



TECHNICAL AND COMPLIANCE COMMITTEE
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FISHING AND NON-CCM VESSELS IN THE CONVENTION AREA

WCPFC/TCC2/2006/08

Paper prepared by the Secretariat

1. Under Conservation and Management Measure-2004-01, Members, Cooperating Non-members and Participating Territories (CCM) have agreed that fishing in the Convention Area will only be conducted by vessels flying the flag of a CCM. Article 1(d) of the Convention defines 'fishing' and Article 1(e) defines 'fishing vessel'. Application of Conservation and Management Measure-2004-01 means that vessels flagged to non-CCM cannot be used in fishing operations, e.g. transhipping or bunkering, in the Convention Area.
2. Implementation of the above measure should have occurred 60 days after the Inaugural Session of the Commission – the session that adopted the Final Report of WGIII, Annex 1 of which retrospectively became Conservation and Management Measure-2004-01.
3. Actual implementation of this measure commenced in early 2006 when some CCM started phasing out the fishing activities of some longline vessels flagged to non-CCM and denying transshipment authorizations for some non-CCM flagged carrier vessels supporting regional purse seine operations.
4. Vessel operators expressed concern that either there was insufficient or no prior advice from national authorities of this requirement, or that they had had little or no opportunity to make alternative arrangements. Prior to the end of the 2005/2006 FFA Vessel Register period on 31 August 2006 there were a significant number of carriers (at least 60) and bunkers (at least 12) flagged to non-CCM supporting certain fishing operations in the Convention Area. In the short-term there is little likelihood of replacing these vessels with vessels flagged to CCM supplying similar services.
5. As there is potential for major disruption to the WCPO purse seine fishery, the Commission Chair wrote to CCM in June 2006 (Circular 2006-03) seeking a temporary exemption of carrier and bunker vessels from this measure, pending further consideration of this issue by the Commission. The Chair advised CCM that he had requested the Executive Director to seek an inter-sessional decision on this matter of substance under Rule 30 of the Commission's Rules of Procedures. Specifically CCM were invited to endorse:
 - a. Temporary exemption of carrier and bunker vessels supporting fishing vessels as defined in Article 1(d) of the Convention, from the requirement that only carrier and bunker vessels flagged to CCM support fishing in the Convention Area, until alternative measures are adopted by the Commission at its next meeting in December 2006;

- b. That this interim measure, once adopted, will apply provisionally until the 60 days has expired for the inter-sessional decision to become binding;
 - c. That the Second Regular Session of the Technical and Compliance Committee (TCC2) will consider this issue as a priority and provide advice and recommendations to the Third Regular Session of the Commission (Comm3);
 - d. That CCM provide a list of any vessels flagged to non-members that are involved in fishing operations in the Convention Area which are supporting the fishing activities of authorized fishing vessels flying the flag of that CCM, including carrier vessels and any other vessel directly involved in fishing operations;
 - e. That the list of vessels provided under paragraph 4 above will be covered by the temporary suspension outlined in paragraph 1 above; and
 - f. If the Commission fails to take a decision on the issue at its next meeting the Interim Measure will lapse.
6. No objections to the approach suggested by the Chair were received from CCM.
7. The Secretariat has received one (1) list of vessels flagged to non-CCM involved in fishing operations in the Convention Area as requested in Circular 2006-03.

Recommendation

8. TCC2 is invited to consider this matter and formulate advice and recommendations for Comm3 at Apia, Samoa in December 2006.
9. Options could include:
- a. a medium-term (five year?) schedule, commencing immediately, for full implementation of Conservation and Management Measure-2004-01; or
 - b. a permanent waiver for certain categories of support vessel providing essential services to the purse seine fishery in the Convention Area; and
 - c. the establishment of a Registry of Support Vessels for Fisheries for Highly Migratory Species in the Convention Area. The Registry could include, *inter alia*, similar information as is currently provided for in the WCPFC Record of Fishing Vessels, require the annual renewal of a vessel's registration, and include a commitment from CCM not to permit activities of unregistered vessels.