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**CONSERVATION AND MANAGEMENT MEASURE FOR THE COLLECTION AND
ANALYSES OF DATA ON FISH AGGREGATING DEVICES**

WCPFC10-2013-DP05
5 November 2013

Proposal by the United States of America

**Conservation and Management Measure
for the Collection and Analyses of Data on Fish Aggregating Devices**

**Proposal by the United States of America
to the Tenth Regular Session of the Commission**

November 1, 2013

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Commission);

In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention):

Taking into account the best available scientific information on the status of the bigeye, yellowfin and skipjack stocks;

Committed to the long term conservation and sustainable exploitation of fisheries in the western and central Pacific Ocean (WCPO);

Understanding that all fishing gears, including fish aggregating devices (FADs), have an effect on the stocks and the pelagic ecosystem in the WCPO and that such effects should be fully understood by members of the Commission;

Agreeing that to accurately provide the advice necessary to effectively manage tuna fisheries in the WCPO, it is necessary for the Commission's scientific and technical experts to have access to and analyze the relevant data regarding such fisheries and gears and for Commission members to put in place measures as needed to collect such information in their fisheries;

Committed to ensuring that such advice is taken into account in the development of the Commission's conservation and management measures concerning fishing for tunas;

Acknowledging that the Commission has adopted measures and information reporting requirements related to FAD management and FAD data collection;

Recognizing that these measures need to be expanded and improved upon to ensure that the effects of the use of FADs on highly migratory fish stocks, along with non-target, associated and dependent species, are fully understood and that the Commission can receive the best available scientific advice concerning mitigation of any negative effects;

Recalling that, in accordance with the management measure previously adopted by the Commission at WCPFC6, all national, sub-regional and regional observer providers authorized under the Regional Observer Programme (ROP) shall require that all observers employed by them and deployed on purse seine vessels pursuant to the ROP collect and report the *Minimum Standard Data Fields for Purse-Seine FAD Monitoring*; and

Noting that improved FAD designs may help to reduce the incidence of entanglements with sharks, marine turtles, coral reefs, and other species.

ADOPTS, in accordance with the provisions of Articles 5 and 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 Convention:

Section 1. General Rules of Application

1. Unless otherwise stated, nothing in this measure shall prejudice the legitimate rights and obligations of small island developing State (SIDS) Members and Participating Territories in the Convention Area seeking to develop their own domestic fisheries. No exemptions or derogations from the provisions of this measure will be allowed unless a SIDS Member or Participating Territory provides in writing to the Commission's Executive Director the reasons why the exemptions or derogations are necessary for the legitimate development needs and aspirations of the SIDS Member or Participating Territory.
2. This measure shall not impinge on the sovereign rights of coastal States to apply additional measures for FAD management in their waters.
3. This measure shall apply to purse seine vessels that fish for tropical tunas in the Convention Area between 20 degrees North latitude and 20 degrees South latitude.
4. For the purposes of this measure, the term FAD means any unanchored man-made device, or natural object, that is capable of aggregating fish, including any object or group of objects, of any size, that has or has not been deployed, that is living or non-living, including but not limited to buoys, floats, netting, webbing, plastics, bamboo, logs and whale sharks floating on or near the surface of the water that fish may associate with.

Section 2. FAD Data Collection and Analyses

5. In 2014, the Secretariat will develop and shall present to the Scientific Committee (SC) and the Technical and Compliance Committee (TCC) a report on additional FAD data collection and management options, including: marking and identification of FADs; electronic monitoring of FADs; and registration and reporting of position information from FAD-associated buoys.
6. Based on the information provided by the Secretariat, the TCC shall develop specific recommendations for a FAD identification scheme for consideration and adoption by the Commission at the Commission's regular annual session in 2014.
7. No later than [1 July 2015], CCMs shall require the owners and operators of their flagged purse seine fishing vessels fishing for tuna in the WCPO, to identify all FADs deployed or modified by such vessels in accordance with the Commission FAD identification scheme. The scheme developed should be consistent with any FAD identification scheme adopted by the IATTC.
8. The TCC and Commission should consider, at a minimum, including the following elements in the FAD identification scheme:
 - a. All FADs shall have a unique identification number with a specific numbering system and format to be adopted by the Commission.
 - b. The identification should be easy to apply to the FAD and should be applied in such a manner that it will permit its identification and should not become unreadable or disassociated from the FAD.
9. Based on the SC's recommendations at SC9, the SC and TCC shall develop specific recommendations for a *Vessel FAD Data Reporting Log* to be submitted by purse seine vessel operators, for consideration and adoption by the Commission at the Commission's regular annual session in [2014].
10. No later than [2015], the Commission's scientific experts (i.e., those experts engaged pursuant to Article 13 of the Convention) shall present the results of their analyses of the data on FADs collected by

observers through the *Minimum Standard Data Fields for Purse-Seine FAD Monitoring* to the SC and the TCC, and shall also review the existing elements and may recommend additional elements for data collection, as well as specific reporting formats, necessary to allow the SC to evaluate the impact of the use of FADs on the ecosystem of the WCPO fishery.

11. The SC and the TCC shall make recommendations for the Commission's consideration at its regular annual session in [2017] for the monitoring and management of FADs, including possible effects of FADs in the tuna fishery in the WCPO. The Commission shall consider adopting management measures based on those recommendations, including a region wide FAD management plan, and which may include, inter-alia, recommendations regarding FAD deployments and FAD sets, the use of biodegradable materials in new and improved FADs and the gradual phasing out of the use of FADs that do not mitigate the entanglement of sharks, marine turtles and other species.
12. The SC shall also formulate recommendations for management advice and implications on stocks for presentation to the Commission, on the basis of the results of the analyses of the collected FAD information. Such recommendations shall include methods for limiting the capture of small bigeye and yellowfin tuna associated with fishing on FADs.
13. Data collected pursuant to this measure shall be considered non-public domain data, and shall be governed by the provisions for handling data set forth in the Commission's "Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission."

Section 3. Non-entangling FADs

14. To reduce the entanglement of sharks, marine turtles or any other species, and impacts to coral reefs, the design and deployment of FADs should be based on the principles set out in Annex I.
15. If recommended by the SC, the Commission shall adopt measures for the use of non-entangling FADs.

Section 4. Regional Observer Programme Data

16. CCMs and the Secretariat shall work together to ensure that all data included in the *Minimum Standard Data Fields for Purse-Seine FAD Monitoring* collected by observers are entered into the ROP database as soon as possible and in any event no later than 110 days of observer disembarkation from the vessel.
17. A detailed report on the status of the FAD data collected under the ROP should be presented by the Secretariat at each regular annual session of the TCC and the SC for their review and consideration.

Annex I

Principles for design and deployment of FADs

1. If a flat raft is used as a FAD, the surface structure should not be covered, or only covered with non-entangling material.
2. Any subsurface component of the FAD should be constructed in a manner designed to avoid entangling marine life.
3. To reduce the amount of synthetic marine debris, the use of natural or biodegradable materials (such as hessian canvas, hemp ropes, etc.) for drifting FADs should be promoted.

