



**TECHNICAL AND COMPLIANCE COMMITTEE**

**Sixth Regular Session**

30 September - 5 October 2010

Pohnpei, Federated States of Micronesia

---

**SUPPLEMENTARY INFORMATION ON THE 2009 FAD CLOSURE FROM AVAILABLE  
OBSERVER DATA – REPUBLIC OF THE MARSHALL ISLANDS ON BEHALF OF THE  
PARTIES TO THE NAURU AGREEMENT**

---

**WCPFC-TCC6-2010-DP/19**

**11 October 2010**

**Paper prepared by Republic of the Marshall Islands on behalf of the Parties to the Nauru Agreement**



**STATEMENT BY PNA CHAIR GLEN JOSEPH TO THE SIXTH SESSION OF THE WCPFC TECHNICAL AND COMPLIANCE COMMITTEE ON WCPFC-TCC6-2010/09 REV. 1 (SUPPLEMENTARY INFORMATION ON THE 2009 FAD CLOSURE FROM AVAILABLE OBSERVER DATA)**

1. Chair, I wish to make an observation on the paper prepared by SPC on the 2009 FAD closure. The paper concludes that the “base on the available data, there is evidence of FAD involvement and the use of lights to aggregate fish to the vessel during the 2009 FAD closure, along with a greater proportion of unassociated sets beginning in the 0400-0600 hours time period. There is also some evidence of a higher than normal percentage of bigeye in unassociated sets during the FAD closure, perhaps as a result of the use of lights, drifting overnight with FADs and subsequent early morning sets”.
2. Chair, PNA questioned a FAD closure in 2009 because the necessary arrangements and regulations were not clear, so that some of the issues reached in the papers conclusion could have been avoided. It is therefore erroneous to believe the 2009 FAD closure was a failure. It is the failure of the Commission and TCC to have in place regulations that would have ensured greater clarity on the definition of FADs and when and where sets can be made.
3. It is for this reason that PNA developed specific rules for our waters and then submitted Regulations adopted by the Commission as CMM 2009-02 which addresses a large number of real and potential loopholes including: -
  - i) A very clear and comprehensive definition of a FAD to address attempts by some to interpret CMM 2008-01 to exclude some forms of floating objects.

- ii) Specifying a minimum distance of 1 nautical mile from a FAD at all times during the set to address attempts to fish “near” but not “on” FADs.
- iii) Clarifying that any activity to attract fish to a vessel, such as using lights is prohibited.
- iv) Specific rules to control FAD retrieval in response to suggestions that some vessels took FADs from the water in order to catch aggregated fish.

4. Chair, PNA remains committed to the FAD closure. We have taken comprehensive steps to ensure that it is a robust measure. We applaud the Commission for taking up our proposal in CMM 2009-02. There is a real need for flag States to ensure that their vessels know of, and comply with these rules.

5. Finally Chair, at their 27<sup>th</sup> Annual Meeting in 2008, PNA agreed in principle on the proposal to apply *bans on FAD fishing in PNA EEZs for an additional 3 months for purse seine fleets which flag State operates longline vessels which catch in excess of 4,000MT of bigeye annually*. We are flagging to TCC that this is a step we are working on.