



**FOURTH REGULAR SESSION**

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**CONSERVATION AND MANAGEMENT MEASURES  
FOR BIGEYE AND YELLOWFIN TUNA  
IN THE WESTERN AND CENTRAL PACIFIC OCEAN  
Draft Conservation And Management Measure For Discussion**

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**WCPFC4-2007/DP12  
6<sup>th</sup> November 2007**

**Submitted By FFA Members**

*The Western and Central Pacific fisheries Commission (WCPFC):*

*Recognising* that the Scientific Committee has determined that there is a high probability that the bigeye and yellowfin stocks are currently subject to overfishing, and that reductions in fishing mortality are required in order to reduce the risks that these stocks will become overfished,

*Recalling* that the Commission agreed in 2005 to review annually Commission Measure 2005-1,

*Recalling* that the Commission committed itself in 2006 to adopt a measure at its next session to reduce juvenile bigeye and yellowfin tuna mortalities from fishing effort on FADs,

*Recalling* also Article 30(2a) of the Convention that oblige the Commission, in establishing measures, to take into account the vulnerability of developing States Parties, in particular small island developing States, which are dependent on the exploitation of marine living resources,

And *recognising* Article 30(2c) the need to ensure that such measures do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto developing States Parties, and territories and possessions.

Adopts, in accordance with the Article 10 of the WCPFC Convention the following provisions to be read as part of WCPFC Conservation and Management Measure 2005-01:

1. Notwithstanding paragraph 6 of CMM 2005-01, the provisions of this conservation and management measure shall apply to domestic fisheries of small-island State members and participating territories.

#### *Catch retention*

2. In order to create a disincentive to the capture of small fish and to encourage the development of technologies and fishing strategies designed to avoid the capture of small bigeye and yellowfin tuna, CCMs shall require their purse seine vessels fishing in the Convention Area within the area bound by 20N and 20S from 1 January 2009 to retain on board and then land or transship all bigeye, skipjack and yellowfin tuna, except for fish unfit for human consumption for reasons other than size. The only exception shall be the final set of a trip when there may be insufficient wellspace to accommodate all fish caught in that set.
3. The Secretariat shall submit to TCC in 2008 a proposal for implementation procedures including *inter alia*, reporting requirements, a definition of the exact time during a set at which full retention will be required, arrangements for the final set of a trip and a definition of fish unfit for human consumption.

#### *FAD Closure*

4. There shall be no fishing on FADs by purse seine vessels in exclusive economic zones and the areas beyond national jurisdiction within the area bounded by 20<sup>0</sup>N and 20<sup>0</sup>S within the Convention Area between 0000 hours on 1 July and 2400 hours on 30 September in 2008 and 2009.
5. The Commission encourages CCMs to ensure that the effectiveness of the closure is not undermined by a transfer of effort into archipelagic waters and territorial seas.
6. Any small island State member or participating territory for whom more than 20% of earned government revenue (i.e. excluding grants) has been derived from purse-seine fisheries access fees in any year in the last 5 years may exclude its exclusive economic zone from the closure in 2009 if it determines that it has suffered a disproportionate burden from application in 2008 and advises the Commission accordingly.
7. By 1 July 2008, CCMs shall submit to the Commission management plans for the use of FADs within waters under their jurisdiction and by their vessels as appropriate. These plans shall include strategies to limit the capture of small bigeye and yellowfin tuna, including implementation of the FAD closure pursuant to paragraphs 4 and 5 above. The plans shall at a minimum meet the Suggested Guidelines for Preparation for FAD Management Plans for each CCM (WCPFC Circular 2007/14 Attachment 1). CCMs shall report to the Commission on the effectiveness of their FAD Management Plans, as part of their Annual Report to the Commission Part II. This

provision replaces paragraph 13 of CMM 2005-01 and paragraphs 4 and 5 of 2006-01.

8. The SC and TCC will review the effectiveness of the closure at their meetings in 2009, and make a recommendation to the Commission on any extension or modification to the closure.

#### *Longline Fishery*

9. For the next three years each CCM that caught more than 2,000 tonnes in 2004 of bigeye shall not exceed 75% of the average annual bigeye catch for the years 2001-2004 or the year 2004.<sup>1</sup> This provision replaces paragraph 17 of CMM 2005-01.
10. This provision shall be implemented in such a way as to ensure that such measures do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto Small Island developing States and territories.

#### *Monitoring*

11. In order to monitor compliance with the catch retention and FAD closure requirements, each CCM shall ensure that its purse seine vessels within the area bounded by 20N and 20S carry at all times either a Commission ROP observer when and where required, or otherwise
  - a) When operating, on any trip, principally in waters under the national jurisdiction of the flag State, and occasionally on adjacent high seas, an observer from a national or subregional observer programme; or
  - b) When operating outside of waters under the national jurisdiction of the flag State, an observer from a national observer programme of another CCM or from an existing subregional programme.
12. Each CCM shall ensure that its purse seine fishing vessels:
  - a) on the high seas in the Convention Area are equipped with ALCs that shall communicate such data as determined by the Commission;
  - b) In areas under national jurisdiction of another CCM shall operate an ALC in accordance with the applicable laws, including the standards, specifications and procedures determined by the coastal State.

#### *Data Provision*

13. CCMs shall ensure the provision of operational level catch and effort data and size composition data in the format required by the Rules of Provision of Scientific Data to the Commission.

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<sup>1</sup> The year 2004 shall apply only to China and the United States

14. Failure by CCMs to provide the data in para 11 will be taken into account by the Commission in implementing any additional reductions in fishing mortality that may be required to give effect to the precautionary approach.