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**EU PROPOSAL FOR CMM FOR THE CONSERVATION AND MANAGEMENT OF
TROPICAL TUNAS (BIGEYE, YELLOWFIN AND SKIPJACK) IN THE CONVENTION
AREA**

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Prof. Glenn Hurry
Executive Director
West Central Pacific Fisheries
Commission
PO Box 2356, Kaselehlie Street,
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96941, Pohnpei
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Subject: WCPFC7: EU proposal for a conservation and management measure on tropical tunas

Dear Prof. Hurry,

In view of the forthcoming WCPFC 7th Annual Meeting (6-10 December 2010, Honolulu, USA), please find attached the EU proposal for a CMM for the Conservation and Management of Tropical Tunas (Bigeye, Yellowfin and Skipjack) in the WCPFC Convention Area.

We kindly request you to post this proposal and accompanying Explanatory Note on the WCPFC7 website.

Yours sincerely,

Roberto Cesari
Head of EU Delegation to WCPFC

Enclosures: 2

Explanatory Note

EU Proposal for a CMM for the Conservation and Management of Tropical Tunas (Bigeye, Yellowfin and Skipjack) in the WCPFC Convention Area

It is evident from the analysis of the WCPFC scientific service provider SPC-OFP, including from the most recent paper WCPFC-7-2010/15 as well as from the conclusions of the SC in its 5th and 6th Meeting that the current measure on conservation and management of bigeye and yellowfin tuna 2008-01 is not effective in achieving reduction of purse seine fishing. The main reasons for that are the large number of exemptions foreseen in the measure, the exclusion of certain waters from its coverage and the variations in arrangements across different parts of the Convention area. A contributing factor has been the difficulty to control the compliance of CCMs with the agreed provisions.

The FADs closure foreseen in 2008-01 has been unproductive in terms of reduction in overall catches. The actual level of compliance with the FADs closure would be difficult to establish as the data available from observers until present is so limited that conclusions are hardly representative. Furthermore, the HSP closure has resulted in re-distribution of effort and therefore has been inconsequential in terms of reduction of fishing mortality.

Therefore, the EU proposes the current measure to be replaced by a conservation and management measure for tropical tunas that is precautionary, straightforward and creates preconditions for fair sharing of the burden in order to encourage compliance, facilitate control and achieve the recommended by the SC reduction in fishing mortality of at least 30%. Exemptions should only be granted to unequivocally contribute to the legitimate development needs and aspirations of SIDS and to protect artisanal fisheries.

In detail, the EU, in line with the scientific advice and the precautionary principle, proposes to replace the current FADs closure with a full closure of fishing during the period 1 July – 30 September. This corresponds to the recommended by SC 30% reduction because a purse seiner in the WCPO could fish a maximum of some 280-300 days per year and the chosen 3 months represent some 30% of those fishing days. The closure period is also in keeping with one of the closure periods implemented by the neighbouring RFMO – IATTC - for the tuna species. There the full closure of fisheries has already achieved positive results in terms of stock recovery.

The provisions of 2008-01 with regard to longline fishing of bigeye have been successful and the objective of reduction of catches by 30% would most likely be achieved. Keeping in mind the recommendation of SC for a holistic approach, the EU proposes to roll-over the 2011 provisions on longline fishing for bigeye and yellowfin tuna.

EU PROPOSAL FOR

A CMM FOR THE CONSERVATION AND MANAGEMENT OF TROPICAL TUNAS (BIGEYE, YELLOWFIN AND SKIPJACK) 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 territories and possessions, and of their special requirements as recognised in Article 30 of the WCPFC Convention;

TAKING INTO ACCOUNT the available scientific information and advice, in particular the WCPFC 5th and 6th Scientific Committee conclusions that the West Central Pacific Ocean (WCPO) bigeye tuna stock may be overfished;

RECALLING the provisions of Article 6 of the WCPFC Convention with regard to the importance of applying the precautionary approach for the management of the tropical tuna stocks in the West Central Pacific Ocean;

CONSIDERING the conclusion of the WCPFC Scientific Committee that CMM 2008-01 will not achieve its objective of reducing fishing mortality on the WCPO bigeye tuna stocks to at least 30% below the levels experienced either in 2004 or the average of the period 2001-2004;

RECOGNISING that the potential economic benefit from the resource can be negatively impacted by excessive fishing effort;

ADOPTS, in accordance with the provisions of Article 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:

PURSE SEINE FISHERY

1. This CMM is applicable to all purse seine vessels fishing for bigeye, yellowfin and skipjack tunas in the Convention area, excluding those vessels, flagged to or chartered by CCMs coastal States, under 24 meters overall length that fish for tropical tunas exclusively within the EEZs of CCMs.
2. The purse seine fishery for bigeye, yellowfin and skipjack tunas shall be closed from 0000 hours on 1 July to 2400 hours on 30 September.
3. Every purse seine vessel as described in paragraph 1, regardless of the flag under which it operates or whether it changes flag during the year, must observe the closure period.
4. Landings, transshipments and commercial transactions in tropical tuna species, including their products that have been positively identified as originating from purse seine fishing activities that contravene this CMM shall be prohibited. The WCPFC Executive Director may provide relevant information to the Parties to assist them in this regard.

5. Each CCM shall no later than 45 days before the date of entry into force of the closure:

a) take the legal and administrative measures necessary to implement the closure;

b) inform all interested parties in its national tuna industries of the closure;

c) inform the WCPFC Executive Director that these steps have been taken;

d) ensure that at the time the closure period begins, and for the entire duration of that period, all the purse seine vessels fishing bigeye, yellowfin or skipjack tunas that fly its flag, or operate under its jurisdiction in the WCPFC Convention area, are in port, except that purse seine vessels carrying an observer from the ROP may remain at sea, provided they do not fish in the Convention area. The only other exception to this provision shall be that vessels carrying an observer from the ROP may leave port during the closure, provided they do not fish in the Convention area.

LONGLINE FISHERY

6. This CMM is applicable to all CCM longline vessels fishing for bigeye tuna in the Convention area. It shall not apply to CCMs that caught less than 2,000 tonnes of bigeye in 2004 provided the catch of those CCMs remains under 2,000 tonnes in each year after the adoption of this measure.

7. This CMM is not applicable to longline vessels of CCMs small island developing states and participating territories fishing tropical tunas in the Convention Area if they are undertaking responsible development of their domestic fisheries.

8. The catch of WCPO bigeye tuna in the longline fishery of each CCM shall be limited to 70% of the average annual bigeye catch for the years 2001-2004 or the year 2004. CCMs shall nominate no later than 31 March 2011 the chosen reference period and the maximum annual bigeye catch they will be permitted to fish equivalent to the verified catch for the chosen reference period as it had been declared to the Commission.

9. The catch of WCPO yellowfin tuna in the longline fishery is not to be increased from the average annual yellowfin catch for the years 2001-2004 or the year 2004. CCMs shall nominate no later than 31 March 2011 the chosen reference period and the maximum annual yellowfin catch they will be permitted to fish equivalent to the verified catch for the chosen reference period as it had been declared to the Commission.

8. CCMs are to provide to the Executive Director estimated monthly catches of bigeye tuna, within thirty [30] days of the end of each month. The Executive Director will circulate such estimated monthly catches, aggregated by flag or charter State, to all participants on a quarterly basis.

9. The WCPFC Scientific Committee will evaluate, in 2013, the effect of this CMM on status of Tropical tuna stocks, and, depending on the stock assessment conclusions reached by the Scientific Committee, the Commission may consider adjustments to the measure.