



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

**FFA members – Proposed Revisions to the Conservation and Management Measure for Charter
Notification**

**WCPFC9-2012-DP17
5 November 2012**



02 November 2012

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

Dear Professor Hurry,

FFA Member's Proposed Revisions to the conservation and management measure for charter notification

I write in my capacity as the Chair of the Forum Fisheries Committee on behalf of the 17 FFA Members. Please find attached a proposal from FFA members for improvements to the conservation and management measure for charter notification.

Yours Sincerely

Dr Sione Vailala Matoto
Chair
Forum Fisheries Committee

Conservation and Management Measure 2012-xx

The Western and Central Pacific Fisheries Commission (WCPFC)

ACKNOWLEDGING the important contribution of chartered vessels to sustainable fisheries development in the Western & Central Pacific Ocean;

CONCERNED with ensuring that charter arrangements do not promote IUU fishing activities or undermine conservation and management measures;

REALIZING that there is a need for the WCPFC to establish procedures for charter arrangements;

SEEKING to build on the progress made in the adoption of CMM 2009-08:

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

1. The provisions of this measure shall apply to Commission Members and Participating Territories that charter, lease or enter into other mechanisms with vessels eligible under paragraph 48 flagged to another State or Fishing Entity for the purpose of conducting fishing operations in the Convention Area as an integral part of the domestic fleet of that chartering Member or Participating Territory.
2. The term “chartering Member or Participating Territory” means the Member or Participating Territory that, in accordance with this CMM and other decisions of the Commission, acknowledges the charter, lease or similar arrangement and takes on certain responsibilities with respect to the chartered vessel; but the government of such Member or Participating Territory is not necessarily a party to the charter, lease or similar arrangement.
- ~~2.3.~~ Each chartering Member or Participating Territory shall notify the Commission of any vessel to be identified as chartered in accordance with this measure by submitting electronically where possible to the Executive Director ~~by 1 July 2010~~ no later than 7 days before the commencement of the fishing activities under such arrangement the following information with respect to each chartered vessel:
 - a) name of the fishing vessel;
 - b) WCPFC Identification Number (WIN);
 - c) name and address of owner(s);
 - d) name and address of the charterer;
 - e) the duration of the charter arrangement; and
 - f) the flag state of the vessel.
4. ~~After 1 July 2010, each~~ Each chartering Member or Participating Territory notifying the Commission of any vessel to be identified as chartered shall include with its notification confirmation that:
 - a) the vessel being notified is operating as an integral part of its domestic fleet, and
 - b) that the chartering Member or Participating Territory will provide scientific data covering the vessel that is being notified in accordance with the Rules for Scientific Data to be Provided to the Commission.

5. A vessel may not be notified by a chartering Member or Participating Territory as chartered under this scheme if it is already recorded on the WCPFC website as chartered by another Commission Member or Participating Territory. The Executive Director will work with relevant CCMs to resolve any existing concurrent charters. This arrangement will be for the purposes of this scheme, and will not prevent vessels being involved concurrently in charters or similar arrangement for commercial purposes. However, in such cases, the chartering state responsibilities in respect of the vessel will apply only to the Commission member or Participating Territory recorded as having notified the Commission under this measure.
6. Upon receipt of the information referred to in paras 3 and 4, the Executive Director shall immediately notify the flag State, and advise it to cease reporting on the vessel in accordance with the Rules for Scientific Data to be Provided to the Commission. The Executive Director shall make the information required in paragraph 3 publicly available on the Commission's website.
- ~~3-7.~~ Each chartering Member or Participating Territory shall notify the Executive Director as well as the flag State, within 15 days, or in any case within 72 hours before commencement of fishing activities under a charter arrangement of:
- ~~a) any additional chartered vessels along with the information set forth in paragraph 2;~~
 - ~~b) any change in the information referred to in paragraph 23 with respect to any chartered vessel; and~~
 - ~~e) termination of the charter of any vessel previously notified under paragraph 23.~~
- ~~4.8.~~ Only vessels listed on the WCPFC Record of Fishing Vessels or the WCPFC Interim Register of Non-CCM Carriers and Bunkers, except for carriers and bunkers, and not on the WCPFC IUU vessel list, or IUU List of another RFMO, are eligible for charter.
- ~~5.~~ The Executive Director shall make the information required in paragraph 2 and 3 available to all CCMs.
- ~~9.~~ Each year the Executive Director shall present a summary of all notified chartered vessels each year to the Commission for review. — a list of all vessels chartered since the last Commission meeting. This list shall indicate:
- a) the name of the fishing vessel and its WCPFC Identification Number (WIN)
 - b) the name of the chartering State and of the flag state
 - c) the period of the chartering arrangement
- ~~6.10.~~ If necessary, the Commission may review and revise this measure.
- ~~7.11.~~ The Commission will continue to work on the development of a broader framework for the management and control of chartered vessels. In particular, this work shall cover the issues of attribution of catch and effort by chartered vessels and the relationship between the flag State and the chartering Member or Participating Territory on control of, and responsibilities towards, the chartered vessels.
- ~~8.~~ This Measure shall expire on 31 December 2012 unless renewed by the Commission.