



THIRD REGULAR SESSION

Apia, Samoa

11-15 December 2006

**REDUCTION OF OVERCAPACITY [RESOLUTION 2005-02] DO NOT ADVERSELY
AFFECT THE GENUINE AND LEGITIMATE EFFORTS OF SMALL ISLAND
DEVELOPING MEMBER STATES TO DEVELOP THEIR DOMESTIC TUNA
FISHERIES**

WCPFC3-2006/DP19

9th December 2006

Prepared by the Delegation from Tuvalu



**TUVALU GOVERNMENT
MINISTRY OF NATURAL RESOURCES
AND LANDS**

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Executive Director for WCPFC
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8th December, 2006

Dear Mr Wright,

Proposal by Tuvalu in relation to WCPFC Resolution 2005-02

In accordance with rule 20 of the WCPFC Rules of Procedures, I will like to submit for circulation to delegations to the third session of the WCPF Commission a proposal that Tuvalu will seek to table at the WCPFC meeting next week.

The text of the proposal is enclosed. It seeks a decision by the WCPF Commission to ensure that the application of the WCPFC Resolution on Reduction of Overcapacity (Resolution 2005-02) do not adversely affect genuine and legitimate efforts of smaller islands developing states to develop their domestic tuna industry.

Since the adoption of the Resolution 2005-02, it has come to our attention that some of the developed CCMs in their efforts to implement that resolution and other similar measures of other Regional Fisheries Management Organisations, they have placed restrictions on the building and exportation of purse seine vessels. Such restrictions have apparently directly inhibited the efforts of Tuvalu and the Marshall Islands and other small islands developing states to secure purse seine vessels as part of their efforts to develop their domestic tuna industry. It is our view that such restrictions are in breach of paragraph 2 of Resolution 2005-02 and we are seeking some relief from the Commission in the form of a decision calling on developed CCMs to exempt the building and exportation of purse seine fishing vessels that are part of the genuine and legitimate efforts of small islands developing states to develop their own domestic tuna industry, from the restrictions they have imposed in this regard.

The proposal is supported by FFA members.

I regret submitting this proposal after the 30 days requirement for proposals but this matter came to the attention of the Tuvalu Government very recently but its economic implications are enormous and must be addressed urgently. I will elaborate further on justifications for submitting this after the 30 days when tabling this proposal next week and I seek your and other CCMs understanding and support.

Yours sincerely

Mr Minute Taupo
Permanent Secretary
Ministry of Natural Resources and Lands

PROPOSAL BY TUVALU

FOR A DECISION TO ENSURE THE APPLICATION OF THE RESOLUTION ON REDUCTION OF OVERCAPACITY [RESOLUTION 2005-02] DO NOT ADVERSELY AFFECT THE GENUINE AND LEGITIMATE EFFORTS OF SMALL ISLAND DEVELOPING MEMBER STATES TO DEVELOP THEIR DOMESTIC TUNA FISHERIES

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocea,

RECALLING the resolution adopted at the second session of the Western and Central Pacific Fisheries Commission in December, 2005 Resolution on Reduction of Overcapacity [*Resolution-2005-02*] that called on Developed Commission Members, Cooperating Non-members and participating Territories (CCMs) whose nationals are beneficial owners of purse seine vessels which entered the Convention Area between 1999 – 2005 and other concerned CCMs to work together to reduce such overcapacity as created by those fishing vessels through the reduction of equivalent fishing capacity of other fishing vessels operating in the Convention area.

RECALLING that paragraph 2 of the said *Resolution 2005-02* expressly provides that the reduction of overcapacity shall be implemented to ensure that no adverse effect is given to the coastal processing and transshipment facilities and associated vessels of developing island coastal states and territories, and would not affect investment that has occurred legally at FFA member countries.

RECALLING further paragraph 6 of the Conservation and Management Measures for Bigeye and Yellowfin Tuna in the Western and Central Pacific Ocean (Conservation and Management Measure 2005-01) that provides that “nothing in this decision shall prejudice the legitimate rights and obligations of those small island coastal states and territories in the Convention Area seeking to develop their own domestic fisheries.

Decides as that:

1. Developed CCMs shall ensure that any of their policy or legislative provision that prohibits the building and exportation of purse seine vessels shall not apply to the building and exportation of purse seine vessel destined to operate as part of the domestic fleet of small island members of the FFA.
2. Paragraph 1 shall apply to purse seine vessels that satisfy the following conditions:
 - a. the purse seine vessel is owned by a national or a local company of a small island developing member states;
 - b. the beneficial owners of the purse seine vessel have genuine investment in processing and transshipment facilities and in the development of the domestic tuna industry of a small island member states; and
 - c. the purse seine vessel will not be returned or transferred to any beneficial owners who are nationals of developed CCMs.

Dated 8:11:2006