



**TO ALL COMMISSION MEMBERS, COOPERATING NON-MEMBERS,
PARTICIPATING TERRITORIES AND OBSERVERS**

**Circular No.: 2023/13
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Letter from WCPFC Chair on Revisions to Tropical Tuna Measure

Dear Colleagues,

As this is my first communication to you as Chair of the Commission, I want to express my appreciation for the confidence that you have placed in me to guide our discussions on the very important issues that lie ahead of us in 2023. I know I can count on your cooperation in ensuring the best use of our time to develop a revised tropical tuna measure in accordance with our agreed work plan.

I wish to recall our agreement at WCPFC19 in Da Nang, Vietnam to use the current CMM 2021-01 as the basis for the new tropical tuna measure and that this would not require a complete overhaul of the measure. We also heard views of CCMs on the need to focus efforts on hard limits and an allocation framework.

In line with the timeframe set out in the agreed work plan, I attach a document (Annex 1) that highlights the areas of the tropical tuna measure that require updating. The document is a copy of CMM 2021-01 with notations (in blue) which divide the paragraphs into those which may remain unchanged (which are simply noted in the document, without repeating the text); those which may require some updating (particularly in light of scientific advice); and those that will require substantive revision. The revised tropical tuna measure will also need to take into account CMM 2022-01 on a Management Procedure for Skipjack Tuna and the output of the management procedure.

The document is not intended to prejudice CCMs' decisions on revisions to the tropical tuna measure. However, I am mindful of our agreement to concentrate on those elements of the tropical tuna measure that require amendment.

In accordance with our agreed work plan, I seek your views and comments on this document by the end of March 2023. In particular, it would be useful to know whether you consider this document can form the basis for our initial discussions.

I also ask that CCMs provide their views on relevant limits and allocation frameworks by the end of March 2023. This will enable me to circulate the compilation of feedback from CCMs, and provide a side-by-side comparison of different views on relevant limits and allocation frameworks, by the end of April 2023. I would be most grateful for a full explanation of CCMs' views so that we may lay the best possible groundwork for our first tropical tuna workshop, which is scheduled to be held before the end of June 2023. This groundwork is expected to involve holding a virtual pre-workshop meeting to assist in preparations for the first workshop.

Please provide all views and comments by **Friday 31 March 2023** to me: josie.tamate@gmail.com and copy Ms Rhea Moss-Christian Rhea.Moss-Christian@wcpfc.int.

Finally, I would also like to remind us of the process that was agreed at WCPFC19 for the development of the tropical tuna measure. This is attached at Annex 2. Please note that I will be seeking to take due account of the busy meeting calendar in finalising the arrangements, especially for the proposed workshops. This may require some adjustment to the schedule set out in Annex 2.

May I take this opportunity to wish you all the best for the coming year and I look forward to our cooperative endeavours.

Best regards,

A handwritten signature in blue ink, appearing to read 'Josie Tamate', written in a cursive style.

Dr Josie Tamate
Chair

cc: Takumi Fukuda
WCPFC Vice-Chair



ANNEX 1: TROPICAL TUNA MEASURE: REQUIRED REVISIONS FEBRUARY 2023

CONSERVATION AND MANAGEMENT MEASURE FOR BIGEYE, YELLOWFIN AND SKIPJACK TUNA IN THE WESTERN AND CENTRAL PACIFIC OCEAN

Conservation and Management Measure 2021-01

PREAMBLE

The Western and Central Pacific Fisheries Commission (WCPFC):

[The following preambular paragraphs will require revision in light of SC advice. An additional preambular paragraph referring to CMM 2022-01 on a Management Procedure for WCPO Skipjack Tuna may be considered. Other preambular paragraphs may remain unchanged]

Recognizing that the Scientific Committee has:

- (a) determined that the bigeye stock is not overfished and is likely not experiencing overfishing; and, re-iterated that the Commission could continue to consider measures to reduce fishing mortality from fisheries that take juveniles, with the goal to increase bigeye fishery yields and reduce any further impacts on the spawning biomass for this stock in the tropical regions; and recommended, as a precautionary approach, that the fishing mortality on bigeye should not be increased from the level that maintains spawning biomass at 2012-2015 levels until the Commission can agree on an appropriate target reference point;
- (b) determined that the yellowfin stock is not overfished and is not experiencing overfishing, and that the stock is currently exploited at relatively low levels; recommended the Commission notes that further increases in yellowfin tuna fishing mortality would likely affect other stocks/species which are currently moderately exploited due to the multispecies/gears interactions in WCPFC fisheries taking yellowfin tuna; and recommended as a precautionary approach that the fishing mortality on yellowfin tuna stock should not be increased from the level that maintains spawning biomass at 2012-2015 levels until the Commission can agree on an appropriate target reference point; and
- (c) determined that the skipjack stock is not overfished and is not experiencing overfishing, and is currently moderately exploited and the fishing mortality level is sustainable; at the same time, noted that fishing mortality is continuously increasing for both adult and juvenile while the spawning biomass reached the historical lowest level; and recommended that the Commission take appropriate management action to ensure that the biomass depletion level fluctuates around the target reference point (TRP) (e.g., through the adoption of a harvest control rule).

PURPOSE [para 1: may remain unchanged]

PRINCIPLES FOR APPLICATION OF THE MEASURE [paras 2 to 7 on compatibility, area of application and small island developing states may remain unchanged]

GENERAL PROVISIONS

Charter Arrangements [paras 8 and 9 may remain unchanged]

Overlap Area [para 10 may remain unchanged]

HARVEST STRATEGIES AND INTERIM OBJECTIVES FOR BIGEYE, SKIPJACK, AND YELLOWFIN TUNA

[The following paragraphs will require revision in light of SC advice and CMM 2022-01 on a Management Procedure for Skipjack Tuna]

Bigeeye

11. Pending agreement on a target reference point the spawning biomass depletion ratio ($SB/SB_{F=0}$) is to be maintained at or above the average $SB/SB_{F=0}$ for 2012-2015.

Skipjack

12. The spawning biomass of skipjack tuna is to be maintained on average at a level consistent with the interim target reference point of 50% of the spawning biomass in the absence of fishing, adopted in accordance with CMM 2015-06.

Yellowfin

13. Pending agreement on a target reference point the spawning biomass depletion ratio ($SB/SB_{F=0}$) is to be maintained at or above the average $SB/SB_{F=0}$ for 2012-2015.

[**Note:** any revisions to CMM 2021-01 will need to take into account the output of the management procedure for skipjack tuna, as required by CMM 2022-01]

PURSE SEINE FISHERY

FAD Set Management [paras 14 and 16 may remain unchanged, depending on output of the management procedure for skipjack tuna. The date in para 15 will require updating]

15. In addition to the three month FAD closure in paragraph 14, except for those vessels flying the Kiribati flag when fishing in the high seas adjacent to the Kiribati exclusive economic zone, and Philippines' vessels operating in HSP1 in accordance with **Attachment 2**, it shall be prohibited to deploy, service or set on FADs in the high seas for two additional sequential months of the year. Each CCM shall decide which two sequential months (either April – May or November – December) shall be closed to setting on FADs by their fleets in the high seas for 2022, and 2023 and notify the Secretariat of that decision by March 1, each year. In case a

CCM decides to change the notified period at any given year of the application of this CMM this shall be notified to the Secretariat before 1st March of that year.

Non-entangling FADs [para 17 may remain unchanged, subject to any extraordinary circumstances. Paras 18 to 20 may require updating in light of SC and TCC advice and consideration by the Commission in accordance with para 20]

17. To reduce the risk of entanglement of sharks, sea turtles or any other species, as from 1st January 2024,¹ CCMs shall ensure that the design and construction of any FAD to be deployed in, or that drifts into, the WCPFC Convention Area shall comply with the following specifications:

- (a) The use of mesh net shall be prohibited for any part of a FAD.
- (b) If the raft is covered, only non-entangling material and designs shall be used.
- (c) The subsurface structure shall only be made using non-entangling materials.

18. To reduce the amount of synthetic marine debris, CCMs shall encourage vessels flying their flag to use, or transition towards using, non-plastic and biodegradable materials in the construction of FADs.

19. The Scientific Committee shall continue to review research results on the use of biodegradable material on FADs, and shall provide specific recommendations to the Commission in 2022 including on a definition of biodegradable FADs, a timeline for the stepwise introduction of biodegradable FADs, potential gaps/needs and any other relevant information.

20. The Commission at its 2023 annual session, based on specific guidelines defined by the FAD Management Options Intersessional Working Group and advice from SC19 and TCC19 shall consider the adoption of measures on the implementation of biodegradable material on FADs.

Instrumented Buoys [paras 21 to 23 may require revision in light of consideration by Commission in accordance with para 23]

21. A flag CCM shall ensure that each of its purse seine vessels shall have deployed at sea, at any one time, no more than 350 drifting Fish Aggregating Devices (FADs) with activated instrumented buoys. An instrumented buoy is defined as a buoy with a clearly marked reference number allowing its identification and equipped with a satellite tracking system to monitor its position. The buoy shall be activated exclusively on board the vessel. A flag CCM shall ensure that its vessels operating in the waters of a coastal State comply with the laws of that coastal State relating to FAD management, including FAD tracking.

22. CCMs shall also encourage vessels to:

- (a) responsibly manage the number of drifting FADs deployed each year;
- (b) carry equipment on board to facilitate the retrieval of lost drifting FADs;
- (c) make reasonable efforts to retrieve lost drifting FADs; and

¹ This timeframe may be extended where there are extraordinary circumstances which make implementation impossible. Due to legislative constraints, Indonesia will have an additional 2 years to implement subparagraph (a).

(d) report the loss of drifting FADs, and if the loss occurred in the EEZ of a coastal State, report the loss to the coastal State concerned.

23. The Commission at its 2023 meeting based on consideration of the FAD Management Options Working Group shall review the effectiveness of the limit on the number of FADs deployed as set out in paragraph 21 and whether the current limit of 350, or any limit, is appropriate and provide advice on the monitoring of FADs.

Zone-based purse seine effort control [the date in para 24 may require updating.]

24. Coastal CCMs within the Convention Area shall restrict purse seine effort and/or catch of skipjack, yellowfin and bigeye tuna within their EEZs in accordance with the effort limits established and notified to the Commission and set out in **Table 1** of **Attachment 1**. Those coastal CCMs that have yet to notify limits to the Commission shall do so by 31 December 2022.

High seas purse seine effort control² [paras 25 and 27 will require revision. Paras 26 and 28 may remain unchanged]

25. CCMs that are not SIDS shall restrict the level of purse seine effort on the high seas in the area 20°N to 20°S to the limits set out in **Attachment 1, Table 2**, except that the Philippines shall take measures on the high seas in accordance with **Attachment 2**.

26. CCMs shall ensure that the effectiveness of these effort limits for the purse seine fishery are not undermined by a transfer of effort in days fished into areas within the Convention Area south of 20°S and/or north of 20°N.

27. The limits set out in **Attachment 1, Table 2** do not confer the allocation of rights to any CCM and are without prejudice to future decisions of the Commission. The Commission commits to transitioning to a more equitable allocation framework for high seas fishing opportunities that takes into account Articles 8, 10 (3) and 30 of the Convention. The Commission will commence a process to develop that framework in 2022, to enable the Commission to reach agreement in 2023 on hard effort or catch limits in the high seas of the Convention Area and a framework for the allocation of those limits in the high seas amongst all Members and Participating Territories that adequately takes into account Articles 8, 10 (3) and 30 of the Convention. The Commission shall also consider options as to how CCMs would use their limits.

28. Where the catch and effort limits in paragraphs 24 and 25 have been exceeded, any overage of the annual limits by a CCM or the collective annual limits of a group of CCMs shall be deducted from the limits for the following year for that CCM or group of CCMs.

Catch retention: Purse Seine Fishery [paras 29 and 30 may remain unchanged, subject to checking of cross-references]

² Throughout this measure, in the case of small purse seine fleets, of five vessels or less, the baseline level of effort used to determine a limit shall be the maximum effort in any period and not the average.

29. To create an incentive to reduce the non-intentional capture of juvenile fish, to discourage waste and to encourage an efficient utilization of fishery resources, CCMs shall require their purse seine vessels fishing in EEZs and on the high seas within the area bounded by 20°N and 20°S to retain on board and then land or transship at port all bigeye, skipjack, and yellowfin tuna. (Paragraphs 8 to 12 of CMM 2009-02 set out the Commission’s rules for catch retention in the high seas.) The only exceptions to this paragraph shall be:

- (a) when, in the final set of a trip, there is insufficient well space to accommodate all fish caught in that set, noting that excess fish taken in the last set may be transferred to and retained on board another purse seine vessel provided this is not prohibited under applicable national law; or
- (b) when the fish are unfit for human consumption for reasons other than size; or
- (c) when serious malfunction of equipment occurs.

30. Nothing in paragraphs 14-16 and 29 shall affect the sovereign rights of coastal States to determine how these management measures will be applied in their waters, or to apply additional or more stringent measures.

Monitoring and Control: Purse Seine Fishery [paras 31 to 35 may remain unchanged]

Research on Bigeye and Yellowfin [paragraph 36 may remain unchanged]

LONGLINE FISHERY [paras 37 to 41 will require revision]

37. As an interim measure, CCMs listed in **Attachment 1, Table 3** shall restrict the level of bigeye catch to the levels specified in **Table 3**. Where the limits in **Table 3** have been exceeded, any overage of the catch limit by a CCM listed in **Table 3** shall be deducted from the catch limit for the following year for that CCM.

38. CCMs listed in **Attachment 1, Table 3** shall report monthly the amount of bigeye catch by their flagged vessels to the Commission Secretariat by the end of the following month. The Secretariat shall notify all CCMs when 90% of the catch limits for a CCM is exceeded.

39. The limits set out in **Attachment 1, Table 3** do not confer the allocation of rights to any CCM and are without prejudice to future decisions of the Commission.

40. Subject to paragraph 5, each Member that caught less than 2,000 tonnes in 2004 shall ensure that its bigeye catch does not exceed 2,000 tonnes annually.

41. The Commission commits to transitioning to a more equitable allocation framework for fishing opportunities that takes into account Articles 8, 10 (3) and 30 of the Convention. The Commission will commence a process to develop that framework in 2022, to enable the Commission to reach agreement in 2023 on hard limits for bigeye amongst all Members and Participating Territories.

CAPACITY MANAGEMENT FOR PURSE SEINE AND LONGLINE VESSELS

Purse Seine Vessel Limits [paras 42 to 43 may remain unchanged]

Limits on Longline Vessels with Freezing Capacity [para 44 may remain unchanged]

Limits on ice-chilled longline vessels landing fresh fish [paras 45 and 46 may remain unchanged]

OTHER COMMERCIAL FISHERIES [para 47 may remain unchanged]

DATA PROVISION REQUIREMENTS [paras 48 to 50 may remain unchanged]

REVIEW AND FINAL PROVISIONS [para 51 may remain unchanged. Para 52 will require updating]

51. The Commission shall review this CMM annually to ensure that the various provisions are having the intended effect.

52. This measure replaces CMM 2020-01. This measure shall come into effect on 16 February 2022 and remain in effect until 15 February 2024 unless earlier replaced or amended by the Commission.

Attachment 1

[Attachment 1 may require updating]

Table 1: EEZ purse seine effort limits [paragraph 24]

(Table updated with information provided to Secretariat)

Coastal CCMs' EEZ/Group	Effort in Vessel days/Catch limit	Comment
PNA	44,033 days	This limit will be managed cooperatively through the PNA Vessel Day Scheme.
Tokelau	1000 days	
Cook Islands	1,250 days	
Fiji	300 days	
Niue	200 days	
Samoa	150 days	
Tonga	250 days	
Vanuatu	200 days	
Australia	30,000 mt SKJ 600 mt BET 600 mt YFT	
French Polynesia	0	
Indonesia	70,820 mt	
Japan	1500 days	
Korea	*	
New Zealand	40,000 mt SKJ	
New Caledonia	20,000 mt SKJ	
Philippines	*	
Chinese Taipei	59 days (~34 purse seine vessels)	
United States **	558 days	
Wallis and Futuna	*	

* Limits not notified to the Commission

** The United States notified the Secretariat of the combined US EEZ and high seas effort limits on 1 July 2016 (1828 fishing days on the high seas and in the U.S. EEZ (combined)). The US EEZ limit is understood to be this notified limit minus the high seas effort limit for the United States set out in **Table 2** of **Attachment 1**.

Table 2. High seas purse seine effort control [paragraphs 25-27]
 [Table 2 will require revision in light of changes to paragraphs 25-27]

CCM	EFFORT LIMIT (DAYS)
CHINA	26
ECUADOR	**
EL SALVADOR	**
EUROPEAN UNION	403
INDONESIA	(0)
JAPAN	121
NEW ZEALAND	160
PHILIPPINES	#
REPUBLIC OF KOREA	207
CHINESE TAIPEI	95
USA	1270

** subject to CNM on participatory rights
 # The measures that the Philippines will take are in **Attachment 2**.

Table 3. Bigeye Longline Catch Limits [paragraphs 37-39]
 [Table 3 will require revision in light of changes to paras 37-39]

Bigeye catch limits by flag	
CCMs	Catch Limits
CHINA	8,224
INDONESIA	5,889*
JAPAN	18,265
KOREA	13,942
CHINESE TAIPEI	10,481
USA	3,554

*Provisional and maybe subject to revision following data analysis and verification

Japan will make an annual one-off transfer of 500 metric tonnes of its bigeye tuna catch limit to China.

Attachment 2: Measure for Philippines

[Attachment 2 may remain unchanged]

Process to Negotiate a Revised Tropical Tuna Measure in 2023

Background

CMM2021-01 (Tropical Tuna Measure, TTM) remains in effect until February 15, 2024, and outlines timeframes for the Commission's agreement on (1) purse seine hard effort or catch limits in the high seas of the Convention Area and an allocation framework (para 27) and (2) longline hard limits for bigeye and an allocation framework (para 41) amongst all Members and Participating Territories by 2023.

The Measure requires that an allocation framework take into account Articles 8, 10 (3), and 30 of the Convention.

WCPFC 19 agreed that the process to revise the TTM will be based on 2021-01 without a complete overhaul, and at least two workshops will be needed to make progress towards the adoption of a revised TTM in 2023.

Work Plan

The process will be led by the Chair of the Commission, with the assistance of the Vice Chair of the Commission. The Secretariat and the Scientific Services Provider will assist the Chair, Vice Chair and CCMs throughout the process.

- **End of February, 2023** : The Chair will produce a document highlighting the areas of the TTM that need revisions (reference to scientific information, limits, allocation, etc).
- **End of March, 2023** : CCMs will provide feedback on the areas of the TTM that need revisions, and provide their views on relevant limits and allocation frameworks. CCMs will hold a virtual pre-workshop to have an initial exchange of views.
- **End of April, 2023** : The Chair will circulate the compilation of the feedback from CCMs, providing a side-by-side comparison of different views on relevant limits and allocation frameworks. The objectives and agenda for the first workshop will be circulated by the Chair and agreed intersessionally by the end of May 2023.
- **End of June, 2023** : The first workshop will be held virtually. This workshop will focus on narrowing down options hard limits and their allocation and identify any additional information needs and issues to be considered at SC19.
- **August 2023** : SC19 will consider any issues related to the limits.
- **Beginning of October 2023** : The second workshop will be held (virtually / in person) to address remaining issues. This workshop will also determine the necessity of another workshop, and a contingency plan that could be adopted if no agreement can be reached at WCPFC 20 on the revision of the TTM.