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JAPAN PROPOSAL OF REVISION OF CMM 2012-01 FOR WGTT

WCPFC-2013-WGTT/06 **Circular 2013/67** 21 August 2013



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

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Japan Proposal of revision of CMM 2012-01 for WGTT

Dear all

Please find enclosed changes to the Conservation Management and Measures 2012-01 proposed by Japan and an explanatory note for consideration by the Working Group on Tropical Tunas (WGTT) in August.

This proposal is circulated as requested by Japan.

Thanks

Professor Glenn Hurry Executive Director

(DRAFT)

CONSERVATION AND MANAGEMENT MEASURE FOR BIGEYE, YELLOWFIN AND SKIPJACK TUNA IN THE WESTERN AND CENTRAL PACIFIC OCEAN

Conservation and Management Measure 2013-012012-01

I. Objectives and general rules

Objectives

The objectives of this Measure are to ensure that:

General

1. compatible measures for the high seas and exclusive economic zones (EEZs) are implemented so that bigeye, yellowfin and skipjack tuna stocks are, at a minimum, maintained at levels capable of producing their maximum sustainable yield as qualified by relevant environmental and economic factors including the special requirements of developing States in the Convention Area as expressed by Article 5 of the Convention. The Commission will amend, or replace the objectives with target reference points after their adoption.

Skipjack

2. the Fishing Mortality Rate (F) for skipjack will be maintained at a level no greater than Fmsy, i.e. $F/Fmsy \le 1$.

Bigeye

- 3. the fishing mortality rate for bigeye tuna will be reduced to a level no greater than Fmsy, i.e. F/Fmsy ≤
- 1. This objective shall be achieved through step by step approach through 2017 in accordance with this Measure.

Yellowfin

4. the fishing mortality rate is not greater than Fmsy, i.e. $F/Fmsy \le 1$.

General Rules

Attribution of Charter Arrangements

5. For the purposes of paragraph 15 and 26, attribution of catch and effort shall be to the flag State, except that catches and effort of vessels notified as chartered under CMM 2011-05 or its replacement shall be attributed to the chartering Member, or Participating Territory. Attribution for the purpose of this Measure is without prejudice to attribute for the purposes of establishing rights and allocation.

Non-Parties

6. In giving effect to CMM 2009-11 or its replacement the Commission shall advise non-Parties to the Convention wishing to acquire Co-operating Non Member (CNM) status as follows: (a) that for bigeye tuna the current fishing mortality rate is above that associated with MSY and the Scientific Committee recommends a reduction in F for bigeye tuna; (b) yellowfin tuna is not being overfished but current F is close to Fmsy and the Scientific Committee recommends no increase in F for yellowfin tuna; (c) that skipjack tuna is not being overfished and that the Scientific Committee recommended that the Commission consider adopting limits on fishing for skipjack tuna and noted that additional purse seine effort on skipjack tuna will yield only modest long term gains in catches. Therefore, where necessary, the limits that apply to CNMs, particularly on the high seas, will be determined by the Commission in accordance with CMM 2009-11 or its revision.

Small Island Developing States

7. Unless otherwise stated, nothing in this Measure shall prejudice the rights and obligations of those small island developing State Members and Participating Territories in the Convention Area seeking to develop their domestic fisheries. This paragraph shall not be applied to paragraphs-10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 3310, 11, 12, 13, 19, 20, 21, 22 and 23.

Transfer of effort

8. CCMs shall ensure that the effectiveness of these measures for the purse seine fishery are not undermined by a transfer of effort in days fished into areas within the Convention Area south of 20S-in order to not undermine the effectiveness of these measures. In order not to undermine the effectiveness of these measures, CCMs shall not transfer fishing effort in days fished in the purse seine fishery to areas within the Convention Area north of 20N.

Area of application

9. This Measure applies to all areas of high seas and all EEZs in the Convention Area except where otherwise stated in the Measure.

II. Measure for 2014-2017 Interim Measure for 2013¹

Purse seine fishery in tropical area (20N – 20S)

FADs management

(Common measures for 2014-2017)

10. A three (3) months (July, August and September) prohibition of setting on FADs shall be in place for

⁴ The provisions of this measure are without prejudice of any future decisions of any conservation and management programme for tropical tuna.

all purse seine vessels fishing in EEZs and high seas between 20N and 20S in the Convention Area (see paragraphs 3 -7 of CMM 2009-02 for the rules for the FAD closure).

(Measures for 2014)

11. In addition to Paragraph 10, for additional reduction of FAD sets, flag CCMs shall implement prohibition of setting on FADs in October. Or, as an alternative measure, flag CCMs shall limit annual FAD sets to 30% of the average number of total sets between 2010-2012 for CCMs (Attachment A)²¹, or to 35% for SIDS CCMs.²³

(Measures for 2015 and 2016)

12. In addition to Paragraph 10, for additional reduction of FAD sets, flag CCMs shall implement prohibition of setting on FADs for additional two (2) consecutive months. Or, as an alternative measure, flag CCMs shall limit annual FAD sets to 25% of the average number of total sets between 2011-2013 in 2015 and 2012-2014 in 2016 for the CCMs, or to 30% for SIDS CCMs.

(Measures for 2017)

13. In addition to Paragraph 10, for additional reduction of FAD sets, flag CCMs shall implement prohibition of setting on FADs for additional three (3) consecutive months. Or, as an alternative measure, flag CCMs shall limit annual FAD sets to 20% of the average number of total sets between 2013-2015 for the CCM, or to 25% for a SIDS CCM.

14. For the implementation of paragraph 11 to 13, each CCM shall annually notify its intent on which measure it will implement to the Secretariat by 31 December of the previous year. If a flag CCM decides to implement prohibition of setting on FADs, the CCM shall also notify the period of additional consecutive month(s) for the prohibition. In case fishing vessels operates within EEZs of other CCMs, additional FAD closure period shall be based on decision by Coastal CCMs. Detailed operation of limiting annual FAD sets shall be conducted in accordance with the guideline attached as Attachment B.

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^{12—}The specific figure of annual total sets by CMM in Attachment A will be provided by the scientific provider and be updated annually are without prejudice to any future decisions on CMM specific annual set limits.

Purse seine vessels under SIDS_CCMs' flag smaller than 50 m LOA (the 13 vessels currently on the WCPFC Record of Fishing Vessels) are exempted from this reduction requirements described in paragraph 11 to 13. When a SIDS CCM chooses limitation of annual FAD sets stipulated in paragraph 11 to 13. the second option(paragraph 11(ii)), purse seine vessels newly introduced in 2012 and 2013 are managed outside of the FAD set limit for that CCM_in the year introduced. Those purse seine vessels exempted or managed outside the FAD set limit shall be notified to the Secretariat by 31 March 2013 or within 15 days of vessels introduced after this date.

Effort management by Flag CCMs

15. Flag CCMs shall take necessary measures to ensure that the total level of purse seine fishing effort in days fished by their vessels in EEZs and High seas does not exceed 2010 levels.³⁴

Effort management by Coastal CCMs in their EEZs

<u>1612</u>. Coastal States within the Convention Area that are Parties to the Nauru Agreement (PNA) shall restrict the level of purse seine effort in their EEZs to 2010 levels through the PNA Vessel Days Scheme.

<u>17</u>43. Other coastal States with effort in their EEZs exceeding 1,000 days annually over the period of 2006-2010 shall limit effort in their EEZs to 2001-04 average or 2010 levels.

1814. Other coastal States within the Convention Area other than those referred to in paragraph 1612 and paragraph 1713 shall establish effort limits or equivalent catch limits for purse seine fisheries within their EEZs that reflect the geographical distributions of skipjack, yellowfin, and bigeye tunas, and are consistent with the objectives for those species. Limits established pursuant to this provision shall be provided to the Commission by the relevant coastal States no later than 16 November 2013.

High Seas

15. Each CCM shall take measures not to increase fishing days on high seas.

Yellowfin tuna

1946. CCMs are encouraged to take measures not to increase their catch of yellowfin tuna.

Catch retention

<u>2017</u>. To create a disincentive to the capture of small fish and to encourage the development of technologies and fishing strategies designed to avoid the capture of small tunas and other fish, CCMs shall require their purse seine vessels fishing in EEZs and on the high seas within the area bounded by 20°N and 20°S to retain on board and then land or transship at port all bigeye, skipjack, yellowfin tuna. (See CMM 2009-02 paragraphs 8-13 for the Commission's rules for catch retention.)

The only exceptions to this paragraph shall be:

- a) when, in the final set of a trip, there is insufficient well space to accommodate all fish caught in that set noting that excess fish taken in the last set may be transferred to and retained on board another purse seine vessel provided this is not prohibited under applicable national law; or
- b) when the fish are unfit for human consumption for reasons other than size; or
- c) when serious malfunction of equipment occurs.

2118. Nothing in paragraphs from 10 to 14 and 2010, 11 and 17 shall affect the sovereign rights of

³⁴ The measures that the Philippines will take in High seas pocket are in Attachment D.

coastal States to determine how these management measures will be applied in their waters, or to apply additional or more stringent measures.

Monitoring and control

2219. Notwithstanding the VMS SSP with respect to allowing manual position reporting in lieu of automatic VMS reporting, a purse seine vessel shall not operate under manual reporting during FADs closure period, but the vessel will not be directed to return to port until the Secretariat has exhausted all reasonable steps to reestablish normal automatic reception of VMS positions in accordance with the VMS SSPs. The flag State shall be notified when VMS data is not received by the Secretariat at the interval a specified in CMM 2011-02 and paragraph 2623.

2320. CCMs shall ensure that purse seine vessels entitled to fly their flags and fishing within the area bounded by 20° N and 20°S exclusively on the high seas, on the high seas and in waters under the jurisdiction of one or more coastal States, or vessels fishing in waters under the jurisdiction of two or more coastal States, shall carry an observer from the Commission's Regional Observer Program (ROP) (CMM 2007-01).

<u>2421</u>. Each CCM shall ensure that all purse seine vessels fishing solely within its national jurisdiction within the area bounded by 20° N and 20°S carry an observer. These CCMs are encouraged to provide the data gathered by the observers for use in the various analyses conducted by the Commission, including stock assessments, in such a manner that protects the ownership and confidentiality of the data.

<u>2522</u>. ROP reports for trips taken during FADs closure period shall be given priority for data input and analysis by the Secretariat and the Commission's Science Provider.

<u>2623</u>. VMS polling frequency shall be increased to every 30 minutes from July 1st to November 1st (during the FAD closure period). The increased costs associated with the implementation of this paragraph will be borne by the Commission.

FAD Management Plan⁴⁵

<u>2724</u>. By 1 July <u>20142009</u>, CCMs fishing on the high seas shall submit to the Commission Management Plans for the use of FADs by their vessels on the high seas, if they have not done so. These Plans shall include strategies to limit the capture of small bigeye and yellowfin tuna associated with fishing on FADs, including implementation of the FAD closure pursuant to paragraphs from 10 to 1310 and 11(i) above. The Plans shall at a minimum meet the Suggested Guidelines for Preparation for FAD Management Plans for each CCM (Attachment E).

⁴⁵ This measure shall not replace pre-existing domestic FAD management plans in force.

<u>2825</u>. The Commission Secretariat will prepare a report on additional FAD management options for consideration by the Scientific Committee, the Technical & Compliance Committee and the Commission in <u>20142009</u> including:

- a. Marking and identification of FADs;
- b. Electronic monitoring of FADs
- c. Registration and reporting of position information from FAD-associated buoys; and
- d. Limits to the number of FADs deployed or number of FAD sets made.

Capacity Management

29. CCMs that are not SIDS shall not increase the number of purse seine vessels larger than 24m with freezing capacity actively fishing between 20N and 20S (hereinafter "LSPSVs") above the current level as specified in Attachment F.

29bis. Notwithstanding paragraph 29, a SIDS CCM may increase the number of LSPSVs with its flag in accordance with the national development plan, which shall be submitted to the Commission in advance. When new LSPSVs are introduced by SIDS CCMs, non-SIDS CCMs shall jointly reduce the equivalent number of LSPSV with their flag next year. Such reduction by non-SIDS CCMs shall be shared on a pro-rata basis of the number of LSPSVs flagged to each non-SIDS CCMs.

30. The Commission will work to develop a regional capacity management plan to ensure that as SIDS CCMs develop their domestic fisheries, the overall capacity of the LSPSVs does not exceed levels commensurate with allowable fishing opportunities for the tuna stocks, with a view to achieving sustainable level in light of allowable fishing opportunities by 2020.

Longline fishery

Catch limits

<u>3126</u>. The catch limits for bigeye tuna shall be as specified in Attachment <u>GF</u>. <u>Any overage of the catch</u> limit shall be deducted from catch limit of next year for the CCM.

Monthly catch report of bigeye

3227. CCMs with catch limits shall report monthly the amount of bigeye catch by its flagged vessels to the Secretariat by the end of the following month. Reports shall include catch of the month and catch for the year to date. When 90% of the catch limit for a CCM is reached, the Secretariat shall notify that to all CCMs.

Yellowfin tuna

3328. CCMs are encouraged to take measures not to increase their catch of yellowfin tuna. Each CCM

Other Commercial fisheries

29. To assist the Commission in the further development of provisions to manage the catch of bigeye, yellowfin, and skipjack tunas the Scientific and Technical and Compliance Committees during their meetings in 2013 will provide advice to the Commission on which fisheries should be included in this effort and what information is needed to develop appropriate management measures for those fisheries.

<u>3430</u>. CCMs shall take necessary measures to ensure that the total effort and capacity of their respective other commercial tuna fisheries for bigeye, yellowfin and skipjack tuna but excluding those fisheries taking less than 2,000 tonnes of bigeye, yellowfin, and skipjack, shall not exceed the average level for the period 2001-2004 or 2004.

<u>3531</u>. CCMs shall provide the Commission with estimates of fishing effort for these other fisheries or proposals for the provision of effort data for these fisheries for 2013 and future years.

HI. Measures for 2014-2017

- 32. The Commission shall establish at WCPFC10 a multi year management program for 2014-2017 to achieve the Objectives set out in paragraphs 1-4 above. A WG shall be established to develop a draft of the multi-year management program for 2014-2017 to be considered at TCC9. In doing so, the WG shall consider:
- Management measures for both purse seine and longline fisheries to reduce fishing mortality of bigeye,
- Alternative measures intended to reduce the catch of juvenile tunas, such as a limit on FAD set numbers,
- management of the fishing capacity of the non-SIDS CCMs,
- The zone-based management for longline fishery in PNA waters,
- > Special requirements of SIDS that CMMs will not result in a disproportionate burdens on SIDS,
- → Improvement of MCS measures to enhance both monitoring of and compliance with CMMs,
- ➤ Issue of attribution of bigeye catch in the overlapping area to catch limits of WCPFC and IATTC,
- Conservation and economic implications of two 2 months FAD closures rather than 4 month FAD closure.
- → Means to address issues of non-compliance with relevant CMMs, and;
- Other issues identified by WG that may contribute to achieving the Commission's conservation objectives for skipjack, yellowfin and bigeye tunas.

III. Review of measures

<u>3633</u>. <u>TheseThe</u> measures <u>outlined in paragraph 32 above</u> shall be reviewed and amended, if necessary, in 2015 to achieve the Objectives.

IV. Final Clause

<u>37</u>34. This measure replaces <u>CMM2012-01</u>CMM 2008-01 and CMM 2011-01.

Attachment A (Annual total sets by flag CCM)

ССМ	2010	2011	2012	Average (2010-2012)
CHINA				
ECUADOR				
EL SALVADOR				
EUROPEAN UNION				
FEDERATED STATES OF MICRONESIA				
INDONESIA				
JAPAN				
KIRIBATI				
REPUBLIC OF KOREA				
MARSHALL ISLANDS				
NEW ZEALAND				
PAPUA NEW GUINEA				
PHOLIPPINES(distant-water)				
PHOLIPPINES(domestic)				
SOLOMON ISLANDS				
CHINESE TAIPEI				
TUVALU				
UNITED STATES OF AMERICA				
VANUATU				
Total				

Data to be provided and updated by the Scientific Provider

Attachment B (Guideline for alternative reduction of FAD sets for paragraph 11 to 1311 (ii)

- 1. In order to observe the FAD set limit, the flag CCM which choose the option to limit the FAD sets number participating in this project shall ensure to take at least the following measures except for the period of original FAD closure (July September);
 - (1) In order to monitor the number of FAD sets in a timely manner, tThe captain of a purse seine vessel shall weekly report (i) the number of FAD sets, (ii) the number of total sets, and (iii) estimated bigeye catch in the previous week to the flag CCM and the observer on board transmit a photocopy of its logbook of the previous week to the flag CCM authority every Monday. The photocopy will also be provided to the observer onboard. In the absence of a photocopier, the captain of said vessel shall complete a document form indicating the necessary data from its logbook and transmitting the said document form at its next available opportunity and giving a copy to the observer.
 - (2) The flag CCM shall eompile the information and provide information set forth in (1) every two weeks —(i) number of FAD set as well as total set and estimated bigeye eatch by set by its vessels and (ii) accumulated information of (i) of its vessels to the Secretariat.
 - (3) After the number of FAD set conducted reaches 80% of the set limit, the CCM shall report the information (2) above weekly to the Secretariat.
 - (4) After the number of FAD set conducted reaches 90% of the set limit, the captain shall <u>report the information</u>transmit the photocopy of its logbook daily to the flag CCM authority.
 - (5) When the number of FAD set conducted reaches the limit, the CCM shall promptly take necessary measures to ensure that no further set on FADs shall be made by its purse seine vessels during that calendar year and report the measures taken to the Secretariat.
- 2. A CCM implementing the alternative measure shall report the status of implementation of the project through Part 2 report and to SC as well as TCC. If there is a comment from a Committee, the CCM shall respond within one month through the Secretariat.

Attachment C – E are same as those of CMM 2012-01

Attachment F

ССМ	Number of LSPSVs
CHINA	
ECUADOR	
EL SALVADOR	
EUROPEAN UNION	
FEDERATED STATES OF MICRONESIA	
INDONESIA	
JAPAN	36
KIRIBATI	
REPUBLIC OF KOREA	
MARSHALL ISLANDS	
NEW ZEALAND	
PAPUA NEW GUINEA	
PHOLIPPINES(distant-water)	
PHOLIPPINES(domestic)	
SOLOMON ISLANDS	
CHINESE TAIPEI	
TUVALU	
UNITED STATES OF AMERICA	
VANUATU	

Attachment $\underline{\mathbf{GF}}$ (Longline Catch Limits for Bigeye by Flag under CMM $\underline{2013-01}\underline{2012-01}$)

(Table is same as that of CMM2012-01)

Explanatory note for the Japanese proposal to revise CMM2012-01

This proposal was developed to achieve the objectives agreed upon last year as reflected in CMM2012-01. In particular, the focus was on the objective for bigeye, reduction of the fishery mortality to a level no greater than Fmsy, i.e. F/Fmsy =< 1. This objective was envisaged to be achieved for five (5) years from 2013 to 2017, on a step by step basis.

The SC pointed out that the fishing pattern of 2010 achieved "F < Fmsy" for bigeye. Therefore, at WCPFC9 Japan proposed a management framework for tropical tunas that was intended to return to the fishing pattern of 2010. The new proposal by Japan, as hereto attached, is also based on a similar concept.

Purse Seine

For purse seine, the SC repeatedly pointed out that 6 months FAD closure was necessary to achieve the objective above. Therefore, in order for us to be true to our promise, 6 months FAD closure shall be a default option. However, 6 months FAD closure is not acceptable to many CCMs, including Japan. Therefore, we are proposing 6 months FAD closure or an alternative management measure having the same level of conservation benefit to bigeye as 6 months FAD closure.

In 2010, the year when we achieved F < Fmsy for bigeye, the number of FAD sets in the Convention Area except for archipelagic waters was 10,482, while the number of total sets was 43,774 (the ratio of FAD sets over total sets (hereinafter referred to "FAD set ratio") was about 24%; WCPFC9-2012-IP09-Table 14). Since we already agreed upon capping the total purse seine effort at 2010 level in CMM 2012-01, requirement of FAD set ratio to be 24% will result in achievement of the level of FAD use in 2010. To alleviate the difficulties of SIDS CCMs, as well as to create an incentive for shifting flags from non-SIDS CCMs to SIDS CCMs, two different goals were set for SIDS CCMs and non-SIDS CCMs, namely 25% for SIDS CCMs and 20% for non-SIDS CCMs. In this proposal these goals were designed to be achieved in five (5) years on a step by step basis (see Table 1)

During the five (5) years to be covered by this proposal, the level of fishing activity of each CCM may well change, including a shift of flag from a non-SIDS CCM to a SIDS CCM. Since the change will inevitably affect the baseline for each CCM, a mechanism to adjust it from year to year is needed to be incorporated in the CMM. For this purpose, the calculation of

FAD set ratio is set each year at the average number of total sets for the most recent three (3) years for each CCM. Also, this scheme will allow each CCM to be aware of its limit in advance of the fishing season.

Longline

For longline, the target level of 2010 catch by longline was about 75,000 mt and that is almost the same as the average level of 2001–04 (WCPFC9–2012–IP09–Table 6) and currently the default measure for the longline is 30% reduction from that level. Therefore, Japan believes that no further reduction should be required for those countries who have already achieved 30% reduction from 2001–04 level.

Capacity Management

Concerning the fishing capacity, given that the number of tuna purse seine fishing vessels in the WCPFC Convention Area has increased drastically during the last decade and that such increase is still continuing, we would again propose to freeze the number of purse seine vessels larger than 24m with freezing capacity actively fishing between 20N and 20S (hereinafter referred to "LSPSVs") at the current level.

On the other hand, the rights of SIDS CCMs to develop their domestic fisheries shall not be prejudiced despite an overall framework of the capacity freeze of LSPSVs. Therefore, it is needed to incorporate a mechanism to reduce automatically non-SIDS CCM's' fishing capacity so that SIDS CCMs' fishing capacity can be expanded without bearing any burden on their side within the freezed total fishing capacity. Namely, when SIDS CCMs introduce new LSPSVs, the equivalent number of LSPSVs flagged to non-SIDS CCMs be reduced. Since it would be difficult to reach an agreement on the allocation scheme for the reduction of LSPSVs flagged to each non-SIDS CCMs. For example, Japan proposes such reduction by non-SIDS CCMs shall be shared on a pro-rata basis of the number of LSPSVs flagged to non-SIDS CCMs. For example, Japan currently has 36 purse seine vessels and according to our calculation, that is about 17% of total vessels flagged to non-SIDS CCMs. Therefore, Japan will be required to reduce one purse seine vessel when 6 vessels were introduced by SIDS CCMs (17% * 6 = 1.02).

We sincerely hope that our proposal will contribute to the discussion by members and looks forward to hearing any other ideas that will achieve the promise we made.

Table 1: FAD Management Multi-year Plan

Year	FAD	Alternative Measure	Remarks
	Closure	(3 month FAD closure plus)	
2013	4 months	non-SIDS CCMs: 8/12 (2001-2011Ave)	CMM 2012-01
		SIDS CCMs: 8/9(2009-2011 Ave)	
2014	4 months	(FAD Sets/Total Sets)	
		reduced to 30%	
		SIDS CCMs: 35%	
2015	5 months	reduced to 25%	D D.
		SIDS CCMs: 30%	Review Process
2016	5 months	reduced to 25%	
		SIDS CCMs: 30%	
2017	6 months	reduced to 20%	
		SIDS CCMs: 25%	