



## FIFTH REGULAR SESSION

8-12 December 2008

Busan, Korea

---

### EXTRACT OF PARAGRAPHS 10 TO 15 FROM CMM WCPFC 2008-DP01 REV 3 (7 DECEMBER 2008)

---

WCPFC5-2008/DP28  
10 December 2008

Prepared by the Chair of the Small Group

#### PURSE SEINE FISHERY

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.

9. CCMs shall ensure that fishing effort of the purse seine fishery is not transferred into areas within the Convention Area north of 20°N or south of 20°S where such a transfer would undermine the effectiveness of this measure.

[Proposed by Japan: 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.]

[Proposed by FFA: 9 (bis). CCMs shall take necessary measures to ensure that the level of purse seine fishing effort by their vessels in areas of the high seas does not exceed 2004 levels or the average of 2001-2004 *[from paragraph 3 of CMM2006-01]*.]

*Measures for 2009*

#### EEZ and High Seas

10. For the members of the 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).

10 (bis). There shall be no deployment or servicing of FADs and associated electronic equipment, or fishing by purse-seine vessels on floating objects, in EEZs and on the high seas in the area bounded by 20°N and 20°S commencing 1 July 2009 and extending

Deleted: should

Deleted: the effectiveness of these measures for

Deleted: are

Deleted: undermined by a transfer

Deleted: of effort

Formatted: Font: Italic

Deleted: Pacific Islands Forum Fisheries Agency (

Deleted: )

Formatted: Font color: Auto

Formatted: Font color: Auto

Deleted: a 60-day FAD closure

through 31 August 2009. During this closure, vessels may not fish unless each operation is monitored by an observer drawn from the Regional Observer Programme.

Deleted: free schools on the condition that

[Proposed by FFA: There shall be no deployment or servicing of FADs and associated electronic equipment, or fishing by purse-seine vessels on floating objects in exclusive economic zones and on the high seas within the area bounded by 20°N and 20°S within the Convention Area between 0000 hours on 1 August and 2400 hours on September 30. During this closure, vessels may not fish unless each operation is monitored by an observer drawn from the Regional Observer Programme.]

[Proposed by USA: Full 60-day closure throughout the Convention Area between 20°N and 20°S, both on the high seas and in EEZs.]

[Proposal by Korea: Two 60-day closure periods on the high seas to be nominated by flag States by 15 February 2009.]

### High Seas Alternative

11. As an alternative to the high seas FAD closure required in para. 10, members may adopt measures for reducing their effort (in fishing days) and catch of bigeye tuna on the high seas by 10% relative to 2004 levels (see Attachment B). Such alternative measures proposed by members shall result in 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.

Deleted: constitute

11(bis). CCMs that take alternative measures as provided for under paragraph 11 above, shall conduct monitoring at the point of landing 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.

[Proposed by China, Chinese Taipei, Philippines and Japan: 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.

#### 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°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, 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 2010-2011*

#### EEZs

Waters under the jurisdiction of PNA members

12. For the members of the FFA, who are Parties to the Nauru Agreement (PNA), this measure will be implemented through their domestic processes and legislation, including:

- a. the Vessel Day Scheme which limits total days fished in the EEZs of PNA members to no greater than 2004 levels (Attachment C); and
- b. the Third Arrangement Implementing 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.

Deleted: Pacific Islands Forum Fisheries Agency (

Deleted: )

Waters under the jurisdiction of non-PNA members

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 2001-2004 levels *[to be inserted as a footnote to the objectives section as agreed at CMM2005-01]*.

Deleted: , 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

Deleted: <sup>1</sup>

Formatted: Font: Italic

Formatted: Font: Italic

#### 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 *[para to be redrafted to be consistent with 2009 high seas FAD closure under paragraph 10(bis)]*.

*[Chair's proposal: 14 (bis). 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 2010 such that effort on the high seas is reduced by 30% from 2001-2004 levels.]*

[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.]

**EXTRACT OF PARAGRAPHS 10 TO 15 FROM CMM WCPFC 2008-DP01 REV 3  
(7 DECEMBER 2008)**

**PURSE SEINE FISHERY**

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.

9. CCMs shall ensure that fishing effort of the purse seine fishery is not transferred into areas within the Convention Area north of 20°N or south of 20°S where such a transfer would undermine the effectiveness of this measure.

[Proposed by Japan: 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.]

[Proposed by FFA: 9 (bis). CCMs shall take necessary measures to ensure that the level of purse seine fishing effort by their vessels in areas of the high seas does not exceed 2004 levels or the average of 2001-2004 [*from paragraph 3 of CMM2006-01*].

*Measures for 2009*

EEZ and High Seas

10. For the members of the 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).

10 (bis). There shall be no deployment or servicing of FADs and associated electronic equipment, or fishing by purse-seine vessels on floating objects 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 not fish unless each operation is monitored by an observer drawn from the Regional Observer Programme.

[Proposed by FFA: There shall be no deployment or servicing of FADs and associated electronic equipment, or fishing by purse-seine vessels on floating objects in exclusive economic zones and on the high seas within the area bounded by 20°N and 20°S within the Convention Area between 0000 hours on 1 August and 2400 hours on September 30. During this closure, vessels may not fish unless each operation is monitored by an observer drawn from the Regional Observer Programme.]

[Proposed by USA: Full 60-day closure throughout the Convention Area between 20°N and 20°S, both on the high seas and in EEZs.]

[Proposal by Korea: Two 60-day closure periods on the high seas to be nominated by flag States by 15 February 2009.]

## High Seas Alternative

11. As an alternative to the high seas FAD closure required in para. 10, members may adopt measures for reducing their effort (in fishing days) and catch of bigeye tuna on the high seas by 10% relative to 2004 levels (see Attachment B). Such alternative measures proposed by members shall result in 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.

11(bis). CCMs that take alternative measures as provided for under paragraph 11 above, shall conduct monitoring at the point of landing 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.

[Proposed by China, Chinese Taipei, Philippines and Japan: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.

### 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 200N and 200S 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 2010-2011*

### EEZs

Waters under the jurisdiction of PNA members

12. For the members of the FFA who are Parties to the Nauru Agreement (PNA), this measure will be implemented through their domestic processes and legislation, including:

- c. the Vessel Day Scheme which limits total days fished in the EEZs of PNA members to no greater than 2004 levels (Attachment C); and
- d. the Third Arrangement Implementing 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

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 2001-2004 levels [*to be inserted as a footnote to the objectives section as agreed at CMM2005-01*].

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 [*para to be redrafted to be consistent with 2009 high seas FAD closure under paragraph 10(bis)*].

[Chair's proposal: 14 (bis). 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 2010 such that effort on the high seas is reduced by 30% from 2001-2004 levels.]

[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.]