



**FOURTH REGULAR SESSION
Tumon, Guam, USA
3-7 December 2007**

**REPORT OF THE EXECUTIVE DIRECTOR
ON THE WORK OF THE COMMISSION**

**WCPFC4-2007/15
5th November 2007**

Prepared by the Secretariat

1. Introduction

1. Rule 13 of the Commission's Rules of Procedure requires the Executive Director to make an annual report to the Commission at its regular session on the work of the Commission. During 2007 the work of the Commission included:

- a) monitoring progress with implementation of conservation and management measures (CMMs) and decisions of the Commission;
- b) implementing the programme of work approved at the Third Session of the Commission (WCPFC3). Key elements of this included work associated with the Commission's science services provider (the Secretariat of the Pacific Community's Oceanic Fisheries Programme (SPC-OFP)), the Indonesia and Philippines Data Collection Project (IPDCP), web-enablement of the WCPFC Record of Fishing Vessels, investigation of stock status reference points, a business plan for the Commission's satellite-based vessel monitoring system (VMS), initial prioritization of risk for associated or dependent species taken in western and central Pacific tuna fisheries, development of the Commission's Regional Observer Programme (ROP) and administrative procedures associated with the high seas boarding and inspection scheme;
- c) convening the third regular sessions of the Commission's subsidiary bodies (Scientific Committee (SC), Northern Committee (NC), the Technical and Compliance Committee (TCC), the first session of the Finance and Administration Committee (FAC) and an Intersessional Working Group meeting for the Regional Observer Programme (IWG-ROP);
- d) engagement and consultation with other organisations including the United Nations Food and Agriculture Organisation (FAO), SPC-OFP, the Pacific Islands Forum Fisheries Agency (FFA), the Inter-American Tropical Tuna Commission (IATTC), the Indian Ocean Tuna Commission (IOTC), the International Commission for the Conservation of Atlantic Tunas (ICCAT) and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), including through participation in the informal network of secretariats for tuna-focussed regional fisheries management organisations (RFMOs) (www.tuna-org.org) and the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC);
- e) a formal opening of the new headquarters building, and
- f) establishing logistic and administrative support functions at the office of the Secretariat, including arrangements for re-location to the new headquarters building, securing acceptable housing for staff and the recruitment of the Observer Programme Coordinator, Executive Assistant and Administrative Assistant Data Entry.

2. Commission-related Meetings

2.1 The Scientific Committee

2. The Third Regular Session of the Scientific Committee (SC3) took place at Honolulu, Hawaii, USA from 13–24 August 2007. All members, cooperating non-members and participating territories (CCMs), except Solomon Islands, attended. Dr Dae-Yeon Moon (Korea) chaired the meeting. Six Specialist Working Groups (Statistics, Stock Assessment, Ecosystems and By-catch, Methods, Fishing Technology and Biology) met during the first week of the Committee.

3. Total tuna catch in the Convention Area for 2006 was estimated at 2,220,261¹ mt, the second highest annual catch recorded. The WCPF Convention Area accounted for 78% of the total catch of tunas from the Pacific Ocean and 51% of the total global tuna catch in 2006. A full stock assessment was only conducted for yellowfin tuna in 2007. Subsequently, in order to reduce the likelihood of overfishing and maintain average biomass at levels of 5% or greater above B_{MSY} , the SC3 recommended a reduction in fishing mortality rate. No stock assessment was undertaken for other tuna stocks in 2007. Thus, the stock status description and management recommendations from SC2 (at Manila, Philippines, August 2006) remain current. Other issues arising from the SC3 include:

- a) Initial consideration of the application of reference points to the management of western and central Pacific Ocean (WCPO) fisheries targeting tuna including the development of a programme of work;
- b) The need to address the estimation of seabird mortality through the 2008-2010 work programme and, in the interim, for the Secretariat to provide details of seabird by-catch reporting by CCMs as an element of on-going work to identify data gaps;
- c) Deferral of further consideration of the designation of striped marlin occurring north of 20°N as a “northern stock”;
- d) Improved consideration of the current status of North Pacific stocks of Pacific Bluefin, North Pacific albacore, and swordfish;
- e) Review of the fin to body weight ratio for sharks and the initial identification of key shark species for monitoring for more detailed consideration by the SC at its next meeting;
- f) The exceptional success of the tagging initiative in Papua New Guinea (conceptually Phase 1 of the Pacific Tuna Tagging Programme (PTTP));
- g) Potential research activities, including in association with industry, relating to efforts to reduce fishing mortality of small tuna taken in association with floating objects;
- h) advice on effective strategies to reduce sea turtle interactions,
- i) the development of a strategic approach to Ecological Risk Assessment (ERA) research and a proposed programme of work to support ERA work in the Commission between 2008 and 2010; and
- j) to recommend to the Commission that, in 2008, full assessments be undertaken for bigeye, South Pacific albacore, and skipjack tuna.

4. Administrative and operational issues to be highlighted include:

- a) The confirmation of Keith Bigelow (USA) as the Vice-Chair of the SC;
- b) recommendations in respect of scientific issues associated with the Regional Observer Programme;
- c) a fourth meeting of the Steering for the IPDCP and the commencement of Project-supported data collection activities in Indonesia and continuation of Project activities in Philippines;

¹ The figure reported to SC3, 2,189,985mt, has been updated to reflect information received from various fleets since SC3.

- d) endorsement of a Plan for Phase II of the PTTP, as a Commission-sponsored research project;
- e) a review of *Scientific Data to be Provided to the Commission* for further consideration by the Commission and additional work on *Rules and Procedures for Access to, and Dissemination of, Data Compiled by the Commission*;
- f) initial work to develop a guidelines for a transparent and strategic approach to future formulation of the work programme of the SC;
- g) finalisation of the procedure for supporting the proposed independent review of the Commission's interim arrangements for the science structure and function; and
- h) an offer from Papua New Guinea to host the Fourth Regular Session of the Scientific Committee at Port Moresby.

2.2 The Northern Committee

5. The Third Regular Session of the Northern Committee (NC3) took place at Tokyo, Japan from 11–13 September 2007. The meeting was attended by eight members of the NC and ten observers from CCMs. Mr Masanori Miyahara (Japan) chaired the meeting.

6. NC3 reviewed the advice and recommendations for northern stocks formulated by the ISC at its 7th Plenary Session (ISC7), Busan, Korea 25-30 July 2007. Noting a full assessment for Pacific bluefin is scheduled for 2008, the Committee agreed to defer further consideration of CMMs for this stock until NC4. Similarly, further consideration of CMMs for North Pacific albacore was deferred to NC4. However, NC members agreed to work inter-sessionally to exchange views on management objectives for this stock and requested the ISC to undertake additional work to support further discussion in the NC concerning the possible formal adoption of reference points for this stock.

7. Although not formally considered a northern stock, NC3 also reviewed the deteriorating status of the northern stock of striped marlin. Noting the ISC7 advice that the fishing mortality rate on striped marlin should be reduced immediately, NC3 urged all members, on a voluntary basis, not to support additional increases in fishing mortality rate on striped marlin in the North Pacific. NC3 renewed its call for the Scientific Committee to support the designation of striped marlin in the North Pacific as a northern stock. Further, NC3 recommended that the Commission establish a working group to identify research and management options to support further consideration of CMMs for this stock in the Commission.

8. An overarching issue relating to the status of stocks and the formulation of management advice for all stocks reviewed by NC3 was the availability of adequate data and significant data gaps that exist in respect of some stocks and fisheries.

9. The NC proposed that its next meeting take place 9-11 September 2008 at Tokyo, Japan.

2.3 The Intersessional Working Group to develop the Regional Observer Programme

10. The Intersessional Working Group to develop the Regional Observer Programme (IWG-ROP) met at Pohnpei, FSM, 24-26 September 2007. Twenty one participants representing CCMs and observers (SPC and FFA) attended the meeting which was chaired by Dr Charles Karnella (USA).

11. The IWG-ROP reconfirmed the development of the ROP should be guided by the following principles: cost effectiveness; consistency of standards with those of existing regional, sub-regional and national programmes; flexibility; standardized data security; and to avoid duplication by using systems, standards and procedures that already exist in the region to the extent possible.

12. A Draft CMM for the establishment of the ROP, including the right and responsibilities of observers, vessel and crew, was reviewed by the IWG for subsequent further consideration by the TCC. Outstanding issues related to an Implementation Plan, coverage (which the IWG considered

required the advice of the SC and TCC), liability, costs and financing arrangements require more consideration.

13. The IWG-ROP noted that, as it was unable to complete its work during its brief meeting a second physical meeting of the IWG-ROP should be considered for early 2008.

2.4 The Technical and Compliance Committee

14. The Third Regular Session of the Technical and Compliance Committee (TCC3) was held at Pohnpei, Federated States of Micronesia from 27 September to 2 October 2007. The meeting was chaired by Mr. Wendell Sanford (Canada), and 128 participants from 25 CCMs and observers attended the meeting.

15. TCC3 agreed on operational elements to support procedures for high seas boarding and inspection of fishing vessels, and finalized a provisional list of five fishing vessels alleged to have undertaken illegal, unregulated and unreported (IUU) fishing activities in the region in 2006/07. In pursuit of its goal of developing a comprehensive suite of fisheries monitoring, control and surveillance (MCS) tools to safeguard regional tuna stocks, TCC3 also recommended the calling of a tender for the construction of the VMS for the region's high seas, due to be activated on 1 January 2008. Building on the work of the IWG-ROP, some progress was made on arrangements for a ROP for the region's high seas although an implementation schedule and financing arrangements are among several elements of the ROP that remain to be resolved. The Committee agreed to defer further consideration of port State measures until the conclusion of related work in FAO and further development of a possible measure governing the transshipment of fish was delegated to several CCMs to work on collaboratively prior to WCPFC4 in Guam. TCC3 provided several recommendations to the Commission relating to the mitigation of the effect of tuna fishing on sea turtles, seabirds and juvenile tuna.

16. TCC3 agreed that the Fourth Regular Session of the Technical and Compliance Committee will be held at Pohnpei, Federated States of Micronesia from 25-30 September 2008.

3. Secretariat Activities

3.1 Secretariat administrative and establishment matters

Review of the Commission's Work Programme and Strategic Plan

17. The Commission noted the Chairman's Draft Proposed Programme of Work/Conservation and Management Measures and Strategies (Attachment R of the WCPFC3 Report) as a reference for future discussion regarding a strategy for prioritizing the work of the Commission for the period 2007–2011. The Secretariat was tasked with further elaboration of a Strategic Plan during 2007 with input from the Commission's three subsidiary bodies, together with the further development of a Business Plan to guide the role of Secretariat. The Commission will be invited to review a draft Business Plan for the Secretariat and a draft Strategic Plan for the Commission for the period 2008 to 2012 during WCPFC4.

Recruitment of Secretariat staff

18. The Observer Programme Coordinator, Mr Karl Staisch, relocated to Pohnpei in February 2007 to take up his post with the Secretariat. Mr Staisch immediately started work to support the development of the Regional Observer Programme (ROP). In the first week of June, the Secretariat welcomed Dr Ziro Suzuki to Pohnpei to take up the position of Japan Trust Fund Coordinator and liaison officer for the Northern Committee. Dr Suzuki will be based out of at the Secretariat's offices for approximately three months during each of the next four years. Two supporting staff, the Executive Assistant (Ms Lucille Martinez) and Administrative Assistant Data Entry (Mr Glenn Jano)

joined the Secretariat in April/May. The Commission advertised twice in an effort to recruit an Information, Communications and Technology (ICT) Manager, but the nominated candidate declined to relocate to Pohnpei. The Commission anticipates recruiting an ICT Manager and VMS Manager (subject to Commission endorsement for the establishment of the post) in 2008.

Financial and administrative arrangements

19. The Secretariat's financial and administrative arrangements operated satisfactorily during the year. A significant effort was required in finalising lease arrangements for the headquarters land and the associated building grant. Due to a number of factors, including the Commission's inability to recruit an ICT Manager the processing of most financial and administration transactions remains largely manual, supported by the Microsoft Office Suite of software. It is hoped that a more sophisticated, IT-based application, can be put in place to support the Commission's financial management systems in 2008. As the volume and complexity of the Commission's transactions increase manual preparation of accounts and staff records will become increasingly infeasible.

Annual Accounts and Contributions

20. The 2006 annual accounts were completed and provided to the independent external auditor within the time prescribed by the Commission's Finance Regulations. Similarly the required audit was completed on time and the unqualified audit report and related observations distributed to Members. The detail of the accounts is included in paper WCPFC4-2007- FAC1/03. Contributions are reported on in papers WCPFC4-2007-FAC1/04 and 05

21. Two countries have outstanding contributions that span two years; 2005 and 2007 in one case and the other 2006 and 2007. In this regard it may be noted that Article 18 (3) of the Convention provides that if a contributor is in arrears for the preceding two full years it shall not participate in the taking of decisions by the Commission, subject to the Commission permitting such a member to vote. This article will not apply in 2007 but, subject to a decision by the Commission, may do from January 2008 if the arrears are not paid.

New Bank Accounts

22. As required by Financial Regulation 9 (Custody and Investment of Funds), the Commission is advised that a new bank account was opened during 2007:

First Hawaiian Bank

Chequing Account 65-031930, located at the Kapiolani Banking Centre, Honolulu Hawaii.
This account was opened to support the Third Regular Session of the Scientific Committee.

Bank of Guam

Savings account 209-277442 – Indonesia Philippines Data Collection Project
Savings Account 209-277451 – Regional Observer Programme Support Fund
Savings Account 209-277460 – Special Requirements Fund

Closed bank accounts: The following accounts were closed to rationalize banking arrangements in Pohnpei and reduce administrative costs.

Bank of Federated States of Micronesia

Savings account 604-4188150; Indonesia/Philippines Data Collection Project Fund; and
Savings account 604-4188158; Special Requirements Fund.

Funds were transferred to accounts with the Bank of Guam. In addition, account 209-262447 was designated to receive and disburse funds related to the Japanese Trust Fund.

Office Accommodation

23. Although the formal opening of the new headquarters building was possible during the visit by representatives from CCMs to Pohnpei during TCC3, the Secretariat continues to operate from the interim accommodation made available by the Government of the Federated States of Micronesia. The suite has three larger offices, a meeting room, some storage space, a combined reception and common area with basic rest room facilities. These arrangements enable the Secretariat to function with its present staff complement but offer limited potential to house increased staff levels. It is hoped the Secretariat will be able to occupy the headquarters building in early 2008. A more detailed report on the headquarters building is in paper WCPFC4-2007-FAC1/02.

Pohnpei State Tax

24. The Secretariat continued to liaise with the FSM National Government in 2007 in an attempt to put into effect the Headquarters Agreement understanding in relation to an exemption from, or reimbursement of, Pohnpei State Taxes.

3.2 Contracts and Consultancies during 2007

Commission's science services provider, the SPC-OFP

25. The SPC-OFP continued in the role of data manager, scientific services provider and webmaster for a third year. The SPC-OFP produced approximately 26 papers during the SC3, mostly related with assigned science services. It also provided a broad area of other advice services for the Secretariat's intersessional activities.

Other contracts and consultancies

Commission-related activities

- Legal advisory services: international fisheries and marine law (Professor Martin Tsamenyi, University of Wollongong, Australia).
- A Pohnpei-based legal counsel to advise on matters of FSM law, including land law, tenancy and lease agreements (Andrea Hillyer, FSM).
- Rapporteur support to the Secretariat during TCC3 and WCPFC4 (Dr Shelley Clarke).
- Review of staff terms and conditions (Mercer Human Resource Consulting, New Zealand).
- Appraisal of the new headquarters building: pre-occupancy assessment (E-CAD/Project Management, FSM).

SC-related activities

- Review of the use of the precautionary approach and the role of target and limit reference points and Management Strategy Evaluation in the management of highly migratory fish stocks (CSIRO, Australia).
- Ecological Risk Analysis, including PSA (SPC-OFP).
- Database design – by-catch mitigation (SPC-OFP).

TCC-related activities

- Enhancement and web-enablement of the WCPFC Record of Fishing Vessels database (MRAG, UK).
- Preparation of a Business Plan for the Commission VMS (Bruce Shallard and Associates, New Zealand).

4. Relations with other organisations

26. Regular exchanges of views on strategic planning and technical advice continued with the FFA, SPC, and IATTC to assist the Secretariat support CCMs with the implementation of the Commission's decisions. Regular dialogue was also maintained with the ICCAT, IOTC and CCSBT to share information and exchange views on areas of common interest. With IATTC, the First Consultation Meeting between the two secretariats was held in June 2007 with a second consultation scheduled during WCPFC4. Other organisations with which productive relations were maintained throughout the year included the Western Pacific Regional Fisheries Management Council, the Agreement for the Conservation of Albatross and Petrels (ACAP), Birdlife International and the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR).

27. During the year the Commission was represented at the following meetings arranged by other organisations or bodies:

- a) First Joint Meeting of Tuna RFMOs, Kobe, Japan, 22-26 January;
- b) First meeting of the Asia and Pacific Bycatch Consortium, Honolulu, USA, 15-16 February;
- c) Pelagic Longline Catch Rate Standardization Workshop, Honolulu, USA, 12-16 February;
- d) 22nd meeting of the Coordinated Working Party (CWP) on Fisheries Statistics; the 27th Session of the Committee on Fisheries; the 4th meeting of the Fisheries Information Resource Monitoring System (FIRMS) Steering Committee; the 1st meeting of the Regional Fisheries Bodies Secretariat's Network (RSN); and the 8th Meeting of the secretariats of tuna RFMOs, Rome, Italy, February and March 2007
- e) 9th International Conference on Vessel Monitoring Systems and MCS, Brisbane, Australia, 29-30 March;
- f) Second Meeting of the Climate Impacts on Oceanic Top Predators (CLIOTOP) WG-5 (Socio-economic Aspects and Management Strategies), Santa Barbara, California, 12-14 April;
- g) IATTC Stock Assessment Working Group, La Jolla, 7-11 May;
- h) 11th Session of the Indian Ocean Tuna Commission, Grand Baie, Mauritius, 14-18 May;
- i) 1st Consultation Meeting between the WCPFC and IATTC Secretariats and the 75th Meeting of the IATTC, Cancun, Mexico, 25-29 May;
- j) 64th meeting of the Pacific Islands Forum Fisheries Committee, Wellington, New Zealand, 28 May to 1st June;
- k) 7th of the International Scientific Committee on Tuna and Tuna-like Species in the North Pacific Ocean, Busan, Korea, 25-30 July;
- l) Joint RFMO Technical Working Group on Trade and Catch Documentation Schemes, Raleigh, USA, 22-23 July;
- m) Pacific Tuna Forum, Port Moresby, Papua New Guinea, 12-13 September;
- n) 38th Pacific Islands Forum, Nuku'alofa, Kingdom of Tonga 16-17 October;
- o) IATTC WG on stock assessment using tagging data and the 76th Special Meeting of the IATTC, La Jolla, USA, 15-24 October;
- p) 7th SPC/FFA Data Collection Committee meeting, Brisbane, Australia, 12-16 November;
- q) 7th SPC/FFA Regional Observer Coordinators' Workshop, Brisbane, Australia, 19-23 November 2007.

5. Emerging issues

28. The Commission has now effectively been operating for three years during which time it has adopted various decisions for the conservation and management of WCPO fish stocks, mitigation of bycatch mortality, and the development of tools to support the monitoring, control and surveillance of

fishing operations in the Convention Area. Although different CCMs have different priorities, seven on-going and emerging issues that will present challenges for the Commission during the short to medium term include:

- a) Addressing the challenges relating to the development of tuna fisheries in the small island developing State and participating territory CCMs of the Commission.
- b) Managing fishing effort throughout the Convention Area within sustainable limits. The Commission will need to give consideration to measures compatible with the measures being applied within the national waters of CCMs that are Parties to the Nauru Agreement for the national waters of other CCMs, and the high seas. As agreed at WCPFC2 and WCPFC3 mitigation measures for juvenile bigeye and yellowfin tuna have been identified as requiring immediate attention.
- c) Developing, resourcing and implementing, in a strategic way, tools and procedures for the effective regulation, monitoring and control of all fishing operations in the WCPO, including the development and application of effective mechanisms to deter non-compliance. The TCC has identified the short term priorities are implementation of the Regional Observer Programme and the Vessel Monitoring System and this has been endorsed by the Commission.
- d) Identifying and addressing data gaps to provide an improved platform for timely assessments of the status of target and non-target stocks. This includes a provision for the impact of IUU fishing on WCPO stocks, addressing, in a sustainable manner, data poor situations in Indonesia, Philippines and other East Asian countries sharing WCPO tuna stocks, and access to comprehensive operational-level catch and effort data, particularly for longline fleets, which is increasingly recognised as crucial to improve the reliability of stock assessments.
- e) The development and implementation of a strategy to effectively incorporate broader ecosystem considerations into the CMMs adopted and implemented by the Commission.
- f) Building capacity, particularly among the small island developing state and participating member CCMs, to implement the provisions of the Convention and decisions of the Commission.
- g) The establishment of a conducive and productive working environment for the Secretariat in Pohnpei.

6. Acknowledgements

29. The Secretariat, on behalf of the Commission, extends appreciation to the following governments and organisations for the support provided to the Commission during 2007:

- a) The Government of the Federated States of Micronesia, particularly the office of the National Oceanic Resources Management Authority for the provision and maintenance of the Secretariat's temporary office accommodation;
- b) The Government of French Polynesia for a voluntary contribution of USD12,000 to the General Account Fund;
- c) The Government of the United States of America for its voluntary contribution of USD99,000 to support the Regional Observer Programme;
- d) The Government of Japan for support provided to small island developing State members of the Commission through the Japan Trust Fund;
- e) The SPC-OFP for on-going professional data management, scientific and technical (including web management) support services;
- f) The Government of the United States of America, particularly the North West Pacific Regional Fisheries Management Council and National Marine Fisheries Service, for financial, logistical and administrative support to the Scientific Committee during its third meeting at Honolulu;

- g) The Government of Japan, particularly the Fisheries Agency of Japan, for financial, logistical and administrative support to the Northern Committee during its third meeting at Tokyo;
- h) The Government of the Federated States of Micronesia, particularly the College of Micronesia and the National Oceanic Resources Management Agency for the provision of meeting facilities and administrative support for the Intersessional Working Group on the Regional Observer Programme and the Third Regular Session of the Technical and Compliance Committee; and
- i) Respectively to the Governments of Korea, USA, Canada and Japan for releasing staff to chair the subsidiary bodies of the Commission – Dr Dae-Yeon Moon (Korea) in respect of the SC3, Dr Charles Karnella (USA) in respect of the IWG-ROP, Dr Keith Bigelow (USA) in respect of SC3, Mr Wendell Sanford (Canada) in respect of the TCC3 and Mr Masanori Miyahara (Japan) in relation to the NC3.

Progress in operationalizing the functions of the Commission during 2007 assessed by the Secretariat (refer to Article 10 of the Convention for the full text)

Reference	Function	Secretariat's provisional assessment of progress to date	
		Pre-2007	2007
10(1)	Without prejudice to the sovereign rights of coastal States for the purpose of exploring and exploiting, conserving and managing highly migratory fish stocks within areas under national jurisdiction, the functions of the Commission shall be to:		
10(1)(a)	determine the total allowable catch or total level of fishing effort within the Convention Area for such highly migratory fish stocks as the Commission may decide and adopt such other CMMs and recommendations as may be necessary to ensure the long-term sustainability of such stocks;	<ul style="list-style-type: none"> • MHLC3 and MHLC5 adopted a resolution on fishing effort, capacity and the precautionary approach. • PrepCon3 adopted a resolution relating to illegal, unreported and unregulated fishing and limits on fishing capacity. • PrepCon5 adopted a resolution in response to the recommendations of the second meeting of the Scientific Coordinating Group on sustainable fisheries management, which includes a call for reasonable restraint in respect of any expansion of fishing effort and capacity in the WCPO. <ul style="list-style-type: none"> - WCPFC1 adopted a resolution on CMMs that provided for the continuation of the resolutions adopted during the MHLC and Preparatory Conference. • WCPFC2 adopted the following CMMs that placed restraints on catch and effort: <ul style="list-style-type: none"> - CMM-2005-01: CMM for bigeye and yellowfin tuna in the WCPO - CMM-2005-02: CMM for South Pacific albacore - CMM-2005-03: CMM for North Pacific albacore • WCPFC3 adopted the following CMMs that restrained catch and effort: <ul style="list-style-type: none"> - CMM-2006-01: CMM for bigeye and yellowfin tuna in the WCPO - CMM-2006-03: CMM for swordfish in the South West Pacific - CMM-2006-04: CMM for striped marlin in the Southwest Pacific - CMM-2006-05: CMM for sharks in the western and central 	<p>SC3 Recommendations:</p> <ul style="list-style-type: none"> • Bigeye tuna: To maintain producing the MSY, reduce 25% of average F(2001–2004) • Yellowfin tuna: To maintain average biomass $\geq (1.05) \cdot B_{MSY}$, F reductions would be required • Skipjack tuna: High catches are sustainable. Any increases in PS skipjack may result in a corresponding increase in F for yellowfin and bigeye tunas. • South Pacific albacore: Current catch levels appear to be sustainable and increases in fishing mortality and yields are possible. CPUE reductions may be severe in areas of locally concentrated fishing effort. • Southwestern Pacific swordfish: As a precautionary measure, no increases in F was recommended • Southwestern Pacific striped marlin: current F may approximate or exceed F_{MSY} and current spawning biomass may approximate or be below the B_{MSY} • Northern stocks: The SC did not modify ISC's management recommendations.

		Pacific Ocean	
10(1)(b)	promote cooperation and coordination between members of the Commission to ensure that CMMs for highly migratory fish stocks in areas under national jurisdiction and measures for the same stocks on the high seas are compatible;	<ul style="list-style-type: none"> • Paragraph 9 of the CMM-2005-01 refers to compatibility in respect of managing purse seine fishing effort. 	<ul style="list-style-type: none"> • The matter of compatibility is an issue that requires further consideration and elaboration in the Commission.
10(1)(c)	adopt, where necessary, CMMs and recommendations for non-target species and species dependent on or associated with the target stocks, with a view to maintaining or restoring populations of such species above levels at which their reproduction may become seriously threatened;	<ul style="list-style-type: none"> • WCPFC1 adopted Resolution-2004-04 (Resolution on CMMs) in relation to the mitigation of juvenile fish, seabirds, sea turtles and sharks. • WCPFC2 adopted the following resolutions: <ul style="list-style-type: none"> - Resolution-2005-01 (Resolution on the incidental catch of seabirds) - Resolution-2005-03 (Resolution on non-target fish species) - Resolution-2005-04 (Resolution to mitigate the impact of fishing for highly migratory fish species on sea turtles) • WCPFC3 adopted the following CMM: <ul style="list-style-type: none"> - CMM-2006-02 (CMM to mitigate the impact of fishing for highly migratory fish stocks on seabirds) 	<p>Subsidiary bodies' recommendations to the Commission include:</p> <ul style="list-style-type: none"> • Potential mitigation measures for seabirds, including technical specifications, were considered by SC3 and TCC3 and are tabled for further consideration at WCPFC4. • The WCPFC3 recommended that the Commission consider a specific sea turtle mitigation measure at its annual meeting in 2007.
10(1)(d)	adopt standards for collection, verification and for the timely exchange and reporting of data on fisheries for highly migratory fish stocks in the Convention Area in accordance with Annex I of the Agreement, which shall form an integral part of	<ul style="list-style-type: none"> • WCPFC2 adopted: <ul style="list-style-type: none"> - Scientific Data to be Provided to the Commission - Standards for the Provision of Operational Level Catch and Effort Data to the Commission - CCM's Annual Report, format of Part 1 (Information on fisheries, research and statistics) and Part 2 (Information on management and compliance) - CMM-2005-03 (CMM for North Pacific albacore) for the CCM's provision of catch and effort data for North Pacific albacore to the Commission • WCPFC3 adopted: 	<ul style="list-style-type: none"> • Following discussion relating to data and data gaps, the Secretariat, working with SPC-OFP, developed an enhancement for the WCPFC website that provides a means for CCMs to monitor their data submission record with the Commission. • WCPFC4 will consider a review of the <i>Scientific Data to be Provided to the Commission</i> undertaken at SC3.

	this Convention;	<ul style="list-style-type: none"> - A revised format of Part 2 - CMM-2006-03 (CMM for swordfish in the South West Pacific) for the CCMs' provision of the number of fishing vessels fishing for South West Pacific swordfish to the Commission - CMM-2006-04 (CMM for striped marlin in the southwest Pacific) for the CCMs' provision of the number of fishing vessels fishing for southwest Pacific striped marlin 	
10(1)(e)	compile and disseminate accurate and complete statistical data to ensure that the best scientific information is available, while maintaining confidentiality, where appropriate;	<ul style="list-style-type: none"> • SPC-OFP has served in the role of Commission's data manager since 2004. • WCPFC3 adopted: <ul style="list-style-type: none"> • A living document, <i>Rules and Procedures for Access to and Dissemination of Data Compiled by the Commission</i>, and • Information Security Policy for the Commission's Secretariat. 	<ul style="list-style-type: none"> • SC3 and TCC3 considered the <i>Rules and Procedures for Access to, and Dissemination of, Data Compiled by the Commission</i> adopted at WCPFC3. Consequently, a revised version will be available to WCPFC4 for amendment, if necessary, and adoption. • WCPFC4 will consider a procedure for the development of separate rules and procedures for the release and use of VMS data. • On the basis of any written comments received by the Secretariat by 31 October, a draft Framework for Access to Non-Public Domain Data, draft Data Request Form and the draft Confidentiality Agreement will be available to WCPFC4 for consideration and possible adoption.
10(1)(f)	obtain and evaluate scientific advice, review the status of stocks, promote the conduct of relevant scientific research and disseminate the results thereof;	<ul style="list-style-type: none"> • At each meeting, the Commission receives and evaluates scientific advice and recommendations from the Scientific Committee, including a review the status of stocks • The SC proposes a work programme, endorsed by the Commission, the results of which are reported to the Commission 	The Commission will consider a proposal for an independent review of the interim arrangements for the Commission's science structure and functions at WCPFC4.

10(1)(g)	develop, where necessary, criteria for the allocation of the total allowable catch or the total level of fishing effort for highly migratory fish stocks in the Convention Area;	<ul style="list-style-type: none"> • At WCPFC2, the Commission agreed to prepare a discussion paper on allocation issues (Paragraph 39, Summary Report) • At WCPFC3, a discussion document on allocation (WCPFC3-2006/15, Discussion paper on allocation issues) was presented and the Commission requested written comments by CCMs on the allocation report to be provided by 31 August 2007 (paragraph 122, WCPFC3 Report). 	WCPFC4 will discuss written comments received in response to the WCPFC3 recommendation and consider any further work required in respect of allocation.
10(1)(h)	adopt generally recommended international minimum standards for the responsible conduct of fishing operations;	Guidance is available through, among other international agreements, the Code of Conduct for Responsible Fisheries, Annex I of the Agreement, and Annex III of the Convention, all of which are taken into consideration in developing CMMs or other decisions of the Commission.	<ul style="list-style-type: none"> • WCPFC4 will have an opportunity to discuss the outcomes of the Joint Meeting of Tuna RFMOs at Kobe, Japan and considerations for the WCPFC. • TCC2 commenced work on a process to report and monitor on compliance with the Convention and the decisions of the Commission. This may be further considered by WCPFC4
10(1)(i)	establish appropriate cooperative mechanisms for effective monitoring, control, surveillance and enforcement, including a vessel monitoring system;	<ul style="list-style-type: none"> • Through the TCC, some progress has been made in respect of various elements of a MCS framework that eventually become integrated to the Commission's MCS Scheme. These include transshipment, high seas boarding and inspection, a regional observer programme, IUU Listing, VMS, port State measures, vessel chartering arrangements, catch and/or trade documentation, and implementation issues associated with mitigation of by-catch. 	<ul style="list-style-type: none"> • TCC3 agreed: <ul style="list-style-type: none"> - to continue the work of the IWG-ROP; - to hold a meeting in the margins of WCPFC4 to further discuss the issue; - to hold a further meeting of the IWG-ROP in 2008; and - to forward the draft CMM on implementation of the ROP, as amended by TCC3, to WCPFC4 for consideration. • TCC3 recommended the calling of a tender for the WCPFC VMS, as amended, under the direction of the Executive Director and on a cost effective basis. TCC3 agreed that a proposed budget for the Commission

			<p>VMS will be reviewed by the Commission based on scenarios prepared by the Secretariat and circulated to CCMs well in advance of WCPFC4. TCC3 recommended the formation of a VMS Working Group to establish the standards, specifications and procedures as called for in Convention Article 24(8).</p> <ul style="list-style-type: none"> • TCC3 also agreed on administrative procedures to support the Commission's high seas boarding and inspection scheme and for additional collaborative work among CCMs in relation to transshipment. • WCPFC4 will consider these matters.
10(1)(j)	obtain and evaluate economic and other fisheries-related data and information relevant to the work of the Commission;	The Commission currently does not have the capacity to service this function.	
10(1)(k)	agree on means by which the fishing interests of any new member of the Commission may be accommodated;	<ul style="list-style-type: none"> • PrepCon7 <ul style="list-style-type: none"> - Annex II of WCPFC/PrepCon/46 (Cooperating Non-members) • WCPFC1 <ul style="list-style-type: none"> - CMM-2004-02 (Cooperating Non-Members) 	<ul style="list-style-type: none"> • The report assessing options for allocation started the process for consideration of this.. • WCPFC4 will review application of cooperating non-member status from Indonesia (renewal), Belize, Senegal, El Salvador, and Ecuador.
10(1)(l)	adopt its rules of procedure and financial regulations and such other internal administrative regulations as may be necessary to carry out its	<ul style="list-style-type: none"> • WCPFC1 adopted: <ul style="list-style-type: none"> • Rules of Procedure of the Commission. • WCPFC2 adopted: <ul style="list-style-type: none"> • Staff Regulations; • Financial Regulations; • Scientific Data to be Provided to the Commission; and 	No new administrative rules and procedures were developed during 2007 although WCPFC4 may consider proposals for revisions or enhancements to existing rules and procedures.

	functions;	<ul style="list-style-type: none"> • Principles, Guidelines and Operational Procedures for the Commission's Special Requirements Fund. • WCPFC3 adopted: <ul style="list-style-type: none"> - Strategic Research Plan 2007-2011; - Rules and Procedures for Access to, and Dissemination of, Data Compiled by the Commission; - Sea Turtle Research Programme; and - Annual Report to the Commission: Part 1 [Information on Fisheries, Research and Statistics], Part 2 [Management and Compliance]. 	
10(1)(m)	consider and approve the proposed budget of the Commission;	A standing agenda item for each annual session of the Commission.	
10(1)(n)	promote the peaceful settlement of disputes;	The provisions of Article 20 (Decision-making) and Annex II (Review Panel) provide the foundation for the peaceful settlement of disputes.	
10(1)(o)	discuss any question or matter within the competence of the Commission and adopt any measures or recommendations necessary for achieving the objective of this Convention.	Through the MHLC and Preparatory Conference, several Resolutions were adopted. Some of which were carried over to the Commission. At WCPFC 1 a single resolution was adopted. At WCPFC2 binding CMMs and non-binding resolutions were adopted. At WCPFC3 all measures adopted by the Commission were binding CMMs although some included a voluntary component.	
10(2)	In giving effect to paragraph 1, the Commission may adopt measures relating to, <u>inter alia</u> :		
10(2)(a)	the quantity of any species or stocks which may be caught;	<ul style="list-style-type: none"> • WCPFC2 adopted: <ul style="list-style-type: none"> - CMM-2005-01 (CMM for Bigeye and Yellowfin Tuna in the Western and Central Pacific Ocean) that established catch limits for bigeye tuna 	
10(2)(b)	the level of fishing effort;	<ul style="list-style-type: none"> • WCPFC2 adopted: <ul style="list-style-type: none"> - CMM-2005-01 that established the limit of purse seine fishing effort - CMM-2005-03 (CMM for North Pacific Albacore) that established the limit of fishing effort for North Pacific 	

		<p>albacore</p> <ul style="list-style-type: none"> • WCPFC3 adopted: <ul style="list-style-type: none"> - CMM-2006-01 that established the limit of purse seine fishing effort 	
10(2)(c)	<p>limitations of fishing capacity, including measures relating to fishing vessel numbers, types and sizes;</p>	<ul style="list-style-type: none"> • MHLC3 and MHLC5 adopted a resolution that limited fishing effort and capacity. • PrepCon3 adopted a ‘Resolution of the Preparatory Conference relating to illegal, unreported and unregulated fishing and limits on fishing capacity’. • PrepCon5 adopted a ‘Resolution of the Preparatory Conference in response to the recommendations of the second meeting of the scientific coordinating group on sustainable fisheries management’ that limited fishing effort and capacity. • WCPFC1 adopted: <ul style="list-style-type: none"> - Resolution-2004-04 (Resolution on CMMs) that limited fishing effort and capacity. • WCPFC2 adopted: <ul style="list-style-type: none"> - Resolution-2005-02 (Resolution on reduction of overcapacity) - CMM-2005-02 (CMM for South Pacific albacore) that limited the number of fishing vessels. • WCPFC3 adopted: <ul style="list-style-type: none"> - CMM-2006-03 (CMM for swordfish in the South West Pacific) that limited the number of fishing vessels. - CMM-2006-04 (CMM for striped marlin in the southwest pacific) that limited the number of fishing vessels. 	
10(2)(d)	<p>the areas and periods in which fishing may occur;</p>	<p>No decisions have been taken in relation to this measure.</p>	
10(2)(e)	<p>the size of fish of any species which may be taken;</p>	<p>No decisions have been taken in relation to this measure.</p>	
10(2)(f)	<p>the fishing gear and technology which may be used;</p>	<p>No decisions have been taken in relation to this measure.</p>	
10(2)(g)	<p>particular subregions or</p>	<p>The Commission has not adopted any measures relating to</p>	

	regions.	particular regions or sub-regions.	
10(3) In developing criteria for allocation of the total allowable catch or the total level of fishing effort the Commission shall take into account, <u>inter alia</u> : (a) ~ (j)			
10(4)	The Commission may adopt decisions relating to the allocation of the total allowable catch or the total level of fishing effort. Such decisions, including decisions relating to the exclusion of vessel types, shall be taken by consensus.	The Commission has not taken any decisions in relation to this measure.	
10(5)	The Commission shall take into account the reports and any recommendations of the Scientific Committee and the Technical and Compliance Committee on matters within their respective areas of competence.	The respective reports and recommendations of the Scientific Committee, the Northern Committee and the Technical and Compliance Committee were considered by WCPFC3.	The reports and recommendations of SC3, TCC3 and NC3 will be considered by WCPFC4.
10(6)	The Commission shall promptly notify all members of the measures and recommendations decided upon by the Commission and shall give due publicity to the CMMs adopted by it.	All Preparatory Conference meeting material, including Resolutions, the Summary Reports of all the Commission's sessions, including those of its subsidiary bodies, have been made publicly available on the Commission's website.	The meeting documents and the Summary Reports of all the Commission's sessions, including those of its subsidiary bodies, have been posted on the Commission's website.