



**THIRD REGULAR SESSION**

Apia, Samoa  
11-15 December 2006

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**ISSUES ARISING  
from the  
SECOND REGULAR SESSION  
OF THE COMMISSION  
Palikir, Federated States of Micronesia  
12-16 December 2006**

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**WCPCFC3-2006/Information Paper 1  
10<sup>th</sup> November 2006**

<b>Summary Report Para. Ref.</b>	<b>Issue</b>	<b>Responsibility?</b>
8	<i>...consider nominations for the next Chair of the Commission....</i>	<i>CCMs</i>
13	...consider a levy for observer participation in meetings of the Commission...	Comm3
26	...adopted the Report of the First Regular Session of the Scientific Committee and, subject to budgetary considerations, accepted all the recommendations contained within it.	See above relating to SC1; SC2
28	.....Scientific Committee to consider the appointment of a chairman....	SC2
30	....Members would try to submit draft proposals 30 days prior to the Annual Session of the Commission to allow all Members adequate time to consider them and consult.	Comm3
32	<i>Conservation and management measures for bigeye and yellowfin tuna in the western and central Pacific Ocean (Attachment D).</i>	<i>CCMs, Secretariat</i>
32 and 33	<i>Conservation and management measure for South Pacific albacore (Attachment E);</i>	<i>CCMs</i>

32 and 33	<i>Conservation and management measure for North Pacific albacore (Attachment F);</i>	CCMs
34	<i>Resolution on the reduction of overcapacity (Attachment G);</i>	CCMs
32, 35 and 36	Resolution on the incidental catch of seabirds (Attachment H);	SC2 and TCC2
32	<i>Resolution on non-target fish species (Attachment I);</i>	CCMs
32, 37 and 38	<i>Resolution to mitigate the impact of fishing for highly migratory fish species on turtles (Attachment J)</i>	CCMs, SC2, TCC2 and Secretariat
39	The Commission agreed to task the Executive Director to produce a discussion paper on allocation issues.....	Secretariat, Comm3
40, 41 and 42	...transshipment	Comm3
44	...statistical document program.	Comm3
45	...sharks...	Comm3
46	<i>....swordfish management measures .....The Commission urged all Members to exercise reasonable restraint in expanding fishing effort on swordfish.....</i>	CCMs, Comm3
57 and 58	...program of work for implementation of the regional observer program.....	Secretariat, SC and TCC
59-61	.....high seas boarding and inspection intersessional working group.....	CCMs, Secretariat
64	<i>that it is the responsibility of Contracting Parties concerned, rather than the Commission, to develop guidelines relating to voluntary contributions for participating territories.</i>	CCMs
65	<i>.....assessed contributions received by the Secretariat to 30<sup>th</sup> November amounted to 47% of projected 2005 income from Members. He (the Executive Director) appealed to Members to make their 2005 payments before the end of the year.....</i>	CCMs
70	agreed to appoint Deloitte Touche as the Commission's auditor for a period of two years.	Secretariat
73	The Commission adopted the structure as proposed but agreed to defer a decision on the establishment of a permanent legal post within the Secretariat until the Third Session of the Commission. The Commission also encouraged the Executive Director to outsource as many Secretariat services as possible.	Secretariat
76	.....recommended that the Executive Director continue to explore options for providing for the accommodation needs of the Secretariat's staff. ....If no progress had been made, the Executive Director would invite Members to make voluntary contributions to a Housing Fund that could be used to erect accommodation on vacant land that he would secure under long-term lease arrangements.	Secretariat
78	The Commission agreed to carry forward un-expended funds from 2005 for use in the budget in 2006. As this would mean that the Commission would function throughout 2006 without a WCF it was agreed that the indicative budget for 2007 should provide for a levy of 10% of assessed contributions that would be dedicated to re-establishment of the WCF.	Secretariat
82	.....defer a decision on the Cooperating non-member status of Belize until the 2006 annual session of the Commission. The Commission requested the Executive Director write to Belize advising them of the Commission's decision and of the issues that it would need to address to obtain membership.	Comm3 and Secretariat

81	The Commission agreed that the Executive Director write to Indonesia, and if requested by Indonesia, circulate its request for an extension of its Cooperating non-member status out of session.	Secretariat
84	FFA members would prepare a Strategy to guide the capacity building work of the Commission for developing States and participating territories to be supported by the Special Requirements Fund. The finalization of the draft Guidelines prepared by the Secretariat, annexed to WCPFC/Comm2/26, would wait for the adoption of that Strategy.	FFA Members
87	UN Review Conference, the Secretariat and the Chairman should attend the Conference. Members were encouraged to provide information and advice to the Secretariat to assist with WCPFC preparations for the Conference.	CCMs and Secretariat

**Conservation and management measures for bigeye and yellowfin tuna in the western and central Pacific Ocean  
Conservation and Management Measure-2005-01**

Para.	Issue	Responsibility?
<i>General rules of application</i>		
1	<b><i>Through the adoption of necessary measures, the total level of fishing effort for bigeye and yellowfin tuna in the Convention Area shall not be increased beyond current levels<sup>1</sup>.</i></b>	CCMs
2	These measures will be reviewed annually and may be adjusted, considering the advice of the Scientific Committee concerning fishing mortality levels associated with maintaining the bigeye and yellowfin stocks at or above $B_{MSY}$ in accordance with Article 5 in the Convention.	SC2, TCC2, Comm3
3	<b><i>.....CCMs shall take necessary measures to ensure that their fishing vessels be transferred to other CCMs only when such transfers do not result in overfishing in the Convention Area.</i></b>	CCMs
4	The Scientific Committee, at its second meeting, shall identify levels of fishing effort to ensure that the bigeye and yellowfin stocks will remain at an agreed level above $B_{MSY}$ .	SC2
5	.....The Commission shall develop a Charter Arrangements Scheme, which will include notification provisions, at its third Session in 2006.	Secretariat, Comm3
<i>Purse seine fishery</i>		
8	<b><i>CCMs shall take necessary measures to ensure that purse seine effort levels do not exceed either 2004 levels, or the average of 2001 to 2004 levels, in waters under their national jurisdiction, beginning in 2006.</i></b>	CCMs
9	<b><i>The Commission shall implement compatible measures as required under Article 8 of the Convention, to ensure that purse seine effort levels do not exceed 2004 levels on the high seas in the Convention Area or the total fishing capacity will not increase in the Convention Area.</i></b>	CCMs, Comm3
10	(i) <b><i>For those FFA Member Countries who are Parties to the Nauru Agreement, the provisions of paragraph 8 will be implemented as a Vessel Day Scheme that will limit days fished to a level no greater than 2004 levels and will be fully implemented by 1 December 2007. Until that time, the current measures under the Palau</i></b>	PNA CCMs

<sup>1</sup> Current level of fishing effort shall include fishing rights authorized under existing regional or bilateral fisheries partnership arrangements or agreements, provided these are registered with the Commission, and provided that the number of licence authorized under such arrangements does not increase. CCMs will register their bilateral agreements or arrangements with the Commission in advance of the Third Session of the Commission in 2006.

	<i>Arrangement shall remain in force.</i>	
	<i>(ii) Other non-PNA member countries shall implement similar measures to limit purse seine effort in waters under their jurisdiction to no greater than 2004 levels, or to the average of 2001 to 2004 levels.</i>	<i>Non-PNA CCMs</i>
11	.....develop a proposal for consideration at the Third Session of the Commission that is consistent with the IATTC arrangements that allow for a system of temporary purse seine closures.	Secretariat, SC2, TCC2, Comm3
13	<b>CCMs shall develop management plans for the use of FADs (anchored and drifting) within waters under national jurisdiction which shall be submitted to the Commission.</b>	<b>CCMs, Secretariat, TCC2</b>
14	<i>The Commission will work with CCMs to develop methods to reduce catches of juvenile bigeye and yellowfin tuna caught in association with FADs.</i>	<i>Secretariat, CCMs</i>
15	<i>Beginning in 2006, the Scientific Committee and the Technical and Compliance Committee shall undertake to explore and evaluate mitigation measures for juvenile bigeye and yellowfin taken around FADs, in cooperation with other RFMOs, and present the results annually to the Commission.</i>	<i>CCMs, SC2, TCC2, Comm3</i>
16	Developing skipjack purse seine fisheries that can provide verifiable evidence of minimal yellowfin and bigeye bycatch, with 100% observer coverage, and with a legitimate development plan, will be exempted. Any such plan shall restrict the use of FADs and implement other such management measures necessary to minimize impacts on bigeye and yellowfin. These measures must be supported by adequate monitoring, control and surveillance to ensure their effective implementation. Existing plans shall be tabled at the Commission for information. Any new plan is to be tabled at the Commission before Government approval. The Commission is to be given the opportunity to comment on the plan before its approval.	CCMs, Secretariat, Comm3
<i>Longline fishery</i>		
17	The catch of bigeye for each CCM for the next 3 years shall not exceed the average annual bigeye catch for the years 2001-2004 or the year 2004 <sup>2</sup> .	CCMs
18	Paragraph 17 does not apply to CCMs that caught less than 2,000 tonnes in 2004. Each CCM that caught less than 2,000 tonnes of bigeye in 2004 shall ensure that their catch does not exceed 2,000 tonnes in each of the next 3 years.	CCMs
<i>Other fisheries</i>		
20	The second meeting of the Scientific Committee will review the catch of bigeye and yellowfin in other commercial fisheries in the Convention Area and provide advice to the Commission so that conservation and management measures can be developed.	SC2, Comm3

**Conservation and management measure for South Pacific albacore  
Conservation and Management Measure-2005-02**

<b>Para.</b>	<b>Issue</b>	<b>Responsibility?</b>
<i>1</i>	<i>Commission Members, Cooperating Non-Members, and participating Territories (CCMs) shall not increase the number</i>	<i>CCMs</i>

<sup>2</sup> The year 2004 shall apply only to China and the United States

	<i>of their fishing vessels actively fishing for South Pacific albacore in the Convention Area south of 20<sup>0</sup>S above current (2005) levels or recent historical (2000-2004) levels.</i>	
2	<i>The provisions of paragraph 1 shall not prejudice the legitimate rights and obligations under international law of small island developing State and Territory CCMs in the Convention Area for whom South Pacific albacore is an important component of the domestic tuna fishery in waters under their national jurisdiction, and who may wish to pursue a responsible level of development of their fisheries for South Pacific albacore.</i>	CCMs
3	<i>CCMs that actively fish for South Pacific albacore in the Convention Area south of the equator shall cooperate to ensure the long-term sustainability and economic viability of the fishery for South Pacific albacore, including cooperation and collaboration on research to reduce uncertainty with regard to the status of this stock.</i>	<i>small island developing State CCMs and coastal State CCMs in the Convention Area</i>
4	This measure will be reviewed in 2006 on the basis of advice from the Scientific Committee on South Pacific albacore.	SC2

**Conservation and management measure for North Pacific albacore  
Conservation and Management Measure-2005-03**

<b>Para.</b>	<b>Issue</b>	<b>Responsibility?</b>
1	<i>The total level of fishing effort for North Pacific albacore in the Convention Area north of the equator shall not be increased beyond current levels.</i>	CCMs
2	<i>....CCMs shall take necessary measures to ensure that the level of fishing effort by their vessels fishing for North Pacific albacore in the WCPF Convention Area is not increased beyond current levels;</i>	CCMs
3	<i>All CCMs shall report all catches of North Pacific albacore to the WCPFC every six months, except for small coastal fisheries which shall be reported on an annual basis. Such data shall be reported to the Commission as soon as possible and no later than one year after the end of the period covered.</i>	CCMs, Secretariat
4	<i>All CCMs shall report annually to the WCPFC Commission all catches of albacore north of the equator and all fishing effort north of the equator in fisheries directed at albacore. The reports for both catch and fishing effort shall be made by gear type. Catches shall be reported in terms of weight. Fishing effort shall be reported in terms of the most relevant measures for a given gear type, including at a minimum for all gear types, the number of vessel-days fished<sup>3</sup>. First report due on April 30<sup>th</sup>, 2006 and shall cover calendar year 2004.</i>	CCMs, Secretariat
5	The Northern Committee shall, in coordination with International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean and other scientific bodies conducting scientific reviews of this stock, including the WCPFC Scientific Committee, monitor the status of North Pacific albacore and report to the Commission on the status of the stock at each annual meeting, and make such recommendations to the Commission as may be necessary for their effective conservation.	NC2, SC2
6	The Commission shall consider future actions with respect to North Pacific albacore based on recommendations of the	NC2, Comm3

<sup>3</sup> *The first such report shall be due on April 30<sup>th</sup>, 2006 and shall cover calendar year 2004. Small Island Developing States will make their best efforts to comply with this first reporting deadline.*

	Northern Committee.	
7	The CCMs shall work to maintain, and as necessary reduce, the level of fishing effort on North Pacific albacore within the Convention Area commensurate with the long-term sustainability of the stock.	CCMs
8	The WCPFC Executive Director shall communicate this resolution to the IATTC and request that the two Commissions engage in consultations with a view to reaching agreement on a consistent set of conservation and management measures for North Pacific albacore, and specifically, to propose that both Commissions adopt as soon as practicable uniform conservation and management measures and any reporting or other measures needed to ensure compliance with agreed measures.	Secretariat
9	<i>The provisions of paragraph 2 shall not prejudice the legitimate rights and obligations under international law of those small island developing State Members and participating territories in the Convention Area .....</i>	CCMs
10	<i>The provisions of paragraph 9 shall not provide a basis for an increase in fishing effort by fishing vessels owned or operated by interests outside such small island developing State Members or participating territories.....</i>	CCMs

### Resolution on the incidental catch of seabirds

#### Resolution-2005-01

Para.	Issue	Responsibility?
1	<i>.....CCMs shall, to the extent possible, implement the International Plan of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries (IPOA-Seabirds) if they have not already done so.</i>	CCMs
2	<i>CCMs shall report to the Commission on their implementation of the IPOA-Seabirds, including, as appropriate, the status of their National Plans of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries.</i>	CCMs, Secretariat
3	<i>CCMs shall provide the Commission with all available information on interactions with seabirds, including incidental catches and details of species, to enable the Scientific Committee to estimate seabird mortality in all fisheries to which the WCPF Convention applies.</i>	CCMs, SC2
4	The Commission, in consultation with the Technical and Compliance Committee, shall consider measures for the mitigation of incidental catch of seabirds, including those applied and tested by CCAMLR, at its annual meeting in 2006.	TCC2, Comm3

### Resolution on reduction of overcapacity

#### Resolution-2005-02

Para.	Issue	Responsibility?
1	<i>....CCMs whose nationals are beneficial owners of purse seine vessels that entered the WCPFC Convention Area after the MHLC and PrepCon resolutions and other concerned CCMs shall work together to ensure that the beneficial owners reduce, by 31 December 2007, such overcapacity as created by those fishing vessels through reduction of equivalent fishing capacity of other fishing vessels operating in the Convention Area.</i>	Relevant CCMs

## Resolution on non-target fish species

### Resolution-2005-03

Para.	Issue	Responsibility?
1	<i>.....CCMs shall encourage their vessels operating in fisheries managed under the WCPFC Convention to avoid to the extent practicable, the capture of all non-target fish species that are not to be retained</i>	CCMs
2	<i>Any such non-target fish species that are not to be retained, shall, to the extent practicable, be promptly released to the water unharmed.</i>	CCMs

## Resolution to mitigate the impact of fishing for highly migratory fish species on sea turtles

### Resolution-2005-04

Para.	Issue	Responsibility?
1	<i>.....CCMs shall, as appropriate, implement the FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations (the Guidelines) in order to reduce the incidental catch of sea turtles and to ensure the safe handling of all turtles that are captured, in order to improve their survivability.</i>	CCMs
2	The WCPFC shall encourage CCMs to collect, and provide to the WCPFC, all available information on interactions with sea turtles in fisheries managed under the WCPF Convention.	Secretariat, CCMs
3	<b>Encourages CCMs to enhance the implementation of their respective turtle mitigation measures that are already in place (using best available scientific information on mitigation techniques) and urges them to foster collaboration with other CCMs in the exchange of information in this area.</b>	CCMs
4	<b>Urges CCMs to require that purse seine vessels flying their flags:</b> <b>i. Avoid encirclement of sea turtles to the extent practicable and, if encircled or entangled, take all practicable measures to safely release sea turtles.</b> <b>ii. Take all reasonable efforts whenever a sea turtle is sighted in the net to rescue the turtle before it becomes entangled in the net, including if necessary, the deployment of a speedboat.</b> <b>iii. Stop net roll, if a turtle is entangled in the net, as soon as the turtle comes out of the water and, to the extent practicable, assist the recovery of the turtle before returning it to the water.</b> <b>iv. Take necessary measures to monitor fish aggregating devices (FADs) to the extent practicable to release any sea turtles that become entangled and consider FAD designs and use that reduce the likelihood of sea turtle entanglement.</b>	CCMs
5	<b>Urges CCMs to:</b> <b>i. Undertake research trials of appropriate-size circle hooks in commercial pelagic longline fisheries.</b> <b>ii. Undertake research and trials on the use of circle hooks in recreational and artisanal fisheries;</b> <b>iii. Require longline vessels flying their flags to carry on board and, when sea turtle interactions occur, employ the necessary equipment (e.g. de-hookers, line cutters, and scoop nets) for the prompt release of incidentally caught sea turtles.</b>	CCMs
6	The Commission shall consider measures related to the use of circle hook gear technology in longline fisheries at its	SC2, TCC2, Comm3

	annual Session in 2006, taking into account the results of research and trials.	
7	Urges cooperation with the Inter-American Tropical Tuna Commission in order to share data on sea turtle bycatch and to develop and apply compatible bycatch reduction measures given the migration patterns of many species of sea turtles.	IATTC
8	As the Commission develops its regional observer program and considers improving observer coverage in the Convention Area, existing observer programs should be reviewed to ensure that the appropriate information on sea turtle interactions is being collected (e.g. species identification, fate and condition at release, relevant biological information and gear configuration).	Secretariat, Scientific Committee
9	Decides that resources available in the Special Requirements Fund may be used to assist developing State Members and territories in implementing the FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations.	Developing State Members and territories
10	<i>Encourages CCMs to contribute to the Special Requirements Fund to support eligible small-island developing States, territories, and possessions in implementing this resolution, or to do so through bilateral arrangements.</i>	CCMs
11	<i>Beginning in 2006, CCMs shall include in their Annual Report to the Commission (Part II) a report on the steps taken to implement this resolution.</i>	CCMs
12	The Commission, through the Technical and Compliance Committee, shall monitor the progress of CCMs in applying this resolution and develop relevant strategies for the further consideration of the Commission in 2007.	Secretariat, TCC2, Comm3