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Paper prepared by Cook Islands

Information Paper
7th Annual Session of the Western Central Pacific Fisheries Commission
Proposed CMM on the Eastern High Seas Pocket Special Management Area
Ref: WCPFC7-2010-DP/04

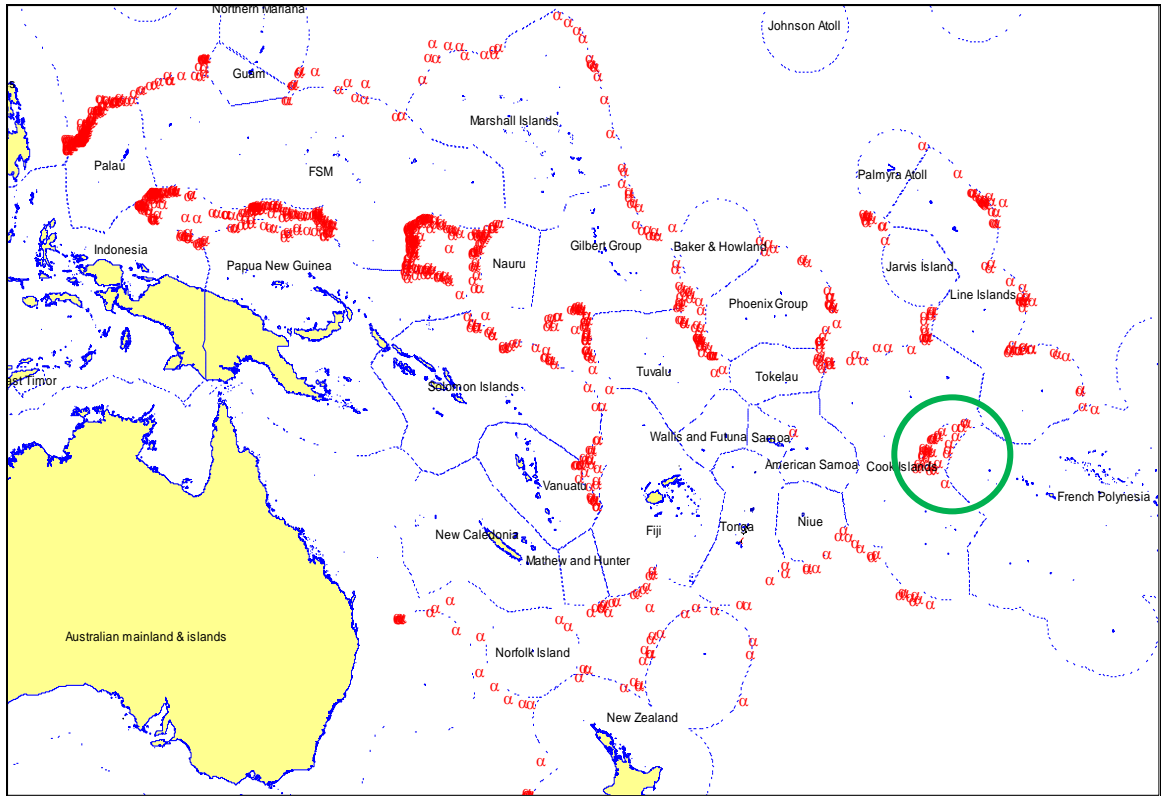
Background

Over the last three years the Cook Islands has dealt with eight cases of serious IUU fishing involving unlicensed vessels as well as a number of cases involving licensed vessels. It is likely that this level of IUU activity is probably just the tip of the iceberg. The eastern high seas pocket (E-HSP) was the entry and exit point for 6 of the 9 serious violations and is also implicated in reporting and possibly transshipment violations by licensed vessels (in 2009).

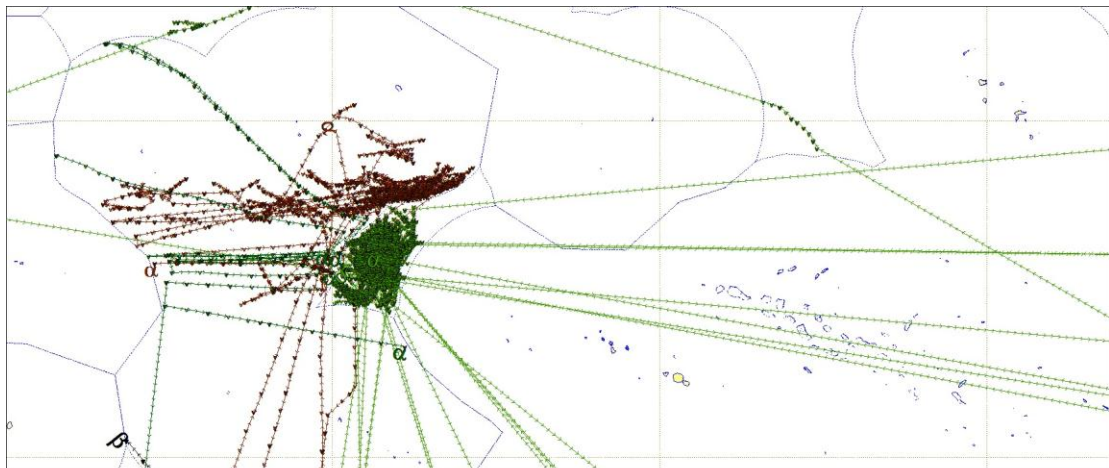
Our proposed CMM to establish the Eastern-HSP as a special management area (SMA) is directed at the eradication of IUU fishing in the pocket itself and hence the adjacent areas, including the Cook Islands. The measures proposed are the minimum we require for licensed vessels operating in our EEZ. This is consistent with Article 8.4 of the Convention that enables special provisions for the high seas pockets and that enclaves should have management measures consistent with the minimum measures of the surrounding states.

The Cook Islands has a large EEZ of 2.3 million square kilometres which is mainly visited by longliners but also carriers and purse seiners.

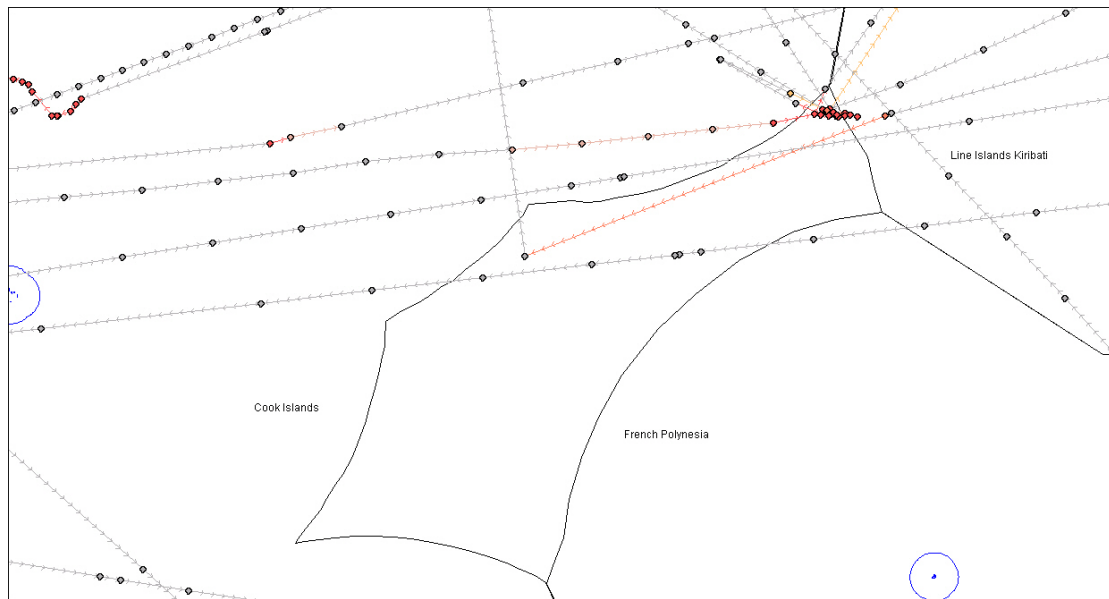
As well as showing the relative size and location of the Cook Islands EEZ, this first map shows fishing vessel EEZ entry points. As is clearly demonstrated the E-HSP is the main entry point into the Cook Islands waters (Circled in green).



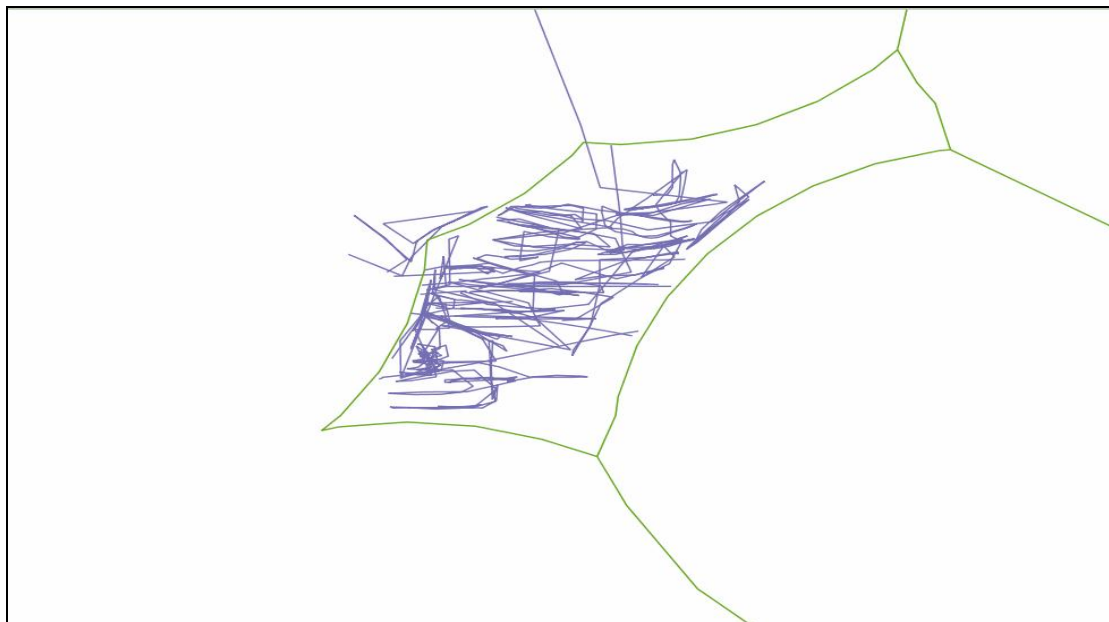
Carrier and fishing vessels activity in the pocket for 2009 is shown in the following map.



The extent of transits by carrier vessels heading to and leaving the pocket also suggests transshipments occurring in the area. This next graphic shows carrier transits in July 2010. If transshipment is taking place then this is probably in violation of CMM 2009-06 (Transshipment).



A snapshot of October 2010 reveals some activity in the pocket with an incursion into the Cook Islands and possible incursions into French Polynesia. With continuous monitoring on a near-real time basis, the adjacent CCMs will be able to monitor in an uninterrupted manner, vessel movements from the pocket to EEZs and vice-versa. This should mean vessel track information would be available to CCMs at log-on in “view” mode and not supplied in spread-sheet form.



There is some doubt over the validity of long-line catch data attributed to the E-HSP. There has been an ongoing suspicion that fishers are attributing their catches to the E-HSP instead of the coastal state where they were caught. Aside from the inherent illegality of this poaching to coastal states this action also undermines

the sciences upon which the Commission utilizes to base sound management practices upon.

Explanation of the Proposed Measure:

In general, the proposed CMM seeks to apply minimum conservation and management measures that already apply to licensed vessels that operate in the Cook Islands EEZ.

Area of Application: The area of application is the high seas pocket bounded by Kiribati, French Polynesia and the Cook Islands as illustrated in the attached map. For the purposes of the measure, specific coordinates will be those currently used by the Commission VMS.

Reporting: Manual reporting of catch by species and weight is a universal minimum term and condition for licensed vessels amongst FFA member countries and is a useful cross-check to the catch and effort log, unloading reports and VMS. This minimal information can quite readily be communicated to the Commission through the ALC.

Importantly also, Commission vessels will be required to report sightings of other vessels including those which may not be authorized to operate in the WCPFC Area.

VMS: While under current data rules, it is possible to request VMS data out to 100 nautical miles from the EEZ boundary, this measure proposes that VMS information be made available to CCMs near-real-time so that vessels can be monitored continuously while in the pocket and if they move between the pocket and surrounding EEZs.

Vessel List: Each time a vessel enters the SMA, it will be incorporated into a live list of vessels operating in the area. When the vessel leaves the SMA, it will be removed from the list.

Transshipment: any transshipment that has taken place in the pocket, has been occurring in contravention of CMM 2009-06. The proposed CMM seeks to remove all doubt about the matter and ban transshipment altogether. Under current rules, purse seiners cannot transship on the high seas and no longliners have sought to institute Section 3 of CMM 2009-06.

Compliance: at present the main enforcement mechanism is IUU listing but future compliance tools may be implemented by the Commission and should apply to the proposed measure. National mechanisms can also be implemented to enforce the proposed SMA.

Review: it is proposed that the measure enter into force on 1 March 2011 and be reviewed after 2 years.

Conclusion

In closing we trust fellow CCMs will give due consideration to the proposed measure. We consider it to be an equitable mechanism to add to the MCS toolbox we as a region are developing to secure the long-term conservation and proper management of our tuna resources.