TECHNICAL AND COMPLIANCE COMMITTEE
Sixth Regular Session
30 September - 5 October 2010
Pohnpei, Federated States of Micronesia

KOBE II MCS RECOMMENDATIONS

WCPFC-TCC6-2010/34
29 September 2010

Paper prepared by Secretariat

Introduction

1. The Joint Tuna RFMOs met on four workshops in 2010, twice in Barcelona, Spain, in late May and early June to discuss science and MCS issues, and again for two meetings in Brisbane, Australia, in late June to discuss bycatch and tuna management issues.
2. The recommendations from science, bycatch and tuna management workshops were reviewed by the SC6 with general agreement on science and agreement in principle on by-catch recommendations.
3. The management recommendations were generally agreed and passed to TCC6 for further response prior to the Commission's review.
4. The MCS recommendations have not yet been discussed and are tabulated to this paper.

TCC6 is invited to review and respond to the MCS recommendations attached hereto.

1. INTRODUCTION

In accordance with the decision of the second joint tuna RFMOs in San Sebastian, the following four workshops were convened in 2010:

a) Meeting of experts to share best practices on the provision of scientific advice (Barcelona, Spain, May 31 to June 2, 2010);
b) International workshop on improvement, harmonization and compatibility of monitoring, control and surveillance measures, including monitoring catches from catching vessels to markets (Barcelona Spain - June 3 to 5, 2010);
c) International workshop on tuna RFMO management of issues relating to bycatch and to call on RFMOs to avoid duplication of work on this issue (Brisbane, Australia, June 23-25, 2010); and
d) International workshop on RFMO management of tuna fisheries (Brisbane, Australia – 29 June to 1 July, 2010).

All workshop reports can be found at http://www.tuna-org.org/meetings2010.htm by following the relevant links. Recommendations produced from workshops a), c) and d) above, are tabled below, with proposed actions for consideration by the Scientific Committee. SC6 (including each theme session) may provide its responses to the recommendations in each cell in the second column below. The populated tables from SC6 will be delivered to TCC6, and all compiled information will be provided to the Commission.

a) Workshop on the provision of scientific advice

Recommendations	Response	Comments
Routine data collected by year: Catch, effort and size data		
1. All members of Tuna-RFMOs are called upon to give a top priority to the provision of data of good quality in a timely manner, according to the existing mandatory data requirements of tuna RFMOs, in order to facilitate the work of tuna RFMOs scientific bodies in the provision of scientific advice based on the most recent information.	Agreed	Implement the rules and procedures for data provision by CCMs and investigate methods to enforce these provisions.
2. Lags in the submission of fishery data should be reduced making a full use of communication technologies (e.g. web based) and	Agreed	

efforts should be undertaken that basic data formats are harmonized.		
3. Efforts should be undertaken so that basic data used in stock assessment (catch, effort and sizes by flag and time/area strata) provided by members should be made available via the websites of tuna RFMOs or by other means.	Agreed	The release of non-public domain date must be in accordance with WCPFC Rules Posting of data must adhere to rules of the WCPFC
4. Fine scale operational data should be made available in a timely manner to support stock assessment work, and confidentiality concerns should be addressed through RFMOs rules and procedures for access protection and security of data.	Agreed	We support the provision of operational data from all fleets
5. Tuna RFMOs should ensure adequate sampling for catch, effort and size composition across all fleets and especially distant water longliners for which this information is becoming limited.	Agreed	
6. Tuna RFMOs should cooperate to improve the quality of data, in particular for methods to estimate: (1) species and size composition of tunas caught by purse seiners and by artisanal fisheries and (2) catch and size of farmed tunas.	Agreed	
7. Tuna RFMOs should use alternative sources of data, notably observer and cannery data, to both validate the information routinely reported by Parties and estimate catches from non-reporting fleets.	Agreed	
Biological data		
8. Regular large scale tagging programs should be developed, along with appropriate reporting systems, to estimate natural mortality growth and movement patterns by sex, and other fundamental parameters for stock assessments.	Agreed	The CPFC has recently made progress to achieving this, PTTP is a large scale programme recently completed and supported by the Members In lieu of large scale

		programmes, there is considerable utility in supporting small scale tag release programmes that are integrated with the analyses of other programmes.
9. Archival tagging should be an ongoing activity of tagging programs as it provides additional insights into tuna behavior and vulnerability.	Agreed	WCPFC supports the utilization of all electronic tagging technologies
10. Spatial aspects of assessment should be encouraged within all tuna RFMOs in order to substantiate spatial management measures.	Agreed	
11. The use of high-resolution spatial ecosystem modeling frameworks should be encouraged in all tuna RFMOs since they offer the opportunity to better integrate biological features of tuna stocks and their environment.	Agreed	
Stock assessment		
12. Tuna RFMOs should promote peer reviews of their stock assessment works.	Agreed	
13. Tuna RFMOs should use more than one stock assessment model and avoid the use of assumption-rich models in data-poor situations.	Agreed	WCPFC have utilized more than one model in some instances Where time and resources are available
14. Chairs of Scientific Committees should jointly develop checklists and minimum standards for stock assessments.		Request SC Chair to seek clarification of the text.
Communication by tuna RFMOs		
15. Standardized executive summaries should be developed for consideration by all tuna RFMOs to summarize stock status and management recommendations. These summaries should be	Agreed	Develop a draft template for discussion at KOBE III

discussed and proposed by the chairs of the Scientific Committees at Kobe III.		
16. The application of the Kobe II strategy matrix should be expanded and applied primarily to stocks for which sufficient information is available.	Agreed	See Attachment A for Kobe II strategy matrix Some progress already, the methodology by SPC in Mi-WP-01 is consistent with the Kobe II Matrix Approach
17. Tuna RFMOs should develop mechanisms to deliver timely and adequate information on their scientific outcomes to the public.	Agreed	All Commission scientific work (papers) is posted on the Commission's website.
18. All documents, data and assumptions related to past assessments undertaken by tuna RFMOs should be made available in order to allow evaluation by any interested stakeholder.	Agreed	Currently practiced with papers posted on the Commission website. Release of Non-Public domain data is released in accordance with WCPF Rules and Procedures for access to, protection of and dissemination of WCPFC data.
Enhanced cooperation between tuna RFMOs		
19. Chairs of Scientific Committees should establish an annotated list of common issues that could be addressed jointly by tuna RFMOs and prioritize them for discussion at the Kobe III meeting.	Agreed	"SC6 recommended that the Kobe Science Working Group conduct a review of the treatment of steepness (a key parameter in the relationship between equilibrium recruitment and equilibrium spawning biomass) in tuna stock assessments globally, and recommend a common approach, on a species-by-species basis as necessary." (Correspondence to be directed to the Chair of SC2)

20. Tuna RFMOs should actively cooperate with programs integrating ecosystem and socio-economic approaches such as CLIOTOP to support the conservation of multi-species resources.	Agreed	
Capacity-building		
21. Where determined by a Tuna RFMO, a review of the effectiveness of capacity-building assistance already provided should be undertaken. Reviews of tuna scientific management capacity in developing countries, within the framework of the respective RFMO may also be conducted at their request.		Not required for WCPFC Members as it is already being addressed through WPEA for Philippines and Indonesia and Vietnam and for FFA Members it is a lower priority
22. Developed countries should strengthen in a sustained manner their financial and technical support for capacity-building in developing countries, notably small island developing States, on the basis of adequate institutional arrangements in those countries and making full use of local, sub-regional and regional synergies.	Agreed	
23. Tuna RFMOs should have assistance funds that cover various forms of capacity-building (e.g. training of technicians and scientists, scholarships and fellowships, attendance to meetings, institutional building, development of fisheries).	Agreed	
24. Tuna RFMOs, if necessary, should ensure regular training of technicians for collecting and processing of data for developing states, notably those where tuna is landed.	Agreed	Carried out for SPC member countries, Indonesia, Philippines and Vietnam by SPC-OFP with funding assistance from JTF and WCPFC-SRF i.e. Tuna Data Workshops, TUFMAN software development, training, and tech support.

25. The structural weaknesses in the receiving mechanism for capacity building within a country should be improved by working closely with Tuna RFMOs.	Agreed	

b) Workshop on Bycatch

Participants in the Kobe II Bycatch Workshop support bringing the following recommendations forward to the respective RFMOs as regards bycatch across five taxa (seabirds, sea turtles, finfish, marine mammals, and sharks):

Recommendations	Response	Comments
I. Improving assessment of bycatch within T-RFMOs		
1. RFMOs should assess the impact of fisheries for tuna, tuna like and other species covered by the conventions on bycatch by taxon using the best available data.	Agree in principle	
2. RFMOs should consider adopting standards for bycatch data collection which, at a minimum, allows the data to contribute to the assessment of bycatch species population status and evaluation of the effectiveness of bycatch measures. The data should allow the RFMOs to assess the level of interaction of the fisheries with bycatch species.	Agree in principle	The rules of data to be provided by CCMs to be expanded to include by-catch data reporting.
3. Encourage the participation of appropriate scientists in relevant T-RFMO working groups to conduct and evaluate bycatch assessments and proposed mitigation strategies; and	Agree in principle	
4. Implement/enhance observer and port sampling programs with sufficient coverage to quantify/estimate bycatch and require timely reporting to inform mitigation needs and support conservation and management objectives, addressing practical and financial constraints	Agree in principle	
II. Improving ways to		

mitigate/reduce bycatch within T-RFMO		
5. RFMO measures should reflect adopted international agreements, tools and guidelines to reduce bycatch, including the relevant provisions of the FAO Code of Conduct, the IPOAs for Seabirds and Sharks, the FAO guidelines on sea turtles, the best practice guidelines for IPOAS for seabirds, and the precautionary approach and ecosystem approaches.	Agree in principle	
6. For populations of concern including those evaluated as depleted, RFMOs should develop and adopt immediate, effective management measures, for example, prohibition as appropriate on retention of such species where alternative effective sustainability measures are not in place.	Agree in principle	
7. Evaluate the effectiveness of current bycatch mitigation measures, and their impact on target species catch and management, and identify priorities for action and gaps in implementation, including enforcement of current measures and capacity building needs in developing states	Agree in principle	
8. Seek binding measures or strengthen existing mitigation measures, including the development of mandatory reporting requirements for bycatch of all five taxa across all gear types and fishing methods where bycatch is a concern; and	Agree in principle	
9. Identify research priorities, including potential pilot projects to further develop and evaluate the effectiveness of current or proposed bycatch mitigation	Agree in principle	

measures, working with fishers, fishing industry, IGOs and NGOs, universities and others as appropriate, and facilitate a full compendium of information regarding mitigation techniques or tools currently in use, e.g. building on the WCPFC Bycatch Mitigation Information System.		
10. Due to the conservation status of certain populations and in accordance with priorities in the RFMO areas, expedite action on reducing bycatch of threatened and endangered species.	Agree in principle	
11. Adopt the following principles as the basis for developing best practice on bycatch avoidance and mitigation measures and on bycatch conservation and management measure. • binding, • clear and direct, • measureable, • science-based, • ecosystem-based, • ecologically efficient (reduces the mortality of bycatch), • practical and safe, • economically efficient, • holisitic, • collaboratively developed with industry and stakeholders, and • fully implemented.	Agree in principle	
III. Improving cooperation and coordination across RFMOs		
12. As a matter of priority, establish a joint T-RFMO technical working group to promote greater cooperation and coordination among RFMOs with the attached Terms of Reference. The RFMOs are encouraged to expedite the formation of the joint working group.	Agree in principle	WCPFC Secretariat to take a lead role in coordination of the working group between RFMOs. (Discussion on make up of the group has yet to be held)
13. Actively develop collaborations	Agree in principle	

between relevant fishing industry, IGOs and NGOs, universities and others as appropriate, and RFMOs to assess the impact of bycatch on the five taxa, study the effectiveness of bycatch mitigation measures, and further the understanding of population dynamics of species of conservation concern; and		
14. Develop the long-term capacity of T-RFMOs to coordinate and cooperate for data collection, assessment of bycatch, outreach, education, and observer training, including establishing a process to share information on current bycatch initiatives and potential capacity building activities.	Agree in principle	
15. RFMOs are encouraged to report progress to Kobe III on the formation and on progress against the recommendations in part I and II of this workshop report.	Secretariat to prepare report for Kobe III	
IV. Capacity building for developing countries		
16. Acknowledging the additional or new requirements of bycatch mitigation and the need to build further capacity for implementation, in carrying out the recommendations in I, II, and III above, consider capacity building programs for developing countries to assist in their implementation. Establish a list of existing capacity building programs related to bycatch issues (see attached Appendix 2 for example) to avoid duplication where possible and facilitate coordination of new capacity building programs.	Agree in principle	

c) WS on RFMO Management of tuna fisheries

Key themes

a. The long-term profitability of all tuna fisheries is linked to their sustainability and proper management, and all RFMOs should ensure that all stocks of tunas are maintained at sustainable and optimal levels through science-based measures.
b. Overcapacity is a symptom of broader management problems, and in developing solutions we need to ensure that we deal with both the problem of overcapacity and the longer-term management issues.
c. In some areas a high proportion of the world's tuna resources are harvested from the waters of developing coastal states. For some of these countries and many small island developing states they are their only tradable resource, and developing coastal States seek a better return for access to tuna resources. Providing developing coastal States with the assistance to better manage, utilise and trade and market these resources will increase the economic return. In this context, developed fishing countries should work with developing coastal States to build industries that provide a better return, including as appropriate reducing and restructuring fleets.
d. Rights in RFMOs and under international law come with associated obligations, and these must be honoured by all member and cooperating non-member countries.
e. Tuna sashimi markets are now world-wide, not just in Japan; e.g. USA, EU, China, Chinese Taipei, and Korea.
f. Fish-aggregating devices (FADs) increase the catches in purse-seine fisheries for skipjack tuna, but FAD fishing for skipjack also captures juvenile bigeye and yellowfin tunas, lowering the longterm catch rates of those species.
g. Rights already exist in most tuna fisheries, e.g. participatory rights in RFMOs, allocations in some RFMOs, and states' rights under international law.
h. Some participants stated that now is not the time to build further purse seiners, unless industry can secure long-term access rights in partnership with developing coastal States.
i. The issues relating to overcapacity and overfishing in tuna RFMOs do not change; hopefully the players now understand that they must act.

Recommendations Regarding the Management Workshop

Recommendations	Response	Comments
RFMOs should, as a matter of urgency:		
1. Develop publicly available authorised and active vessel[1] lists for all gears. These lists will include small-scale fishing vessels that are capable of catching significant amounts of fish under the competency of tuna RFMOs.	Agree in principle	
2. Encourage secretariats to continue	Agree in principle	

[1] The definition of 'active vessel' is to be determined by individual RFMOs

their work on the global list of tuna vessels, including the assignment of a unique vessel identifier.		
3. As appropriate, RFMOs include only vessels on their active vessel[1] register in any scheme for reducing capacity by eliminating vessels.	Agree in principle	
4. Review existing capacity against the best available scientific advice on sustainable levels of catch and implement measures to address any overcapacity identified.	Agreed	Capacity should be reviewed and attempts made to address overcapacity issues
5. Each tuna RFMO consider implementing where appropriate a freeze on fishing capacity on a fishery by fishery basis. Such a freeze should not constrain the access to, development of, and benefit from sustainable tuna fisheries by developing coastal States.	Agreed	Capacity should be reviewed and attempts made to address overcapacity issues
6. All RFMOs establish strong requirements for the provision of accurate data and information to secretariats so that the status of tuna stocks can be accurately assessed. All RFMO members and cooperating non-members should make a firm commitment to provide these data on a timely basis, and it should be cross-checked with market, landings and processing establishment data under the competency of tuna RFMOs.	Agreed	SC (SPC) may provide comments on CCM's data provision. The SC may consider a plan for the cross-checking of available data.
7. Develop a consistent enforceable regime for sanctions and penalties, to be applied to RFMO members and non-members and their vessels that breach the rules and regulations developed and implemented by RFMOs.	Agreed	Refer to TTC for consideration as appropriate when data agreements have been breached
8. Ensure that the effectiveness of all conservation and management measures is not undermined by exemption or exclusion clauses.	Agree in principle	
9. Ensure that all conservation and	Agree in principle	

management measures are implemented in a consistent and transparent manner and are achieving their management goals.		
10. Review and strengthen their MCS framework to improve the integrity of their management regime and measures.	Agree in principle	
RFMOs should, in the medium term:		
11. Develop measures of capacity and, in the absence of an agreed capacity definition, adopt the FAO definition "The amount of fish (or fishing effort) that can be produced over a period of time (e.g. a year or a fishing season) by a vessel or a fleet if fully utilised and for a given resource condition."	Agreed	The FAO definition will be used in the interim until the Commission develops its own definition for "capacity".
12. Ensure that all stocks maintained at sustainable and optimal levels through science-based measures.	Agree in principle	
13. Review and develop management regimes, based *inter alia* on the concept of fishing rights for fisheries under the RFMOs' competence.	Agree in principle	
14. Consider using right-based management approaches and other approaches as part of a 'tool box' to address the aspirations of developing states, overfishing, overcapacity and allocation.	Agree in principle	
15. The tuna RFMOs should ensure a constant exchange of information with regard to the capacity of fleets operating within their zones as well as the mechanisms to manage this capacity. Kobe III will provide an opportunity for the tuna RFMOs to provide an update on progress with these issues.	Agree in principle	Secretariat to report on progress at regular intervals

RECOMMENDATIONS FROM THE KOBE II WORKSHOP ON MCS

The participants in the Kobe II Workshop on MCS held in Barcelona, Spain from June 3-5, 2010 recommended the following to tuna RFMOs, and requested that such RFMOs

report on their actions towards these recommendations at the Kobe III Meeting scheduled for 2011:

Recommendations	Response	Comments
VMS		
1. Where they do not already exist, establish standards for the format (see attached ICCAT format as an example), content, structure and frequency of VMS messages; and		
2. Ensure there are no gaps in geographic coverage in regional VMS programs, and all relevant vessel types and sizes participate in VMS programs while on the high seas.		
Transhipment		
1. Cooperate with other tuna RFMOs to standardize transshipment Declaration forms so that they use, to the maximum extent possible, the same format and include the same required data fields, as well as develop minimum standards for the timeframes by which such Declaration are submitted to RFMO Secretariats, flag States, coastal States and port States.		
2. Establish that advance notifications much be provided to the relevant tuna RFMO Secretariat for those high seas transshipment activities that are permitted by that RFMO's measures (for example, 36 hours in advance of the transshipment operation taking place)		
Observers		
RFMOs are encouraged to support the establishment of regional observer		

programs which could be built on existing national programs. It is the responsibility of each RFMO to clearly establish the purpose and scope of the information collected by its regional observer program, such as whether it will be used to support scientific or monitoring functions, or both, and then define the specific observer tasks and duties appropriate for that particular purpose and scope.		
There are specific aspects of observer programs that could benefit from the development of minimum standards or procedures that if utilized by tuna RFMOS could promote comparable observer-generated data.		
1. Where appropriate and practical, subject all gear types in high seas fishing operations to observer coverage while adopting a minimum of 5% coverage as an initial level. Observer coverage rates should be evaluated and may be adjusted depending on the scope and objectives of each observer program or particular conservation and management measures.		
2. Where appropriate, develop agreements such that RFMO-authorized high seas observers can operate effectively in the various ocean basins covered by other RFMOs with a view to avoiding duplication of observers. Such observer programs will provide required data to the RFMO in whose area the fishing operations take place.		
3. Exchange information and examples of the standards developed in each program. These should include: a. Training material and procedures; b. On-board reference materials; c. Health and safety issues; d. Rights, and responsibilities of vessel		

operators, masters, crew and observers; e. Data collection, storage and dissemination including where appropriate between RFMOs; f. Debriefing protocols and procedures; g. Reporting formats – especially for target and by-catch species; h. Basic qualifications and experience of observers.		
Catch Documentation Schemes (CDS)		
1. Establish or expand the use of CDS to fisheries for tuna and tuna-like species and sharks not currently covered by an existing CDS and to which current conservation and management measures apply, taking into account the specific characteristics and circumstances of each RFMO.		
2. Ensure compatibility between new or expanded CDS and existing certification schemes already implemented by coastal, port and importing States		
3. Develop a common/harmonized form for use across RFMOs and the use of electronic systems and tags to enhance the efficiency, effectiveness and utility of a CDS.		
4. Take into account fish caught by purse seine fisheries and delivered to processing plants when implementing an expanded CDS.		
5. Consider a tagging system for fresh and chilled products to improve the implementation of new or expanded CDS.		
6. Develop a simplified CDS form to cover catches by artisanal fisheries that are exported (see Appendix 3, EU form that could serve as an example).		

7. Provide technical assistance and capacity building support to assist developing countries in implementing existing CDSs and any expanded CDS, including ensuring that capacity building funds that currently exist in RFMOs can be used for this purpose.		
Port State Measures		
1. Encourage RFMO Members to consider signing and ratifying the FAO Port State Measures Agreement at their earliest opportunity.		
2. Where they do not already exist, where appropriate, ad.opt port State control measures that are consistent with the FAO Port State Measures Agreement, and that take into account the specific characteristics and circumstances of each RFMO.		
Data		
When useful to support scientific and MCS purposes, cooperate with other tuna RFMOs to develop protocols for exchange data, including provisions for data confidentiality		