



SIXTH REGULAR SESSION
Papeete, Tahiti, French Polynesia
7-11 December 2009

**PROPOSED AMENDMENTS TO CONSERVATION AND MANAGEMENT MEASURE 2004-01
RECORD OF FISHING VESSELS AND AUTHORISATION TO FISH**

WCPFC6-2009/DP10
7th November 2009

Proposal by FFA Members



FFA

November 6th 2009

Mr Andrew Wright
Executive Director
Western and Central Pacific Fisheries Commission
PO Box 2356
Kolonia, Pohnpei State
Federated States of Micronesia
Andrew.wright@wcpfc.int

Dear Mr Wright,

**PROPOSED AMENDMENTS TO CONSERVATION AND MANAGEMENT MEASURE 2004-01
RECORD OF FISHING VESSELS AND AUTHORISATION TO FISH**

I write this letter on behalf of the seventeen members of the Pacific Islands Forum Fisheries Agency to advise that we will be seeking amendments to paragraph 12 of CMM 2004-01.

Enclosed is the rationale for our proposal and the FFA proposed amendments. We seek your assistance to include this attachment as a delegation paper to WCPFC 6.

Yours sincerely

Mr Brendon Pasisi
FFC CHAIR

cc. Ambassador Satya Nandan, WCPFC Chair, satya.n.nandan@gmail.com
cc. Dr Lara Manarangi-Trott, FFA WCPFC Coordinator and Policy Advisor, lara.manarangi-trott@ffa.int

AMENDMENT TO PARAGRAPH 12 OF CMM 2004-01
WCPFC RECORD OF FISHING VESSELS AND AUTHORISATION TO FISH

PROPOSAL BY FFA MEMBERS

Over the last few years a number of fishing vessels have been detected fishing in the WCPF Convention Area without being listed on the WCPFC Record of Fishing Vessels.

Such activity is a breach of CMM 2004-01 and such vessels are eligible under the provisions of CMM 2007-03 for listing on the Commission's IUU Vessel List.

To date, the flag CCMs involved have advised that the vessels had been properly authorised before fishing in the Convention Area but that due to administrative or communication problems the vessels have not made it onto the WCPFC Record. In other words – the fault is with the flag CCM or with the Secretariat but not the fault of the vessels, and for this reason it would be unfair to place the vessels on the WCPFC Record of Fishing Vessels.

There may be exceptional situations where administrative error or communication problems results in a vessel not being placed on the Record. Nonetheless, the proposed amendment is designed to put the responsibility squarely onto the flag CCM to ensure their flagged vessels are on the WCPFC Record before fishing. In doing so, it should create the necessary incentives for flag CCMs to tidy up their processes for authorisation of vessels and transmitting the necessary vessel information to the Commission.

The proposed amendment also clarifies that if the flag CCM has not placed the vessel in question on the WCPFC Record of Fishing Vessels, the vessel is eligible for IUU listing.

12. It is the responsibility of each member of the Commission to ensure that its fishing vessels have been placed on the WCPFC Record of Fishing Vessels in accordance with the requirements of this measure, and any vessel not included in the WCPFC Record of Fishing Vessels shall be deemed not to be authorized to fish for, retain on board, transship or land highly migratory fish stocks in the Convention Area beyond the national jurisdiction of its flag State. Each member of the Commission shall prohibit such activities by any vessel entitled to fly its flag that is not included on the Record and shall treat a violation of this prohibition as a serious violation. Such vessels shall be eligible to be considered for IUU listing.