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**EU & United States proposed CMM on FAD Data collection and analysis**

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**WCPFC9-2012-DP15 rev1**  
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## US/EU PROPOSAL FOR A CMM FOR THE MANAGEMENT OF FADS IN THE WCPFC CONVENTION AREA

The West Central Pacific Fisheries Commission (WCPFC),

*Mindful* of the legitimate rights and aspirations of small island developing States and of territories and possessions, and of their special requirements as recognised in Article 30 of the WCPFC Convention;

*Taking into account* the best available scientific information on the status of the bigeye, yellowfin and skipjack stocks;

*Committed* to the long term conservation and sustainable exploitation of fisheries in the WCPO;

*Understanding* that all fishing gears, including fish aggregating devices (FADs), have an impact on the stocks and the ecosystem and that such impacts should be fully assessed by members of the Commission;

*Agreeing* that to conduct stock assessments effectively, it is necessary for the Commission's scientific and technical experts to have access to and analyze the relevant data regarding such fisheries and gears and for Commission members to put in place measures as needed to collect such information in their fisheries;

*Acknowledging* that the Commission has adopted measures and information reporting requirements related to FAD management and FAD data collection;

*Recognizing* that these measures need to be expanded upon to ensure that the various effects of the use of FADs on highly migratory fish stocks is fully understood and therefore can be properly taken into account in the development of the Commission's conservation and management measures.

*Recalling* that all national, sub-regional and regional observer providers authorized under the Regional Observer Programme (ROP) shall require that all observers deployed on purse seine vessels pursuant to the ROP collect and report the *Minimum Standard Data Fields for Purse-Seine FAD Monitoring* adopted by the Commission at WCPFC6.

ADOPTS, in accordance with the provisions of Article 5 and 10 of the Convention, the following conservation and management measure to be applicable to the entire Convention area as defined in Article 3 of the said Convention:

### GENERAL RULES OF APPLICATION

1. Unless otherwise stated, nothing in this measure shall prejudice the legitimate rights and obligations of small island developing States (SIDS) Members and participating territories in the Convention Area seeking to develop their own domestic fisheries. No exemptions or derogations will be allowed under this measure, unless they unequivocally contribute to their legitimate development needs and aspirations.

2. These measures shall not impinge on the sovereign rights of coastal states to adopt more stringent measures for FAD management to be applied in their waters

3. To ensure implementation of the precautionary principle and a fair sharing of the burden, this CMM shall apply only to purse seine vessels larger than 24 meters overall length that fish for tropical tunas in the Convention area between 20 degrees latitude North and South.

4. For the purposes of this measure, the term FAD means any man-made or natural floating object, whether anchored or not, that is capable of aggregating fish. It includes any object or group of objects, of any size, that has or has not been deployed, that is living or non-living, including, but not limited to, buoys, floats, netting, webbing, plastics, bamboo, logs or animals, that fish may associate with.

#### FAD DATA COLLECTION AND FAD LOGBOOKS

5. The Commission shall require that the scientific experts review and recommend the minimum data fields for reporting when fishing in association with FADs as well as reporting formats, to the Scientific Committee (SC), the Technical and Compliance Committee (TCC) and the Commission for their consideration in 2013 and adoption at the regular annual session in 2013. The SC and TCC shall consider, at a minimum, the information contained in attachment I.

Based on the advice of TCC and SC, WCPFC shall agree on minimum data fields for vessel operators to report against when fishing in association with FADs. These may be introduced through a dedicated logbook or modifications to regional logsheets (hereafter referred to as “FAD Logbook”).

6. As of January 1<sup>st</sup> 2014 all CCMs shall ensure that all purse-seine detailed in paragraph 3, when fishing in association with FADs make use of the “FAD-logbook”.

CCMs may modify current reporting mechanisms to include the relevant fields found in the attachment.

7. All CCMs shall:

- a) ensure that the logbooks referred to in paragraph 5 are collected and made available to that CCM’s national authorities and scientists within 90 days of vessel unloading and transshipping .
- b) ensure that the data elements agreed by WCPFC are complete,

8. The Commission shall require the Secretariat to provide for the scientific experts to provide to the SC and the TCC any recommendations for measures to be applied to the use of FADs for the purpose of improving the management of WCPFC fisheries. The Secretariat may also make technical and management recommendations to the SC, the TCC and the Commission, based on the data collected in the FAD Logbook.

## FAD MARKING

9. Beginning July 1, 2014, CCMs shall require all FADs deployed or modified by their flagged purse seine fishing vessels in the Convention Area to be marked in accordance with a detailed marking scheme.

The marking scheme shall be developed and considered for adoption by the Commission at the Commission's regular annual session in 2013, based on recommendations provided by the TCC at its regular annual session in 2013.

The TCC and Commission should consider, at a minimum, the following elements:

- All FADs shall be marked with a unique identification number, with a specific numbering system and format to be adopted by the Commission.
- The marking should be easy to read by the observer before the vessel operator engages in any FAD-related activity (e.g., setting on the FAD, retrieving the FAD, servicing the FAD), but if not visible for any reason, (time of day, weather, etc.), the vessel operator shall assist the observer in obtaining the unique FAD identifier as soon as feasible.
- The marking should be easy to apply to the FAD, but should be applied in such a manner that it will not become unreadable or disassociated with the FAD.

## REGIONAL OBSERVER PROGRAM-COLLECTED DATA

10. CCMs and the Secretariat shall work together to ensure that all data included in the *Minimum Standard Data Fields for Purse-Seine FAD Monitoring* collected by observers are entered into the ROP database as soon as possible and in any event no later than 180 days of observer disembarkation from the vessel.

11. A detailed report on the status of the FAD data collected under the ROP should be presented by the Secretariat at each regular annual session of the TCC and the SC for the TCC and SC's review and consideration.

## FINAL PROVISIONS

12. FAD data collected in the FAD Logbook shall be considered non-public domain data, and shall be governed by the provisions for handling data set forth in the Commission's "Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission."

**‘FAD logbook’ to be completed by vessel operators**

CCMs are required to ensure their vessels report :

- a) An inventory of the FADs present on the vessel specifying in particular for each FAD:
  - i. FAD identifier (i.e., FAD Marking or beacon ID or any information allowing to identify the owner)
  - ii. FAD type (anchored FAD, drifting natural FAD, drifting artificial FAD),
  - iii. FAD design characteristics (dimension and material of the floating part and of the underwater hanging structure),
  
- b) Any visit on FADs. For each visit on a FAD, whether followed or not by a set, the,
  - iv. position,
  - v. date,
  - vi. hour,
  - vii. FAD identifier (i.e., FAD Marking or beacon ID or any information allowing to identify the owner)
  - viii. FAD type (anchored FAD, drifting natural FAD, drifting artificial FAD),
  - ix. FAD design characteristics (dimension and material of the floating part and of the underwater hanging structure),
  - x. type of the visit (deployment, hauling, retrieving, loss, intervention on electronic equipment).
  
- c) If the visit is followed by a set, the results of the set in terms of catch and by-catch.