



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

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**Philippines –Proposal for CMM on bigeye, yellowfin and skipjack**

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**WCPFC9-2012-DP05  
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**CONSERVATION AND MANAGEMENT MEASURE FOR BIGEYE AND YELLOWFIN  
TUNA IN THE WESTERN AND CENTRAL PACIFIC OCEAN**

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**Conservation and Management Measure  
2012-XX**

*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;

**Recognising** that the Scientific Committee has determined that there is a high probability that the bigeye stock is subject to overfishing, and that skipjack and yellowfin stocks are currently being fished at capacity, reductions in fishing mortality are required in order to reduce the risks that these stocks will become overfished in the near future;

**Conscious** that the Commission, at its regular sessions in December 2005 and 2006, has adopted CMMs for bigeye and yellowfin tuna and agreed to review annually those measures;

**Aware** that the Commission committed itself, in 2006 and 2007, to adopt measures to reduce juvenile bigeye and yellowfin tuna mortalities from fishing effort on Fish Aggregating Devices (FADs)<sup>1</sup>;

**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 adopted by it do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto developing States Parties, and territories and possessions;

**Informed** that the Philippine territorial seas and its EEZ along with others is an important spawning and nursery ground of juvenile tuna, and that conservation measures have to be taken within this area of the CCM;

**Aware** that with the closure of High Seas Pockets in 2008, fishing effort in the Philippines has been transferred from the high seas to its EEZ, where tuna catches are less mature, resulting to serious economic, social and conservation implications;

**Taking note** that the volume of tuna production in the Philippines has not only dropped significantly, but generally became less sustainable as a result of the relative increase in juvenile catches, since the implementation of CMM 2008-01;

**Convinced** that 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 that conservation measures of the CCM will be better implemented if the Commission takes into account the ecological, economic and social realities of the CCM;

**Adopts**, in accordance with Article 10 of the Convention, the following Measure to be implemented over a three-year period with respect to bigeye tuna and yellowfin tuna, in particular.

## **OBJECTIVES**

1. The objectives of this Measure are to:
  - Ensure through the implementation of compatible measures that bigeye and yellowfin tuna are maintained at levels capable of producing their maximum sustainable yield, by reducing effort which results into harvesting of juveniles and spawners in the territorial sea and EEZ of the Philippines;
  - Ensure that Article 30(2)(c) of the Convention, which requires the Commission 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 and possessions is properly observed; and
  - Adopt a package of measures that shall be reviewed annually and adjusted as necessary by the Commission taking into account the scientific advice available at the time as well as the implementation of the measures. In addition, the review shall include any adjustments required by the Commission's decisions regarding management objectives and reference points.

## **GENERAL RULES OF APPLICATION**

These measure applies to Philippine traditional fresh/ice chilled catcher fishing boats, operating as a fleet, consisting of: i) a catcher with no fish hold and with gross tonnage of 250 or less; ii carriers filled with ice to load and transport the fish catch from High Seas Pocket No. 1 (HSP-1) to General Santos City or Zamboanga City in the Philippines; and iii) light boats and ranger boats which has neither a net to catch nor a fish hold to transport fish.

## **SPECIFIC MANAGEMENT MEASURE**

### *Vessel Limit*

1. This Measure will allow for a total of 36 traditional fresh/ice chilled catcher fishing boats, operating as a fleet, with gross tonnage of 250 or less to move its fishing effort from tuna spawning and juvenile area in the territorial seas and EEZ of the Philippines to HSP-1, where the tuna are generally more mature;

### *Coverage*

2. This measure shall apply only to HSP-1, which is the area of the 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 (SMA) is attached (Attachment 1).

### *Reporting*

3. The Philippines shall require its covered 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. The 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 regional observer on board **the catcher fishing boats** during the whole duration of operation in HSP-1 SMA in accordance with the provisions of CMM 2007-01.

### *Vessel Monitoring System (VMS)*

6. The **catcher fishing boats and its carriers** shall be equipped with and shall operate an automatic location communicator (ALC) pursuant to CMM 2007-02 or its replacement CMM. The Commission shall provide continuous real-time VMS information to the adjacent coastal States/ Territories for monitoring purposes. Access to VMS and other data related to HSP-1 SMA shall be in accordance with 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 Access to and Dissemination of High Seas VMS Data for Scientific Purposes.

#### *Vessel List*

7. The Commission shall maintain an updated list of all fishing vessels operating in HSP-1 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 CMM shall comply with all other relevant CMMs. Vessels found to be non-compliant with this decision shall be dealt with in accordance with CMM 2010-06 (replacing CMM 2007-03), and any other applicable measure adopted by the Commission and the Philippine Fisheries Administrative Order (FAO) 245<sup>i</sup>.

#### *Catch Limit*

10. The total catches of these vessels shall not exceed equivalent to validated vessel days fished in the high seas of no more than 4,923. The Philippines shall limit its fleet to 36 fishing vessels (described by the Philippines as catcher fishing vessels) in the HSP-1 SMA.

#### *Review of Measure*

11. The measure described above shall be reviewed annually, in conjunction with the relevant advice from the Scientific Committee (SC) and Technical and Compliance Committee (TCC). This review shall consider, inter alia, whether the measure is having the intended effect and extent to which it is contributing towards achieving the Commission's conservation objectives.

#### *Effectivity*

12. This Measure replaces applicable provisions of CMM 2011-01 and its attachment, pertaining to the operation in HSP-1 of Philippine traditional fresh/ice chilled fishing vessels operating as a group and shall be implemented in conjunction with other CMM approved by the Commission.

13. This measure shall remain in place for three years starting March 01, 2013 subject to a favourable review for a continuance.

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<sup>i</sup> Copy of which is attached and is made an integral part of this CMM.