

ISSUES ARISING AT THE WESTERN AND CENTRAL PACIFIC FISHERIES  
COMMISSION SEVENTH REGULAR SESSION

The Western and Central Pacific Fisheries Commission (WCPFC) will hold their Seventh Regular Session December 6-10 in Honolulu, Hawaii (WCPFC7). Three subsidiary committee meetings provide advice in support of the Plenary: The Science Committee meeting (SC6), August 9-19; the Northern Committee meeting (NC6), September 7-10 (see [Agenda Item K.3.a, Supplemental Attachment 4, September 2010](#) for a summary); and the Technical and Compliance Committee meeting (TCC6) September 30-October 5. Conservation and Management Measures (CMM), which represent binding agreements for applicable fisheries are adopted at the Regular Session. Other matters are also addressed, including Cooperating Nonmember status; placing vessels on the IUU Vessel List; the regional observer program (ROP); Commission VMS; other monitoring, control, and surveillance (MCS) issues; and Commission work planning and budget. Issues arising at WCPFC7 Regular Session for which the Council may wish to provide recommendations to the U.S. delegation include:

- Bluefin tuna: NC6 adopted a proposed CMM for bluefin tuna, with Korea expressing a reservation (see discussion in [Agenda Item K.3.a, Supplemental Attachment 4, September 2010](#)). Assuming support for the measure can be gained from Korea, this CMM will be considered at WCPFC7 by the Plenary.
- Striped marlin: The TCC recommended “that any CMM developed for this species should be developed jointly with all other members of the Commission, for consideration by WCPFC7.”
- North Pacific albacore: NC6 did not adopt any proposals for changes to CMM-2005-03, the current measure. Since North Pacific albacore is considered an NC species it is unlikely that any proposals will be considered at WCPFC7 absent an NC meeting on the margins.
- Tuna conservation: The current measure, CMM 2008-01, applies through 2011. The measure was again evaluated in 2010 (see [WCPFC-SA-WP-05](#)). In 2010 the SC requested an evaluation of the effects of the various exemptions in the measure. The evaluation concluded “For the most part, the individual exemptions have a relatively modest impact on the indicators [F/F<sub>MSY</sub> and SB/SB<sub>MSY</sub>]. It is again demonstrated that measures need to be implemented across all fishery sectors with significant bigeye catches if meaningful reductions of fishing mortality are to be achieved.” SC6 reiterated previous advice that CMM 2008-01 was likely to meet one of its objectives, not exceeding levels of fishing mortality on the WCPO yellowfin tuna stock beyond the level experienced either in 2004 or the annual average of the period 2001–2004. However, it is extremely unlikely to meet the objective of “reducing fishing mortality on the WCPO bigeye tuna stock to at least 30% below the level experienced either in 2004 or the annual average of the period 2001–2004. Furthermore, if the high seas pockets closure results in effort being transferred to high seas areas to the east, where bigeye tuna generally form a greater proportion of the purse-seine catch, the objectives of CMM-2008-01 will be even less likely to be achieved” ([SC6 Summary Report](#), pp. 53-54). With respect to CMM 2008-01, paragraph 46, on the continued applicability of the measures in place in 2011 in subsequent years, TCC6 recommended the “Commission should make a decision during WCPFC7 – in advance of pursuing further development of a successor to CCM 2008-01

– that all those provisions of the CMM with timeframes that continue through 2011 will continue in force, as they apply in 2011, until such time as they are explicitly repealed or replaced with alternative provisions.”

- Port state measures: TCC6 reviewed a European Union proposal on port state measures intended to deter illegal, unregulated, and unreported (IUU) fishing. Such measures are being proposed across the tuna RFMOs consistent with the FAO Port State Measures Agreement. The proposed CMM would apply to certain fishing vessels entering a nation’s port (or certain other vessels transporting fish) that are not flagged to the state (i.e., foreign vessels). Applicable vessels would have to report to the competent authority specified information at least 72 hours in advance of entry. Vessels that have demonstrably engaged in IUU fishing would be prohibited entry except in cases of *force majeure* or distress. The TCC recommended that the European Union proposal be used as the basis for a CMM to be considered at WCPFC7.
- Catch documentation schemes: TCC6 reviewed two proposals (from the European Union and Japan) for catch documentation schemes (CDS) in the form of CMMs, a concept paper submitted by Papua New Guinea, and a consultancy report on CDS best practices. CDS proposals have also been introduced in other RFMOs (e.g., IATTC, see Attachment 1). Under CDS fish consignments imported or re-exported by a member must be accompanied by specified documentation. Only fish caught by vessels authorized to fish in the Convention Area would be eligible for such documentation. The PNG proposal describes CDS as: “In a nutshell, a CDS is designed to trace the origin of a fish from where it was caught, by who, how it was caught, stored and processed before it was sent to the market for consumption.” CDS are another tool to combat IUU fishing. TCC6 formed a working group composed of FFA representatives to consolidate the information provided on CDS into a report to be considered at WCPFC7, presumably to aid development of a CMM.
- Interpretation of Paragraph 3(j) of CMM 2007-03: CMM 2007-03 establishes a list of vessels presumed to have carried out IUU fishing and paragraph 3(j) states vessels that “are under the control of the owner of any vessel on the WCPFC IUU Vessel List” may be presumed to have carried out IUU fishing. The interpretation of this provision is relevant when a single entity controls multiple vessels, a common occurrence in major distant water fishing nations. For that reason, interpretation of this provision has been a source of controversy. The U.S. has taken a lead role in developing a proposal on the applicability of this provision ([WCPFC-TCC6-2010 DP/05](#)). TCC6 recommended further development of the paper based on input from members with a view towards discussion at WCPFC7.
- Cross-endorsement of observers between the WCPFC and IATTC: The Secretariats of the two Commissions have developed a Draft MOU for Cross Certification of Observers between the WCPFC and IATTC. The draft was discussed at IATTC but no action was taken by the members. It may be discussed at WCPFC7. See [WCPFC-TCC6-2010-33](#).
- Overlap in Convention Areas: The WCPFC and IATTC Convention Areas overlap in the South Pacific in an area bounded by 150° and 130° W longitude. The applicability of measures and requirements of the two RFMOs was discussed at both IATTC and TCC6.
- IUU listings: CMM 2007-03 governs the process for adding and removing vessels from the WCPFC IUU Vessel List. WCPFC7 will review the Provisional IUU Vessel List prepared at TCC6 and determine inclusion on the WCPFC IUU Vessel List.
- Cooperating Nonmembers: Each year the Commission rules on applications for Cooperating Nonmember (CNM) status. For 2011 the following countries have applied for CNM status: Belize, Democratic People’s Republic of Korea (“North Korea”), Ecuador, El Salvador, Indonesia, Mexico, Panama, Senegal, Thailand, and Vietnam.

- Compliance monitoring: At TCC6 Australia presented a working paper *Proposed Structure and Process for the Western and Central Pacific Fisheries Commission Compliance Monitoring Scheme*. This working paper is intended to provide a basis for discussion and development of the Compliance Monitoring Scheme by the Compliance with Conservation and Management Measures (CCMM) Working Group and the Technical and Compliance Committee (TCC). Canada presented a *Draft Proposal to Establish a Process for the Review and Reporting of Compliance Information*. TCC6 agreed that intersessional work by the CCMM Working Group, based on guidance at WCPFC7, should continue with the results presented at TCC7 in 2011.

Committee meeting reports and papers may be obtained from the WCPFC website (<http://www.wcpfc.int/>). In particular, delegation papers and other materials related to TCC6 and NC6 indicate the full range of issues that may be considered at WCPFC7; these may be obtained at <http://www.wcpfc.int/meetings/2010/6th-regular-session-technical-and-compliance-committee>.