



**FIFTH REGULAR SESSION**

8-12 December 2008

Busan, Korea

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**JAPAN – TABLE VERSION OF BIGEYE CMM**

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**WCPFC5-2008/DP24**

**10 December 2008**

*The Western and Central Pacific Fisheries Commission (WCPFC):*

**Recalling** that since 1999, in the Multilateral High Level Conferences, the Preparatory Conferences, and in the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC), a number of resolutions and Conservation and Management Measures (CMMs) were developed to mitigate the overfishing of bigeye and yellowfin tuna and to limit the growth of fishing capacity in the Western and Central Pacific Ocean (WCPO) and that these measures have been unsuccessful in either restricting the apparent growth of fishing capacity or in reducing the fishing mortality of bigeye or juvenile yellowfin tuna;

**Recalling** the objective of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention) is to ensure through effective management, the long-term conservation and sustainable use of the highly migratory fish stocks of the Western and Central Pacific Ocean in accordance with the 1982 Convention and the Agreement;

**Recognising** that the Scientific Committee has determined that there is a high probability that the bigeye stock is subject to overfishing, and that and yellowfin stocks are currently being fished at capacity, reductions in fishing mortality are required in order to reduce the risks that these stocks will become overfished;

**Conscious** that the WCPFC, at its regular sessions in December 2005 and 2006 adopted CMMs for bigeye and yellowfin tuna and agreed to review annually those measures;

**Aware** that the WCPFC committed itself, in 2006 and 2007, to adopt a measure at its next

session to reduce juvenile bigeye and yellowfin tuna mortalities from fishing effort on Fish Aggregating Devices (FADs);

*Noting* that Article 30(1) of the Convention requires the WCPFC to give full recognition to the special requirements of developing States that are Parties to the Convention, in particular small island developing States and territories and possessions, in relation to the conservation and management of highly migratory fish stocks in the Convention Area and development of fisheries on such stocks;

*Noting further* that Article 30(2)(c) of the Convention requires the WCPFC to ensure that conservation and management measures adopted by it do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto developing States Parties, and territories and possessions;

*Taking note* of Article 8(1) of the Convention requiring compatibility of conservation and management measures established for the high seas and those adopted for areas under national jurisdiction;

*Recalling* Article 8 (4) of the Convention which requires the WCPFC to pay special attention to the high seas in the Convention Area that are surrounded by exclusive economic zones

*Noting* ~~the Arrangement among~~ the Parties to the Nauru Agreement ~~of May 2008 to adopt a package of measures for their exclusive economic zones including a prohibition on fishing in the high seas pockets adjacent to their waters as a condition of access to their waters~~ have agreed to implement the Third Arrangement of the Nauru Agreement of May

2008 (Attachment A);

*Noting* that limits on the levels of fishing have been adopted by the WCPFC under CMM 2005-01 and CMM 2006-01 and that these previously agreed limits should form the baseline for any future measures.

*Noting further* paragraph 19 of CMM 2005-01 which states that: “Any future reduction in catch levels shall take into account increases in the levels of such catches by each CCM in recent years.”

*Adopts*, in accordance with Article 10 of the Convention, the following Measure [to be implemented over a three-year period] with respect to bigeye tuna and yellowfin tuna, in particular.

OBJECTIVES

1. The objectives of this Measure are to:

- Ensure through the implementation of compatible measures for the high seas and exclusive economic zones (EEZs) that bigeye and yellowfin tuna stocks are maintained at levels capable of producing their maximum sustainable yield;
- Achieve, over a three-year period commencing in 2009, a minimum of 30% reduction in bigeye tuna fishing mortality from the annual average during the period 2001-2004;
- Ensure that there is no increase in fishing mortality for yellowfin tuna beyond the annual average during the period 2001-2004 average; and
- Adopt a package of measures that will be reviewed annually and adjusted as necessary by the Commission taking account of the scientific advice available at the time. In addition, this review shall include any adjustments required by Commission decisions

The objective of these measures is to reduce fishing mortality of bigeye tuna in the Convention area by 30% during the three-year period of 2009-2011. As the first step, each CCM shall take necessary measures to ensure 10% reduction of bigeye tuna mortality by its fishing vessels.

regarding management objectives and reference points.

## **GENERAL RULES OF APPLICATION**

~~1. Through the adoption of necessary measures, the ratio of fishing mortality to  $F_{MSY}$  for bigeye tuna shall be reduced below 2001-2004 levels and the ratio of fishing mortality to  $F_{MSY}$  for yellowfin tuna shall not be increased beyond 2001-2004 levels.~~

~~2. These measures will be reviewed annually. The level of reduction in the ratio of fishing mortality to  $F_{MSY}$  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, and any advice from the Scientific or Technical and Compliance Committees regarding the effectiveness or any implementation issues with respect to these measures. In particular, the Scientific Committee, in reviewing the implementation of this CMM, will identify adjustments to levels of fishing effort to ensure that the bigeye and yellowfin stocks will remain at or above  $B_{MSY}$ .~~

~~3. 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 an increase in fishing effort by that gear type in the Convention Area.~~

~~4.2..~~ 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 charter known~~ IUU vessels. The Commission shall consider the implementation of a Charter Arrangements Scheme at its 6th Session in 2009.

~~5.3.~~ In giving effect to CMM 2004-02, the WCPFC shall advise States non-Parties to the Convention wishing to acquire Co-operating Non members (CNM) status that there is a high probability that overfishing is currently taking place in respect of ~~yellowfin and bigeye tuna~~ bigeye and yellowfin tuna in the WCPF Convention Area. ~~The WCPFC is taking measures to reduce the fishing mortality on these stocks. Therefore that their participation in any fisheries taking yellowfin and bigeye tuna in the WCPF Convention Area will be limited should their applications for CNM status be successful. , where necessary, the limits that apply to CNMs, particularly on the high seas, will be determined by the Commission in accordance with CMM 2004-02 or its revision.~~

~~6.4.~~ The ~~WCPFC Commission~~ will not delay the adoption of precautionary measures while research to reduce ~~the catch of the fishing mortality on~~ juvenile bigeye and yellowfin tuna is being undertaken by CCMs.

~~7.5.~~ The ~~WCPFC Commission~~ will develop a program of work to support efforts in Indonesia and the Philippines to implement this measure. This program of work shall, as appropriate, including other coastal States in the region which are not members of the WCPFC but conduct fishing activities on the species covered by this measure.

6. The Commission encourages CCMs to ensure that the effectiveness of these measures is not undermined by a transfer of effort into archipelagic waters and territorial seas.

~~8.7.~~ Unless otherwise stated, ~~N~~othing in this measure 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.

#### **PURSE SEINE FISHERY**

~~9.8.~~ The purse seine fishery provisions of this Measure herein apply to the Convention Area bounded by 20°N and 20°S with the objective of achieving over a 3-year period commencing from the date this measure comes into effect in 2009, a 30% reduction in fishing mortality on bigeye tuna in the purse seine fishery in that area and reducing the risk of overfishing yellowfin tuna, ~~beginning in 2009.~~

~~10.9.~~ CCMs ~~shall~~ should ensure that the effectiveness of these measures for the purse seine fishery are not undermined by a transfer of effort into ~~archipelagic waters and territorial seas nor to~~ areas within the Convention Area north of 20°N or south of 20°S .

#### Measures for 2009

#### EEZ and High Seas

10. For members of the Pacific Islands Forum Fisheries Agency (FFA) who are Parties to the Nauru Agreement (PNA), this measure will be implemented through their domestic processes and legislation, including the Vessel Day Scheme which limits total days fished in the EEZs of PNA members to no greater than 2004 levels (Attachment C).

9. To ensure the effectiveness of these measures, CCMs shall not transfer fishing effort of the purse seine fishery to areas within the Convention Area north of north of 20°N or south of 20°S.

10 (bis). There shall be a 60-day FAD closure in EEZs and on the high seas in the area bounded by 20°N and 20°S commencing 1 July 2009 and extending through 31 August 2009. During this closure, vessels may fish free schools on the condition that each operation is monitored by an observer drawn from the Regional Observer Programme.

#### High Seas Alternatives

11. As an alternative to the high seas FAD closure required in para. 10, members may adopt measures for reducing their effort on the high seas by 10% relative to 2004 levels (see Attachment B). Such alternative measures proposed by members shall constitute a genuine reduction in fishing days from the published 2004 effort levels. Members will advise the Commission of their proposed alternative measures no later than 15 February 2009. The Commission will review these submissions and take them into account when assessing the effectiveness of the Measure.

10bis-1. As the first step to reduce bigeye tuna mortality by 10%, each CCM that has purse seine fishing vessels shall take one of the following measures in 2009:

- a) 10% reduction of its vessel days on the high seas and bigeye tuna catch from the base level stipulated in paragraph 1. above.
- b) 45 day total closure(\*1) of purse seine fishing
- c) 45 day prohibition(\*2) of purse seine fishing associated with FADs

Each CCM shall notify the Secretariat by December 31, 2008 of the measure it will take in 2009.

\*1 : The closure period shall be set within three months from May 1 to September 30, 2009 and be notified to the Secretariat by December 31, 2008. The CCM may choose two closure periods but shall specify purse seine fishing vessels for each closure period and notify them to the Secretariat. During the closure period, purse seine fishing vessels shall stay in ports.

\*2 : The prohibition period shall be set within three months from May 1 to September 30, 2009 and be notified to the Secretariat by December 31, 2008. The CCM may choose two prohibition periods but shall specify purse seine fishing vessels for each prohibition period and notify them to the Secretariat. The period for annual maintenance in ports shall not be included in the FADs prohibition periods.

10bis-2. Monitoring of bigeye tuna catch

(1) For a CCM that will take the measure a) above, monitoring shall be conducted in 2009 at the landing ports to assess the amount of bigeye tuna catch by each purse seine fishing vessel for each fishing trip. The result of the monitoring shall be submitted to the TCC meeting in 2009.

(2) For a CCM that will take the measure b) or c) above, a reliable monitoring program



shall be developed in 2009 so as to enable assessment of bigeye tuna catch amount through sufficient inspection and sampling at landing and transshipping sites for its purse seine fishing vessels.

10bis-3. Observer Boarding

(1) For a CCM that will take the measure c) above, purse seine vessels fishing within the area bounded by 20<sup>0</sup>N and 20<sup>0</sup>S on the high seas and in waters under the jurisdiction of one or more coastal States, or vessels fishing in waters under the jurisdiction of two or more coastal States, shall carry, at all times, an observer authorized by the Commission's Regional Observer Program.

(2) For a CCM that will take the measure a) or b) above, the observer coverage shall be 20% or more.

10bis-4. Restriction of fishing effort

CCM that will take the measure b) or c) above shall take necessary measures not to increase fishing effort in a period other than that of the closure or the FADs prohibition.

Measures for 2010 and 2011

The Commission shall decide at its 2009 meeting further measures necessary to achieve the objective of additional 20% reduction of bigeye tuna mortality in 2010 and 2011.

Measures for 2010-2011

EEZ

*Waters under the jurisdiction of PNA members*

14.12. For the members of the Pacific Islands Forum Fisheries Agency (FFA) who are Parties to the Nauru Agreement (PNA), this measure will be implemented through their domestic processes and legislation. ~~The arrangements are described in~~

WCPCFC TCC4 2008/DP 04, including:

- a. the Vessel Day Scheme which limits total days fished in the EEZs of PNA members to a level no greater than 2004 levels (Attachment C); and
- b. the Third Arrangement Implementing ~~among the Parties to~~ the Nauru Agreement of May 2008 which comprises a 3 month FAD closure period in the EEZs of the PNA member countries from 0000 hours on 1 July each year until 2400 hours on 30 September each year; full catch retention; conditions for fisheries access to EEZs linked to agreements by vessel operators not to fish in the high seas pockets contiguous to the zones of PNA CCMs; and monitoring of the purse-seine fleet in national waters.

*Waters under the jurisdiction of non-PNA members*

~~16.13.~~ Other non-PNA CCMs shall implement compatible measures to reduce purse seine fishing mortality on bigeye tuna in waters under their jurisdiction by 30% from the baseline 2001-2004 levels, subject to the authorization of fishing rights under existing regional or bilateral fisheries partnership arrangements or agreements, provided these are registered with the Commission and provided that the number of licenses authorized under such arrangements does not increase.

*High Seas*

14. There shall be a 3-month FAD closure on the high seas in the area bounded by 20°N and 20°S commencing 1 July and extending through 30 September. Vessels may fish free

*High Seas*

~~14.—There shall be a 3-month FAD closure on the high seas in the area bounded by 20°N and 20°S commencing 1 July and extending through 30 September.—Vessels may fish free~~

schools during this closure on the condition that each operation is monitored by an observer drawn from the Regional Observer Programme.

15. The high seas pockets consisting of areas between 20°N and 20°S entirely surrounded by EEZs shall be closed to purse seine fishing (Attachment D). This closure may be reviewed upon development and implementation of the Commission's anticipated high seas VDS.

2. Noting the provisions of Article 8(4) of the Convention, as a contribution to the required reduction in fishing mortality the reduction on the high seas will be achieved by implementing a total purse seine closure in the high seas from 0000 hours on 1 July each year until 2400 hours on the 30th September each year.

3. CCMs shall ensure that the effectiveness of these measures for the high seas purse seine fishery are not undermined by a transfer of effort into archipelagic waters and territorial seas nor to areas within the Convention Area north of 20°N or south of 20°S. —

13. The Commission will develop a high seas vessel day scheme (HS VDS) to be compatible with the PNA VDS to provide a common currency for managing purse seine effort. Based on the advice and recommendations of the SC and TCC the Commission will adopt such a scheme at its annual session in 2009 such that effort on the high seas is reduced by 30% from 2001-2004 levels.

15. — The arrangements described in WCPFC TCC4 2008/DP-04 include a 3-month FAD closure period in the EEZ of the PNA member countries from 0000 hours on 1 July each year until 2400 hours on 30 September each year, full catch retention, conditions for

~~schools during this closure on the condition that each operation is monitored by an observer drawn from the Regional Observer Programme.~~

~~15. — The high seas pockets consisting of areas between 20°N and 20°S entirely surrounded by EEZs shall be closed to purse seine fishing (Attachment D). — This closure may be reviewed upon development and implementation of the Commission's anticipated high seas VDS.~~

~~fisheries access to EEZs linked to fishing in the high seas pockets contiguous to the zones of PNA CCMs and monitoring of the purse seine fleet in national waters.~~

### ~~CONTROL OF SETS ON FISH AGGREGATING DEVICES~~

#### ~~*FAD Closure*~~

~~17.—Beginning in 2009 there shall be no deployment or servicing of FADs and associated electronic equipment, or fishing by purse seine vessels on floating objects by purse seine vessels in waters under national jurisdiction (in exclusive economic zones) within the area bounded by 20<sup>th</sup>N and 20<sup>th</sup>S within the Convention Area between 0000 hours on 1 July and 2400 hours on 30 September each year.—~~

~~18.—All man made FADs will be physically removed from the water by 0000 hours on 1 July each year.—No re-deployment of man made FADs will take place until 2400 hours on 30<sup>th</sup> September each year.—~~

~~19.—The compatible reduction in the high seas effort will be achieved by implementing a total closure period for purse seine fishing in the high seas from 0000 hours on 1 July each year until 2400 hours on the 30<sup>th</sup> September each year as described in paragraph 11 above.~~

~~20.—Notwithstanding the provisions of paragraph 8 above, the provisions of paragraphs 17, 18 and 19 apply to the domestic fleets of developing States including small island developing States and participating territories in the Convention Area.~~

#### ~~*FAD Management Plans*~~

~~21.16.~~ By 1 July 2009, CCMs fishing on the high seas shall submit to the ~~WCPFC~~ Commission Management Plans for the use of FADs by their vessels on the high seas. These Plans shall include strategies to limit the capture of small bigeye and yellowfin tuna,

including implementation of the FAD closure pursuant to ~~paragraph 17 paras. 10 and 14~~ above. The Plans shall at a minimum meet the Suggested Guidelines for Preparation for FAD Management Plans for each CCM (~~WCPFC Circular 2007/14 Attachment 2 Attachment E~~).

~~17. The WCPFC Secretariat will prepare a report on additional FAD management options for consideration by the Scientific Committee, the Technical & Compliance Committee and the Commission in 2009 including;~~

~~a. Marking and identification of FADs;~~

~~b. Registration and reporting of position information from FAD-associated buoys;~~

~~c. Limits to the number of FADs deployed number of FAD sets made; and~~

~~d. Removal of FADs from the water during periods of FAD closures.~~

~~22. Each purse seine fishing vessel deploying FADs in the purse seine fishery in the Convention area will permanently mark each artificial or man-made FAD it deploys with i) the name of the parent purse seine fishing vessel, ii) its WCPFC Identification Number (WIN), iii) a unique number for that FAD including the first two letters of the name of the parent purse seine vessel preceding the number, and iv) the date the FAD was first deployed. These details will be permanently attached to the FAD, in the English language, in the form of an engraved stainless steel name plate no smaller in dimensions than 15cm by 15cm.~~

~~23. At each regular session of the Technical and Compliance Committee each CCM will present, as part of their Annual Report to the Commission Part 2, a WCPFC FAD-Management Plan Report. The report will, *inter alia*, i) detail the number of its vessels that deployed FADs in the previous calendar year, ii) the total number of new FADs~~

~~deployed in the previous calendar year, and iii) the total number of FADs lost in the previous calendar year. —At its Regular Session in 2009, the TCC will develop advice and recommendations for the acquisition, by the Commission, of FAD-associated satellite buoy position information for the high seas.~~

### JUVENILE TUNA CATCH MITIGATION RESEARCH

~~24-18.~~ The Commission will work with CCMs, regional tuna commissions and industry to develop methods to reduce catches of juvenile bigeye and yellowfin tuna caught in association with FADs.

~~25-19.~~ CCMs, working independently or collaboratively with industry, and reporting through the Scientific Committee and the Technical and Compliance Committee at each regular session, shall explore and evaluate mitigation measures for juvenile bigeye and yellowfin taken around FADs and present the results annually to the Commission.

### CATCH RETENTION

~~26-20.~~ In order to create a disincentive to the capture of small fish and to encourage the development of technologies and fishing strategies designed to avoid the capture of small bigeye and yellowfin tuna, CCMs shall require their purse seine vessels fishing in the Convention Area in the EEZs and on the high seas within the area bound by 20°N and 20°S from ~~11 February 2009-1 January 2010~~ to retain on board and then land or tranship all bigeye, skipjack and yellowfin tuna, ~~except for fish unfit for human consumption for reasons other than size.~~ The only exceptions shall be: ~~the final set of a trip when there is insufficient well space to accommodate all fish caught in that net in which case the~~

19. CCMs, working independently or collaboratively with industry, and reporting through the Scientific Committee and the Technical and Compliance Committee at each regular session, shall establish three-year programs to explore and evaluate mitigation measures for juvenile bigeye and yellowfin taken around FADs and present the results annually to the Commission.

~~proportion of the catch that would otherwise be discarded to the sea may be loaded to a second purse seine vessel. All such net sharing incidents will be fully reported on daily log sheets submitted to the Commission and will include the quantity and species of catch shared.~~

~~a) when, in the final set of a trip, there is insufficient well space to accommodate all fish caught in the set; or~~

~~b) when the fish are unfit for human consumption for reasons other than size; or~~

~~c) when serious gear malfunction occurs jeopardizing the safety of the vessel and crew.~~

~~27. Each CCM will report on the application of the catch retention requirements of this Measure in their Part 2 Annual Report.~~

## **MONITORING**

~~28-21. In order to monitor compliance with the catch retention and FAD closure requirements, and to provide data on species mix and by-catch interactions, purse seine vessels fishing within the area bounded by 20°N and 20°S on the high seas and in waters under the jurisdiction of one or more coastal States, or vessels fishing in waters under the jurisdiction of two or more coastal States, are to carry, at all times, either an observer authorized by from the Commission's Regional Observer Programme. The Secretariat, in conjunction with the IATTC, will develop a cross-endorsement arrangement in order to allow vessels operating within IATTC and WCPFC areas on the same fishing trip to use the same observer; or~~

~~a. When operating, on any trip, principally in waters under the national jurisdiction of the flag State, and occasionally on adjacent high seas, an observer from a national or sub-regional observer programme;~~

## **MONITORING**

~~21. In order to monitor compliance with the catch retention, FAD closure requirements, and provide data on species mix and by-catch interactions, purse seine vessels fishing within the area bounded by 20°N and 20°S on the high seas and in waters under the jurisdiction of one or more coastal States, or vessels fishing in waters under the jurisdiction of two or more coastal States, are to carry, at all times, an observer from the Commission's Regional Observer Program. The Secretariat, in conjunction with the IATTC, will develop a cross-endorsement arrangement in order to allow vessels operating within IATTC and WCPFC areas on the same fishing trip to use the same observer~~

~~b. When operating outside of waters under the national jurisdiction of the flag State, an observer in accordance with the WCPFC Regional Observer Program~~

~~29. Each CCM shall ensure that its purse seine fishing vessels:~~

~~a. on the high seas in the Convention Area are equipped with a continuously functioning satellite-based ALC (Automatic Location Communicator) that shall communicate such data to the Commission as determined by the WCPFC;~~

~~b. In areas under national jurisdiction of another CCM shall operate an ALC in accordance with the applicable laws, including the standards, specifications and procedures, determined by that coastal State.~~

#### **OTHER CONSIDERATIONS FOR PURSE SEINE MEASURES**

~~30:22.~~ Developing skipjack purse seine fisheries, between 20°N and 20°S, that can provide verifiable evidence of minimal yellowfin and bigeye by-catch (<1%), 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 tunas. 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.



## LOGLINE FISHERY

~~31. The longline fishery provisions of this Measure herein apply to the Convention Area with the objective of achieving a 30% reduction in fishing mortality on bigeye and reducing the risk of overfishing yellowfin tuna in the purse seine fishery in that region.~~

~~32.23. The total catch of bigeye tuna by longline fishing gear will be subject to a phased reduction such that by 1 January 2012 the longline catch of bigeye tuna is 70% of the average annual catch in 2001-2004 (Attachment F). base level catch described in CMM 2005-01 (provided at Attachment A of this CMM). The catch of yellowfin tuna in the longline fishery is not to be increased from the baseline levels.~~

~~33.24. Paragraph 32Para. 23 does not apply to members that caught less than 2,000 tonnes in 2004. Each member 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 (2009, 2010 and 2011). Consistent with paragraph 5 opportunities for non members will be decided by the Commission on a case by case basis. In accordance with para. 7, the 2,000 tonne limit shall not apply to small island developing State Members and participating territories in the Convention Area undertaking responsible development of their domestic fisheries. Consistent with para.3 opportunities for non members will be decided by the Commission on a case by case basis.~~

~~34.25. Each member or cooperating non-Member that which caught an average of more than 2,000 tonnes of bigeye for the baseline years shall be subject to the following catches limits for bigeye tuna for the years 2009 to 2011 inclusive:~~

2009: 10% reduction of the ~~baseline catch~~ average annual catch in 2001-2004;

2009: 10% reduction of the average annual catch in 2001-2004;

2010:20% reduction of the ~~baseline catch~~ average annual catch in 2001-2004;  
2011:30% reduction of the ~~baseline catch~~ average annual catch in 2001-2004.

~~35:26~~. If such reductions would result in a catch limit less than 2,000 tonnes for a ~~m~~Member, then a catch limit of 2,000 tonnes shall apply to that ~~m~~Member.

~~36:27~~. CCMs shall not transfer their longline targeting to yellowfin to compensate for the reduction in ~~effort in the~~ bigeye ~~fishery catch~~.

~~28~~. FFA Members will be adopting a system of zone-based longline limits to replace the current system of flag-based bigeye catch limits. The Commission will review this system for possible wider application when details are made available.

#### **OTHER COMMERCIAL TUNA FISHERIES**

~~37:29~~. Beginning in 2007, CCMs have undertaken to take necessary measures to ensure that the total capacity of their respective “other” commercial tuna fisheries for bigeye and yellowfin tuna, including purse seining that occurs ~~20 north and 20 south north of 20°N or south of 20°S , 20°N and 20°S~~, but excluding artisanal fisheries and those fisheries taking less than 2,000 tonnes of bigeye and yellowfin, do not exceed the average level for the period 2001-2004 or 2004. ~~The measure of capacity is the appropriate unit of fishing effort for each gear type. CCMs shall provide the SC with estimates of fishing effort for these other fisheries or proposals for the provision of effort data for these fisheries for 2009~~

2010:20% reduction of the average annual catch in 2001-2004 (\*);  
2011:30% reduction of the average annual catch in 2001-2004(\*).

(\* ) This measure shall be subject to annual review of implementation of this resolution (in particular Purse Seine Fishery Section) and be adjusted accordingly.

and future years.

#### **DATA PROVISION**

~~38.31.~~ CCMs shall provide within the agreed timeframes each year, operational level catch and effort data and size composition data for all fleets in the format required by the rules and requirements adopted by WCPFC as “Scientific Data to be Provided to the Commission”.

~~39.32.~~ The WCPFC shall take into account the level of compliance by CCMs to the data reporting requirements in para.~~graph 3831~~ in implementing any additional reductions in fishing mortality that may be required to give effect to the precautionary approach.

#### **PORT CONTROLS**

~~40.33.~~ Each CCM shall prohibit landings, transshipment and commercial transactions in tuna and tuna products that are positively identified as originating from fishing activities that contravene any element of the Commission’s Conservation and Management Measures.

#### **CAPACITY**

~~41.— Noting paragraph 8 of this measure, and in order to understand the level of fishing capacity present in the Convention Area, at the Fifth Regular Session of the Technical and Compliance Committee, CCMs will present verification of the fishing capacity of the fleet of tuna fishing vessels that they are responsible for, either as flag or chartering State, and~~

#### **DATA PROVISION**

31. CCMs shall provide within the agreed timeframes each year, ~~operational level~~ catch and effort data and size composition data ~~for all fleets in the format required by~~ according to the rules and requirements adopted by WCPFC as “Scientific Data to be Provided to the Commission”.

~~which were active in the WCPFC Convention Area each year in the period 2001-2008. The information provided will include, *inter alia*: vessel name, IMO number, national registry number and WIN, number of vessels by gear type, the year each vessel entered the WCPO fishery for the first time, the fish carrying capacity (in m<sup>3</sup>), the gross tonnage (GT) and main engine power (in kW) of each vessel. This information will be updated by CCMs at each subsequent regular session of the TCC to be included in the WCPFC Record of Fishing Vessels.~~

34. Drawing on work that has been completed by CCMs, the WCPFC Secretariat shall present a report on measuring and monitoring fishing capacity in the WCPO for consideration by TCC5.

## **REPORTING**

42-35. All CCMs will report to each regular session of the Technical and Compliance Committee, through their Annual Report Part 2, on the implementation of this Measure for their fishing vessels operating on the high seas and/or in waters under national jurisdiction. The ~~Fifth Regular Session of the~~ Technical and Compliance Committee will prepare a template for reporting this requirement for the consideration of WCPFC6.

## **FINAL CLAUSE**

43-36. This Measure replaces CMM 2005-01 and CMM 2006-01

