



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

PARTIES TO THE NAURU AGREEMENT – OPENING STATEMENT

WCPFC6-2009/DP23
7 December 2009

**Statement by Chair of the PNA, Honourable Taberannang Timeon,
Minister for Fisheries and Natural Resources Development, Kiribati**

1. Mr. Chairman, distinguished Commission Members, Observers,
2. It is my privilege to make this statement on behalf of the 8 members of the Parties to the Nauru Agreement, also known as the PNA.
3. Allow me to convey warm greetings from the governments and the people of the eight member countries of the Parties of the Nauru Agreement to Commission members and extend to our brothers and sisters from these isles of French Polynesia, our sincere appreciation for their generous hospitality.
4. Mr. Chairman, congratulations on your election as Chair of the Commission. We have no doubt you will guide our journey well over the years. As a well travelled son of the Pacific, you bring to the position enormous experience and wisdom. We certainly look forward to working closely with you and Commission members to arrive at mutually acceptable outcomes.
5. We thank your predecessor, Glen Hurry under whose leadership the Commission was able to develop robust measures to discharge its responsibilities. We are deeply appreciative of his efforts.
6. Mr. Chairman, times have changed and we are working towards reshaping our fisheries relations. We have had a long relationship with many of the flag States, associations and vessel operators represented here. However, the economic benefits from the use of our increasingly valuable resources have been declining and our participation in the fishery has been limited
7. For these reasons, the PNA has changed its approach to the development of our tuna industry and its relationship with flag States, vessel operators and associations, focusing on

processors and trading companies in recognition of their key role in this global tuna industry. We have seen little benefit accruing from our long term relationship with flag States, fishing associations, and vessel operators. Traditional development partners have shown little interest in developing our fisheries, employing our nationals on their vessels, and landing their catch in our ports and processing plants in order for us to maximise the economic gains from this fishery. Mr. Chairman, we strongly believe that the status quo is neither equitable nor sustainable. The PNA will develop more innovative relationships with processors and generally broaden our relationships.

8. In order to facilitate this new approach, we agreed to establish the PNA Office which will begin operations in Majuro, Marshall Islands on 1 January 2010. The PNA Office will enhance the role of the PNA in developing strategic fisheries conservation and management initiatives, and also develop initiatives to maximise the sustained direct and indirect benefits to us.

9. Mr. Chairman, we have been at the forefront of the development of conservation and management measures even before this Commission was established. These include the Palau Arrangement for the Management of the Western Pacific Purse Seine Fishery under which the Vessel Day Scheme was developed. Following the failure of the Commission to adopt conservation and management measures for bigeye and yellowfin tuna in December 2007, we agreed to the 3rd Implementing Arrangement through which measures, in respect of purse seine vessels, were prescribed for a 3 months FAD Closure, 100% observer coverage, retention of all fish caught, and the closure of the two high seas pockets in the central Pacific. In this respect, we continue to be concerned about the ongoing impact of high seas fishing on bigeye stocks by distant water longliners and purse seiners. We are also concerned that the high seas continue to provide a safe haven for IUU fishing. To respond to these concerns we have agreed to undertake further work to close additional high seas areas and are working on the development of a longline VDS which will be implemented by the end of 2010, as stated in the Bikenibeu Declaration.

10. Mr. Chairman, we want to see the Commission focus its application of measures on the high seas. It is our understanding following the discussions at WCPFC5 on jurisdictional matters, combined with clear advice from the Commission's Legal Adviser that a large part of this issue had been resolved. Unfortunately, the record of that meeting was amended to change the advice and the outcome of the discussion. We are therefore keen to ensure that our views are well understood and accurately reflected in the record of this meeting.

11. Mr Chairman, we believe the Commission's mandate is not in areas under sovereignty. We view this as being consistent with the legal advice that was provided to the

Commission. We are not prepared to accept any attempt to apply Commission measures to archipelagic waters or territorial seas, with the possible exception of port State measures, which we will assess on a case by case basis.

12. Article 7 of the Convention clearly states that the principles and measures for conservation and management shall be applied by coastal States within their EEZs in the exercise of their sovereign rights. In this regard, we believe that several measures impinge on those sovereign rights in ways that are neither appropriate, nor necessary, and we will be taking steps to redress these in the future. For instance, CMM 2004-01 could be interpreted as removing our ability to license alternative development partners to fish in our EEZs in a way that is inconsistent with those sovereign rights and this is an issue that we will be giving attention to in the near future.

13. In turn Mr. Chair, we will continue to work with the Commission to play an effective role in such areas as research and stock assessment, high seas management and the development of effective and robust high seas monitoring, control and surveillance measures.

14. Mr. Chairman, we look forward to working with you and other Commission members at this session of the Commission.

15. In closing, let me bestow upon us all on behalf of all the eight PNA member countries, my country's traditional blessing of Te Mauri, Te Raoi ao, Te Tabomoa, translated as Health, Peace and Prosperity.

BIKENIBEU DECLARATION BY MINISTERS FOR FISHERIES OF THE PARTIES TO THE NAURU AGREEMENT

Securing greater value from their common fisheries wealth

Fisheries Ministers of the Parties to the Nauru Agreement concerning Co-operation in the Management of Fisheries of Common Interest (hereinafter referred to as the "PNA") met in Bikenibeu, Tarawa, Republic of Kiribati on 21 October 2009;

RECALLING the Nauru Agreement concerning Co-operation in the Management of Fisheries of Common Interest 1982 establishes a framework for the Parties to secure greater economic benefits from the tuna resources and co-ordinate and harmonise the management of common fish stocks for the benefit of their peoples;

FURTHER RECALLING the Palau Arrangement for the Management of Western Pacific Purse Seine Fishery 1992, the Federated States of Micronesia Arrangement for Regional Access 1995 and subsidiary agreements developed by the Parties to strengthen the management of their common fish stocks;

EXPRESSING disappointment at the lack of participation of Pacific Islands nationals in the harvesting and utilisation of their tuna resources and the low level of economic benefits resulting from the exploitation of their tuna resources by distant water fishing nations;

REITERATING the special aspirations of small-island developing States that their common tuna resources should be developed for the benefits of their peoples;

COMMITTING to the enhanced participation by the Parties in the development of their common tuna resources to maximise the economic benefits for their peoples

FURTHER COMMITTING to developing strong and effective conservation and management measures to ensure the long term sustainability of their common tuna resources;

DESIRING to ensure regional solidarity in the management of their common tuna resources and underlining their commitment to regional co-operation and strength through cooperation with other members of the Pacific Islands Forum Fisheries Agency;

AGREEING to additional institutional arrangements to strengthen the management and conservation of their common tuna resources for the benefits of their peoples and to develop innovative approaches to maximise the economic opportunities from the sustainable utilisation of these resources;

MINISTERS AGREED AS FOLLOWS: -

In order to secure greater economic benefits and control of their tuna resources, the PNA shall strengthen the institutional arrangements for their co-operation in the management and development of their shared fisheries resources through the establishment of additional mechanisms.

Establishment of the PNA Office

A. Ministers agreed to the establishment of the PNA Office in Majuro, Marshall Islands from 1 January 2010. The office shall have the functions of supporting the Parties amongst others to: -

- Develop strategic fisheries conservation and management initiatives for the Parties.
- Develop initiatives to maximise the sustained direct and indirect economic benefits to the Parties.

B. Ministers noted that the paper provided by Kiribati provided a basis for elaborating on the structure, functions and priorities of the PNA Office

Closure of additional high seas areas

Ministers noted the serious impact on the bigeye stock from fishing by distant water longliners and purse seiners in the high seas and that the high seas continues to provide a safe haven for IUU fishing. The Ministers agreed that further work will be taken on closures of additional high seas areas.

New PNA Initiatives

Ministers look forward to new PNA initiatives to generate increased benefits for their domestic economies from the region's tuna fisheries reflecting the importance of catches in their waters for global tuna supply. These include amongst others, refuelling in port, unloading catches in PNA ports and requiring vessels to have PNA nationals as crew.

PNA Longline Vessel Day Scheme

Ministers underlined the importance of the PNA Longline Vessel Day Scheme and noted progress towards its development and looks forward towards its implementation by the end of 2010.

Done at Bikenibeu, Tarawa, Republic of Kiribati this 21st Day of October Two Thousand and Nine

 Federated States of Micronesia	 Republic of Kiribati
 Republic of the Marshall Islands	 Republic of Nauru
 Republic of Palau	 Independent State of Papua New Guinea
 Solomon Islands	 Tuvalu