



**Northern Committee
Fifth Regular Session
Nagasaki, Japan
7-10 September 2009**

SUMMARY REPORT

AGENDA ITEM 1. OPENING OF THE MEETING

1. The Fifth Regular Session of the Northern Committee took place at Nagasaki, Japan, on 7-10 September 2009. The Meeting was attended by members from Canada, Cook Islands, Japan, Republic of Korea, Chinese Taipei, United States of America and Vanuatu. The list of meeting participants including observers is included in **Attachment A**.

1.1 Welcome

2. Masanori Miyahara, Chair of the Northern Committee (NC), opened the meeting and welcomed the participants to Nagasaki Prefecture which had extended an invitation to hold the 2009 Session of the NC in Nagasaki City. The Governor of Nagasaki Prefecture, Mr Genjiro Kaneko, presented a welcome address.

1.2 Adoption of agenda

3. The provisional agenda, as amended, was adopted (**Attachment B**). The documents that supported the meeting were available on the WCPFC website.

1.3 Meeting arrangements

4. Japan, as a host, briefed the meeting of social arrangements and the meeting schedule.

AGENDA ITEM 2. CONSERVATION AND MANAGEMENT MEASURES

2.1 Report from the 9th International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean

5. Gary Sakagawa, Chairman of the ISC, introduced the ISC9 report to the NC5. He summarized the ISC accomplishments during the 2008-2009 year and provided an update on stock status and conservation advice for Pacific bluefin, albacore, swordfish and ISC-related work on striped marlin, blue marlin and sharks. He reviewed data and information gaps, including a biological research proposal to be presented under Agenda Item 4. He advised that the ISC Plenary also considered

administrative matters relating to the WCPFC/ISC MoU, the requirement for consideration of a peer review procedure as recommended by the Independent Review of Interim Arrangements for Science Structure and Function and also logistical and administrative requirements support for ISC's work which are further considered below under Agenda Item 6.

6. A summary of stock status, conservation advice and issues arising from working group and ISC9 discussions during the year was then provided to the Committee.

Pacific bluefin tuna

7. Yukio Takeuchi (Japan) reported the stock status and conservation advice of Pacific bluefin tuna from ISC 9 plenary in July 2009. After NC4, ISC PBF WG concluded that adult M is likely to be higher than that used in 2008 stock assessment and picked up a new vector for a sensitivity run. The results of the new run were introduced to describe the instability of the management benchmark including biological reference points with respect to small perturbation of adult M. Nevertheless, most of the conclusion on the stock status of the stock made in ISC8 remains compatible with the new run with new M with few exceptions. With regard to the conservation advice there are two different opinions on future fishing mortality, which ISC could not reach single consensus. One requires not increasing fishing mortality and the other focuses on juvenile fishing mortality and requires decreasing it.

8. The Committee discussed the implication of changing the natural mortality (M) estimates for mature fish noting that the change resulted in a more favorable outcome concerning the status of the stock. The change had been considered as a result of improved understanding of the age and growth of Pacific bluefin, reproductive biology and maximum age. However, the M used in the analysis represented preliminary estimates and further research is required.

9. Korea requested future stock assessment advice from ISC to the NC be presented in the form of a Kobe chart. In response, Yukio Takeuchi advised that can be done but first the Northern Committee needs to determine the limit and target reference points. The selection of the reference point will determine the trend in fishing mortality and stock biomass trajectories as well as the status of the stock relative to overfishing and over-fished reference points. In response to a question from Korea Yukio Tekeuchi further explained that recruitment is related to localized environmental conditions. Also it appears that recruitment has been stronger with less variability since mid-1990s relative to the situation that persisted in the 1980s. He suggested that the relationship between environmental conditions and recruitment could be the subject for future research to identify.

North Pacific albacore

10. Gary Sakagawa summarized ISC results on status of the albacore stock that was carried out by the ISC's ALBWG under the leadership of new Chairman, John Holmes. The latest stock assessment was completed in 2006 with data up to 2005. No new stock assessment has been conducted since then and a full stock assessment is planned for 2011. A qualitative analyses with limited fishery data for 2008 and 2009 was undertaken in 2008 and 2009 to determine levels of recent recruitment and to assess the continued existence of historical high levels of recent adult biomass that were identified in the 2006 assessment. The analyses proved to be inconclusive; hence, the ISC has no new information on stock status and conservation advice to offer beyond that provided in 2007, i.e., current F is high relative to most of the F reference points commonly used in fisheries management and hence, the recommendation

of not increasing F from current level ($F= 0.75$) is still valid. The ISC, however, recognizes that not having available a more recent stock assessment than the 2006 assessment increases the uncertainty about recent stock status and this advice.

11. The ISC completed work in 2009 on determining $F_{SSB-ATHL}$ associated with the average level of the 10 historically lowest years for spawning stock biomass for the albacore stock over the last 40 years. The $F_{SSB-ATHL}$ is 0.75/yr, which is the same level as estimated by the 2006 assessment as the current F level. Work was requested by the Northern Committee which has adopted this F -based parameter as an interim biological reference point. The ISC, however, requested clarification from the NC as to whether this interim reference point is a limit or a target reference point. If it is the former, then the NC needs further consideration with regard to the 50% probability limit it has chosen for this parameter. If it is the latter, further consideration of the decision, regarding appropriateness, is required.

12. The USA expressed concern about the length of time between stock assessments given the importance of albacore and bluefin to the Committee and their apparent status. In response to a suggestion that the Committee consider a regular assessment schedule, the Chairman noted that ICCAT schedules a stock assessment every 4 years with a mid-term review. The Chairman of the ISC noted that he had encouraged ISC to establish a regular 3-year assessment schedule but this has not been accepted. He noted that it would not be possible for ISC to produce an assessment for north Pacific albacore in 2010.

By-catch species

13. The Chairman of ISC reported that the ISC plans to convene a session of the By-catch WG to give consideration to sharks although there is still some uncertainty within the ISC whether sharks should be considered by-catch or target species. He also noted ISC currently has insufficient resources to address many by-catch issues although sea turtles and sea birds will receive attention in future years (see Agenda Item 2.4.2).

North Pacific swordfish

14. Gary Sakagawa reported on the results of ISC's 2009 stock assessment of swordfish in the North Pacific Ocean on behalf of Gerard DiNardo, Chairman of the ISC BILLWG. He noted that the assessment was based on two different stock structure hypotheses. One hypothesis, a single homogeneous stock in the North Pacific Ocean, was used as a reference because previous stock assessments were based on this hypothesis. The second hypothesis, two stocks, WCPO and EPO, in the North Pacific Ocean with little or no mixing between them, is the preferred hypothesis because most of the stock structure evidence so far supports this hypothesis.

15. Available data for 1951-2006 were suitable for conducting the stock assessment with a Bayesian Surplus Production Model (BSPM). Results using the single stock hypothesis indicate that the MSY is 19,100 t and the exploitable biomass has been well above this MSY level. The estimated harvest rate has been well below the average harvest rate of 34% at MSY. The harvest rate for 2006 was 13%.

16. Gary Sakagawa summarized the results as follows: Available stock structure evidence supports the two-stock hypothesis and not the single stock hypothesis. Available data are most suitable for conducting a stock assessment with a BSPM. Results of the assessment with the BSPM

indicate that for both stocks the exploitable biomass' have been above the biomass' at MSY and the harvest rate has been below that required to produce the MSY. The current (2006) estimated harvest rates for the stocks are below the harvest rates at MSY and projections of these harvest rates to 2010 produced exploitable biomass' above the biomass' at MSY. The ISC concluded that both stocks of swordfish in the North Pacific Ocean are healthy and well above levels required to sustain recent catches.

17. The Chairman of ISC advised that genetic studies had concluded that there are two stocks of swordfish in the North Pacific. He also noted that data from the Spanish longline fleet operating in the EPO was not available to the assessment but that the amount of catch by that fleet was relatively small and was not expected to impact the assessment in a significant way.

North Pacific striped marlin

18. Gary Sakagawa reported, on behalf of Gerard DiNardo, Chairman of the ISC BILLWG, on the work of the ISC with regard to stock status and conservation advice for striped marlin of the North Pacific Ocean. He reported that the ISC is planning to conduct a full stock assessment in 2011 after completing a recent assessment in 2007. He informed the participants that updated catches of striped marlin, 1952-2006, continues to show a downward trend since the late 1960s. Based on catch statistics, most of the biomass (2/3 or more) in the North Pacific Ocean is located north of 20 N, and the trend in fishing mortality rate on spawners (ages 5+) has been increasing, reaching a high level in 2003, the last year estimated by the 2007 assessment. The estimated spawning biomass has declined sharply since the early 1970s and was at a historical low in 2005.

19. The ISC continues to believe that the 2007 assessment provides the best available information on stock status of striped marlin in the North Pacific Ocean and that the conservation advice provided in 2007 is still valid. That is, overall F for striped marlin should be reduced. The degree of reduction should be guided by the biological reference point selected by management authorities, which should consider the population biology of this species and the characteristics of the fisheries. Until such an action is adopted, fishing mortality rate should not be increased.

2.2 Report of the Fifth Regular Session of the Scientific Committee (SC5), 10-21 August 2009, Port Vila, Vanuatu

20. The Chair of the WCPFC Scientific Committee, Naozumi Miyabe, presented a summary report on the outcomes of the fifth meeting of the SC in relation to the work of the NC (WCPFC-NC5-NC5-2009/IP06).

21. In response to a query from the USA, the Chair of the Scientific Committee advised the Committee that the Scientific Committee has not established a schedule of assessments for target stocks. He noted that yellowfin and albacore had been assessed in 2009 and that bigeye was subject to a streamlined assessment. He advised the Committee that, in 2010, skipjack and bigeye would be subject to full assessments.

22. Japan noted the combined impact of fisheries in tropical areas for skipjack and oceanographic variability may be resulting in changes to the distribution of the stocks in the northwest Pacific Ocean and their availability to fishing fleets. It was noted that, at SC5, Japanese researchers and SPC-OFI had agreed to cooperate on the 2010 skipjack assessment so that such changes may be accommodated in

the assessment.

23. In response to the request from the SC for the ISC to frame its management advice using common MSY-based reference points until decided otherwise, the ISC Chairman responded that, in ISC's view, it is up to the management body, in this case the NC, to determine the default reference points to be used. He noted that, for north Pacific albacore the interim reference point adopted is SSB – but it was unclear if this was intended to be a limit or target reference point.

24. In regard to the availability of ISC documents, the Chairman of ISC advised that timely provision of documents for ISC meetings faced similar challenges as is experienced by the SC and that documents were rarely available well in advance of the meeting. It was noted that while there had been an improvement with the posting of the reports of the ISC WG's and the Plenary on the ISC website the availability of documents that supported discussion in the WGs and the Plenary remained an issue.

2.3 Conservation and management measures for the northern stocks

2.3.1 Pacific Bluefin tuna

25. The Committee noted that:

WCPFC5 agreed that CCMs are requested not to increase the level of fishing mortality on Pacific bluefin in 2009 on a voluntary basis and tasked NC5 to work toward developing a draft CMM for Pacific bluefin for consideration at WCPFC6

26. At the invitation of the Chair, CCMs reported on voluntary action taken during the last 12 months not to increase the level of fishing effort on Pacific bluefin.

27. Japan reported that it had initiated wide consultation with a range of stakeholders to raise awareness about international perceptions concerning responsible fisheries management and requested industry to constrain effort. A powerpoint presentation was used to profile fisheries in Japan taking Pacific bluefin. Japan reported that purse seine fishing associations had implemented a voluntary measure not to catch Pacific bluefin less than 2kg. Japan acknowledged that this is hard to regulate in mixed schools but vessels were encouraged to re-locate away from fishing grounds where small tuna were encountered. Informal information was that the measure was implemented well resulting in a substantial reduction in the catch of juvenile fish.

28. In response to a question from Korea regarding whether or not any domestic regulations have been implemented and whether or not any juvenile catch is taken in set nets Japan replied that the measure by purse seine associations is voluntary and that set net fisheries had been regulated under an existing licensing system and that existing data demonstrates that juvenile bluefin are not taken in set nets – those nets take larger fish. Korea also noted that the catch of bluefin by small Japanese longliners had increased by 4 times from 2007 to 2008. Japan responded that the catch of these vessels is declining. In any case these vessel target adult bluefin. A challenge in introducing a catch limit for bluefin is the variable migration path of bluefin – so there is significant variability in catch from one year to another probably as a result of environmental changes. Japan reported the catch of bluefin reduced substantially in 2009. Japan is uncertain what level of catch is gauged to be a “normal” year and that it is not possible, at this point, to forecast the 2009 total catch.

29. Korea explained that the bluefin market is small in Korea, that Korea does not currently regulate fisheries on a species by species basis and there is no concept of by-catch. The government does regulate the number of licenses by gear type and is conducting a programme to reduce the number of licenses. In addition, TACs is also set for mackerel purse seine fisheries which also take Pacific bluefin.. Korea explained that there are several types of fisheries taking bluefin – mainly by purse seine, coastal set net and troll fisheries for which the statistics for bluefin are poor. The Busan-based Research Institute currently estimates catches on the basis of market surveys although enhanced monitoring of port landings is under development. It will report on the results of these efforts to the next ISC. In 2008 the total estimated catch for purse seiners was 1,536 mt increasing from 1,054 mt in 2007. No data is available for the catch from other fisheries which mainly consist of set nets with the possibility of some catch taken by other fishing gears, as reported to ISC.

30. Japan recalled that discussion on a CMM for Pacific bluefin had started in the NC in 2006 and appealed to Korea to demonstrate to the international community its commitment to participate in NC efforts to establish sustainable measures for Pacific bluefin. Korea reiterated that, in Korean law, there is no concept of by-catch or target species. The current level of bluefin catch is small accounting for less than 1% of the total catch of Korean purse seiners, and is thus considered by-catch. Korea did note that the level of catch around the Korean peninsula is increasing and Korean fishermen want to pursue opportunities to catch bluefin. Japan noted that, in 2003, Korea reported a catch of 2,000 mt which was 10% of the total bluefin catch. As a result, in Japan's view Korea does have a significant role in the conservation and management of the stock. Japan recalled the advice of the ISC that F should not be increased so, in its view, the Korean government's policy of supporting the development of coastal fisheries for bluefin is not consistent with this advice. Korea recognized a right to develop and manage fisheries within waters under national jurisdiction and expressed its desire to control bluefin fisheries in the Korean EEZ by itself. Japan stated that when observing the operational basis of purse seiners these vessels do target bluefin tuna. Korea advised that it had no information available to confirm the observation that Korean purse seiners target bluefin tuna but would submit information to NC6 in relation to this matter.

31. The Committee noted the principle of compatibility, the need to implement Measures that secure conservation and management of the stock throughout its range within the Convention Area and the provisions of the Convention requiring that measures within EEZs do not undermine the conservation and management measures put in place by the Commission.

32. Chinese Taipei reported that many small longline fisheries were fishing for Pacific bluefin from March to July. There is a limited entry control for this fishery. Last year the number of small longliners fishing for Pacific bluefin was lower than the 2002-2004 level. Size data for over 90% of the landings in domestic ports were measured and collected. Catches of Pacific bluefin for larger longliners (>100GRT) were less than one (1) metric tonne last year. Bluefin is only taken in insignificant amounts by other gear types. Chinese Taipei has an on-going programme of limiting fishing capacity and all longliners that are operating in the high seas in the fishery are installed with VMS for better monitoring purposes.

33. The USA reported it does not have a target fishery for Pacific bluefin. Following a query from Korea concerning a reduction in the recreational Pacific bluefin catch since 2004, the USA responded that the catch reduction could be a result of the fish being intercepted in Mexican waters before they reach the fishing grounds of the US recreational fleet.

34. The Committee noted Mexico's preliminary 2008 catch estimate reported to ISC was 4,400 mt. The Chair noted an invitation had been extended to Mexico to participate in ISC and NC discussions but they had been unable to attend. It was also reported that recent exports of Mexican farmed bluefin had received low prices on the Japanese markets and that this might constrain further expansion of bluefin farming enterprises in Mexico.

35. Vanuatu reported no bluefin catch.

36. In considering conservation and management options the Committee noted that the conservation advice from ISC for Pacific bluefin remained unchanged:

1. If F remains at the current level and environmental conditions remain favourable, the recruitment should be sufficient to maintain current yield well into the future.
2. A reduction in F in combination with favourable environmental conditions, should lead to greater SPR.
3. Increases in F above the current level, and/or unfavourable changes in environmental conditions, may result in recruitment levels which are insufficient to sustain the current productivity of the stock.

37. It was noted that with regard to advice on the current level of F , differing viewpoints were expressed by ISC members. Some members concurred with the findings of the PBFWG which stated:

4. Given the conclusions of the May-June 2008 stock assessment with regard to the current level of F relative to potential target and limit reference points, and residual uncertainties associated with key model parameters, it is important that the current level of F is not increased.

38. In contrast, other members suggested that the following statement better reflects the current understanding of the stock status relative to the range of reference points considered (Figure 1):

4bis. Given the conclusions of the July 2009 PBFWG, the current level of F relative to potential biological reference points, and increasing trend of juvenile F , it is important that the current [sic] level of F is decreased below the 2002-2004 levels on juvenile age classes.

39. The Committee noted that the conservation and management advice points 4 and 4bis are not inconsistent with each other. Both points describe limiting F with the second option advising on the need to decrease current F on juvenile fish. The USA noted that even with a decrease of F on juveniles the overall F is still greater than any commonly used reference point including F_{\max} . As a result, it is the view of the USA that F should not be increased and probably needs to be reduced.

40. The NC discussed a draft conservation and management measure (CMM) for northern Pacific bluefin tuna proposed by Japan (WCPFC-NC5-2009/DP01). Discussion was supported by a supplementary submission by Japan which summarized NC discussions since 2006 in respect of Pacific bluefin in the NC (WCPFC-NC5-2009/IP07). It was noted that four elements need to be factored into the measure i) high seas effort, ii) effort in coastal fisheries, iii) target fisheries and iv) fisheries that

take bluefin as by-catch. Other factors considered for inclusion included i) acceptance of a reference level of fishing effort (2002-2004 was considered as an appropriate reference level on the basis of previous discussions in the Committee) ii) a commitment for the measure to apply throughout the range of the stock, iii) to provide complete catch and effort data, iv) identification of stock specific reference points, v) large range of yearly fluctuations of catches, and vi) the special needs of artisanal fisheries.

41. Korea advised that it is not in a position to endorse the Japanese proposal in regard to a commitment not to increase effort. However, Korea undertook to control fishing effort in its own EEZ and not increase effort in the high seas. Little or no Pacific bluefin catch is reported from the high seas fishery. In the meantime Korean scientists will continue work to assess the status of the stock and monitor environmental changes that may be resulting in increased catch.

42. Cook Islands, Vanuatu and Chinese Taipei advocated the need to maintain F at the current (2002-2004) level. The USA expressed concern about the relative lack of substantive measures endorsed by the NC during its four years of operation. While appreciating Japan's proposal the USA considered there is a need to address i) the issue of increasing F on juveniles, and ii) freeze F current (2002-2004) as the reference period to measure F for the purpose of monitoring compliance with management measures. The USA also recommended that a process to establish stock specific reference points consistent with the provisions of the Convention be established for bluefin. The Chair agreed that it is a requirement for RFMO to establish stock specific reference points and that the NC should consider making a commitment to this.

43. The NC adopted a measure for 2010 that will not apply to the Korean EEZ or artisanal fisheries to recommend to the Commission (WCPFC-NC5-2009/DP01 Rev.2 - **Attachment C**).

2.3.2 North Pacific Albacore

44. In providing the Committee with a brief overview of fisheries for albacore, the USA reported that its main albacore fleet is on west coast and that the size of fleet has been decreasing. A licensing and logbook system is in place for this fleet. Chinese Taipei reported vessels targeting north Pacific albacore are limited to 25. In 2007 and 2008, the number of vessels targeting this species was declining. Korea reported that the current number of vessels operating in the fishery cannot be increased while Japan reported that the number of vessels in its albacore fleet is declining. The Cook Islands reported that the number of vessels in its fleet fishing north Pacific albacore is limited to the number of vessels that operated in the period 2002-2004. Canada noted that the Canadian albacore fishery is a limited entry fishery and effort has been decreasing and Canada had not had a recent presence in the fishery in the WCPF Convention Area. The Secretariat reminded the Committee of the 6-monthly and annual reporting obligations in CMM 2005-03 and noted that there was significant room for improvement in reporting as required by the CMM. CCMs made a commitment to comply with the required data submission schedule.

45. The Committee discussed the establishment of a regular assessment schedule for stocks under the mandate of the NC. The USA and Canada proposed that regular assessments occur on no more than a 3-year cycle noting that the lack of timely stock status advice to the Committee could lead to unnecessarily harsh measures being imposed on the fishery. Japan, recalling the schedule in place in ICCAT, noted that there is currently no budget to support ISC stock assessment work and that ISC working groups already have a demanding work load. While agreeing that the ISC needs to be adequately resourced the USA considered that it is the ISC's role is to provide scientific information to

support the work of the NC and that the ISC needs to tailor its schedule to meet the requirements of the NC not vice versa. It was also noted that resourcing ISC needs to be addressed at two levels – one at the national level to support the contribution of scientists to the work of ISC and the other at the ISC level to support its coordination and advisory function.

46. The Committee recalled that NC4 had discussed possible revisions to CMM 2005-03 and received a proposal for additional amendments from the USA for the consideration of NC5.

47. Tom Graham (USA) introduced a proposal for further revision to CMM 2005-03 including amendments to the proposal that was tabled at NC4. The revisions include stipulation that the reporting would be for the Convention Area and establishes a reporting schedule. The proposal calls on collaboration with IATTC, possibly through participation in the proposed IATTC working group tasked with developing an operational definition of “current levels” and provides for albacore measures of either organization to be implemented uniformly across the north Pacific assuming the CMM of each organization are the same. It calls for the identification of explicit reference benchmark levels of effort, reporting for each fleet or fisheries, controls and monitoring mechanisms implemented.

48. While acknowledging that there are differences between fisheries the USA stressed the need for a standardized definition of current fishing effort noting that the ISC assessments are based on F_{current} referring to the 2002-2004 period. The USA reported that the IATTC has established a working group to define F_{current} and recommended participation by ISC and NC representatives in the work of the Group. As albacore is a pan-Pacific stock there is a real need for collaboration between the IATTC and WCPFC on management and conservation efforts for this stock. The USA also reminded the Committee of the appeal from the ISC to determine if the interim management objective proposed at NC4 is a limit or target reference point. In the USA and Canada’s view it is a limit reference point.

49. Japan considered that, apart from poor reporting, CMM 2005-03 worked well. Japan advised that it can support a large part of some aspects of the proposal but are cautious about too many changes to existing CMMs. Japan considered that the baseline for CMM 2005-03 was 2002-2004 and that if that is accepted then no change to the baseline is required. Japan also noted that the next assessment is due in 2011 and suggested that the NC should wait for that assessment before reviewing CMM 2005-03. In addition, establishing the same measures between IATTC and WCPFC may be difficult because of different characteristics of each organization and the region under its management.

50. The Chair of the ISC requested clarification on the probability that the reference point will not be exceeded. Canada referred to WCPFC-NC5-2009/IP09 which relates to the precautionary approach and reiterated that 50% probability of the reference point being exceeded is not consistent with the precautionary approach. A more appropriate level is 95% so as to avoid the possibility that the reference point will be exceeded. Japan was of the view that NC4 had agreed to an interim reference point with an associated probability of 50% and that should be maintained – probably as a target reference point as a limit reference point based on $F_{2002-2004}$ may be too cautious.

51. The USA disagreed stating that would not be sufficiently precautionary. The USA reiterated the reference point proposed is a limit reference point. It was noted that the current stock assessment is several years old with some indication that the current F is below the reference point. The USA appealed to the Committee to give some consideration to the image of the Committee in both the Commission and in the international community where it needs to demonstrate responsible management.

52. The Cook Island noted that the revised proposal put forward by the USA attempts to develop standardised measurements of effort that it would support, primarily as the standardisation of effort enables more direct relationships to be drawn between effort and fishing mortality. Through the development of these relationships management arrangements can potentially be modified to meet reference points or change recruitment into the fishery based on the most recent scientific advice.

53. Vanuatu noted that all members need to accurately advise the Commission on effort levels so that they can be monitored and potential analytical work can be undertaken to assess the effectiveness of the measure.

54. The NC discussed the shortcomings of using ambiguous terms like “current levels” (of fishing effort) in CMMs such as the north Pacific albacore CMM and agreed that in any future CMMs that it recommends to the Commission, it would avoid the use of such ambiguous terms and instead use clear and explicit baselines or benchmarks.

55. The NC members concurred in their understanding that as long as the substantive requirements of IATTC’s resolution on north Pacific albacore and the Commission’s CMM on north Pacific albacore are the same, CCMs may chose to implement the requirements of paragraph 2 and their obligations under the IATTC Resolution on north Pacific albacore without regard to the boundary between the respective areas of competence of the Commission and the IATTC.

56. The Committee adopted a draft CMM to replace CMM 2005-03 for north Pacific albacore to recommend to the Commission for adoption (WCPFC-NC5-2009/xx and **Attachment D**).

2.3.3 North Pacific swordfish

57. The NC considered no action for NP swordfish at this session although some CCMs suggested that the current status of the stock presents the Committee with an opportunity to establish reference points in a situation where there is apparently not a need to reduce fishing mortality.

2.4 Conservation and management measures for other species

2.4.1 Bigeye and yellowfin tuna

58. In introducing this item, Japan referred to paragraphs 9 and 39 of CMM 2008-01 which relates to NC areas of interest. In particular, Japan sought the support of NC members to encourage the Commission to ensure that effort n bigeye and yellowfin tuna is not transferred from other regions of the Convention Area to the north Pacific Ocean, and asked NC members not to increase the capacity of “other commercial” fisheries for highly migratory species.

59. In relation to paragraph 39 it was noted that the SC5 had not received any proposals from CCMs for reporting effort levels for other commercial fisheries to the Commission. The NC encouraged NC CCMs to address this shortfall in future reporting to the Commission for these fisheries.

2.4.2 Sharks

60. Japan noted that the NC currently has no competence to formulate recommendations for sharks

even though there are fisheries for shark in the north Pacific Ocean. Despite this, if there are concerns about the status of shark stocks there is no reason why the NC cannot bring this to the attention of the Commission.

61. The views of CCMs differed in relation to tasking ISC with additional assessments. The USA noted that the recent session of the Scientific Committee had received an assessment for blue shark but that this assessment was 4 years old. The USA considered that the ISC was already under-resourced and that its focus should be on albacore and Pacific bluefin. On the other hand, Japan supported a request that ISC undertake shark assessment work.

62. The Committee agreed that, on the condition that the schedule for assessments of albacore and Pacific bluefin would not be delayed that the ISC be tasked with considering assessments for mako and blue shark but with no timetable associated with these assessments. Any such work would be undertaken in collaboration with the SC to avoid duplication.

63. The Committee also noted the recommendation from SC5 that silky shark be re-instated as a key shark species to be included in CMM 2008-06.

2.4.3 Seabirds

64. The NC noted that discussion on seabirds would be taken up elsewhere in the Commission.

2.5 Working Group on Striped Marlin

65. USA (Tom Graham on behalf of Gerard DiNardo) briefed the Committee on the work of the Northern Committee's informal working group on striped marlin. He noted that the Group had met twice in 2009 which resulted in a draft work plan to be implemented over a 2-3 year period. The WG sought clarification on i) membership of the WG, ii) who it reports to, iii) who is responsible for reviewing the work of the WG, and iv) who will provide funding to support the work of the Group. The NC5 noted that the Scientific Committee also has a work programme element for striped marlin, that there is need to coordinate NC and SC efforts in respect of striped marlin and agreed to submit names of WG members to the Chair of the WG.

2.6 Skipjack in the North Pacific Ocean

66. Japan introduced discussion on apparent changes in the distribution of skipjack in Japanese coastal waters in recent years. It was noted that there are four migration patterns along the Japanese east coast at the northern extent of skipjack distribution in the vicinity of Japan and that these support fishing activities by troll and pole and line vessels. Since 2000 the catch of troll vessels has declined significantly from approximately 4,500 mt/yr to 1,000mt/yr. Japan noted several possible reasons for this including oceanographic changes or impacts from more tropical fisheries. Japan proposed voluntary research at SC5 and for the results of that research to be included in future assessments.

AGENDA ITEM 3. REGIONAL OBSERVER PROGRAM

67. Japan introduced discussion on the Regional Observer Programme (ROP) recalling a requirement for the 2010 annual session of the NC to make a recommendation to the Commission on the implementation of the ROP by fishing vessels fishing for fresh tuna in the area north of 20N

(WCPFC-NC5-2009/WP01). Japan noted that there was little inter-sessional activity by the working group established at NC4 but Japan would like to see some sustained effort in 2010 to help support the preparation of a proposal for submission to the 2010 session of the Commission. Japan noted that small vessels with less than 6 crew account for 30% of the effort of Japanese vessels in the region under consideration, that high seas operations of these vessels cannot be forecast in advance and that most of these vessels are controlled at a family, not company, level. It is Japan's view that these small scale operations could not sustain the cost of ROP deployments. In addition, Japan noted that the catch of these fleets is unloaded at local ports and so can be monitored at ports of unloading. Japan reiterated that it is not proposing to substitute 5% observer coverage with 5% port sampling and that it intends to make best efforts to achieve 5% observer coverage.

68. Chinese Taipei advised that it still has some concerns on the elements and implementation of the ROP but that Chinese Taipei agreed to work with this working group.

69. The Committee agreed to reinvigorate the work of the inter-sessional group in the remainder of 2009 and 2010 noting that, while the majority of the work would be undertaken by email, opportunities to meet in the margins of meetings should also be taken advantage of.

AGENDA ITEM 4. DATA

4.1 Review of the status of data and data gaps for northern stocks

70. The Chair of the ISC STATWG, Eric Chang, provided a review of ISC discussion on data gaps and a multilateral research proposal to address data gaps and reduce uncertainties in stock assessments (WCPFC-NC5-2009/IP03). Data gaps identified by ISC9 include i) biological data for key species, ii) fisheries data from non-ISC members and iii) fisheries data from ISC members. The ISC adopted a work plan in 2010 that includes a reporting procedure that provides an indication of the status of data submission by members to ISC. In relation to fisheries data from non-ISC members it is noted that data for north Pacific albacore, Pacific bluefin, swordfish and marlin in the south Pacific and eastern Pacific Oceans are not currently available for ISC assessments. The ISC Chair has been charged with securing cooperation of the relevant RFMOs to access this data. In relation to biological data (age, growth and maturity data) it was noted that current biological parameters are based on research from up to 40 years ago. As a result ISC proposes to establish a multilateral research effort to address issues associated with the lack of current biological data in an effort to reduce uncertainties in current stock assessments. The plan was costed at US\$434K for an integrated programme over 3 years.

71. The Chairman of the NC re-stated the need to establish some financial support to ISC. He also considered the proposal to audit compliance with annual data submission obligations is a useful development that should be supported.

AGENDA ITEM 5. FUTURE WORK PROGRAMME

5.1 Work Programme for the Northern Committee 2010-2013

72. The NC revised the work programme for the NC 2010-2013 as attached in **Attachment E**. Additions and changes included:

- To request a report from the Secretariat for NC6 on compliance with the data submission obligations for each CCM;

- Requested the USA, on behalf of the Chair of the striped marlin working group to convene a discussion in the margins of TCC5 and WCPFC6 with the view to preparing a draft interim CMM for striped marlin for WCPFC6's consideration;
 - Requested the Executive Director to write to IATTC in relation to efforts to develop a CMM for Pacific bluefin and north Pacific albacore promoting harmonization of measures, to the extent possible; and
 - Agreed to convene a 2-day workshop prior to NC6 on reference points for NC stocks. This would be followed by a 4-day NC.
73. In addition the NC noted:
- ISC's intention to schedule an assessment for striped marlin in 2011;
 - the comprehensive biological research proposal prepared by the ISC which was costed at US\$434,000; and
 - the request from the striped marlin working group for US\$150,000 funding to support the 2-3 year work programme developed by the Group..

AGENDA ITEM 6. COOPERATION WITH OTHER ORGANIZATIONS

6.1 International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC)

Proposed revision to ISC/WCPFC MoU

74. The Secretariat advised the NC that the revised MoU had been prepared at the request of WCPFC5 at Busan.

75. The Committee agreed that the scientific structure involving ISC should be unchanged although transparency of ISC work should be enhanced through data exchange, inviting SC representatives to its meetings and strengthening the website and data administration. The Committee decided to recommend to the Commission that the existing MoU between ISC and WCPFC remain unchanged at this stage.

Assistance to ISC

76. The Committee agreed that CCMs could elect to provide voluntary support to the ISC in 2009/2010. Well in advance of ISC10 the Secretariat will prepare and circulate a draft administrative arrangement to support financial contributions from NC CCMs, based on the Commission's existing contributions formula that could be applied to the scientific work that ISC undertakes on behalf of the NC. Priority activities identified by the ISC include i) data administration, ii) website administration, iii) albacore sampling and the comprehensive multilateral biological research proposal.

Data harmonisation

77. The Secretariat reported that SC5 had adopted a programme of work that involved the preparation of existing data inventories, identification of data gaps and consideration of procedures to harmonise data inventories in the broader Commission and ISC to be undertaken in advance of ISC10. The results of these efforts would also be reported to NC6.

78. Japan, Chinese Taipei, Korea and the USA considered it time to examine the feasibility of establishing all of the Commission's data management functions in the Commission Secretariat in Pohnpei. The USA added that if this was to be considered it could only occur if the Secretariat received adequate resources from CCMs to effectively support that function. The Executive Director responded that this had been given consideration during the PrepCon when the principles of avoiding duplication by utilizing the services provided by existing institutional arrangements were agreed. In addition, an assessment of the effectiveness and efficiency of the existing arrangements for data administration were included in the terms of reference of the Independent Review of Interim Arrangements for Science Structure and Function. The conclusion of the review was that the existing arrangements are efficient and cost effective. The Committee decided that further consideration of this issue should occur at the Commission level.

Peer review

79. Chair of the SC5, Naozumi Miyabe, noted the recommendations of the Independent Review of Transitional Arrangements for Science Structure and Function relating to peer review of ISC and SC stock assessments. It was noted that several options had been proposed by SC5 for both ISC and SC assessments. Japan considered that the ISC process is quite different to the assessment process that applies in the SC and that a form of peer review was already accommodated within the ISC process. The Secretariat noted that the concept presented in the Independent Review was for an independent review – not one to be undertaken by those directly involved in the assessments. The Committee requested ISC10 to further consider this matter.

Proposed revision of the MoU with SPC

80. The Committee noted that the proposed changes to the MoU with SPC, to provide for a 3-year arrangement, had been adopted by SC5. Japan proposed an amendment to the proposed MoU (**Attachment F**) to avoid duplication of work between ISC and SPC. Korea and Chinese Taipei supported the proposal. The USA does not agree with this proposal. However the Committee agreed to send the proposal to the Commission for its consideration in December.

81. Proposed MoU with the NPAFC

82. The NC endorsed the proposed MoU with the NPAFC.

6.2 Inter-American Tropical Tuna Commission (IATTC)

83. The Northern Committee approved the proposed Data Exchange Protocol with IATTC for consideration by the Commission.

AGENDA ITEM 7. OTHER MATTERS

7.1 Administrative arrangements for the Committee

7.1.1 Secretariat functions and costs

84. The NC deferred further consideration of this agenda item to a future session of the Committee.

7.1.2 Rules of Procedure

85. The NC deferred further consideration of this agenda item to a future session of the Committee.

7.2 Next meeting

86. The provisional dates for the Sixth Regular Session of the NC will be 8-11 September 2010 in Japan at a venue to be determined. The meeting will be preceded by a 2-day workshop on reference points for northern stocks.

7.3 Other business

87. The Chair noted that two key NC members were not in attendance at NC5. A request will be sent to all NC CCMs to encourage their active engagement in the work of the NC.

AGENDA ITEM 8. REPORT TO THE COMMISSION

8.1 Adoption of the report of the Fifth Regular Session of the Northern Committee and recommendations to the Commission

88. The NC adopted the Summary Report of its Fifth Regular Session of the NC.

AGENDA ITEM 9. CLOSE OF MEETING

9.1 Closing of the meeting

89. The NC chair appreciated participants for the successful conclusion of this meeting. The meeting closed on Thursday 10 September 2009.



**Northern Committee
Fifth Regular Session
Nagasaki, Japan
7-10 September 2009**

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**Northern Committee
Fifth Regular Session
Nagasaki, Japan
7-10 September 2009**

AGENDA

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- 1.2 Adoption of agenda
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- 8.1 Adoption of the Summary Report of the Fifth Regular Session of the Northern Committee and recommendations to the Commission

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- 9.1 Closing of the meeting



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

Draft CMM 2009-xx

The Western and Central Pacific Fisheries Commission (WCPFC),

Recognizing that members of the Northern Committee have made an effort, on a voluntary basis, not to increase the fishing mortality rate of northern Pacific bluefin tuna,

Recalling that the WCPFC5 tasked the Northern Committee to work toward developing a draft CMM for the stock for consideration at the WCPFC6;

Taking account of the conservation advice from the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) on this stock which highlighted that the favorable environment conditions and relatively high recruitment in the recent years sustained the current productivity of the stock and that it is important not to increase the current level of F , while reducing juvenile F ,

Also recognizing that the trend of spawning stock biomass has been influenced substantially by the annual level of recruitment and that collecting of fisheries data in an accurate and timely manner is critically important for the proper management of this stock, and

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

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

1. The interim management objective for Pacific bluefin tuna is to ensure that the current level of fishing mortality rate is not increased in the Convention Area. Initially, control over fishing effort will be used to achieve this objective as follows:
2. The Commission Members, Cooperating Non-Members and participating Territories (hereinafter referred to as CCMs) shall take measures necessary to ensure that total fishing effort by their vessels fishing for northern Pacific bluefin tuna in the area north of the 20 degrees north shall not be increased from the 2002-2004 level for 2010, except for artisanal fisheries. In taking such measures, CCMs

shall take account of the need to reduce the effort on juvenile (age 0-3) to the 2000-2004 level. The measures in this paragraph shall not be applied to the Korean EEZ.

3. CCMs shall also take measures necessary to strengthen data collecting system for the northern Pacific bluefin tuna fisheries in order to improve the data quality and timeliness of data reporting;

4. CCMs shall report to Executive Director by 31 July 2010 measures they implement paragraphs 2 and 3 above. Korea shall provide ISC 10 and NC 6 with a report on its fisheries involving bluefin tuna catches;

5. The Northern Committee shall annually review reports CCMs submit pursuant to paragraph 4 above as well as the ISC advice on fishing mortality and status of the stock and consider, if necessary, further measures with particular attention to the recent trend of increasing fishing mortality rate on ages 0–3 fish;

6. The WCPFC Executive Director shall communicate this Conservation Management Measure to the IATTC Secretariat and its contracting parties whose fishing vessels engage in fishing for northern Pacific bluefin tuna and request them to take similar measures in conformity with paragraphs 2 and 3 above; and

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

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 northern 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 northern Pacific bluefin tuna 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 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.



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

Conservation and Management Measure-2005-03 (as revised at NC5, 7-10 September 2009)

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 either fully exploited, or may be experiencing fishing mortality above levels that are sustainable in the long term, and

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;

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 the 2002-2004 average level.
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 WCPF Convention Area is not increased beyond 2002-2004 average levels.
3. All CCMs shall report all catches of albacore north of the equator to the WCPFC every six months, except for small coastal fisheries, which shall be reported on an annual basis. Such data shall be reported to the Commission as soon as possible and no later than one year after the end of the period covered.
4. All CCMs shall report annually to the WCPF Commission all catches of albacore north of the equator and all fishing effort 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 type, including at a

minimum for all gear types, the number of vessel-days fished. The report for a given calendar year shall be due on April 30 of the subsequent year. Reports for each of the years 2004 through 2009 shall be due on 30 April 2010.

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 CMM 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.
11. For the purpose of evaluating implementation of paragraph 2, CCMs shall report to the Executive Director no later than 30 April 2010 the following information:
 - a. a list of their specific fisheries or fleets they have determined to be “fishing for” North Pacific albacore in the Convention Area; and
 - b. a description of the particular measures, as well as monitoring mechanisms, they have established to ensure that fishing effort in each of the fisheries or fleets does not increase above 2002-2004 average levels.
12. For the purpose of evaluating implementation of paragraphs 2-4, the Secretariat shall compile all the reports submitted under paragraphs 3 and 4 and present the compilation to the sixth regular session of the Northern Committee.



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**Work Programme for the Northern Committee
(as revised by the Fifth Regular Session)**

Work areas	5-year objectives	1-year tasks				
	2009-2013	2009	2010	2011	2012	2013
<p>. Northern stocks</p> <p>a. Monitor status; consider management action</p>	<p>Review status and take action as needed for:¹</p> <p>North Pacific albacore</p> <p>Pacific bluefin tuna</p>	<p>Obtain and review ISC advice in light of interim management objective and consider the need for management action.</p> <p>Review reports from CCMs on their domestic management measures, consider advice of ISC and consider management</p>	<p>Obtain scientific advice and make recommendations for both limit and target reference points.</p> <p>Review reports from CCMs as well as report from Korea on their domestic management measures,</p>	<p>Obtain and review a full assessment</p>	<p>Obtain and review a full assessment</p>	

¹ In the event that the Commission, in accordance with paragraph 5 of Annex I of the Commission Rules of Procedure, adds additional stocks, such as the northern stock of striped marlin, to the list of stocks understood to be “northern stocks”, this work programme will be revised to include periodic status reviews and consideration of management action for such stocks.

Work areas	5-year objectives	1-year tasks				
	2009-2013	2009	2010	2011	2012	2013
b. Data		action		consider advice of ISC on F and consider management action for 2011 and after		
	Swordfish	Obtain and review complete assessment (ISC) and consider management action.		Obtain scientific advice and make recommendations for both limit and target reference points. Obtain scientific advice and make recommendations for both limit and target reference points.		
	Striped marlin (if agreed by the Scientific Committee and Commission).	Review outcomes of the WG to consider alternative management options. CCMs report on voluntary constraints in relation to fishing mortality rate (i.e. catch or effort)		Review outcomes of the WG to consider alternative management options. CCMs report on voluntary constraints in relation to fishing mortality rate (i.e. catch or effort)	Obtain and review a full assessment	
	Achieve timely submission of complete data needed for assessments, formulation of measures, and review of Commission decisions	CCMs participating in the NC submit complete data on fisheries for northern stocks to the Commission		CCMs participating in the NC submit complete data on fisheries for northern stocks to the Commission		
	Consider systems to validate catch data	Encourage submission to Commission of PBF data from all CCMs and make available to ISC		Encourage submission to Commission of PBF and NPALB data from all CCMs and make available to ISC		

Work areas	5-year objectives	1-year tasks				
	2009-2013	2009	2010	2011	2012	2013
2. Non-target, associated, dependent species						
a. Seabirds	Consider appropriate implementation of methods to minimize catch and mortality.	Review implementation of CMM-2007-04 in the northern area	Review implementation of CMM-2007-04 in the northern area			
b. Sea turtles	Consider appropriate implementation of methods to minimize catch and mortality.	Review mitigation research results and consider management action	Review mitigation research results and consider management action			
c. Sharks	Consider appropriate implementation for CMM-2006-05 in the northern area.	Review implementation for CMM-2006-05 in the northern area.	Review implementation for CMM-2006-05 in the northern area. Review scientific advice from ISC, if any, and consider management options on five shark species (blue shark, oceanic whitetip shark, mako sharks, thresher sharks and silky shark).	Review scientific advice from ISC, if any, and consider management options on five shark species (blue shark, oceanic whitetip shark, mako sharks, thresher sharks and silky shark).		
3. Review effectiveness of decisions	Annually review effectiveness of conservation and	Review effectiveness of NP albacore measure (CMM 2005-03), including members'	Review effectiveness of NP albacore measure (CMM 2005-03), including			

Work areas	5-year objectives	1-year tasks				
	2009-2013	2009	2010	2011	2012	2013
4. Cooperation with other organisations a. ISC	management measures and resolutions applicable to fisheries for northern stocks	reports on their interpretation and implementation of fishing effort controls Review effectiveness of Pacific bluefin tuna measure.	members' reports on their interpretation and implementation of fishing effort controls Review effectiveness of Pacific bluefin tuna measure. Consider and establish a mechanism to support ISC.			
b. IATTC	Following Article 22.4, consult to facilitate consistent management measures throughout the respective ranges of the northern stocks	Have consultation to maintain consistent measures for NP albacore and northern Pacific bluefin tuna	Have consultation to maintain consistent measures for NP albacore and northern Pacific bluefin tuna			