



FIFTH REGULAR SESSION

8-12 December 2008

Busan, Korea

OPENING STATEMENT BY THE CHAIR OF THE FORUM FISHERIES COMMITTEE

WCPFC5-2008/DP17

8 December 2008

1. Mr Chairman, distinguished Members and Observers of the Commission. I am making this statement on behalf of the 17 Members of the Pacific Islands Forum Fisheries Agency.

2. At the outset, we wish to express our appreciation to our gracious hosts, the Government and people of Korea for their kindness and the warm reception we have enjoyed since our arrival. The beautiful settings of Busan provides the right backdrop for us to make far reaching decisions on the sustainability of the region's tuna stocks.

3. Mr Chairman, we sincerely hope we will leave Busan with a conservation and management measure for bigeye and yellowfin. At the conclusion of the 4th Session in Guam, we expressed disappointment at the Commission's failure to adopt a conservation and management measure for bigeye and yellowfin. We remain concerned that this Commission could become as ineffective as other Tuna RFMOs. Thus, it is incumbent on Members to make this Commission work.. The negotiators of the Convention intended that this Commission would be different from other Tuna RFMOs. This is reflected in the prescriptive nature of the Convention which is founded on the principles enshrined in the 1995 UN Fish Stocks Agreement. The Agreement reflects the international community's expectation that highly migratory fish stocks would be managed through the application of the precautionary approach and in accordance with the principles for conservation and management so comprehensively set out in the Agreement.

4. The failure of the Commission to adopt a measure for bigeye and yellowfin in Guam prompted the development of the Third Implementing Arrangement by the Parties to the Nauru Agreement. The Implementing Arrangement was endorsed by Fisheries Ministers of the Forum Fisheries Agency at their Annual Meeting in May and also supported by Forum Leaders at their Summit Meeting in August. These actions reflect our ongoing efforts to manage and conserve the tuna stocks in the region. It also reflects the fact that the Convention was not negotiated in a vacuum. It was done against the backdrop of a long history of intra and inter-regional cooperative arrangements amongst FFA Members which include the development of harmonized minimum terms and conditions of access for foreign fishing vessels, the FFA Vessel Monitoring System, and Regional Observer Programmes under the Treaty on Fisheries with the United States and the FSM Arrangement. Commentary by some Commission Members implies that coastal States should not adopt measures for their EEZs in respect to tuna. Perhaps this reflects some discomfort with the idea that FFA Members have been proactive. We do not believe that FFA Members should be precluded from taking measures for their EEZs to ensure that stocks remain sustainable and will continue to develop appropriate measures as necessary.

5. Mr Chairman, we have been saying since the MHLC and PrepCon process that the western and Central Pacific region is different from other regions. In our region, a large proportion of the Convention Area is in the EEZs of FFA Members. Further, a number of FFA Members are overwhelmingly dependent on tuna for their economic development. There are also

pockets of high seas surrounded exclusively by the EEZs of FFA Members. These factors alone differentiate this Commission from other Tuna RFMOs.

6. Mr Chairman, notwithstanding these issues, we are pleased with the progress the Commission has made. We have the framework for a Regional Observer Programme and a Commission VMS, and have agreed to high seas boarding and inspection procedures. We also believe that we can make progress on other issues such as transshipment and the development of reference points.

7. However, at present, these gains are being undermined by the misapplication of the overcapacity resolution which, despite the decision of this Commission in Guam, continues to prevent Tuvalu and the Marshall Islands from receiving their purse seine vessels. FFA Members attach great importance to their aspirations to participate in the fishery. We do not wish to be bystanders in this fishery.

8. Another issue that FFA members are adamant about is that this Commission will not be an improvement over other RFMOs unless we as the members display an absolute commitment to not only make conservation and management measures, but also to implement them. There are a number of very concerning issues relating to CCMs failure to comply with measures or reporting obligations that must be addressed in order for us to move forward together. Please be rest assured that we will explore all opportunities to ensure these failures are dealt with by the Commission.

9. Mr. Chairman, we have specific issues we will raise when they arise during the week. In closing, it would be prudent to remind ourselves of the high expectation that this Commission will adopt a bigeye and yellowfin measure at this meeting. The international community is following this Meeting with keen interest. We will be held accountable to future generations if we fail at this Meeting to agree to effective conservation and management measures for bigeye and yellowfin. Given the publicity which followed the recent meeting of ICCAT, we sincerely hope that we will leave these shores with a better outcome. We look forward to working closely with you and other Delegations to ensure a successful Meeting.