



## **FOURTH REGULAR SESSION**

3 -7 December, 2007

Tumon, Guam, USA

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### **ALLOCATION**

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**WCPFC4-2007/14**

**5<sup>th</sup> November 2007**

#### **Prepared by the Secretariat**

1. The Second Regular Session of the Commission, at Pohnpei, Federated States of Micronesia, 12-16 December 2005 requested the Executive Director to produce a discussion paper on allocation issues within the WCPFC for circulation to Members, Cooperating Non-Members and Participating Territories in advance of the Third Regular Session of the Commission.
2. The Third Regular Session of the Commission, at Apia, Samoa, 11-15 December 2006 (WCPFC3) considered the discussion paper that was prepared in response to this request (WCPFC3-2006/15). On the basis of this discussion the Commission:
  - a. agreed that written comments by CCMs on the allocation report should be provided to the Executive Director by 31 August 2007 for collation and presentation to WCPFC4;
  - b. noted the possibility of an allocation workshop to be held in New Zealand in 2008; and
  - c. agreed on the need to prioritize the issues before the Commission, including the allocation issue, to assist with strategic planning.
3. In addition, WCPFC3 noted a draft a proposed programme of work/conservation and management measures and strategies that was developed by the Chairman (WCPFC3 Summary Report, Attachment R). Although the Commission did not have an opportunity to discuss the proposed programme of work in detail the Chairman did suggest in his draft that the issue of allocation be addressed over a 3-year time frame commencing in 2007.
4. Comments subsequently received from two CCMs are annexed to this cover note (Japan (Attachment A) and Australia (Attachment B)).

#### **Recommendation**

5. The Commission is invited to discuss options for further consideration of the issue of allocation including the possibility of a supporting programme of work and strategic relationships to other priorities of the Commission.



**FISHERIES AGENCY**

MINISTRY OF AGRICULTURE, FORESTRY AND FISHERIES, GOVERNMENT OF JAPAN

1-2-1, Kasumigaseki, Chiyoda-ku, Tokyo 100-8907, Japan

August 31, 2007

Mr. Andrew Wright  
Executive Secretary for WCPFC

Dear Mr. Wright,

Followings are Japan's comments on allocation paper discussed at WCPFC3.

Our position regarding the allocation issue is not different from that of the time of the WCPFC3.

Like other CCMs, Japan also sees the issue of allocation is one of very important issues to the WCPFC and considers the study presented by MRAG in the WCPFC3 was very informative. However, we believe it is not the right time for the Commission to discuss the issue for several reasons.

The Commission has numerous outstanding issues, many of which are not easy to resolve due to clear difference of opinions among CCMs, particularly between distant water fishing nations and small island coastal nations. The issue of allocation is clearly *the most sensitive* issue to both distant water fishing nations and small island coastal nations and we are very much worried that discussing the issue of allocation would result in widening the already existing gap between the two groups. For example we see the area-based allocation, which allocates to the EEZs of coastal states, is against the practice of international laws and regulations but many coastal nations considers otherwise.

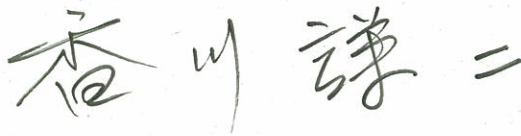
Although it might be true that the allocation would be difficult to agree once the TAC is established as suggested by the MRAG's study, it should be noted that the allocation procedure has no use until the Commission adopt a TAC to a certain species. In addition, as all of us are aware, the allocation has to be decided by consensus thus the discussion

is easily expected to take a long time, if not forever, to conclude. Frankly speaking, however, the Commission has no time to spend on something that is expected to take a very very long time in the current circumstances.

In conclusion, we are afraid that the discussions on the allocation would not only consume our limited time but also divide the CCMs more apart, thus make the work of the Commission more difficult. Therefore, we suggest to postpone the discussion on the allocation till the right time.

Please circulate this message to all CCMs.

Sincerely yours,

Handwritten signature in Japanese characters: 香川 謙二 (Kagawa Kenji).

Kenji Kagawa

Counsellor

Fisheries Agency of Japan

**From:** Santana, Lara - F & F [mailto:Lara.Santana@daff.gov.au]  
**Sent:** Friday, September 07, 2007 15:05  
**To:** Myself in Pohnpei  
**Cc:** Andrew Wright; Kalish, John - F&F; Veitch, Simon - F & F  
**Subject:** Australian comments on MRAG allocation paper [SEC=UNCLASSIFIED]

Hi Drew

Re: Australian comments on the MRAG allocation paper

We note that the paper refers to the experience of other RFMOs finding that allocation decisions become more, not less, difficult as resources become depleted. We would like to see WCPFC treat this issue as a priority and consider the establishment of a mechanism for allocation decisions, well in advance of such a situation. This could be initiated by the allocation workshop to be held by New Zealand in 2008.

The paper provided a general summary of some of the issues that could be considered as part of WCPFC's consideration of an allocation scheme. However, the paper relied heavily on the use of historical fishing effort as a basis for determining allocation distributions. The paper fails to include a comprehensive description of how the issues agreed under Article 10(3) of the Convention could be considered in developing criteria for allocation. Article 10(3) of the Convention requires the Commission to take these issues into account in developing criteria for allocation. It is our view, that there are various criteria, other than simply historical fishing effort, that would have a greater potential to ensure the equitable and effective conservation and management of WCPFC stocks.

Criteria such as the level of participation in research and assessment activities, compliance with conservation and management measures as well as the needs of coastal communities which are dependent mainly on fishing for the stocks should be critical factors considered during allocation discussions. These criteria would best demonstrate a high-level of commitment by countries to promote our mutual objective to sustainably manage tuna resources in the region and hence promote the greatest long-term economic benefit from the utilisation of these resources.

The paper also provides constructive arguments for the need to consider provisions for the future participation of new WCPFC members into a WCPFC allocation scheme. Failure to provide for the involvement of new members could lead to IUU fishing effort in the future as new members work outside of WCPFC arrangements.

Cheers  
Lara

*Lara Santana*

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