



**FOURTH REGULAR SESSION**

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**AUSTRALIA – DRAFT RESOLUTION REGARDING THE EXPECTATIONS OF  
ASPIRING APPLICANTS**

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**WCPFC4-2007/DP32**

**7 December 2007**

**Draft Resolution regarding the expectations of aspiring applicants for Co-operating non-Members and other non-members regarding fishing opportunities in the Western and Central Pacific Fisheries Convention Area**

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

*Noting* that in accordance with relevant principles of international law, the Western and Central Pacific Fisheries Commission is the competent regional fishery management organisation in regard to highly migratory fish stocks, and in accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (hereafter, the “Convention”), it has implemented conservation and management measures for particular stocks in the Convention Area;

*Recalling* the objective of this 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.

*Noting* further Article 11 of the 1995 United Nations Fish Stocks Agreement;

*Recalling* the resolutions adopted at the fourth session of the MHLC and the third session of the PrepCon in November 2002 in which participants *inter alia* urged all states and other fishing entities concerned to exercise reasonable constraint in respect of any regional expansion of fishing effort and capacity.

*Recognizing* that the Scientific Committee has recommended reductions in fishing mortality in order to maintain the bigeye and yellowfin stocks at levels capable of producing the maximum sustainable yield;

*Recognising* that the Scientific Committee has recommended that there be no increase in fishing mortality for Swordfish and Striped Marlin in the South West Pacific;

*Observing* that the best scientific evidence on North Pacific albacore from the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean indicates that the species is either fully exploited, or may be experiencing fishing mortality above levels that are sustainable in the long term;

*Noting* that while current catch levels from the South Pacific albacore stock appear to be sustainable, given the age-specific mortality of the longline fleets, any significant increase in effort would reduce CPUE to low levels with only moderate increases in yields.

*Recalling* that the Commission at its second and third regular sessions in 2005 and 2006 adopted conservation measures for bigeye and yellowfin tuna;

*Noting* that the Commission shall give full recognition to the special requirements of developing States and participating territories parties to this 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 WCPFC Convention Area and development of fisheries on such stocks (Article 30).

*Noting further* that the conservation and management decisions referred to below shall not prejudice the legitimate rights and obligations of those small island State members and participating territories in the Convention Area seeking to develop their own domestic fisheries;

*Desiring* to guide the expectations of cooperating non-members and other non-members with regard to fishing opportunities in the WCPFC Convention Area;

HAVE RESOLVED as follows:

Cooperating non-members and other non-members should be aware that presently and for the foreseeable future, those stocks of yellowfin, bigeye, albacore, swordfish and striped marlin that are regulated by the WCPFC are fully fished, and fishing opportunities are therefore to be limited to new fisheries;

Cooperating non-members and other non-members should note that the WCPFC has agreed to conservation measures that limit participation in these fisheries;

In accordance with the WCPFC Conservation and Management Measures 2005-01 and 2006-01 and their duty to cooperate, Cooperating non-members and other non-members should not increase their total level of fishing effort for bigeye and yellowfin tuna in the Convention Area;

In accordance with the WCPFC Conservation and Management Measure 2006-03 and their duty to cooperate, should exercise restraint through limiting the number of their fishing vessels fishing for swordfish in the Convention Area south of 20°S, to the number in any one year between the period 2000 – 2005;

In accordance with the WCPFC Conservation and Management Measures 2005-01 and their duty to cooperate, Cooperating non-members and other non-members should limit the number of their fishing vessels fishing for striped marlin in the Convention Area south of 15°S, to the number in any one year between the period 2000 – 2004;

In accordance with the WCPFC Conservation and Management Measures 2005-03 and their duty to cooperate, Cooperating non-members and other non-members should not increase their total level of fishing effort for North Pacific albacore in the Convention Area north of the equator;

In accordance with the WCPFC Conservation and Management Measures 2005-02 and their duty to cooperate, Cooperating non-members and other non-members should not increase the number of their fishing vessels actively fishing for South Pacific albacore in the Convention Area south of 20° S above;

In accordance with the WCPFC Conservation and Management Measures 2004-02 and 2006-09 and their duty to cooperate, Cooperating non-members and other non-members should note that failure to abide by these limitations on fishing activities, and other decisions of the WCPFC, may result in the listing of vessels as IUU and the non-renewal of cooperating non-member status.