



THIRD REGULAR SESSION

Apia, Samoa

11-15 December 2006

**Draft Conservation and Management Measures for
Bigeye and Yellowfin Tuna
in the Western and Central Pacific Ocean**

WCPFC3-2006/DP20

10th December 2006

Proposal by Japan

Decides to adopt, in accordance with Article 10 of the Convention, the following measures with respect to bigeye tuna and yellowfin tuna: ~~in particular.~~

GENERAL RULES OF APPLICATION

1. 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 levels¹.

Footnote 1: 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 licences 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.

2. These measures will be reviewed in 2008 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.
3. Each Commission Member, Cooperating Non-Member and participating Territorie (CCM) shall take necessary measures to ensure that the total level of its fishing capacity for bigeye and yellowfin tuna in the Convention Area shall not be increased beyond current levels.

4. ~~Commission Members, Cooperating Non-Members and participating Territories (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.
5. ~~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}.~~
- 5 For the purposes of these measures, vessels operated under charter, lease or other similar mechanisms by developing islands States and participating territories, as an integral part of their domestic fleet, shall be considered to be vessels of the host island state or territory. Such charter, lease or other similar mechanism shall be conducted in a manner so as not to invite IUU vessels. The Commission shall develop a Charter Arrangements Scheme, which will include notification provisions, at its [fourth] Session in [2007].
- 6 ~~While n~~Nothing in this decision shall 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, they will undertake to refrain from increasing their fishing capacities by introducing large-scale fishing vessels in accordance with these provisions.

PURSE SEINE FISHERY

- 7 Purse seine fishery measures apply to the area of the Convention bounded by 20° N and 20° S.
- 8 Each CCM shall take necessary measures to ensure that each purse-sein fishing vessel flying its flag limit its respective non-transferable *Fishing day* in the said area to equal or less than [xxx] days in the year 2007 and 2008. For this purpose, *Fishing day* means any calendar day, or part of a calendar day, during which a purse seine vessel is in the water that is outside of the port.
- 9 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.
- 10 ~~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.~~

10 [(i) For those FFA Member Countries who are Parties to the Nauru Agreement, the provisions of paragraph 9 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 Arrangement shall remain in force.]

[(ii) Other non-PNA member countries of FFA 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.]

Temporary closures for the purse seine fishery

~~11 In order to achieve the overall reduction in catch and effort required for bigeye and yellowfin tuna, in accordance with advice and recommendations received from the Scientific Committee, the Executive Director shall work with CCMs during 2006 to 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.—~~

Control of sets on FADs and other measures for the purse seine fishery

12 For the purposes of these measures, the term Fish Aggregation Device (FAD) means any man-made device, or natural floating object, whether anchored or not, that is capable of aggregating fish.

13 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.

14 The Commission will work with CCMs to develop methods to reduce catches of juvenile bigeye and yellowfin tuna caught in association with FADs.

15 CCMs shall prohibit the use of tender vessels, whose role is to deploy, repair, pick up, or maintain FADs.

16 CCM shall prohibit the use of airplanes or helicopters supporting fishing operations.

17 CCMs shall require all purse seine vessels to first retain on board and then land all bigeye, skipjack, and yellowfin tuna caught, except fish considered unfit for human consumption for reasons other than size.

18 ~~beginning in 2006, †~~The Scientific Committee and the Technical and Compliance Committee shall ~~undertake~~ continue 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. ~~This work shall continue on an annual basis.~~

SPECIAL PROVISIONS FOR THE DEVELOPMENT OF SKIPJACK FISHERIES

- 19 Developing skipjack purse seine fisheries, between 20 degrees north and 20 degrees south, 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.

LONGLINE FISHERY

- 20 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 2004².

Footnote 2: The year 2004 shall apply only to China and the United States

- 21 Paragraph 24 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.
- 22 Any future reduction in catch levels shall take into account increases in the levels of such catches by each CCM in recent years.

OTHER FISHERIES

- 23 The ~~second~~ meeting of the Scientific Committee will review the catch of bigeye and yellowfin in any other commercial fisheries which have significant impacts on the resources in the Convention Area and provide advice to the Commission so that conservation and management measures can be developed.

OTHERS

- 24 The fifth meeting of the Scientific Committee in 2008 will conduct a comprehensive review on the effectiveness of this Conservation and Management Measures and provide advice to the Commission for its consideration.

25 The Conservation and Management Measures for Bigeye and Yellowfin Tuna in the Western and Central Pacific Ocean (CCM-2005-01) is hereby repealed.