



COMMISSION
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Participatory Rights for Cooperating Non-Members - Report by Small Working Group

WCPFC9-2012-34
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0930hrs

Proposed report language for participatory rights for Cooperating Non-Members by the small working group on participatory rights for CNMS

In accordance with the WCPF Convention and its conservation and management measures and resolutions, the following limits apply to the participatory rights of Cooperating Non-Members (CNMs) for fisheries in the high seas within the WCPFC Convention Area.

In addition, unless otherwise specified below, CNMs may fish in waters under their national jurisdiction or other CCM's national jurisdiction, in accordance with appropriate bilateral arrangements. Such CNMs shall ensure vessels flying their flags comply with all provisions of the WCPF Convention and the WCPFC conservation and management measures. In addition, CNM vessels will be placed on the WCPFC Record of Fishing Vessels (WCPFC RFV). CCMs shall ensure that CNM fishing activities that are conducted in waters under their national jurisdiction in accordance with bilateral arrangements are consistent with all relevant conservation and management measures and provisions of the WCPF Convention. Renewal of CNM status by the Commission will be conditional on full compliance with the national laws and regulations of any licensing CCM, all conservation and management measures and provisions of the WCPF Convention. CCMs shall identify any violations by vessels flagged to a CNM and report on any investigations of such violations to the TCC.

The CNMs identified below provide assurances that they will comply with all requests from Commission Members for information and documentation to investigate cases of possible illegal fishing.

With respect to the Compliance Monitoring Scheme, the Commission will consider how the Compliance Monitoring Reports of CNMs relate to the consideration of granting CNM status or determining participatory rights during the process of developing responses to non-compliance.

The Commission advised CNMs to ensure that they meet the deadline for submission of applications for CNM status and meet all the obligations contained in CMM 2009-11. The Commission noted that failure to meet the above requirements could prejudice the future granting or renewal of CNM status.

WCPFC/IATTC Overlap Area

In accordance with the decision of WCPFC9 regarding the management of the overlap area south of 4°S and between 130°W and 150°W, vessels flagged to Belize, Ecuador, El Salvador and Mexico will be governed by the IATTC when fishing in the overlap area. Accordingly, the participatory rights for Belize, Ecuador, El Salvador and Mexico below apply to the WCPFC Convention Area excluding the overlap area.

In accordance with the Data Exchange MOU agreed by both Commissions, fishing vessels flying the flag of a member of either the IATTC or WCPFC shall cooperate with the RFMO

to which they are not a member by voluntarily providing operational catch and effort data for its fishing activities for highly migratory species in the overlap area.

For the purpose of investigation of possible IUU fishing activities and consistent with international and domestic laws, vessels flying the flag of a CNM that is a Contracting Party to the IATTC will cooperate with those coastal State members of the WCPFC whose EEZs occur in the overlap area by voluntarily providing VMS reports (date, time and position) to those coastal States when operating in the overlap area.

Belize

WCPFC9 approved the application for renewal of CNM status by Belize with the following participatory rights:

Belize's fishing activities in the Convention Area are limited to a longline bigeye catch of 803.25 mt and a longline yellowfin catch of 2,000 mt. Belize's fishing activities are further limited to the following:

- a. Under CMM 2010-05 in accordance with paragraph 1, Belize is limited to historical catch level for 2004 of two unique longliners in the Convention Area south of 20°S;
- b. Under CMM 2005-03 Belize is limited to the 2005 level of five unique longliners in the Convention Area north of the equator; and
- c. Under CMM 2006-04, Belize is limited to two unique longliners in the Convention area south of 15°S.

Democratic People's Republic of Korea

WCPFC9 approved the application for renewal of CNM status by the Democratic People's Republic of Korea with the following participatory rights:

The Democratic People's Republic of Korea has no participatory rights for fishing on the high seas for highly migratory fish stocks in the Convention Area.

Ecuador

WCPFC9 approved the application for renewal of CNM status by Ecuador with the following participatory rights:

The participatory rights of Ecuador for fishing in the WCPO are limited to purse seine fishing only. Ecuador has no participatory rights for fishing on the high seas for highly migratory fish stocks in the Convention Area.

El Salvador

WCPFC9 approved the application for renewal of CNM status by El Salvador with the following participatory rights:

The participatory rights of El Salvador for fishing in the WCPO are limited to purse seine fishing only. The total level of effort by purse seine vessels of El Salvador on the high seas shall not exceed 29 days in the Convention Area.

El Salvador expressed its appreciation to the Commission for the decision to renew its CNM status and noted that it intends to work with the Commission Secretariat to validate the data relating its purse seine effort in the high seas.

Indonesia

WCPFC9 approved the application for renewal of CNM status by Indonesia with the following participatory rights:

Indonesia's fishing activities in the Convention Area are limited to a longline bigeye catch limit of [5,889 mt (8,413 mt minus 30%)] and purse seine fishing on the high seas in the Convention Area is limited to 500 days.

WCPFC9 encouraged Indonesia to apply compatible measures within its archipelagic waters given the significance of these waters for juvenile yellowfin and bigeye catch. Indonesia noted that its participation in the Global Environment Facility (GEF) West Pacific East Asia Oceanic Fisheries Management (WPEA OFM) has assisted in improving data collection and Indonesia supports the extension of this project (WPEZ Phase II).

Indonesia expressed its appreciation to the Commission for the decision to renew its CNM status and informed the Commission that its ratification of the Convention was in its final stage and Indonesia hopes to deposit its instrument of ratification in the first quarter of 2013. Indonesia stated that, consistent with its position throughout the Multilateral High Level Conference (MHLC) and Preparatory Conference, it considers that WCPFC CMMs do not apply to archipelagic waters.

Mexico

WCPFC9 approved the application for renewal of CNM status by Mexico with the following participatory rights:

The Commission noted that Mexico participated in the work of the Northern Committee (NC) at NC8 in 2012 and, noting the need for cooperation with the work of the NC particularly in regard to Pacific Bluefin tuna, encouraged Mexico to continue to participate in the NC. The Commission advised that future renewals of Mexico's CNM status could be hampered if participation in the NC is not maintained.

Mexican participation in the WCPO tuna fisheries may not begin until all requested information and commitments have been provided to the WCPFC Secretariat in accordance with the Commission requirements. The participatory rights of Mexico for fishing in the WCPFC Convention Area are limited to purse seine fishing only. Mexico has no participatory rights for fishing on the high seas for highly migratory fish stocks in the Convention Area.

Panama

WCPFC9 approved the application for renewal of CNM status by Panama with the following participatory rights:

The participatory rights of Panama in the WCPO are limited to the provision of carrier and bunker vessels only.

Senegal

WCPFC9 approved the application for renewal of CNM status by Senegal with the following participatory rights:

The participatory rights of Senegal for fishing in the WCPO are limited to one unique longline vessel (the *Robaliera*). This vessel may only target swordfish and may only catch 154 mt of swordfish (as determined in accordance with CMM2009-03).

Saint Kitts and Nevis

WCPFC9 approved the application for renewal of CNM status by Saint and Nevis with the following participatory rights:

The participatory rights of Saint Kitts and Nevis in the WCPO are limited to the provision of carrier and bunker vessels only.

Thailand

WCPFC9 approved the application for renewal of CNM status by Thailand with the following participatory rights:

Noting the need for cooperation between Thailand and the Commission and the commitment from Thailand to provide data from canneries located in Thailand to assist in the work of the Commission, WCPFC9 agreed to grant CNM status to Thailand for 2013 on the understanding that Thailand will cooperate fully with the Commission in the acquisition and exchange of fishery information and data. The Commission notes the significant improvement in the provision of data from Thai canneries and encourages Thailand to continue to cooperate with the Commission to improve the acquisition and exchange of fishery information and data. The participatory rights of Thailand in the WCPO are limited to the provision of carrier and bunker vessels only.

Vietnam

WCPFC9 approved the application for renewal of CNM status by Vietnam with the following participatory rights:

Noting the need for continued cooperation between Vietnam and the Commission to achieve compatibility of fisheries management and conservation, as well as on the acquisition and exchange of fishery information and data, for which Vietnam would require assistance, WCPFC9 agreed to grant CNM status to Vietnam for 2013. The Commission notes the significant improvements in the collection and provision of data from Vietnam fisheries through the GEF WPEA project, administered by the WCPFC and encourages Vietnam to continue to cooperate with the Commission to improve the acquisition and exchange of fishery information and data. The participatory rights of Vietnam in the WCPO are limited to the provision of carrier and bunker vessels only.