



**SEVENTH REGULAR SESSION**  
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**A PROPOSED CONSERVATION AND MANAGEMENT MEASURE TO PROHIBIT NIGHT  
SETTING DURING THE FAD CLOSURE**

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**WCPFC7-2010-DP/20 Rev 1**  
**07 December 2010**

**KOREA PROPOSED CMM TO PROHIBIT NIGHT SETTING DURING FAD CLOSURE**

**Draft Conservation and Management Measures on the application of FAD Closures  
of CMM2008-01 and CMM2009-02**

*Recalling* that the WCPF Commission adopted at its 5<sup>th</sup> session the Conservation and Management Measures for Bigeye and Yellowfin tuna in the Western and Central Pacific Ocean(CMM2008-01) to reduce juvenile Bigeye tunas mortalities from fishing on FADs, in particular;

*Further recalling* that CMM2009-02 was also adopted aimed at ensuring clear rules for the application of the provisions relating to the FAD closure;

*Concerned* that incomplete implementation of FAD closure provisions of CMM2008-01, in particular, by using lights to aggregate fish to the vessel at nights, undermines the effectiveness of this measure;

*Conscious of* the need to strengthen the implementation of FAD closure through a simple clear but highly effective mechanism to be applied all across the fleet during 2011 and subsequent years FAD closure period for the purpose of the Commission benefiting from compliance with, and easier monitoring of the implementation of FAD closure;

*Noting the* SC5 paper(WCPFC-SC5-2009/ST-WP-07) finding that 94% of sets on FAD occurred prior to official sunrise, while only 3% of unassociated school sets occurred before sunrise;

*Noting also* that the definition of a FAD stipulated in CMM2008-01 and CMM2009-02 implies that unintentional encirclement in the purse seine net of “any object or group of objects, of any size” could be interpreted as a FAD fishing, which might adversely affect lawful fishing operations and cause repetition of confusions between observers and fishermen;

*Adopts*, in accordance with Article 10 of the Convention, the following Measure to be read as a part of CMM2008-01 and CMM2009-02;

**Measures for nights**

1. During the FAD closure period, the purse seine fishery shall be closed before sunrise local time based on GMT/UTC. For the purpose of this paragraph, sunrise means the time shown in a nautical almanac which vessels shall carry onboard.

**Measures for daylight**

2. During the FAD closure period, the relevant paragraphs of CMM2008-01 and CMM2009-02 shall be implemented.
3. Notwithstanding paragraph 2, CCMs shall ensure that their purse seine vessels shall:
  - a. in the event that any object which was not identified by observer onboard nor the master before a set was conducted is inadvertently encircled in the purse seine net, take all measures necessary to release the fish alive as soon as possible.
  - b. in the event that any object which was not previously identified by observer onboard nor the master is found drifting outside the purse seine net while the net is being retrieved, continue fishing operations and submit the relevant information to the Executive Director within forty-eight(48) hours after any instances.