



**Commission for the Conservation and Management of  
Highly Migratory Fish Stocks in the Western and Central Pacific Ocean**

**Northern Committee  
Fifth Regular Session**

**Nagasaki, Japan  
7–10 September 2009**

**SUMMARY REPORT**

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**SUMMARY REPORT**

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**AGENDA ITEM 1 — OPENING OF MEETING**

1. The Fifth Regular Session of the Northern Committee (NC5) took place in Nagasaki, Japan, from 7–10 September 2009. The meeting was attended by members from Canada, Cook Islands, Japan, Republic of Korea, Chinese Taipei, United States of America (USA), and Vanuatu. The list of meeting participants, including observers, is included in Attachment A.

**1.1 Welcome**

2. Masanori Miyahara, Chair of the Northern Committee (NC), opened the meeting and welcomed participants to Nagasaki Prefecture, which had extended an invitation to hold the 2009 Session of the NC in Nagasaki City. The Governor of Nagasaki Prefecture, Mr Genjiro Kaneko, presented a welcome address.

**1.2 Adoption of agenda**

3. The provisional agenda, as amended, was adopted (Attachment B). The documents that supported the meeting were made available on the Western and Central Pacific Fisheries Commission (WCPFC) website.

**1.3 Meeting arrangements**

4. Japan, as host of NC5, briefed the meeting of social arrangements and the meeting schedule.

**AGENDA ITEM 2 — CONSERVATION AND MANAGEMENT MEASURES**

**2.1 Report from the 9<sup>th</sup> International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean**

5. Gary Sakagawa, Chair of the International Scientific Committee (ISC), introduced the ninth

meeting report of the ISC (ISC9) to NC5. He summarized ISC's accomplishments during 2008–2009 and provided an update on stock status and conservation advice for Pacific bluefin, albacore, swordfish and ISC-related work on striped marlin, blue marlin and sharks. He reviewed data and information gaps, including a biological research proposal that is presented under Agenda Item 4. He advised that the ISC plenary also considered administrative matters relating to the WCPFC/ISC memorandum of understanding (MoU), the requirement for consideration of a peer review procedure as recommended by the Independent Review of Interim Arrangements for Science Structure and Function, and also logistical and administrative requirements support for ISC's work, which are further considered below under Agenda Item 6.

6. A summary of stock status, conservation advice and issues arising from working group and ISC9 discussions during the year was then provided to NC5.

### **Pacific bluefin tuna**

7. Yukio Takeuchi (Japan) reported on the stock status and conservation advice of Pacific bluefin tuna from the ISC9 plenary in July 2009. After the Fourth Regular Session of the Northern Committee (NC4), ISC's Pacific bluefin working group concluded that the natural mortality (M) of adults is likely to be higher than the value used in the 2008 stock assessment, and identified one alternative M schedule for a new sensitivity analysis. Results of the new run were presented to NC5, describing the instability of the management benchmark, including biological reference points with respect to small perturbations of adult M. Nevertheless, most of the conclusions from ISC8 regarding stock status remain compatible with the new run, with a new M with few exceptions. With regard to conservation advice, there are two different opinions on future fishing mortality, and ISC was unable to reach a single consensus. One opinion is that fishing mortality (F) should not be increased, and the other is that juvenile fishing mortality should be decreased.

8. NC5 discussed the implication of changing M estimates for mature fish, noting that the change resulted in a more favorable outcome concerning stock status. The change had been considered as a result of improved understanding of Pacific bluefin age and growth, reproductive biology and maximum age. However, the M used in the analysis represented preliminary estimates and so further research is required.

9. Korea requested that future stock assessment advice from ISC to the NC be presented in the form of a Kobe chart. In response, Yukio Takeuchi advised that this could be done but that first the NC needed to determine the limit and target reference points. The selection of the reference point will determine the trend in F and spawning stock biomass (SSB) trajectories as well as stock status relative to overfishing and overfished reference points. In response to a question from Korea, Yukio Takeuchi further explained that recruitment is related to localized environmental conditions. Also it appears that recruitment has been stronger and less variable since the mid-1990s relative to the situation that persisted in the 1980s. He suggested that the relationship between environmental conditions and recruitment could be the subject of future research.

### **North Pacific albacore**

10. Gary Sakagawa summarized ISC's results of the albacore stock assessment that was carried out by ISC's Albacore Working Group under the leadership of its new Chair, John Holmes. The latest stock assessment was completed in 2006 with data up to 2005. No new stock assessment has been conducted

since then, and a full stock assessment is planned for 2011. A qualitative analysis with limited fishery data for 2008 and 2009 was undertaken in 2008 and 2009 to determine levels of recent recruitment, and to assess the continued existence of historical high levels of recent adult biomass that were identified in the 2006 assessment. The analyses proved to be inconclusive; hence, ISC has no new stock status and conservation advice to offer beyond that provided in 2007 (i.e. current F is high relative to most of the F reference points commonly used in fisheries management and hence, the recommendation of not increasing F from current level [F= 0.75] is still valid). The ISC, however, recognizes that not having available a more recent stock assessment increases the uncertainty about recent stock status and this advice.

11. ISC completed work in 2009 on determining  $F_{SSB-ATHL}$  associated with the average level of the 10 historically lowest years for the albacore SSB over the last 40 years.  $F_{SSB-ATHL}$  is 0.75/year, which is the same as was estimated by the 2006 assessment as the current F level. Work was requested by the NC which has adopted this F-based parameter as an interim biological reference point. The ISC, however, requested clarification from the NC as to whether this interim reference point is a limit or a target reference point. If it is a limit reference point, then the NC needs to further consider the 50% probability limit it has chosen for this parameter; if it is the target reference point, then the NC needs to further consider the decision regarding appropriateness.

12. USA expressed concern about the length of time between stock assessments, given the importance and apparent status. In response to a suggestion that the NC consider a regular assessment schedule, the Chair noted that the International Commission for the Conservation of Atlantic Tunas (ICCAT) schedules a stock assessment every four years with a mid-term review. The ISC Chair noted that he had encouraged ISC to establish a regular three-year assessment schedule but that this had not been accepted. He noted that it would not be possible for ISC to produce an assessment for North Pacific albacore in 2010.

### **Bycatch species**

13. The ISC Chair reported that ISC plans to convene a session of its Bycatch Working Group in order to give consideration to sharks. However, there is still some uncertainty within ISC about whether sharks should be considered bycatch or target species. He also noted that ISC currently has insufficient resources to address many bycatch issues, although sea turtles and seabirds will receive attention in future years (see Agenda Item 2.4.2).

### **North Pacific swordfish**

14. The ISC Chair reported on the results of ISC's 2009 North Pacific swordfish stock assessment on behalf of Gerard DiNardo, Chair of ISC's Billfish Working Group. He noted that the assessment was based on two stock structure hypotheses. One hypothesis, which proposes that there is a single homogeneous stock in the North Pacific, was used as a reference because previous stock assessments were based on this hypothesis. The second hypothesis, which proposes that there are two stocks — a western and central Pacific Ocean (WCPO) stock and an eastern Pacific Ocean (EPO) stock — in the North Pacific with little or no mixing between them, is the preferred hypothesis because most stock structure evidence so far supports this hypothesis.

15. Available data for 1951–2006 were suitable for conducting the stock assessment with a Bayesian surplus production model (BSPM). Results using the single stock hypothesis indicate that the

maximum sustainable yield (MSY) is 19,100 mt, and the exploitable biomass has been well above this. The estimated harvest rate has been well below the average harvest rate of 34% at MSY. The harvest rate for 2006 was 13%.

16. The ISC Chair summarized the results as follows: Available stock structure evidence supports the two-stock hypothesis and not the single stock hypothesis. Available data are most suitable for conducting a stock assessment with a BSPM. Results of the assessment using the BSPM indicate that the exploitable biomass for both stocks has been above the biomass at MSY, and the harvest rate has been below that required for MSY. The current (2006) estimated harvest rates for the stocks are below the harvest rates at MSY, and projections of these harvest rates to 2010 produced exploitable biomass above the biomass at MSY. The ISC Chair concluded that both swordfish stocks in the North Pacific are healthy and well above levels required to sustain recent catches.

17. The ISC Chair advised that genetic studies had concluded that there are two stocks of swordfish in the North Pacific. He also noted that data from the Spanish longline fleet operating in the EPO were not available to the assessment but that the amount of catch by that fleet was relatively small and was not expected to impact the assessment in a significant way.

### **North Pacific striped marlin**

18. The ISC Chair, on behalf of the Chair of the ISC Billfish Working Group, reported on ISC's work with regard to stock status and conservation advice for North Pacific striped marlin. He reported that the ISC is planning to conduct a full stock assessment in 2011 after completing its 2007 assessment. He informed participants that updated catches of striped marlin for the period 1952–2006, continues to show a downward trend since the late 1960s. Based on catch statistics, most of the biomass (about two-thirds or more) in the North Pacific is located north of 20°N, and the trend in F on spawning fish (i.e. ages 5 years and older) has been increasing, reaching a peak in 2003, the last year estimated by the 2007 assessment. The estimated SSB has declined sharply since the early 1970s and was at a historical low in 2005.

19. ISC believes that the 2007 assessment provides the best available information on the stock status of North Pacific striped marlin, and that the conservation advice provided in 2007 is still valid. That is, overall F for striped marlin should be reduced. The degree of reduction should be guided by the biological reference point selected by management authorities, which should consider the population biology of this species and the characteristics of the fisheries. Until such an action is adopted, F should not be increased.

## **2.2 Report of the Fifth Regular Session of the Scientific Committee**

20. The Chair of WCPFC's Scientific Committee (SC), Naozumi Miyabe, presented a summary report on the outcomes of the Fifth Regular Session of the SC (SC5) in relation to the NC's work (see WCPFC-NC5-NC5-2009/IP06).

21. In response to a query from the USA, the Chair of WCPFC's SC advised NC5 that the SC has not established a schedule of assessments for target stocks. He noted that yellowfin and albacore had been assessed in 2009 and that bigeye was subject to a streamlined assessment. He advised NC5 that, in 2010, skipjack and bigeye would be subject to full assessments.

22. Japan noted the combined impact of fisheries in tropical areas for skipjack, and remarked that oceanographic variability may be resulting in changes in the stock distribution in the northwest Pacific and the availability of the stocks to fishing fleets. It was noted that, at SC5, Japanese researchers and the Oceanic Fisheries Programme of the Secretariat of the Pacific Community had agreed to cooperate on the 2010 skipjack assessment so that such changes would be accommodated in the assessment.

23. In response to a request by the SC for the ISC to frame its management advice using common MSY-based reference points until decided otherwise, the ISC Chair responded that in ISC's view, it is up to the management body, in this case the NC, to determine which default reference points to use. He noted that, for North Pacific albacore, the interim reference point adopted is SSB, but it was unclear if this was intended to be a limit or a target reference point.

24. With regard to the availability of ISC documents, the ISC Chair advised that the timely provision of documents for ISC meetings faced similar challenges as those experienced by WCPFC's SC, and that documents were rarely available well in advance of meetings. It was noted that while there had been improvement in posting reports of ISC's working groups and its plenary on the ISC website, the availability of documents supporting working group and plenary discussions remained an issue.

## **2.3 Conservation and management measures for northern stocks**

### **2.3.1 Pacific bluefin tuna**

25. NC5 noted that:

WCPFC5 agreed that CCMs [i.e. WCPFC Members, Cooperating Non-members and participating Territories] are requested not to increase the level of fishing mortality on Pacific bluefin in 2009 on a voluntary basis, and tasked NC5 to work toward developing a draft CMM [conservation and management measure] for Pacific bluefin for consideration at WCPFC6.

26. The WCPFC Chair invited CCMs to report on the voluntary action taken during the last 12 months to not increase the level of fishing effort on Pacific bluefin.

27. Japan reported that it had initiated consultation with a wide range of stakeholders in order to raise awareness about international perceptions concerning responsible fisheries management, and requested industry to constrain effort. A PowerPoint presentation was used to profile fisheries in Japan that are taking Pacific bluefin. Japan reported that purse-seine fishing associations had implemented a voluntary measure to not catch Pacific bluefin tuna that are less than 2 kilograms. Japan acknowledged that this is hard to regulate in mixed schools, but that vessels were encouraged to relocate away from fishing grounds where small tuna were encountered. Informal information suggests that the measure was well implemented and resulted in a substantial reduction in juvenile fish catches.

28. In response to a question from Korea regarding whether or not any domestic regulations have been implemented, and whether or not any juveniles have been taken in set nets, Japan replied that the measure by purse-seine associations to not catch Pacific bluefin tuna is voluntary, and that set net fisheries are regulated under an existing licensing system. The existing data demonstrate that juvenile bluefin are not taken in set nets because set nets take larger fish. Korea also noted that bluefin catches by small Japanese longliners had quadrupled from 2007 to 2008. Japan responded that the catch from



these vessels is declining, and that they target adult bluefin. The bluefin tuna's variable migration path poses a challenge to introducing a catch limit; therefore, there is significant variability in catch from one year to another, probably as a result of environmental changes. Japan reported that bluefin catches declined substantially in 2009. Japan is uncertain what level of catch is gauged to be a "normal" year, and stated that it is not possible, as this point, to forecast the 2009 total catch.

29. Korea explained that its bluefin market is small and that it does not currently regulate fisheries on a species-by-species basis. It also noted that there is no concept of bycatch. The government does regulate the number of licenses by gear type, and is conducting a programme to reduce the number of licenses. In addition, a total allowable catch is set for mackerel purse-seine fisheries that also take Pacific bluefin. Korea explained that several types of fisheries take bluefin tuna: purse seine, coastal set net, and troll fisheries, for which the statistics on bluefin are poor. The Busan-based Research Institute currently estimates catches on the basis of market surveys, although enhanced monitoring of port landings is under development. Korea will report on the results of these efforts at the next ISC meeting. In 2008, the total estimated catch for purse seiners was 1,536 mt, an increase from 1,054 mt in 2007. No data are available on catches from other fisheries, which mainly consist of set nets with the possibility of some catch taken by other fishing gear, as reported to ISC.

30. Japan recalled that the discussion regarding a CMM for Pacific bluefin began at NC2, appealing to Korea to demonstrate to the international community its commitment to participate in NC efforts to establish sustainable measures for Pacific bluefin. Korea reiterated that, in Korean law there is no concept of bycatch or target species. Current bluefin catch levels are small, accounting for less than 1% of the total catch of Korean purse seiners, and so are considered bycatch. Korea noted that the catch level around the Korean peninsula is increasing, and that Korean fishermen want to pursue opportunities to catch bluefin. Japan noted that in 2003, Korea reported a catch of 2,000 mt, which was 10% of the total bluefin catch. As a result, in Japan's view, Korea has a significant role in conserving and managing the stock. Japan recalled ISC's advice that F should not be increased; therefore, in its view, the Korean government's policy of supporting the development of coastal fisheries for bluefin is not consistent with this advice. Korea recognized its right to develop and manage fisheries within waters under national jurisdiction, and expressed a desire to control bluefin fisheries within Korea's exclusive economic zone (EEZ) by itself. Japan stated that when observing the operational basis of purse seiners, these vessels do target bluefin tuna. Korea advised that it had no available information to confirm the observation that Korean purse seiners target bluefin tuna, but would submit information to NC6 on this matter.

31. NC5 noted: i) the principle of compatibility, ii) the need to implement measures that secure conservation and management of the stock throughout its range within the WCPFC Convention Area, and iii) Convention provisions requiring that measures within EEZs do not undermine the CMMs put in place by WCPFC.

32. Chinese Taipei reported that many small longline fisheries were fishing for Pacific bluefin from March to July, and that there is limited entry control for this fishery. The number of small longliners fishing for Pacific bluefin in 2008 was less than the number in 2002–2004. Size data for over 90% of landings in domestic ports were measured and collected. Catches of Pacific bluefin by larger longliners (>100 gross registered tons) were less than 1 mt last year. Only insignificant amounts of bluefin are taken by other gear types. Chinese Taipei has an ongoing programme of limiting fishing capacity, and all longliners operating on the high seas are installed with a vessel monitoring system for better monitoring purposes.

33. The USA reported that it does not have a target fishery for Pacific bluefin. Following a query from Korea concerning a reduction in recreational Pacific bluefin catches since 2004, the USA responded that the catch reduction could be a result of the fish being intercepted in Mexican waters before they reach the fishing grounds of the USA recreational fleet.

34. NC5 noted that the preliminary 2008 catch estimate for Mexico (as reported to ISC) was 4,400 mt. The Chair noted that an invitation had been extended to Mexico to participate in ISC and NC discussions but Mexico had been unable to attend. It was also reported that recent exports of Mexican farmed bluefin had received low prices on the Japanese market, and that this might constrain further expansion of bluefin farming enterprises in Mexico.

35. Vanuatu reported no bluefin catches.

36. In considering conservation and management options, NC5 noted that the conservation advice from ISC for Pacific bluefin remained unchanged, and is as follows.

1. If  $F$  remains at the current level, and if environmental conditions remain favorable, recruitment should be sufficient to maintain the current yield well into the future.
2. A reduction in  $F$  in combination with favorable environmental conditions, should lead to a greater spawning potential ratio.
3. Increases in  $F$  above the current level, and/or unfavorable environmental conditions, may result in recruitment levels that are insufficient for sustaining the stock's current productivity.

37. With regard to advice on the current level of  $F$ , differing viewpoints were expressed by ISC members. Some members concurred with the findings of the Pacific Bluefin Working Group, which stated that:

4. Given the conclusions of the May–June 2008 stock assessment with regard to the current level of  $F$  relative to potential target and limit reference points, and residual uncertainties associated with key model parameters, it is important that the current level of  $F$  is not increased.

38. In contrast, other members suggested that the following statement better reflects the current understanding of the stock status relative to the range of reference points considered (Fig. 1 in ISC9 Report).

- 4bis. Given the conclusions of the July 2009 Pacific Bluefin Working Group, the current level of  $F$  relative to potential biological reference points, and increasing trend of juvenile  $F$ , it is important that the current [sic] level of  $F$  is decreased below the 2002–2004 levels on juvenile age classes.

39. NC5 noted that the conservation and management advice points 4 and 4bis are not inconsistent with each other. Both points describe limiting  $F$ , with the second option advising on the need to decrease current  $F$  on juvenile fish. The USA noted that even with a decrease of  $F$  on juveniles the overall  $F$  is still greater than any commonly used reference point, including  $F_{\max}$ . As a result, it is the USA's view that  $F$  should not be increased and should probably be reduced.

40. NC5 discussed a draft CMM for North Pacific bluefin tuna proposed by Japan

(WCPFC-NC5-2009/DP01). Discussion was supported by a supplementary submission by Japan, which summarized NC discussions since 2006 with regard to Pacific bluefin (WCPFC-NC5-2009/IP07). It was noted that four elements need to be factored into the measure: i) high seas effort, ii) coastal fisheries effort, iii) target fisheries, and iv) fisheries that take bluefin as bycatch. Other factors considered for inclusion included: i) acceptance of a reference level of fishing effort (2002–2004 was considered to be an appropriate reference level on the basis of previous NC discussions), ii) a commitment that the measure apply throughout the stock's range, iii) the need to provide complete catch and effort data, and iv) identification of stock-specific reference points, v) large range of yearly fluctuations of catches, and vi) the special needs of artisanal fisheries.

41. Korea advised that it is not in a position to endorse Japan's proposal to a commitment not to increase effort. However, Korea undertook to control fishing effort in its own EEZ, and to not increase effort in the high seas. Little or no Pacific bluefin catch has been reported from the high seas fishery. In the meantime, Korean scientists will continue working to assess the stock's status and monitor environmental changes that may be resulting in increased catches.

42. Cook Islands, Vanuatu and Chinese Taipei advocated the need to maintain  $F$  at the current (2002–2004) level. The USA expressed concern about the relative lack of substantive measures endorsed by the NC during its four years of operation. While appreciating Japan's proposal, the USA noted that there is a need to address: i) the issue of increasing  $F$  on juveniles, and ii) freezing  $F_{\text{current}}$  (2002–2004) as the reference period for measuring  $F$  (for the purpose of monitoring compliance with management measures). The USA recommended that there should be a process to establish stock-specific reference points, consistent with Convention provisions for bluefin tuna. The NC5 Chair agreed that it is a requirement for regional fisheries management organizations to establish stock-specific reference points, and that the NC should consider making a commitment to this.

43. NC5 adopted a measure for 2010 that will not apply to Korea's EEZ or to artisanal fisheries, which will be recommended to the Commission (WCPFC-NC5-2009/DP01 Rev.2; Attachment C).

### **2.3.2 North Pacific albacore**

44. In providing NC5 with a brief overview of albacore fisheries, the USA reported that its main albacore fleet is on its west coast and that the size of the fleet has been decreasing. A licensing and logbook system is in place for this fleet. Chinese Taipei reported that the limit on the number of vessels targeting North Pacific albacore is 25. In 2007 and 2008, the number of vessels targeting this species declined. Korea reported that the current number of vessels operating in the fishery cannot be increased, while Japan reported that the number of vessels in its albacore fleet is declining. Cook Islands reported that the number of its vessels fishing for North Pacific albacore is limited to the number of vessels that operated in the period 2002–2004. Canada noted that its albacore fishery is a limited entry fishery, and that its effort has been decreasing. In fact, Canada has not had a recent presence in this fishery in the Convention Area. The WCPFC Secretariat reminded NC5 of the six-monthly and annual reporting obligations with regard to CMM 2005-03, and noted that there was significant room for improvement in reporting as required by this CMM. CCMs made a commitment to comply with the required data submission schedule.

45. NC5 discussed the establishment of a regular assessment schedule for stocks under the mandate of the NC. The USA and Canada proposed that regular assessments occur on no more than a three-year cycle, noting that the lack of timely stock status advice to the NC could lead to unnecessarily harsh

measures imposed on the fishery. Japan, recalling the schedule in place in ICCAT, noted that there is currently no budget to support ISC stock assessment work, and that ISC working groups already have a demanding work load. While agreeing that the ISC needs to be adequately resourced, the USA considered that it is the ISC's role to provide scientific information to support NC's work, and that the ISC needs to tailor its schedule to meet the requirements of the NC, and not vice versa. It was also noted that resourcing ISC needed to be addressed at two levels: i) the national level, to support the contribution of scientists to the work of ISC, and ii) the ISC level, to support its coordination and advisory function.

46. NC5 recalled that NC4 had discussed possible revisions to CMM 2005-03, and received a proposal for additional amendments from the USA for consideration at NC5.

47. Tom Graham (USA) introduced a proposal for further revising CMM 2005-03, including amendments to the proposal that was tabled at NC4. The revisions include a stipulation that the reporting would be for the Convention Area, and that a reporting schedule would be established. The proposal calls for collaboration with the Inter-American Tropical Tuna Commission (IATTC), possibly through participation in the proposed IATTC working group tasked with developing an operational definition of "current levels". The proposal also provides for measures of either organization to be implemented uniformly across the North Pacific, assuming the CMM of each organization is the same. The proposal further calls for identifying explicit reference benchmark levels of effort, reporting for each fleet or fisheries, and implementing control and monitoring mechanisms.

48. While acknowledging that there are differences between fisheries, the USA stressed the need for a standardized definition of current fishing effort, noting that the ISC assessments are based on  $F_{\text{current}}$  and refer to the 2002–2004 period. The USA reported that the IATTC has established a working group to define  $F_{\text{current}}$ , and recommended that ISC and NC representatives participate in the working group. Because albacore is a pan-Pacific stock, there is a real need for collaboration between the IATTC and WCPFC on management and conservation efforts. The USA also reminded NC5 of the appeal from the ISC to determine if the interim management objective proposed at NC4 is a limit or target reference point. Both the USA and Canada feel it is a limit reference point.

49. Japan considered that, apart from poor reporting, CMM 2005-03 worked well. Japan advised that it supported a large part of some aspects of the proposal, but was cautious about too many changes to existing CMMs. Japan considered the baseline for CMM 2005-03 to be 2002–2004, and stated that if those dates are accepted, no change to the baseline would be required. Japan also noted that the next assessment is due in 2011, and suggested that the NC should wait for that assessment before reviewing CMM 2005-03. In addition, establishing the same measures between IATTC and WCPFC may be difficult because of different characteristics of each organization and the region under their management.

50. The ISC Chair requested clarification on the probability of the reference point being exceeded. Canada referred to WCPFC-NC5-2009/IP09, which relates to the precautionary approach, and reiterated that a 50% probability of the reference point being exceeded is not consistent with the precautionary approach. A more appropriate level is 95%, which would avoid the possibility of the reference point being exceeded. Japan was of the view that NC4 had agreed to an interim reference point with an associated probability of 50%, and that should be maintained, because using a target reference point as a limit reference point based on  $F_{2002-2004}$  may be too cautious.

51. The USA disagreed, stating that 50% would not be sufficiently precautionary. The USA reiterated that the proposed reference point was a limit reference point. The USA noted that the current stock assessment is several years old and that there were indications that the current F is below the reference point. The USA appealed to NC5 to consider the image of the NC, both within the WCPFC and the international community, where it needs to demonstrate responsible management.

52. Cook Islands noted that the revised proposal put forward by the USA attempts to develop standardized measurements of effort that it (Cook Islands) would support, primarily because the standardization of effort enables more direct relationships to be drawn between effort and fishing mortality. In developing these relationships, management arrangements can potentially be modified to meet reference points or change recruitment into the fishery based on the most recent scientific advice.

53. Vanuatu noted that all members need to accurately advise the WCPFC on effort levels, which can then be monitored and potential analytical work be undertaken to assess the measure's effectiveness.

54. NC5 discussed the shortcomings of using ambiguous terms such as "current levels" (of fishing effort) in CMMs, such as the North Pacific albacore CMM. Participants agreed that in any future CMM that the NC recommends to WCPFC should avoid using such ambiguous terms and instead use clear and explicit baselines or benchmarks.

55. NC members concurred in their understanding that as long as the substantive requirements of IATTC's resolution on North Pacific albacore and the WCPFC's CMM on North Pacific albacore are the same, CCMs may choose to implement the requirements of paragraph 2, and their obligations under the IATTC resolution on North Pacific albacore without regard to the boundary between the respective areas of competence of the WCPFC and the IATTC.

56. NC5 adopted a draft CMM to replace CMM 2005-03 for North Pacific albacore, and will submit this to the WCPFC for adoption (Attachment D).

### **2.3.3 North Pacific swordfish**

57. NC5 considered no action for North Pacific swordfish at this session, although some CCMs suggested that the current stock status presents the NC with an opportunity to establish reference points in a situation where there is apparently no need to reduce fishing mortality.

## **2.4 Conservation and management measures for other species**

### **2.4.1 Bigeye and yellowfin tuna**

58. In introducing this item, Japan referred to paragraphs 9 and 39 of CMM 2008-01, which relate to NC areas of interest. In particular, Japan sought the support of NC members to encourage the WCPFC to ensure that bigeye and yellowfin tuna effort is not transferred from other regions of the Convention Area to the North Pacific, and asked NC members not to increase the capacity of "other commercial" fisheries for highly migratory species.

59. In relation to paragraph 39, it was noted that SC5 had not received any proposals from CCMs for reporting effort levels for other commercial fisheries to the WCPFC. The NC encouraged CCMs to

address this shortfall when reporting to the WCPFC on these fisheries.

#### **2.4.2 Sharks**

60. Japan noted that the NC currently has no competence to formulate recommendations for sharks even though there are fisheries for shark in the North Pacific. Despite this, if there are concerns about the status of shark stocks there is no reason why the NC cannot bring this to the attention of the WCPFC.

61. The views of CCMs differed with regard to tasking ISC with additional assessments. The USA noted that the recent session of the SC had received an assessment for blue shark but that this assessment was four years old. The USA considered that the ISC was already under-resourced and that its focus should be on albacore and Pacific bluefin. Japan, on the other hand, supported a request that ISC undertake shark assessment work.

62. NC5 agreed that, on condition that the schedule for assessments of albacore and Pacific bluefin would not be delayed, the ISC be tasked with considering assessments for mako and blue shark but with no timetable associated with these assessments. Any such work would be undertaken in collaboration with the SC to avoid duplication.

63. NC5 also noted the recommendation from SC5, which was that silky shark be re-instated as a key shark species for inclusion in CMM 2008-06.

#### **2.4.3 Seabirds**

64. NC5 noted that a discussion on seabirds would be taken up elsewhere in the Commission.

#### **2.5 Working group on striped marlin**

65. The USA (Tom Graham on behalf of Gerard DiNardo) briefed NC5 on the NC's informal working group on striped marlin. He noted that the working group had met twice in 2009, which resulted in a draft work plan to be implemented over a two- to three-year period. The working group sought clarification on: i) membership, ii) who it reports to, iii) who is responsible for reviewing the working group's work, and iv) who will provide funding to support the working group. NC5 noted that: i) a portion of SC's work programme covered striped marlin, ii) there is need to coordinate the efforts of the NC and SC with regard to striped marlin, and iii) the names of working group members would be submitted to the group's Chair.

#### **2.6 Skipjack in the North Pacific**

66. Japan introduced the discussion on the apparent changes in skipjack distribution in Japan's coastal waters in recent years. Japan noted that there are four skipjack migration routes along Japan's east coast, and that these are areas where trolling and pole-and-line fishing activities take place. Since 2000, skipjack catches by troll vessels have declined significantly from approximately 4,500 mt/year to 1,000 mt/year. Japan noted several possible reasons for this, including oceanographic changes or impacts from more tropical fisheries. Japan proposed that the SC undertake research into this, and that the results of that research be included in future skipjack assessments.

### **AGENDA ITEM 3 — REGIONAL OBSERVER PROGRAMME**

67. Japan introduced the discussion on the Regional Observer Programme (ROP), recalling a requirement for the 2010 annual session of the NC to make a recommendation to WCPFC on implementing the ROP by vessels fishing for fresh tuna in the area north of 20<sup>0</sup>N (WCPFC-NC5-2009/WP01). Japan noted that there was little intersessional activity by the working group established at NC4, but that it would like to see some sustained effort in 2010 to help support the preparation of a proposal for submission to the 2010 session of WCPFC. Japan noted that i) small vessels with less than six crew members account for 30% of the fishing effort by Japanese vessels in the region under consideration, ii) high seas operations of these vessels cannot be forecast in advance, and iii) most of these vessels are controlled by a family, and not a company. It is Japan's view that these small-scale operations could not sustain the cost of ROP deployments. In addition, Japan noted that the catch of these fleets is unloaded at local ports and so can be monitored at ports of unloading. Japan reiterated that it is not proposing to substitute a 5% observer coverage rate with a 5% port sampling rate, and that it intends to make a serious effort to achieve a 5% observer coverage rate.

68. Chinese Taipei advised that it still has concerns on the elements and implementation of the ROP, but that it agreed to work with the working group.

69. NC5 agreed to reinvigorate the work of the intersessional group in the remainder of 2009 and 2010, noting that while the majority of the work would be undertaken by email, opportunities to meet in the margins of meetings should also be taken advantage of.

### **AGENDA ITEM 4 — DATA**

#### **4.1 Review of the status of data and data gaps for northern stocks**

70. The Chair of ISC's Statistics Working Group, Eric Chang, provided a review of ISC discussions on data gaps and a multilateral research proposal to address data gaps, which would reduce uncertainties in stock assessments (WCPFC-NC5-2009/IP03). Data gaps identified by ISC9 included: i) biological data for key species, ii) fisheries data from non-ISC members, and iii) fisheries data from ISC members. The ISC adopted a 2010 work plan, which includes a reporting procedure that provides an indication of the status of data submission by members to ISC. In relation to fisheries data from non-ISC members, it was noted that data for North Pacific albacore, Pacific bluefin, swordfish and marlin in the South Pacific and eastern Pacific are not currently available for ISC assessments. The ISC Chair has been charged with securing cooperation of the relevant regional fisheries management organizations in accessing these data. With regard to biological data (age, growth and maturity data), it was noted that current biological parameters are based on research from up to 40 years ago. As a result, ISC proposes to establish a multilateral research effort to address issues associated with the lack of current biological data in an effort to reduce uncertainties in current stock assessments. The plan was estimated to cost US\$434,000 for an integrated three-year programme.

71. NC's Chair re-stated the need to establish some financial support to ISC. He also considered the proposal to audit compliance with annual data submission obligations to be a useful development that should be supported.

## **AGENDA ITEM 5 — FUTURE WORK PROGRAMME**

### **5.1 Northern Committee work programme for 2010–2013**

72. The NC revised its work programme for 2010–2013 (Attachment E). Additions and changes included:

- Request a report from the WCPFC Secretariat for NC6 on compliance with data submission obligations for each CCM;
- Request the USA, on behalf of the Chair of the striped marlin working group, to convene a discussion in the margins of the Fifth Regular Session of the Technical and Compliance Committee and the Sixth regular Session of the WCPFC (WCPFC6) with the view of preparing a draft interim CMM for striped marlin for WCPFC6's consideration;
- Request WCPFC's Executive Director to write to IATTC about efforts to develop a CMM for Pacific bluefin and North Pacific albacore, promoting harmonization of measures to the extent possible; and
- Convene a two-day workshop prior to NC6 on reference points for NC stocks. This would be followed by a four-day meeting of the NC.

73. In addition the NC noted:

- ISC's intention to schedule an assessment for striped marlin in 2011;
- the comprehensive biological research proposal prepared by the ISC, which was estimate to cost US\$434,000; and
- the request from the striped marlin working group for US\$150,000 to support its two- to three-year work programme.

## **AGENDA ITEM 6 — COOPERATION WITH OTHER ORGANIZATIONS**

### **6.1 International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean**

#### **Proposed revision to ISC/WCPFC MoU**

74. The WCPFC Secretariat advised the NC that the revised MoU had been prepared at the request of WCPFC5.

75. NC5 agreed that the scientific structure involving ISC should be unchanged, although transparency of ISC work should be enhanced through i) data exchange, ii) inviting SC representatives to its meetings, iii) strengthening the website, and iv) data administration. NC5 decided to recommend to WCPFC that the existing MoU between it and ISC remain unchanged at this stage.

#### **Assistance to ISC**

76. NC5 agreed that CCMs could elect to provide voluntary support to the ISC in 2009–2010. Well in advance of ISC10 the WCPFC Secretariat will prepare and circulate a draft administrative arrangement to support financial contributions from NC CCMs, based on the WCPFC's existing contributions formula that could be applied to the scientific work that ISC undertakes on behalf of the NC. Priority activities identified by the ISC include: i) data administration, ii) website administration, iii) albacore sampling, and iv) a comprehensive multilateral biological research proposal.



## **Data harmonization**

77. The WCPFC Secretariat reported that SC5 had adopted a work programme that involved preparing existing data inventories, identifying data gaps, and considering procedures to harmonize data inventories in the broader WCPFC and ISC to be undertaken in advance of ISC10. The results of these efforts will be reported to NC6.

78. Japan, Chinese Taipei, Korea and the USA considered it time to examine the feasibility of establishing all of the WCPFC's data management functions in the Commission Secretariat in Pohnpei. The USA added that if this was to be considered, it could only occur if the Secretariat received adequate resources from CCMs to effectively support that function. WCPFC's Executive Director responded that this was considered during PrepCon when the principles of avoiding duplication by using the services provided by existing institutional arrangements were agreed to. In addition, an assessment of the effectiveness and efficiency of existing arrangements for data administration were included in the terms of reference of the Independent Review of Interim Arrangements for Science Structure and Function. The conclusion of the review was that existing arrangements were efficient and cost effective. NC5 decided that further consideration of this issue should occur at the Commission level.

## **Peer review**

79. SC5's Chair, Naozumi Miyabe, noted the recommendations of the Independent Review of Transitional Arrangements for Science Structure and Function relating to the peer review of ISC and SC stock assessments. It was noted that several options had been proposed by SC5 for both ISC and SC assessments. Japan considered the ISC process to be quite different from the SC assessment process, and that a form of peer review was already accommodated for within the ISC process. The WCPFC Secretariat noted that the concept presented in the Independent Review was for an independent review, and not one to be undertaken by those directly involved in the assessments. NC5 requested ISC10 to further consider this matter.

## **Proposed revision of the MoU with the Secretariat of the Pacific Community**

80. NC5 noted that the proposed changes to the MoU with the Secretariat of the Pacific Community (i.e. to provide for a three-year arrangement) had been adopted by SC5. Japan suggested an amendment to the proposed MoU (Attachment F) in order to avoid duplication of work between ISC and the Secretariat of the Pacific Community. Korea and Chinese Taipei supported the proposal. The USA does not agree with this proposal. However NC5 agreed to send the proposal to the WCPFC for its consideration in December 2009.

## **81. Proposed MoU with the North Pacific Anadromous Fish Commission**

82. The NC endorsed the proposed MoU with the North Pacific Anadromous Fish Commission.

## **6.2 Inter-American Tropical Tuna Commission**

83. NC5 approved the proposed data exchange protocol with IATTC for consideration by WCPFC.

## **AGENDA ITEM 7 — OTHER MATTERS**

### **7.1 Administrative arrangements for the NC**

#### **7.1.1 Secretariat functions and costs**

84. NC5 deferred further consideration of this agenda item to a future session of the NC.

#### **7.1.2 Rules of procedure**

85. NC5 deferred further consideration of this agenda item to a future session of the NC.

### **7.2 Next meeting**

86. The provisional dates for NC6 will be 8–11 September 2010 in Japan, at a venue to be determined. The meeting will be preceded by a two-day workshop on reference points for northern stocks.

### **7.3 Other business**

87. NC5's Chair noted that two key NC members were not in attendance. A request will be sent to all NC CCMs to encourage their active participation in NC work.

## **AGENDA ITEM 8 — REPORT TO THE COMMISSION**

### **8.1 Adoption of the report of the Fifth Regular Session of the Northern Committee and recommendations to the Commission**

88. NC5 adopted the Summary Report of its Fifth Regular Session.

## **AGENDA ITEM 9 — CLOSE OF MEETING**

### **9.1 Close of meeting**

89. The Chair of NC5 stated his appreciation to participants for the successful conclusion of the meeting. The meeting closed on Thursday, 10 September 2009.



**Commission for the Conservation and Management of  
Highly Migratory Fish Stocks in the Western and Central Pacific Ocean**

**NORTHERN COMMITTEE  
FIFTH REGULAR SESSION**

**Nagasaki, Japan  
7–10 September 2009**

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**ATTACHMENTS**

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- Attachment A — Participants list**
- Attachment B — Meeting agenda**
- Attachment C — Conservation and management measure for Pacific bluefin tuna**
- Attachment D — Conservation and management measure for North Pacific albacore**
- Attachment E — Northern Committee work programme for 2009–2013**



**Northern Committee  
Fifth Regular Session**

**Nagasaki, Japan  
7–10 September 2009**

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**Northern Committee  
Fifth Regular Session**

**Nagasaki, Japan  
7–10 September 2009**

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**AGENDA**

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**AGENDA ITEM 1. OPENING OF MEETING**

- 1.1 Welcome**
- 1.2 Adoption of agenda**
- 1.3 Meeting arrangements**

**AGENDA ITEM 2. CONSERVATION AND MANAGEMENT MEASURES**

- 2.1 Report from the 9th ISC**
- 2.2 Report of the Fifth Regular Session of the Scientific Committee (SC5)**
- 2.3 Conservation and management measures for the northern stocks**
  - 2.3.1 Northern Pacific Bluefin**
  - 2.3.2 North Pacific Albacore**
  - 2.3.3 North Pacific Swordfish**
- 2.4 Conservation and management measures for other species**
  - 2.4.1 Bigeye and yellowfin tuna**
  - 2.4.2 Sharks**
  - 2.4.3 Seabirds**
- 2.5 WG on striped marlin**
- 2.6 Skipjack tuna**

**AGENDA ITEM 3. REGIONAL OBSERVER PROGRAMME**

**AGENDA ITEM 4. DATA**

- 4.1 Review of the status of data and data gaps for northern stocks**

**AGENDA ITEM 5. FUTURE WORK PROGRAMME**

- 5.1 Work Programme for 2010-2013**

**AGENDA ITEM 6. COOPERATION WITH OTHER ORGANIZATIONS**

- 6.1 ISC**
- 6.2 IATTC**
- 6.3 Review of interim arrangements for scientific structure and function**

**AGENDA ITEM 7. OTHER MATTERS**

- 7.1 Administrative arrangements for the Committee**
  - 71.1 Secretariat functions and costs**
  - 7.1.2 Rules of Procedure**
- 7.2 Next meeting**
- 7.3 Other business**

**AGENDA ITEM 8. REPORT TO THE COMMISSION**

- 8.1 Adoption of the Summary Report of the Fifth Regular Session of the Northern Committee and recommendations to the Commission**

**AGENDA ITEM 9. CLOSE OF MEETING**

- 9.1 Closing of the meeting**



**Northern Committee  
Fifth Regular Session**

**Nagasaki, Japan  
7–10 September 2009**

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**DRAFT CONSERVATION AND MANAGEMENT MEASURE FOR PACIFIC BLUEFIN TUNA**

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**Draft CMM 2009-xx**

The Western and Central Pacific Fisheries Commission (WCPFC),

*Recognizing* that members of the Northern Committee have made an effort, on a voluntary basis, not to increase the fishing mortality rate of northern Pacific bluefin tuna,

Recalling that the WCPFC5 tasked the Northern Committee to work toward developing a draft CMM for the stock for consideration at the WCPFC6;

*Taking account of* the conservation advice from the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) on this stock which highlighted that the favorable environment conditions and relatively high recruitment in the recent years sustained the current productivity of the stock and that it is important not to increase the current level of F, while reducing juvenile F,

*Also recognizing* that the trend of spawning stock biomass has been influenced substantially by the annual level of recruitment and that collecting of fisheries data in an accurate and timely manner is critically important for the proper management of this stock, and

*Further recalling* that paragraph (4), Article 22 of the WCPFC Convention which requires cooperation between the Commission and the IATTC to reach agreement on an adjustment of CMMs for fish stocks such as northern Pacific bluefin tuna that occur in the Convention Areas of both organizations,

Adopts, in accordance with Article 10 of the WCPFC Convention that:

1. The interim management objective for Pacific bluefin tuna is to ensure that the current level of fishing mortality rate is not increased in the Convention Area. Initially, control over fishing effort will be used to achieve this objective as follows:
2. The Commission Members, Cooperating Non-Members and participating Territories (hereinafter referred to as CCMs) shall take measures necessary to ensure that total fishing effort by their vessels fishing for northern Pacific bluefin tuna in the area north of the 20 degrees north shall not be increased from the 2002-2004 level for 2010, except for artisanal fisheries. In taking such measures, CCMs shall take account of the need to reduce the effort on juvenile (age 0-3) to the 2000-2004 level. The measures in this paragraph shall not be applied to the Korean EEZ.
3. CCMs shall also take measures necessary to strengthen data collecting system for the northern Pacific bluefin tuna fisheries in order to improve the data quality and timeliness of data reporting;
4. CCMs shall report to Executive Director by 31 July 2010 measures they implement paragraphs 2 and 3 above. Korea shall provide ISC 10 and NC 6 with a report on its fisheries involving bluefin tuna catches;
5. The Northern Committee shall annually review reports CCMs submit pursuant to paragraph 4 above as well as the ISC advice on fishing mortality and status of the stock and consider, if necessary, further measures with particular attention to the recent trend of increasing fishing mortality rate on ages 0–3 fish;
6. The WCPFC Executive Director shall communicate this Conservation Management Measure to the IATTC Secretariat and its contracting parties whose fishing vessels engage in fishing for northern Pacific bluefin tuna and request them to take similar measures in conformity with paragraphs 2 and 3 above; and
7. To enhance effectiveness of this measure, CCMs are encouraged to communicate with and, if appropriate, work with the concerned IATTC contracting parties bilaterally.
8. The provisions of paragraph 2 shall not prejudice the legitimate rights and obligations under international law of those small island developing State Members and participating territories in the Convention Area whose current fishing activity for northern Pacific bluefin tuna is limited, but that have a real interest in fishing for the species, that may wish to develop their own fisheries for northern Pacific bluefin tuna in the future.
9. The provisions of paragraph 8 shall not provide a basis for an increase in fishing effort by fishing vessels owned or operated by interests outside such developing coastal State, particularly Small Island developing State Members or participating territories, unless such fishing is conducted in support of efforts by such Members and territories to develop their own domestic fisheries.





**Northern Committee  
Fifth Regular Session**

**Nagasaki, Japan  
7–10 September 2009**

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**DRAFT CONSERVATION AND MANAGEMENT MEASURE  
FOR NORTH PACIFIC ALBACORE**

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**Conservation and Management Measure-2005-03 (as revised at NC5, 7-10 September 2009)**

The Western and Central Pacific Fisheries Commission (WCPFC),

*Observing* that the best scientific evidence on North Pacific albacore from the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean indicates that the species is either fully exploited, or may be experiencing fishing mortality above levels that are sustainable in the long term, and

*Recalling further* Article 22(4) of the WCPFC Convention that provides for cooperation with the IATTC regarding fish stocks that occur in the Convention Areas of both organizations and

*Recognizing* that the Inter-American Tropical Tuna Commission (IATTC) adopted, at its 73<sup>rd</sup> meeting, conservation and management measures on North Pacific albacore;

Adopts, in accordance with the Article 10 of the WCPFC Convention that:

1. The total level of fishing effort for North Pacific albacore in the Convention Area north of the equator shall not be increased beyond the 2002-2004 average level.
2. The Members, Cooperating Non-Members and participating Territories (hereinafter referred to as CCMs) shall take necessary measures to ensure that the level of fishing effort by their vessels fishing for North Pacific albacore in the WCPF Convention Area is not increased beyond 2002-2004 average levels.
3. All CCMs shall report all catches of albacore north of the equator to the WCPFC every six months, except for small coastal fisheries, which shall be reported on an annual basis. Such data shall be reported to the Commission as soon as possible and no later than one year after the end of the period covered.

4. All CCMs shall report annually to the WCPFC Commission all catches of albacore north of the equator and all fishing effort north of the equator in fisheries directed at albacore. The reports for both catch and fishing effort shall be made by gear type. Catches shall be reported in terms of weight. Fishing effort shall be reported in terms of the most relevant measures for a given type, including at a minimum for all gear types, the number of vessel-days fished. The report for a given calendar year shall be due on April 30 of the subsequent year. Reports for each of the years 2004 through 2009 shall be due on 30 April 2010.
5. The Northern Committee shall, in coordination with International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean and other scientific bodies conducting scientific reviews of this stock, including the WCPFC Scientific Committee, monitor the status of North Pacific albacore and report to the Commission on the status of the stock at each annual meeting, and make such recommendations to the Commission as may be necessary for their effective conservation.
6. The Commission shall consider future actions with respect to North Pacific albacore based on recommendations of the Northern Committee.
7. The CCMs shall work to maintain, and as necessary reduce, the level of fishing effort on North Pacific albacore within the Convention Area commensurate with the long-term sustainability of the stock.
8. The WCPFC Executive Director shall communicate this CMM to the IATTC and request that the two Commissions engage in consultations with a view to reaching agreement on a consistent set of conservation and management measures for North Pacific albacore, and specifically, to propose that both Commissions adopt as soon as practicable uniform conservation and management measures and any reporting or other measures needed to ensure compliance with agreed measures.
9. The provisions of paragraph 2 shall not prejudice the legitimate rights and obligations under international law of those small island developing State Members and participating territories in the Convention Area whose current fishing activity for North Pacific albacore is limited, but that have a real interest in, and history of, fishing for the species, that may wish to develop their own fisheries for North Pacific albacore in the future.
10. The provisions of paragraph 9 shall not provide a basis for an increase in fishing effort by fishing vessels owned or operated by interests outside such small island developing State Members or participating territories, unless such fishing is conducted in support of efforts by such Members and territories to develop their own domestic fisheries.
11. For the purpose of evaluating implementation of paragraph 2, CCMs shall report to the Executive Director no later than 30 April 2010 the following information:
  - a. a list of their specific fisheries or fleets they have determined to be “fishing for” North Pacific albacore in the Convention Area; and
  - b. a description of the particular measures, as well as monitoring mechanisms, they have established to ensure that fishing effort in each of the fisheries or fleets does not increase above 2002-2004 average levels.

12. For the purpose of evaluating implementation of paragraphs 2–4, the Secretariat shall compile all the reports submitted under paragraphs 3 and 4 and present the compilation to the sixth regular session of the Northern Committee.
13. This Measure replaces CMM 2005-03.



**Northern Committee  
Fifth Regular Session**

**Nagasaki, Japan  
7–10 September 2009**

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**WORK PROGRAMME FOR THE NORTHERN COMMITTEE  
(as Revised by the Fifth Regular Session)**

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Work areas	5-year objectives	1-year tasks				
	2009–2013	2009	2010	2011	2012	2013
<b>1. Northern stocks</b> a. Monitor status; consider management action	Review status and take action as needed for: <sup>1</sup> North Pacific albacore	Obtain and review ISC advice in light of interim management objective and consider the need for management action.	Obtain scientific advice and make recommendations for both limit and target reference points.	Obtain and review a full assessment.		

<sup>1</sup> In the event that the Western and Central Pacific Fisheries Commission, in accordance with paragraph 5 of Annex I of the Commission Rules of Procedure, adds additional stocks, such as the northern stock of striped marlin, to the list of stocks understood to be “northern stocks”, this work programme will be revised to include periodic status reviews and consideration of management action for such stocks.

Work areas	5-year objectives	1-year tasks				
	2009–2013	2009	2010	2011	2012	2013
b. Data	Pacific bluefin tuna	Review reports from CCMs on their domestic management measures, consider advice of ISC and consider management action.	Review reports from CCMs as well as report from Korea on their domestic management measures, consider advice of ISC on F and consider management action for 2011 and after.		Obtain and review a full assessment	
	Swordfish	Obtain and review complete assessment (ISC) and consider management action.	Obtain scientific advice and make recommendations for both limit and target reference points.			
	Striped marlin (if agreed by the SC and WCPFC).	Review outcomes of the working group to consider alternative management options. CCMs report on voluntary constraints in relation to fishing mortality rate (i.e. catch or effort)	Obtain scientific advice and make recommendations for both limit and target reference points.	Obtain and review a full assessment		
	Achieve timely submission of complete data needed for assessments, formulation of measures, and review of WCPFC decisions	CCMs participating in the NC submit complete data on fisheries for northern stocks to WCPFC  Encourage submission to WCPFC of Pacific bluefin data from all CCMs and make	Review outcomes of the working group to consider alternative management options. CCMs report on voluntary constraints in relation to fishing mortality rate (i.e. catch or effort)  CCMs participating in the NC submit complete data on fisheries for northern stocks to WCPFC  Encourage submission to WCPFC of Pacific bluefin and North Pacific albacore			

Work areas	5-year objectives	1-year tasks				
	2009–2013	2009	2010	2011	2012	2013
<b>2. Non-target, associated, dependent species</b>	Consider systems to validate catch data	available to ISC	data from all CCMs and make available to ISC			
	a. Seabirds Consider appropriate implementation of methods to minimize catch and mortality.	Review implementation of CMM-2007-04 in the northern area	Review implementation of CMM-2007-04 in the northern area			
	b. Sea turtles Consider appropriate implementation of methods to minimize catch and mortality.	Review mitigation research results and consider management action	Review mitigation research results and consider management action			
	c. Sharks Consider appropriate implementation for CMM-2006-05 in the northern area.	Review implementation for CMM-2006-05 in the northern area.	Review implementation for CMM-2006-05 in the northern area.  Review scientific advice from ISC, if any, and consider management options on five shark species (blue, oceanic whitetip, mako, thresher and silky).	Review scientific advice from ISC, if any, and consider management options on five shark species (blue, oceanic whitetip, mako, thresher and silky).		

Work areas	5-year objectives	1-year tasks				
	2009–2013	2009	2010	2011	2012	2013
<b>3. Review effectiveness of decisions</b>	Annually review effectiveness of conservation and management measures and resolutions applicable to fisheries for northern stocks	Review effectiveness of North Pacific albacore measure (CMM 2005-03), including members' reports on their interpretation and implementation of fishing effort controls  Review effectiveness of Pacific bluefin tuna measure.	Review effectiveness of North Pacific albacore measure (CMM 2005-03), including members' reports on their interpretation and implementation of fishing effort controls  Review effectiveness of Pacific bluefin tuna measure.			
<b>4. Cooperation with other organizations</b> a. ISC			Consider and establish a mechanism to support ISC.			
b. IATTC	Following article 22.4, consult to facilitate consistent management measures throughout the respective ranges of the northern stocks	Have consultation to maintain consistent measures for North Pacific albacore and North Pacific bluefin tuna	Have consultation to maintain consistent measures for North Pacific albacore and North Pacific bluefin tuna			

(Draft)

Japan's Comments on the proposed MOU between WCPFC and SPC  
(Attachment C of WCPFC-NC5-2009/IP-04)

**REVISED MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE COMMISSION FOR THE CONSERVATION AND MANAGEMENT OF HIGHLY  
MIGRATORY FISH STOCKS IN THE WESTERN AND CENTRAL PACIFIC OCEAN  
AND  
THE SECRETARIAT OF THE PACIFIC COMMUNITY**

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (hereinafter referred to as “the Western and Central Pacific Fisheries Commission” or “the Commission”) and the Secretariat of the Pacific Community (hereinafter referred to as “the SPC”):

**Recognising** that the Commission is required to, *inter alia*:

- adopt measures to ensure long-term sustainability of highly migratory fish stocks in its Convention Area and promote the objective of their optimum utilisation;
- ensure that such measures are based on the best scientific evidence available and are designed to maintain or restore stocks at levels capable of producing maximum sustainable yield, as qualified by relevant environmental and economic factors, including the special requirements of developing States in the Convention Area, particularly small island developing States, and taking into account fishing patterns, the interdependence of stocks and any generally recommended international minimum standards, whether subregional, regional, or global;
- assess the impacts of fishing, other human activities and environmental factors on target stocks, non-target species, and species belonging to the same ecosystem or dependent upon or associated with the target stocks;
- adopt measures to minimise waste, discards, catch by lost or abandoned gear, pollution originating from fishing vessels, catch of non-target species, both fish and non-fish species (hereinafter referred to as non-target species) and impacts on associated or dependent species, in particular endangered species and promote the development and use of selective, environmentally safe and cost-effective fishing gear and techniques;



- protect biodiversity in the marine environment;
- take measures to prevent or eliminate over-fishing and excess fishing capacity and to ensure that levels of fishing effort do not exceed those commensurate with the sustainable use of fishery resources;
- collect and share, in a timely manner, complete and accurate data concerning fishing activities on, *inter alia*, vessel position, catch of target and non-target species and fishing effort, as well as information from national and international research programs;
- establish a committee (the Scientific Committee) to ensure that the Commission obtains for its consideration the best scientific information available through review of research results, encouraging and promoting cooperation in scientific research and assessing status of target or non-target stocks of interest;
- establish a committee (the Technical and Compliance Committee), that is required to collaborate with the Scientific Committee in providing advice and making recommendations to the Commission on conservation and management measures; and
- establish a committee (the Northern Committee) to make recommendations on the implementation of such conservation and management measures as may be adopted by the Commission for the area north of the 20° parallel of north latitude and on the formulation of such measures in respect of stocks which occur mostly in this area;

**Noting** also that the Commission:

- may engage the services of scientific experts to provide information and advice on the fishery resources covered by its Convention and related matters that may be relevant to the conservation and management of those resources;
- may enter into administrative and financial arrangements to utilise scientific services for this purpose; and
- in order to carry out its functions in a cost-effective manner, shall, to the greatest extent possible, utilise the services of existing regional organisations and shall consult, as appropriate, with any other fisheries management, technical or scientific organisation with expertise in matters related to the work of the Commission;

**Recognising** that the SPC, through the work of its Oceanic Fisheries Programme (hereinafter referred to as “the OFP”), seeks to:

- ensure that regional and national fisheries management authorities in its region of competence have access to high-quality scientific information and advice on the status of, and fishery impacts on, stocks targeted or otherwise impacted by regional oceanic fisheries;
- ensure that regional and national fisheries management authorities within its region of competence have access to accurate and comprehensive scientific data on fisheries targeting the region’s resources of tuna, billfish and other oceanic species including non-target species; and
- improve the understanding of pelagic ecosystems in the western and central Pacific Ocean, with a focus on the western tropical Pacific;

**Noting** also that the OFP, in pursuing these objectives, has, over a long period of time:

- developed and maintained a comprehensive database of catch, effort, size composition and other biological data from the oceanic fisheries of the western and central Pacific Ocean;
- conducted biological and ecological research on the target and non-target species impacted by the fisheries and their ecosystem;
- conducted regular stock assessments and associated analyses for highly migratory stocks of interest;
- provided a forum for the exchange of knowledge of oceanic fisheries in the western and central Pacific Ocean through the precursor to the Scientific Committee, the Standing Committee on Tuna and Billfish, and thus has an established international and regional network of scientific collaborators; and
- assisted SPC member countries that are also Members of the Commission in the management of oceanic fisheries through the implementation of fishery monitoring and data management systems, the provision of scientific advice and the provision of national capacity building;

**Have agreed as follows:**

### **General Co-operation**

The Commission and the SPC agree to establish and maintain co-operation in respect of matters of common interest to the two organisations. In particular, the Commission and the SPC will:

- i. encourage reciprocal participation in relevant meetings of each organisation;
- ii. encourage the collaboration of national scientists in the scientific work undertaken by, or on behalf of, the Commission;
- iii. actively and regularly exchange relevant meeting reports, information, project plans, documents, and publications regarding matters of mutual interest, up to the limits allowed by the information-sharing policies agreed by each organisation's members; and
- iv. consult on a regular basis to enhance co-operation and minimise duplication.

### **Provision of Scientific Services to the Commission by the SPC OFP**

The SPC OFP will provide scientific services, in cooperation with other scientists, as appropriate, including those from Members of the Commission, as agreed in triennial Service Agreements, specific services of which shall be reviewed on an annual basis. Services may include, *inter alia*, the following, but shall exclude the services for northern stocks as well as by catch covered by ISC:

- i. data management services, including, as appropriate, the collection, compilation and dissemination of fisheries data according to agreed principles and procedures established by the Commission, data processing, and database development and maintenance, taking full account of the procedures and policies of both organisations relating to the confidentiality, disclosure and publication of data;

- ii. data summaries and analyses that the Commission may routinely require to carry out its functions;
- iii. other data summaries and analyses that the Commission may require from time to time;
- iv. regional stock assessments of key target and non-target species;
- v. ecosystem analyses, including developing ecosystem modelling and application to management, ecological risk assessment and related work;
- vi. scientific evaluation of potential management options, agreed conservation and management measures and related work;
- vii. scientific advice in relation to the implementation of the Commission's vessel monitoring system, regional observer programme or other initiatives relating to fishing gear and technology, as appropriate; and
- viii. design and implementation of biological, ecological or stock assessment research programmes requested by the Commission, including collaborative research programmes with other regional fishery management organisations.

### **Provision of Assistance to Commission Members**

In support of Article 30 of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, the SPC will provide assistance to its Pacific Island Members to enhance their participation in the work of the Commission. Assistance may include, *inter alia*:

- i. assistance in monitoring the fishing activities of national fleets and foreign fleets fishing within Pacific Island exclusive economic zones;
- ii. assistance in data management, and in particular in satisfying the data reporting obligations to the Commission;
- iii. auditing of national fishery monitoring and data management systems;
- iv. assistance in the interpretation of scientific information being provided to the Commission;
- v. scientific advice for the management of national fisheries consistent with the objectives of the Commission; and
- vi. assistance in the implementation of management measures adopted by the Commission.

### **Financial Support**

The Commission will provide financial support for the provision of scientific services and for the provision of assistance to Commission members as agreed in this Service Agreement.

In respect of assistance to Pacific Island Commission Members, such assistance will normally be provided by SPC funding sources, or from the Commission's Special Requirements Fund, subject to procedures agreed by the Commission governing the use of that Fund and to the Commission's strategy for capacity building and operationalizing Article 30 of the Convention. Where assistance is to be funded from the Commission's Special Requirements Fund, this shall be included in the Service Agreement. In special circumstances, assistance may also be requested for non-Pacific Island Commission

Members. Such assistance will be funded by the Commission (in which case it will be detailed in the Service Agreement) or directly by the countries concerned.

### **General Administrative Arrangements**

- i. This MOU becomes effective upon the date of signature of the responsible representatives of both Parties.
- ii. This MOU may be modified by written consent of the responsible representatives of both Parties. The modified MOU becomes effective upon the date of signature of such consent.
- iii. If any dispute should arise between the Parties on the operation of this MOU, the Parties will make every effort to resolve the dispute themselves, or if necessary, by utilising a mutually-acceptable arbiter.
- iv. Either Party may terminate this MOU by providing written notice to the other of its intention to withdraw from the MOU. Termination shall be effective on 31 December of the year in which such notice is given, or 90 days following such notice, whichever is later. Upon termination of the MOU, any uncommitted funds provided for scientific services and assistance shall be refunded to the Commission.
- v. A full review of the terms and operation of this MOU and its Annexes will be conducted in concert with any review of the scientific structure and functions of the Commission.

### **Signature**

Signed on behalf of the Western and Central Pacific Fisheries Commission and the Secretariat of the Pacific Community:

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Andrew Wright  
Executive Director, WCPFC  
Date:

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Dr Jimmy Rogers  
Director General, SPC  
Date:

