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FFA MEMBERS COMMENTS ON CMM 2012-01

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**TO ALL COMMISSION MEMBERS, COOPERATING NON-MEMBERS AND
PARTICIPATING TERRITORIES**

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**Letter from FFA – FFA Members’ comments on CMM for bigeye, yellowfin and
skipjack tuna**

Dear All

Please find attached a letter from the Chair of the Pacific Islands Forum Fisheries Agency which presents the members’ comments on conservation and management measures for bigeye, yellowfin and skipjack tuna.

This letter is circulated as requested by the FFC Chair.

Thanks

A handwritten signature in black ink, appearing to read "Glenn Hurry".

Professor Glenn Hurry
Executive Director



17 July 2013
File Ref: GG/89

Professor Glenn Hurry
Executive Director
Western and Central Pacific Fisheries Commission
PO Box 2356
Kolonias
Federated States of Micronesia

Dear Professor Hurry,

FFA Members' comments on conservation and management measures for bigeye, yellowfin and skipjack tuna.

I write in my capacity as the Chair of the Forum Fisheries Committee on behalf of the 17 FFA Members. Please circulate this letter to other CCMs.

FFA Members held a workshop on 2 July 2013 and are pleased to submit the following preliminary comments on some issues relating to a new tropical CMM and the "multi-year management program for 2014-2017" envisaged under Section III of CMM 2012-01. We note that development of the new elements of the CMM is still under way, and the submission of this letter is without prejudice to the further development of positions by FFA Members individually or collectively.

FFA members wish to make clear from the outset our clear expectation that regional and sub-regional bodies that support our endeavours will be able to attend and participate in the Tokyo meeting on the new CMM and we will elaborate our positions detailed below at that forum.

We also note the development of the new CMM is part of a strategy that will be phased in with the objective of ensuring that fishing mortality for all three tropical tuna species does not exceed F_{msy} (i.e. $F/F_{msy} \leq 1$), to be amended or replaced with target reference points after their adoption. For bigeye, the objective of reducing fishing mortality so that $F/F_{msy} \leq 1$ is to be achieved through a step by step approach through to 2017.

Overall measures

FFA Members are cognisant that for the CMM to be effective in removing bigeye tuna overfishing measures must be adopted for both the purse seine fishery and the longline fishery. We acknowledge that this conservation action will result in impacts on FFA members. For FFA members, the lack of balance between the various fishery components is the key weakness of CMM 2012-01. FFA Members are therefore of the view that a comprehensive measure must be based on a similar level of reduction in the longline and purse seine fisheries. The understanding of FFA Members is that a reduction of around 33% in both the total longline bigeye catches and the total number of FAD sets is required to remove bigeye overfishing. FFA Members propose the following approach to applying this strategy:



Purse Seine

- A. Implementation of fishing effort limits or equivalent catch quotas across the entire fishery, allocated zonally, including clearly specified day limits for the high seas. There should be a fee per fishing day for high seas effort reflecting the current value of access for purse seine vessels in the region, to be used to contribute towards ensuring that there is no disproportionate burden on SIDS Members adversely affected by measures to limit FAD use.
- B. A limit on the total number of FAD sets for the fishery, allocated zonally¹, designed to contribute to reducing the number of FAD sets by 33%. In the long term, members foresee benefit in the creation of a market for FAD sets.
- C. A high seas FAD closure, the specific arrangements for which can be further discussed, to contribute to the targeted level of reduction in FAD sets, recognising the relatively high level of bigeye mortality in high seas FAD sets.
- D. Complementary industry incentives could also be explored that incentivise reduced FAD use, and we look forward to further developing this concept as part of the zone based approach above.
- E. Given the preference for a FAD set limit approach, FFA members suggest that in the longer term, the FAD closure should not be necessary. However, we recognise that the FAD closure would likely be maintained as an interim measure while FAD set limits are being developed and implemented. FFA members do not favour extensions to the current FAD closure, and will be seeking for additional FAD set reductions to come through the FAD set limit approach. Any extension beyond the current closure arrangements would require complementary measures to reduce bigeye mortality applied to the longline fishery.
- F. Noting the potentially adverse effect of measures to reduce FAD use on some SIDS, and the need for the Commission to ensure there is no disproportionate burden on SIDS, appropriate compensatory/incentive arrangements are necessary to remove any disproportionate burden arising from measures to reduce FAD use.
- G. FFA Members do not consider bigeye catch limits in the purse seine fishery as a feasible option in the foreseeable future, and do not see a total closure of the purse seine fishery as an efficient means for reducing bigeye mortality in the PS fishery because it would have significant impacts on the skipjack fishery.

Longline

- A. FFA Members support further reductions in longline bigeye catch limits of 33%.
- B. Noting the failure of the bigeye catch limits to reduce fishing mortality and the continuing growth in longline effort, especially in the high seas, which undermines the effectiveness of the CMM and contributes to the disproportionate conservation burden borne by purse seine coastal States rather than bigeye beneficiaries, and the risk of the transfer of excess tropical longline effort and capacity to the southern albacore fishery, FFA Members are considering:

¹ Further consideration may need to be given to whether FFA would be prepared to consider this on a flag basis as an interim for a fixed time period while zone-based allocation is developed.



- i. longline effort limits implemented through longline vessel day schemes, or equivalent catch quotas for EEZs and high seas;
- ii. Capacity limits that prevent any increase in boat numbers to control fishing expansion
- iii. A high seas longline closure that is at least equal to the length of the FAD closure i.e. a 3 month FAD closure would be accompanied by a 3 month longline closure. Similar to the proposal submitted by Nauru at WCPFC8, FFA members would be prepared to consider applying such a measure only to those vessels that do not operate in material support of SIDS industry development and some exemptions would be sought for domestic fisheries operating on adjacent high seas. Members also noted some analysis would need to be undertaken to determine if a longline closure and FAD closure should occur at the same time or if higher reduction in BET mortality might be achieved at differing times of the year.
- iv. Genuine capacity reductions to complement the additional reductions in bigeye tuna catches by the 5 major longline fleets, Japan, Korea, US, China and Chinese Taipei to prevent effort transferring to other longline fisheries.

Application of Measures in Archipelagic Waters, Territorial Seas and Internal Waters

FFA members encourage Archipelagic States to take measures to reduce F on juvenile bigeye and yellowfin tuna and declare the relevant measures that they will apply in archipelagic waters including longline bigeye catch limits and expected number of FAD sets or bigeye catches from purse seining.

Special Circumstances

High seas measures are to take into account the special circumstances of a State which is surrounded by the EEZs of other States and has a limited EEZ of its own; and the geographical situation of a small island developing State which is made up of non-contiguous groups of islands having a distinct economic and cultural identity of their own but which are separated by areas of high seas.

Improving Monitoring and Data Collection

FFA Members consider that weaknesses in monitoring and data collection are a serious problem for effective implementation of a new measure to reduce BET fishing mortality. We simply must have accurate, timely data on which to base decisions.

Noting the strong interest by other CCMs in this area as shown by the various proposals to improve the flow of information in these fisheries from the ROP, VMS and operational data reporting, FFA Members again propose consideration of a package of measures that include:

- collection of enhanced operational data relating to FADs
- provision of all operational catch and effort data
- resolution of the outstanding definitions in CMM 2007-01 ROP (“principally”, “occasionally” and “adjacent”)
- improved flow of information from observers.



Remedial Actions

FFA members propose that the following principles should be applied as remedial actions within the new CMM:

- poor data = better monitoring ie increased ROP coverage;
- overcatch or exceed allowable effort = pay back;
- stronger penalties for repeat offenders.

Implementation Issue	Example of Remedial Action
Non or untimely provision of operational data	Double ROP LL observer coverage requirement. Rationale is that this provides more real time data and at least addresses lack of data.
Overfishing of catch limit	Pay back in following year for 1 st offence, payback at double the rate for 2 nd offence, black list the fleet for 3 rd offence. Some further work required on how to operationalise it, whether the second offence must be within a certain timeframe of the first offence, whether different magnitudes of overcatch are treated the same etc.
Setting on a FAD during FAD closure period	Offence under IUU CMM – so penalty not specified here. Also a breach of coastal State national laws.
Not carrying an observer	Offence under IUU CMM – so penalty not specified here. This will also be a breach of coastal State national laws.
Exceeding high seas effort allocation	Same principal as over catch – pay back in following year with increased penalties for repeat offenders.

FFA Members believe that, taken collectively, the adoption of this package of improvements would add significant value to the new tropical tuna CMM and the overall effectiveness of WCPFC conservation and management efforts in future.

Yours sincerely,

Dr Christain Ramofafia
Chair
Forum Fisheries Committee