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**EASTERN HIGH SEAS POCKET CONCEPT PAPER - COOK ISLANDS**

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**Paper prepared by Cook Islands**

## Concepts for Managing the Eastern High Seas Pocket (E-HSP)

### COOK ISLANDS

#### **1. Introduction**

This concept paper sets out options and specific measures for possible incorporation into a Conservation and Management Measure to better manage the E-HSP enclosed by the Cook Islands, French Polynesia and Kiribati.

CCMs are invited to provide comments on these options and associated measures to better inform a draft CMM the Cook Islands will present to the 7<sup>th</sup> Annual Session of the WCPFC Commission.

It would be helpful if submissions were emailed to Mr Ben Ponia, Secretary, Ministry of Marine Resources, Cook Islands Government, [b.ponia@mmr.gov.ck](mailto:b.ponia@mmr.gov.ck) by Monday November 1, 2010.

#### **2. CMM Objective**

To address the role that the E-HSP is currently playing in supporting IUU fishing; particularly through preventing/detecting IUU activities conducted in the E-HSP as well as incursions into neighbouring EEZs.

#### **3. Options**

Two options have been identified that could be effective at achieving the objective:

Option 1 – Closure of the E-HSP to all fishing;

Option 2 – A “special management area” (SMA) with a package of enhanced MCS arrangements that would allow the Coastal States, MCS partners and the Commission in general to ensure that only legitimate fishing is undertaken in the E-HSP.

#### **4. Supporting provisions in the Convention**

There are several articles in the WCPFC Convention that can be drawn on to support the objective and application of such a CMM. These include:

- Article 8 (1), which deals with the need for compatibility between measures and practices in EEZs and on the high seas;
- Article 8 (4), which assigns a special management status to high seas pockets; and
- Article 30 regarding the special requirements of Small Island Developing States, noting that all three of the neighbouring EEZs are SIDS or Territories.

#### **5. How could each option look?**

##### 5.1 Option1 – Closure

CMM 2008-01 sets a precedent for closing high seas pockets. Paragraph 22 states

*The high seas pockets indicated in Attachment D will be closed effective from 1 January 2010 unless the Commission decides otherwise at its 6th annual meeting in December 2009. At this meeting the*

Commission will also consider the closure of all high seas pockets in the Convention Area between 20° North and 20° South.

While the objectives for that closure are different to that proposed above, this paragraph provides a useful basis for Commission language to effect a full closure of the E-HSP.

Monitoring the closure could be implemented through a combination of Coastal State and Commission mechanisms such as VMS, Inspections (at port and HSBI), aerial patrols, sighting reports by transiting vessels, “manual” EEZ entry/exit reports, Observer reports, unloading/transshipment reports as well as catch and effort log-sheet analysis.

A CMM could include the following:

- Continuous Commission VMS access by surrounding Coastal States covering vessels which transit the E-HSP and their particular EEZ;
- The option to Increase *VMS reporting rates* when vessels enter the E-HSP;
- Vessels reporting to the Administrator catch on board prior to entry/exit; and
- Submission to the Administrator of all inspection reports of vessels that are in or have transited the E-HSP.

#### Option 2 – SMA (Enhanced MCS)

The actual construct of a CMM to implement the SMA would be more comprehensive as it would rely on additional mechanisms already implemented by the coastal States and/or the Commission including registration to fish (in the pocket), advance notice of zone entry/exit, weekly catch and effort reports and submission of HS catch and effort.

The tools that are available to the Commission include VMS, the Regional Observer Programme, the Record of Fishing Vessels, Transshipment monitoring and high seas boarding and inspection.

A CMM could include the following:

- Continuous Commission VMS access by surrounding Coastal States;
- The option to Increase *VMS polling rates* when vessels enter the E-HSP;
- A requirement for vessels to *pre-register* their intention to fish in the E-HSP (noting that a vessel must purposely steam to the area and conduct fishing, there is no legitimate reason why at least 12 hours notice could not be required);
- *Increased observer coverage* for vessels fishing in the E-HSP (purse seine vessels are already subject to 100% coverage, the coverage for longline vessels would require further consideration and would be placed as a responsibility on the flag State to achieve); and
- Vessels reporting to the Administrator entry/exit/weekly catch and effort, unloading/transshipment of E-HSP related fish or activity, catch logs following each fishing trip.

#### **6. Administrator**

Administration of the SMA could be by the Commission through the Secretariat which would be responsible for relaying all relevant information to the surrounding coastal States.

Alternatively, the surrounding coastal States themselves could administer the SMA and relay all relevant information to the Commission.