) Relationship with other CDSs and similar programs
- (14) Consideration to developing members
- (15) Schedule for introduction
- (16) Attachment
 - (i) Catch document forms
 - (ii) Re-export certificate forms
 - (iii) Instruction sheets for how to fill out forms
 - (iv) List of data to be extracted and compiled by the Secretariat

4. Work plan

The following schedule may need to be modified, depending on the progress on the WCPFC CDS for tropical tunas.

- | | |
|------|--|
| 2017 | The joint working group will submit this concept paper to the NC and IATTC for endorsement. NC will send the WCPFC annual meeting the recommendation to endorse the paper. |
| 2018 | The joint working group will hold a technical meeting, preferably around its meeting, to materialize the concept paper into a draft CMM. The joint working group will report the progress to the WCPFC via NC and the IATTC, respectively. |
| 2019 | The joint working group will hold a second technical meeting to improve the draft CMM. The joint working group will report the progress to the WCPFC via NC and the IATTC, respectively. |
| 2020 | The joint working group will hold a third technical meeting to finalize the draft CMM. Once it is finalized, the joint working group will submit it to the NC and the IATTC for adoption. The NC will send the WCPFC the recommendation to adopt it. |



COMMISSION
SIXTEENTH REGULAR SESSION
Port Moresby, Papua New Guinea
5 – 11 December 2019

**CONSERVATION AND MANAGEMENT MEASURE FOR
NORTH PACIFIC ALBACORE**

Conservation and Management Measure 2019-03

The Western and Central Pacific Fisheries Commission (WCPFC),

Observing that the best scientific evidence on North Pacific albacore from the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean indicates that the species is likely not overfished relative to the limit reference point adopted by the Commission (20%SSB current $F=0$) and overfishing is likely not occurring.

Recalling further Article 22(4) of the WCPFC Convention that provides for cooperation with the IATTC regarding fish stocks that occur in the Convention Areas of both organizations and

Recognizing that the Inter-American Tropical Tuna Commission (IATTC) adopted, at its 73rd meeting, conservation and management measures on North Pacific albacore, and that it adopted supplemental measures at its 85th meeting that were amended at its 93rd meeting;

Adopts, in accordance with the Article 10 of the WCPFC Convention that:

1. The total level of fishing effort for North Pacific albacore in the Convention Area north of the equator shall not be increased beyond current levels.
2. The Members, Cooperating Non-Members and participating Territories (hereinafter referred to as CCMs) shall take necessary measures to ensure that the level of fishing effort by their vessels fishing for North Pacific albacore in the WCPFC Convention Area is not increased beyond 2002-2004 annual average levels;
3. All CCMs shall report annually to the WCPFC Commission all catches of albacore north of the equator and all fishing effort north of the equator in fisheries directed at albacore. The reports for both catch and fishing effort shall be made by gear type. Catches shall be reported in

terms of weight. Fishing effort shall be reported in terms of the most relevant measures for a given gear type, including at a minimum for all gear types, the number of vessel-days fished, using the template provided in **Annex 1**.

4. The Northern Committee shall, in coordination with International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean and other scientific bodies conducting scientific reviews of this stock, including the WCPFC Scientific Committee, monitor the status of North Pacific albacore and report to the Commission on the status of the stock at each annual meeting, and make such recommendations to the Commission as may be necessary for their effective conservation.

5. The Commission shall consider future actions with respect to North Pacific albacore based on recommendations of the Northern Committee.

6. The CCMs shall work to maintain, and as necessary reduce, the level of fishing effort on North Pacific albacore within the Convention Area commensurate with the long-term sustainability of the stock.

7. The WCPFC Executive Director shall communicate this resolution to the IATTC and request that the two Commissions engage in consultations with a view to reaching agreement on a consistent set of conservation and management measures for North Pacific albacore, and specifically, to propose that both Commissions adopt as soon as practicable uniform conservation and management measures and any reporting or other measures needed to ensure compliance with agreed measures.

8. The provisions of paragraph 2 shall not prejudice the legitimate rights and obligations under international law of those small island developing State Members and participating territories in the Convention Area whose current fishing activity for North Pacific albacore is limited, but that have a real interest in, and history of, fishing for the species, that may wish to develop their own fisheries for North Pacific albacore in the future.

9. The provisions of paragraph 8 shall not provide a basis for an increase in fishing effort by fishing vessels owned or operated by interests outside such small island developing State Members or participating territories, unless such fishing is conducted in support of efforts by such Members and territories to develop their own domestic fisheries.

10. This CMM shall replace the CMM 2005-03.

Annex I: Average annual fishing effort for 2002-2004 and annual fishing effort for subsequent years for fisheries directed at North Pacific albacore in the North Pacific Ocean

CCM	Area ¹	Fishery	2002-04 Average		Year		Year		Year		Year		Year		Year	
			No. of vessels	Vessel days	No. of vessels	Vessel days	No. of vessels	Vessel days	No. of vessels	Vessel days	No. of vessels	Vessel days	No. of vessels	Vessel days	No. of vessels	Vessel days

¹ If collective effort limits across the North Pacific Ocean, report Convention Area and North Pacific Ocean separately

Effective from 1st Nov 2020



COMMISSION
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5 – 11 December 2019

CONSERVATION AND MANAGEMENT MEASURE FOR SHARKS

Conservation and Management Measure 2019-04

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC), in accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention);

Recognizing the economic and cultural importance of sharks in the western and central Pacific Ocean (WCPO), the biological importance of sharks in the marine ecosystem as key predatory species, the vulnerability of certain shark species to fishing pressure, and the need for measures to promote the long-term conservation, management and sustainable use of shark populations and fisheries;

Recognizing the need to collect data on catch, effort, discards, and trade, as well as information on the biological parameters of many species, to enable effective shark conservation and management;

Recognizing further that certain species of sharks and rays, such as basking shark and great white shark, have been listed on Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Adopts, in accordance with Article 5, 6 and 10 of the Convention, that:

I. Definitions

1. (1) Sharks: All species of sharks, skates, rays and chimaeras (Class Chondrichthyes)
- (2) Full utilization: Retention by the fishing vessel of all parts of the shark excepting head, guts, vertebrae and skins, to the point of first landing or transshipment
- (3) Finning: Removing and retaining all or some of a shark's fins and discarding its carcass at sea

II. Objective and Scope

2. The objective of this Conservation and Management Measure (CMM) is, through the application of the precautionary approach and an ecosystem approach to fisheries management, to ensure the long-term conservation and sustainable use of sharks.
3. This CMM shall apply to: (i) sharks listed in Annex 1 of the 1982 Convention and (ii) any other sharks caught in association with fisheries managed under the WCPF Convention.
4. This measure shall apply to the high seas and exclusive economic zones of the Convention Area.
5. Nothing in this measure shall prejudice the sovereignty and sovereign rights of coastal States, including for traditional fishing activities and the rights of traditional fishers, to apply alternative measures for the purpose of exploring, exploiting, conserving and managing sharks, including any national plan of action for the conservation and management of sharks, within areas under their national jurisdiction. When Commission Members, Cooperating Non-Members, and Participating Territories (CCMs) apply alternative measures, the CCMs shall annually provide to the Commission, in their Part 2 Annual Report, a description of the measures.

III. FAO International Plan of Action for the Conservation and Management of sharks

6. CCMs should implement, as appropriate, the FAO International Plan of Action for the Conservation and Management of Sharks (IPOA). For implementation of the IPOA, each CCM should, as appropriate, include its National Plan of Action for sharks in Part 2 Annual Report.

IV. Full utilization of shark and prohibition of finning

7. CCMs shall take measures necessary to require that all sharks retained on board their vessels are fully utilized. CCMs shall ensure that the practice of finning is prohibited.
8. In order to implement the obligation in paragraph 7, in 2020, 2021 and 2022, CCMs shall require their vessels to land sharks with fins naturally attached to the carcass.
9. Notwithstanding paragraph 8, in 2020, 2021 and 2022, CCMs may take alternative measures as listed below to ensure that individual shark carcasses and their corresponding fins can be easily identified on board the vessel at any time:
 - (1) Each individual shark carcass and its corresponding fins are stored in the same bag, preferably biodegradable one;
 - (2) Each individual shark carcass is bound to the corresponding fins using rope or wire;
 - (3) Identical and uniquely numbered tags are attached to each shark carcass and its corresponding fins in a manner that inspectors can easily identify the matching of the carcass and fins at any time. Both the carcasses and fins shall be stored on board in the same hold. Notwithstanding this requirement, a CCM may allow its fishing vessels to store the carcasses and corresponding fins in different holds if the fishing vessel maintains a record or logbook that shows where the tagged fins and correspondingly

tagged carcasses are stored, in a manner that they are easily identified by inspectors.

10. In case that a CCM wishes to allow its fishing vessels operating on the high seas to use any measure other than the three alternatives in paragraph 9 (1) – (3), it shall present it to TCC. If TCC endorses it, it shall be submitted to the subsequent annual meeting for endorsement.

11. All CCMs shall include in their Part 2 Annual Report information on the implementation of the measures in paragraph 8 or paragraph 9 as applicable for review by TCC. The report by CCMs shall contain a detailed explanation of implementation of paragraph 8 or paragraph 9 as applicable including how compliance has been monitored. CCMs are encouraged to report to TCC any enforcement difficulties that they encountered in the case of the alternative measures and how they have addressed risks such as monitoring at sea, species substitution, etc. The TCC in 2023 shall, taking into account these reports, advise the Commission on the effectiveness of the measures set out in paragraph 9 as alternatives to the obligation contained in paragraph 7, and recommend measures for consideration and possible adoption at the 2023 annual meeting of the Commission.

12. CCMs shall take measures necessary to prevent their fishing vessels from retaining on board (including for crew consumption), transshipping, and landing any fins harvested in contravention of this CMM.

13. CCMs shall take measures necessary to ensure that both carcasses and their corresponding fins are landed or transshipped together, in a manner that allows inspectors to verify the correspondence between an individual carcass and its fins when they are landed or transshipped.

V. Minimizing bycatch and practicing safe release

14. For longline fisheries targeting tuna and billfish, CCMs shall ensure that their vessels comply with at least one of the following options:

- (1) do not use or carry wire trace as branch lines or leaders; or
- (2) do not use branch lines running directly off the longline floats or drop lines, known as shark lines. See **Annex 1** for a schematic diagram of a shark line.

15. The implementation of the measures contained in paragraph 11 above shall be on a vessel by vessel or CCM basis. Each CCM shall notify the Commission of its implementation of paragraph 14 by March 31, 2021 and thereafter whenever the selected option is changed.

16. For longline fisheries targeting sharks, CCMs shall develop and report their management plans in their Part 2 Annual Report.

17. The Commission shall adopt and enhance bycatch mitigation measures and develop new or amend, if necessary, existing Shark Safe Release Guidelines¹ to maximize the survival of sharks that are caught and are not to be retained. Where sharks are unwanted bycatch they should be released alive using techniques that result in minimal harm, taking into account the safety of the crew. CCMs should encourage their fishing vessels to use any Commission adopted guidelines for

¹ The Commission adopted at WCPFC15 Best Handling Practices for the Safe Release of Sharks (other than Whale Sharks and Mantas/Mobulids)

the safe release and handling of sharks.

18. CCMs shall ensure that sharks that are caught and are not to be retained, hauled alongside the vessel before being cut free in order to facilitate a species identification. This requirement shall only apply when an observer or electronic monitoring camera is present, and should only be implemented taking into consideration the safety of the crew and observer.

19. Development of new WCPFC guidelines or amendment to existing guidelines for safe release of sharks should take into account the health and safety of the crew.

VI. Species specific requirements

20. Oceanic whitetip shark and silky shark

- (1) CCMs shall prohibit vessels flying their flag and vessels under charter arrangements to the CCM from retaining on board, transshipping, storing on a fishing vessel or landing any oceanic whitetip shark, or silky shark, in whole or in part, in the fisheries covered by the Convention.
- (2) CCMs shall require all vessels flying their flag and vessels under charter arrangements to the CCM to release any oceanic whitetip shark or silky shark that is caught as soon as possible after the shark is brought alongside the vessel, and to do so in a manner that results in as little harm to the shark as possible, following any applicable safe release guidelines for these species.
- (3) Subject to national laws and regulations, and notwithstanding (1) and (2), in the case of oceanic whitetip shark and silky shark that are unintentionally caught and frozen as part of a purse seine vessels' operation, the vessel must surrender the whole oceanic whitetip shark and silky shark to the responsible governmental authorities or discard them at the point of landing or transshipment. Oceanic whitetip shark and silky shark surrendered in this manner may not be sold or bartered but may be donated for purpose of domestic human consumption.
- (4) Observers shall be allowed to collect biological samples from oceanic whitetip sharks and silky shark caught in the Convention Area that are dead on haulback in the WCPO, provided that the samples are part of a research project of that CCM or the SC. In the case that sampling is conducted as a CCM project, that CCM shall report it in their Part 2 Annual Report.

21. Whale shark

- (1) CCMs shall prohibit their flagged vessels from setting a purse seine on a school of tuna associated with a whale shark if the animal is sighted prior to the commencement of the set.
- (2) CCMs shall prohibit vessels flying their flag and vessels under charter arrangements to the CCM from retaining on board, transshipping, or landing any whale shark caught in the Convention Area, in whole or in part, in the fisheries covered by the Convention.
- (3) For fishing activities in Parties to Nauru Agreement (PNA) exclusive economic zones, the prohibition in paragraph (1) shall be implemented in accordance with the Third Arrangement implementing the Nauru Agreement as amended on 11 September 2010.
- (4) Notwithstanding sub-paragraph (1) above, for fishing activities in exclusive economic

zones of CCMs north of 30 N, CCMs shall implement either this measure or compatible measures consistent with the obligations under this measure. When CCMs apply compatible measures, the CCMs shall annually provide to the Commission, in their Part 2 Annual Report, a description of the measure.

- (5) CCMs shall require that, in the event that a whale shark is incidentally encircled in the purse seine net, the master of the vessel shall:
 - (a) ensure that all reasonable steps are taken to ensure its safe release.; and
 - (b) report the incident to the relevant authority of the flag State, including the number of individuals, details of how and why the encirclement happened, where it occurred, steps taken to ensure safe release, and an assessment of the life status of the whale shark on release.
- (6) In taking steps to ensure the safe release of the whale shark as required under sub-paragraph (5)(a) above, CCMs shall encourage the master of the vessel to follow the WCPFC Guidelines for the Safe Release of Encircled Whale Sharks (WCPFC Key Document SC-10)².
- (7) In applying steps under sub-paragraphs (1), (5)(a) and (6), the safety of the crew shall remain paramount.
- (8) The Secretariat shall report on the implementation of this paragraph on the basis of observer reports, as part of the Annual Report on the Regional Observer Programme.

VII. Reporting requirements

22. Each CCM shall submit data on the WCPFC Key Shark Species³ for Data Provision in accordance with Scientific Data to be Provided to the Commission (WCPFC Key Document Data-01).

23. CCMs shall advise the Commission (in their Part 2 Annual Report) on implementation of this CMM in accordance with Annex 2.

VIII. Research

24. CCMs shall as appropriate, support research and development of strategies for the avoidance of unwanted shark captures (e.g. chemical, magnetic and other shark deterrents), safe release guidelines, biology and ecology of sharks, identification of nursery grounds, gear selectivity, assessment methods and other priorities listed under the WCPFC Shark Research Plan.

25. The SC shall periodically provide advice on the stock status of key shark species for assessment and maintain a WCPFC Shark Research Plan for the assessment of the status of these stocks. If possible, this should be done in conjunction with the Inter-American Tropical Tuna

² Originally adopted on 8 December 2015. The title of this decision was amended through the Commission decision at WCPFC13, through adopting the SC12 Summary Report which contains in paragraph 742: “SC12 agreed to change the title of ‘Guidelines for the safe release of encircled animals, including whale sharks’ to ‘Guidelines for the safe release of encircled whale sharks’.”

³ The WCPFC Key Shark Species for Data Provision are designated per the Process for Designating WCPFC Key Shark Species for Data Provision and Assessment (WCPFC Key Document SC-08) and are listed in Scientific Data to be Provided to the Commission (WCPFC Key Document Data-01).

Commission.

IX. Capacity building

26. The Commission should consider appropriate assistance to developing State Members and participating Territories for the implementation of the IPOA and collection of data on retained and discarded shark catches.

27. The Commission shall consider appropriate assistance to developing State Members and participating Territories for the implementation of this measure, including supplying species identification guides for their fleets and guidelines and training for the safe release of sharks, and including, in accordance with Article 7 of the Convention, in areas under national jurisdiction.

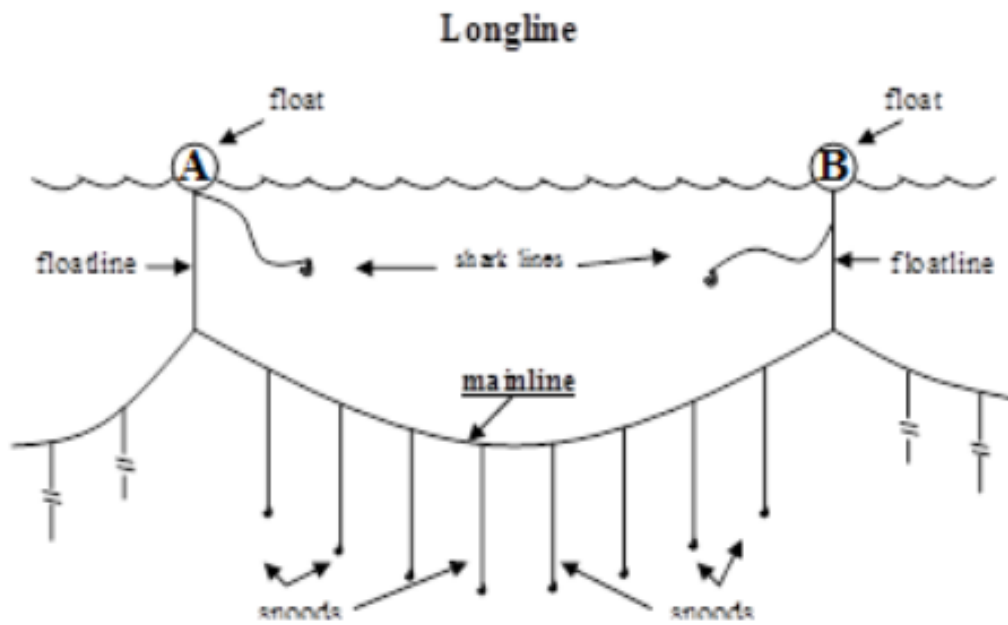
X. Review

28. On the basis of advice from the SC and/or the TCC, the Commission shall review the implementation and effectiveness of this CMM, including species specific measures, taking into account, *inter alia*, any recommendation from the SC or TCC, in 2023, and amend it as appropriate.

29. This CMM shall become effective on November 1st 2020⁴ and shall replace CMM 2010-07, 2011-04, 2012-04, 2013-08, and 2014-05 at that time.

⁴ This CMM shall not apply to Indonesia before November 1st 2021. Until then, all the existing CMMs related to sharks and rays shall apply to Indonesia.

Annex 1: Schematic diagram of a shark line



Annex 2: Template for reporting implementation of this CMM

Each CCM shall include the following information in Part 2 of its annual report:

1. Description of alternative measures in para 5, if applicable
2. Results of their assessment of the need for a National Plan of Action and/or the status of their National Plans of Action for the Conservation and Management of Sharks, as appropriate
3. Details of National Plan of Action, as appropriate, for implementation of IPOA Sharks in para 6 that includes:
 - (1) details of NPOA objectives; and
 - (2) species and fleet covered by NPOA as well as catches thereby
 - (3) measures to minimize waste and discards from shark catches and encourage the live release of incidental catches of sharks;
 - (4) work plan and a review process for NPOA implementation
4. With respect to para 9:
 - (1) Whether sharks or shark parts are retained on board their flag vessels, and if so, how they are handled and stored
 - (2) In case that CCMs retain sharks and choose to apply a requirement for fins to be naturally attached to carcasses
 - Their monitoring and enforcement systems relating to this requirement
 - (3) In case that CCMs retain sharks and choose to apply measures other than a requirement for fins to be naturally attached to carcasses
 - Their monitoring and enforcement systems relating to this requirement
 - A detailed explanation of why the fleet has adopted its fin-handling practice;
5. The management plan in para 16 that includes:
 - (1) specific authorizations to fish such as a license and a TAC or other measure to limit the catch of shark to acceptable levels;
 - (2) measures to avoid or reduce catch and maximize live release of species whose retention is prohibited by the Commission;
6. A report on sampling programs for oceanic whitetip sharks and silky shark as a CCM project as referred to in para 20 (4)
7. Estimated number of releases of oceanic whitetip shark and silky shark caught in the Convention Area, including the status upon release (dead or alive), through data collected from observer programs and other means.
8. Description of compatible measures as referred to in para 21 (4)
9. Any instances in which whale sharks have been encircled by purse seine nets of their flagged vessels, including the details required under para 21 (5)(b).

Effective From Jan 1st 2021



**COMMISSION
SIXTEENTH REGULAR SESSION**

Port Moresby, Papua New Guinea

5 – 11 December 2019

**CONSERVATION AND MANAGEMENT MEASURE ON MOBULID RAYS CAUGHT
IN ASSOCIATION WITH FISHERIES IN THE WCPFC CONVENTION AREA**

Conservation and Management Measure 2019-05

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Commission),

In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention):

Considering that the United Nations Food and Agriculture Organization (FAO) International Plan of Action for Sharks calls on States to cooperate through regional fisheries management organizations to ensure the sustainability of shark stocks;

Recognizing the ecological and cultural significance of sharks and rays in the western and central Pacific Ocean (WCPO);

Noting that manta and mobula rays are listed in Appendix I and Appendix II of the Convention on the Conservation of Migratory Species of Wild Animals and that the parties to that Convention have a range of obligations related to the conservation of such species;

Further noting that manta and mobula rays are also listed in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora for which trade shall be closely controlled under specific conditions including, inter alia, that trade will not be detrimental to the survival of the species in the wild;

Acknowledging the 13th Regular Session of the Commission designated six species of manta and mobula rays as key shark species for assessment and called for the development of safe release guidelines for manta and mobula rays;

Further acknowledging the 14th Regular Session of the Commission adopted non-binding guidelines of best handling practices for the safe release of manta and mobulids for both purse seine and longline fisheries;

Noting the recognition by the 12th Regular Session of the Scientific Committee of the impact on mobulids by WCPFC fisheries, ecological concern and data availability.

Noting that the 13th Regular Session of the Scientific Committee confirmed that as species of special interest, manta and mobula rays will have all required data collected under the Regional Observer Programme Minimum Standard Data Fields;

Concerned that the species of the family Mobulidae, which includes manta rays and mobula rays, are considered to be vulnerable to overfishing as they are slow-growing, experience late sexual maturity, have long gestation periods, and often give birth to only a few pups;

Also concerned about the possible impacts on these species by the different fisheries occurring from coastal areas to the high seas;

Adopts in accordance with Article 10 of the Convention, the following Conservation and Management Measure:

1. This Conservation and Management Measure (CMM) shall apply to all fishing vessels operating in the high seas and/or exclusive economic zones of the Convention area and flagged to Members, Cooperating Non-Members and Participating Territories (CCMs), and authorized to fish for highly migratory fish stocks in the Convention Area.
2. For the purpose of this CMM, “mobulid rays” means species of the family Mobulidae, which includes manta rays and mobula rays.
3. CCMs shall prohibit their vessels from targeted fishing or intentional setting on mobulid rays in the Convention Area.
4. CCMs shall prohibit their vessels from retaining on board, transshipping, or landing any part or whole carcass of mobulid rays caught in the Convention Area.
5. CCMs shall require their fishing vessels to promptly release alive and unharmed, to the extent practicable, mobulid rays as soon as possible, and to do so in a manner that will result in the least possible harm to the individuals captured. CCMs should encourage their fishing vessels to implement the handling practices detailed in Annex 1, while taking into consideration the safety of the crew.
6. Notwithstanding paragraph 4, in the case of mobulid rays that are unintentionally caught and landed as part of a purse seine vessel’s operation, the vessel must, at the point of landing or transshipment, surrender the whole mobulid ray to the responsible governmental authorities, or other competent authority, or discard them where possible. Mobulid rays surrendered in this manner may not be sold or bartered but may be donated for purposes of domestic human consumption.
7. CCMs shall advise the Commission (in Part 2 of their Annual Report) on implementation of this CMM.

8. CCMs shall ensure that fishers are aware of proper mitigation, identification, handling and releasing techniques and should encourage them to keep on board all necessary equipment for the safe release of mobulid rays. For this purpose, CCMs are encouraged to use the handling practices included as Annex 1.

9. CCMs are encouraged to investigate at-vessel and post-release mortality in mobulids including, but not exclusively, the application of satellite tagging programs to investigate the effectiveness of this measure and more effective methods of live release.

10. Observers shall be allowed to collect biological samples of mobulid rays caught in the WCPFC Convention Area that are dead at haul-back.

11. This measure will take effect on 1 January 2021.

BEST HANDLING PRACTICES FOR THE SAFE RELEASE OF MANTAS & MOBULIDS

Purse Seine

Do's:

- Release rays while they are still free-swimming whenever possible (e.g., back down procedure, submerging corks, cutting net).
- It is preferable that larger rays (>60 kg), that are too large to be lifted safely by hand are brailled out of the net and released using a purpose built large-mesh cargo net or canvas sling or similar device as recommended in document SC08-EB-IP-12 (Poisson *et al.* 2012, Good practices to reduce the mortality of sharks and rays caught incidentally by the tropical tuna purse seiners). It is preferable that release nets or devices are prepared prior to each set.
- It is preferable that small (<30 kg) and medium rays (30-60 kg) are handled by 2 or 3 people and carried by the sides of its wings or preferably using a purpose-built cradle/stretchers while ensuring the safety of the crew.
- When entangled in netting, carefully cut the net away from the animal and release to the sea as quickly as possible while ensuring the safety of the crew.

Don'ts:

- Do not leave a ray on deck until hauling is finished before returning it to the sea.
- Do not punch holes through the bodies of rays (e.g., to pass a cable or line through for lifting the ray).
- Do not gaff, drag, carry, lift or pull a ray by its “cephalic lobes” or tail or by inserting hooks or hands into the gill slits or the spiracles.

Longline

Do's:

- For small rays, gently bring on board and remove as much gear as possible by backing the hook out. If hooks are embedded, either cut the hook with bolt cutters or cut the line at the hook and gently return the animal to the sea.
- For medium to large rays (>30 kg), leave the animal in the water and use a dehooker to remove the hook or a long-handled line cutter to cut the gear as close to the hook as possible (ideally leaving <0.5 meters of line attached to the animal).

Don'ts:

- Do not hit or slam a ray against any surface to remove the animal from the line.
- Do not attempt to dislodge a deeply hooked or ingested hook by pulling on the branch line or using a dehooker.
- Do not attempt to lift medium to large (>30 kg) rays aboard vessel.
- Do not cut the tail.
- Do not gaff, drag, carry, lift or pull a ray by its “cephalic lobes” or tail or by inserting hooks or hands into the gill slits or the spiracles.

Additional recommendation:

- Knowing that any fishing operation may catch rays, several tools can be prepared in advance (e.g., canvas or net slings or stretchers for carrying or lifting, large mesh net or grid to cover hatches/hoppers in purse seine fisheries, long handled cutters and de-hookers in longline fisheries).

RESOLUTION ON NON-TARGET FISH SPECIES

Resolution-2005-03

The Commission For The Conservation And Management Of Highly Migratory Fish Stocks In The Western And Central Pacific Ocean

In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean:

Noting the importance of many non-target fish species such as mahi mahi, rainbow runner and wahoo for sustainable livelihoods in many communities in the Convention Area;

Recognising the requirement for members of the Commission to adopt measures to minimise discards, catch of non-target fish species, and the impacts on associated or dependent species;

Resolves as follows:

1. Commission Members, Cooperating Non-members and participating Territories (CCMs) shall encourage their vessels operating in fisheries managed under the WCPFC Convention to avoid to the extent practicable, the capture of all non-target fish species that are not to be retained;
2. Any such non-target fish species that are not to be retained, shall, to the extent practicable, be promptly released to the water unharmed.



**COMMISSION
FIFTEENTH REGULAR SESSION**

Honolulu, Hawaii, USA

10 – 14 December 2018

RESOLUTION ON LABOUR STANDARDS FOR CREW ON FISHING VESSELS

Resolution 2018-01

The Commission for the Conservation and Management of Highly Migratory Fish Stock in the Western and Central Pacific Ocean,

Recalling Articles 6 and 8 of the 1995 FAO Code of Conduct for Responsible Fisheries which set out international standards, including labour standards for the responsible conduct of fishing operations to ensure fair work and living conditions;

Noting the Commission has to consider adopting generally accepted international minimum labour standards for the responsible conduct of fishing operations;

Noting the increasing global attention to instances of poor labour conditions and mistreatment of crews including forced labour and child labour on board fishing vessels;

Acknowledging the important role played by crew members in assisting the conduct of fishing vessel operations in compliance with WCPFC Conservation and Management Measures, and the central role that crew members play in contributing to effective fishing operations;

Recalling efforts that WCPFC Members have made in recent years in improving the conditions and welfare of observers on board fishing vessels, and acknowledging the equal importance of the welfare of crew members;

Reaffirming the importance of the responsibilities of flag States under international law regarding fishing vessels flying their flag, including with respect to safety at sea and labour conditions on fishing vessels;

Mindful that WCPFC Member Small Island Developing States and Participating Territories have a legitimate interest in increasing the participation of their labour force in the crewing of vessels that catch highly migratory fish stocks in their waters, and that CCMs are interested in promoting safe and decent employment for their nationals;

Resolves that:

1. CCMs are encouraged to make every effort to ensure that their relevant national legislation fully extends to all crew working on fishing vessels flying their flag in the WCPFC Convention Area and, where appropriate and applicable, CCMs are encouraged to adopt measures into their national legislation to establish minimum standards regulating crew labour conditions. CCMs are further encouraged to ensure the adequate enforcement of all relevant legislation, including

by identifying and prosecuting breaches of relevant national laws relating to the treatment of crew by vessel operators landing fish in their ports or operating in their waters.

2. CCMs are encouraged to implement measures, consistent with generally accepted international minimum standards for crew on fishing vessels, where applicable, to ensure fair working conditions on board for all crew working on fishing vessels flying their flag and operating within the WCPF Convention area, including, *inter alia*:
 - a) A safe and secure working environment with minimum risk to health and wellbeing;
 - b) Fair terms of employment, that are enshrined in a written contract or in equivalent measures, which are made available to the employee, in a form and language that facilitates the employee's understanding of the terms and is agreed by the employee;
 - c) Decent working and living conditions on board vessels, including access to sufficient fresh water and food, operational safety protection and medical care, and that facilitate acceptable standards of sanitary hygiene;
 - d) Decent and regular remuneration as well as appropriate insurance for the crew; and
 - e) Providing crew members with the opportunity to disembark, and seek repatriation if so entitled.
3. CCMs are encouraged to work with any entities involved in recruitment of crew to implement the provisions of this Resolution.
4. CCMs are encouraged to apply and, where appropriate, strengthen effective jurisdiction and control over vessels flying their flag and to exercise due diligence to improve and enforce requirements regarding labour conditions on board fishing vessels.
5. All CCMs are encouraged to share progress on implementation of this Resolution annually to the Commission.
6. To implement this Resolution, developed CCMs are encouraged to make concerted efforts and consider innovative options to assist developing CCMs – both flag CCMs and coastal CCMs – in the development and strengthening of relevant domestic legislation and in the enforcement of that legislation, including working with local industries (which includes labour agents) to help them meet the minimum standards in this Resolution.

COUNTRY CODES

CMM 2014-03 Attachment 7. Country Codes (ISO 3166) - This CMM is not included in this booklet however the international codes are included for use by observers.

Country Name	Code
Afghanistan	AF
Albania	AL
Algeria	DZ
American Samoa	AS
Andorra	AD
Angola	AO
Anguilla	AI
Antarctica	AQ
Antigua and Barbuda	AG
Argentina	AR
Armenia	AM
Aruba	AW
Australia	AU
Austria	AT
Azerbaijan	AZ
Bahamas	BS
Bahrain	BH
Bangladesh	BD
Barbados	BB
Belarus	BY
Belgium	BE
Belize	BZ
Benin	BJ
Bermuda	BM
Bhutan	BT
Bolivia	BO
Bosnia and Herzegovina	BA
Botswana	BW
Bouvet Island	BV
Brazil	BR
British Indian Ocean Territory	IO
Brunei Darussalam	BN
Bulgaria	BG
Burkina Faso	BF
Burundi	BI
Cambodia	KH
Cameroon	CM
Canada	CA

Country Name	Code
Cape Verde	CV
Cayman Islands	KY
Central African Republic	CF
Chad	TD
Chile	CL
China	CN
Christmas Island	CX
Cocos (Keeling) Islands	CC
Colombia	CO
Commonwealth of the Northern Mariana Islands	MP
Comoros	KM
Congo	CG
Congo, The Democratic Republic of the	CD
Cook Islands	CK
Costa Rica	CR
Cote D'ivoire	CI
Croatia	HR
Cuba	CU
Cyprus	CY
Czech Republic	CZ
Denmark	DK
Djibouti	DJ
Dominica	DM
Dominican Republic	DO
East Timor	TP
Ecuador	EC
Egypt	EG
El Salvador	SV
Equatorial Guinea	GQ
Eritrea	ER
Estonia	EE
Ethiopia	ET
European Union	EU
Falkland Islands (Malvinas)	FK
Faroe Islands	FO
Federated States of Micronesia	FM
Fiji	FJ
Finland	FI

Country Name	Code
France	FR
French Guiana	GF
French Polynesia	PF
French Southern Territories	TF
Gabon	GA
Gambia	GM
Georgia	GE
Germany	DE
Ghana	GH
Gibraltar	GI
Greece	GR
Greenland	GL
Grenada	GD
Guadeloupe	GP
Guam	GU
Guatemala	GT
Guinea	GN
Guinea-Bissau	GW
Guyana	GY
Haiti	HT
Heard and Mc Donald Islands	HM
Honduras	HN
Hong Kong	HK
Hungary	HU
Iceland	IS
India	IN
Indonesia	ID
Iran (Islamic Republic of)	IR
Iraq	IQ
Ireland	IE
Israel	IL
Italy	IT
Jamaica	JM
Japan	JP
Jordan	JO
Kazakhstan	KZ
Kenya	KE
Kiribati	KI
Korea (Democratic Republic of)	KP
Korea (Republic of)	KR

Country Name	Code
Kuwait	KW
Kyrgyzstan	KG
Lao People's Democratic Republic	LA
Latvia	LV
Lebanon	LB
Lesotho	LS
Liberia	LR
Libyan Arab Jamahiriya	LY
Liechtenstein	LI
Lithuania	LT
Luxembourg	LU
Macau	MO
Macedonia (the Former Yugoslav Republic of)	MK
Madagascar	MG
Malawi	MW
Malaysia	MY
Maldives	MV
Mali	ML
Malta	MT
Marshall Islands	MH
Martinique	MQ
Mauritania	MR
Mauritius	MU
Mayotte	YT
Mexico	MX
Moldova (Republic of)	MD
Monaco	MC
Mongolia	MN
Montserrat	MS
Morocco	MA
Mozambique	MZ
Myanmar	MM
Namibia	NA
Nauru	NR
Nepal	NP
Netherlands	NL
Netherlands Antilles	AN
New Caledonia	NC
New Zealand	NZ
Nicaragua	NI

Country Name	Code
Niger	NE
Nigeria	NG
Niue	NU
Norfolk Island	NF
Norway	NO
Oman	OM
Pakistan	PK
Palau	PW
Panama	PA
Papua New Guinea	PG
Paraguay	PY
Peru	PE
Philippines	PH
Pitcairn	PN
Poland	PL
Portugal	PT
Puerto Rico	PR
Qatar	QA
Reunion	RE
Romania	RO
Russian Federation	RU
Rwanda	RW
Saint Kitts And Nevis	KN
Saint Lucia	LC
Saint Vincent and the Grenadines	VC
Samoa	WS
San Marino	SM
Sao Tome and Principe	ST
Saudi Arabia	SA
Senegal	SN
Serbia	RS
Seychelles	SC
Sierra Leone	SL
Singapore	SG
Slovakia (Slovak Republic)	SK
Slovenia	SI
Solomon Islands	SB
Somalia	SO
South Africa	ZA
South Georgia and the South Sandwich Islands	GS

Country Name	Code
Spain	ES
Sri Lanka	LK
St. Helena	SH
St. Pierre and Miquelon	PM
Sudan	SD
Suriname	SR
Svalbard and Jan Mayen Islands	SJ
Swaziland	SZ
Sweden	SE
Switzerland	CH
Syrian Arab Republic	SY
Chinese Taipei	TW
Tajikistan	TJ
Tanzania (United Republic of)	TZ
Thailand	TH
Timor-Leste	TL
Togo	TG
Tokelau	TK
Tonga	TO
Trinidad and Tobago	TT
Tunisia	TN
Turkey	TR
Turkmenistan	TM
Turks and Caicos Islands	TC
Tuvalu	TV
Uganda	UG
Ukraine	UA
United Arab Emirates	AE
United Kingdom	GB
United States Minor Outlying Islands	UM
United States of America	US
Uruguay	UY
Uzbekistan	UZ
Vanuatu	VU
Vatican City State (Holy See)	VA
Venezuela	VE
Vietnam	VN
Virgin Islands (British)	VG
Virgin Islands (U.S.)	VI
Wallis and Futuna	WF

Country Name	Code
Western Sahara	EH
Yemen	YE
Zaire	ZR

Country Name	Code
Zambia	ZM
Zimbabwe	ZW

Glossary of common Acronyms and Terms

Acronym	Meaning
3IA	3rd Implementing Agreement (PNA)
ABNJ	Areas Beyond National Jurisdiction
ALC	Automatic Location Communicator
C of C	Code of Conduct
CA	Convention Area
CE	Cross Endorsement
CCMs	Commission Members, Cooperating Non-Members and Participating Territories
CCSBT	Commission for the Conservation of Southern Bluefin Tuna
CDS	Catch Documentation scheme
CITES	Convention on International Trade in Endangered Species
CMMs	Conservation and Management Measures
CMS	Compliance Monitoring Scheme
CNM	WCPFC Cooperating Non-Members
COFI	FAO Committee on Fisheries
dCMR	Draft Compliance Monitoring Report
DCC	Data Consultative Committee
DP	Delegation Paper
DWFN	Distant Water Fishing Nation
DWFFV	Distant Water Fishing Vessel
ED	Executive Director
EEZ	Exclusive Economic Zone
E-HSP	Eastern High Seas Pocket
ER	Electronic Reporting
EM	Electronic Monitoring
EPO	Eastern Pacific Ocean
F	Fishing Mortality Rate
FAD	Fish Aggregating Device
FAO	Food and Agriculture Organisation
msy	maximum sustainable yield
Fmsy	Maximum rate of fishing mortality
GRT	Gross Registered Tonnage
GT	Gross Tonnage
HMS	Highly Migratory Species
HS	High Seas
HSP	High Seas Pocket
HSP-1SMA	High Seas Pocket 1 Special Management Area
IATTC	Inter-American Tropical Tuna Commission
IMO	International Maritime Organization
IP	Information Paper
IPOA	International Plan of Action
IRCS	International Radio Call Sign
ISC	International Science Committee

IWG	Intersessional Working Group
ITU	International Telecommunication Union
IUU	Illegal, Unreported and Unregulated
IW	International Waters
IWG	Intersessional Working Group
LOA	Length Overall
LL	Long line
LR	Lloyd's Register
LSPSV	Large Scale Purse Seine Vessels
MARPOL	Marine Pollution
MCS	Monitoring, Control and Surveillance
MHLC	Multilateral High Level Conference
Min.	Minimum
Members	Australia, China, Canada, Cook Islands, European Union, Federated States of Micronesia, Fiji, France, Indonesia, Japan, Kiribati, Republic of Korea, Republic of Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Philippines, Samoa, Solomon Islands, Chinese Taipei, Tonga, Tuvalu, United States of America, Vanuatu
MSC	Marine Stewardship Council
MSE	Management Strategy Evaluation
NC	Northern Committee of the Commission
NOAA	National Oceanic Atmospheric Organisation (USA)
NPOA	National Plan of Action
OFP	Oceanic Fisheries Programme (SPC)
OP	Observer Paper
Participating Territories	American Samoa, Commonwealth of the Northern Mariana Islands, , Guam, Tokelau, French Polynesia New Caledonia, Wallis and Futuna.
PNA	Parties to the Nauru Agreement
Prep Con	Preparatory Conference
PS	Purse Seiner
Res	Resolution
RFMO	Regional Fisheries Management Organisation
RFV	Record of Fishing Vessels
ROCW	Regional Observer Coordinators Workshop
ROP	Regional Observer Programme
RREG	Regional Register (Forum Fisheries Agency)
SC	Science Committee of the Commission
SIDS	Small Island Developing States
SOLAS	Safety of Life at Sea
SPC	Secretariat Pacific Community
SSP's	Standards, Specifications and Procedures
TCC	Technical and Compliance Committee of the Commission
TOR	Terms of Reference

TRP	Target Reference point
UNCLOS	United Nations Convention on the Law of the Sea
UNFSA	United Nations Fish Stocks Agreement
UST	Multilateral Treaty on Fisheries Between Certain Governments of the Pacific Island States and the Government of the United States of America (also referred to as the US Treaty)
UVI	Unique Vessel Identifier
VDS	Vessel Day Scheme
VID	Vessel Identifier
VMS	Vessel Monitoring System
WCPFC	Western and Central Pacific Fisheries Commission
WCPO	Western and Central Pacific Ocean
WIN	WCPFC Identification Number
WP	Working Paper

Observer programmes

Western Central Pacific Fisheries Commission Regional Observer Programme (ROP) observers are from or are employed to work for the following national or sub regional observer programmes:

AUSTRALIA
CHINA
COOK ISLANDS
EUROPEAN UNION- PORTUGAL
FIJI
FEDERATED STATES OF MICRONESIA
JAPAN
INDONESIA
KIRIBATI
REPUBLIC OF KOREA
MARSHALL ISLANDS
NAURU
NEW CALEDONIA
NEW ZEALAND
Pacific Islands Forum Fisheries Agency (FFA)
PALAU
Parties to the Nauru Agreement (PNA) Observer Agency
PHILIPPINES
PAPUA NEW GUINEA
SOLOMON ISLANDS
TONGA
TUVALU
CHINESE TAIPEI
UNITED STATES OF AMERICA
VANUATU

WCPFC ROP observers may also be trained and endorsed to work as part of the Inter American Tropical Tuna Commission observer programme when they are onboard vessels that operate in the WCPFC & IATTC Convention Areas on the same trip.

Details of coordinators can be found on WCPFC.int Website

