



TECHNICAL AND COMPLIANCE COMMITTEE
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CMM on the Eastern High Seas Pocket Special Management Area – Cook Islands

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TENTH REGULAR SESSION

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**CONSERVATION AND MANAGEMENT MEASURE FOR THE
EASTERN HIGH-SEAS POCKET SPECIAL MANAGEMENT AREA**

Conservation and Management Measure 2010-02

The Western and Central Pacific Fisheries Commission (WCPFC):

Recalling that the objective of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention) is to ensure through effective management, the long-term conservation and sustainable use of the highly migratory fish stocks of the Western and Central Pacific Ocean in accordance with the 1982 Convention and the Agreement;

Concerned that IUU fishing activities in the Convention area undermine the effectiveness of the conservation measures adopted by the WCPFC.

Conscious of the need to address, as a matter of priority, the issue of vessels conducting IUU fishing activities from the Eastern High Seas Pocket (the 'E-HSP');

Determined to address the challenge of an increase in IUU fishing activities by way of counter-measures to be applied in respect to vessels in the E-HSP, without prejudice to further measures adopted in respect of CCMs and non-CCMs under the relevant WCPFC instruments;

Recognising Article 8(1) of the Convention requiring compatibility of conservation and management measures established for the high seas and those adopted for areas under national jurisdiction;

Recalling Article 8 (4) of the Convention which requires the Commission to pay special attention to the high seas in the Convention Area that are surrounded by exclusive economic zones (EEZs);

Noting that Article 30(1) of the Convention requires the Commission to give full recognition to the special requirements of developing States that are Parties to the Convention, in particular small island developing States and territories and possessions, in relation to the conservation and management of highly migratory fish stocks in the Convention Area and development of fisheries on such stocks;

Noting further that Article 30(2)(c) of the Convention requires the Commission to ensure that conservation and management measures do not result in transferring, directly or indirectly, a

disproportionate burden of conservation action onto developing States Parties, and territories and possessions;

Adopts, in accordance with Article 10 of the Convention, the following Measure shall be implemented from 1 July 2011, with respect to the Eastern High Seas pocket (E-HSP).

AREA OF APPLICATION

1. The E-HSP is the area of high seas bounded by the Exclusive Economic Zones of the Cook Islands to the west, French Polynesia to the east and Kiribati to the north. For the purposes of this measure, the precise co-ordinates (geodetic information) shall be that used by the WCPFC vessel monitoring system (VMS). A map showing the E-HSP is attached (attachment A).

REPORTING

2. Flag States shall require their vessels to submit reports, directly, or through such organisations designated by the flag state to the Commission at least 6 hours prior to entry and no later than 6 hours prior to exiting the E-HSP. Such reports shall also contain estimated catch (kilograms) on board. This information shall immediately be transmitted by the Commission Secretariat to the adjacent coastal states/territories, and shall be considered non-public domain data. The report shall be in the following format:

VID/Entry/Exit: Date/Time¹; Lat/Long²; YFT/BET/ALB/SKJ/SWO/SHK/OTH/TOT(kgs)
/~~TRANSHIPMENT (Y/N)~~VESSEL NAME³

¹ Of anticipated point of entry or exit.

² Of anticipated point of entry or exit, reported in true degrees

³ Exactly as it is written in the Record of Fishing Vessels

3. CCMs shall encourage their flagged vessels operating in the E-HSP to report sightings of any fishing vessel to the Commission Secretariat. Such information should include: date, time, position, bearing, markings, speed, and vessel type. Vessels should ensure this information is transmitted to the Secretariat as soon as practicable, but not later than 30 days after the trip completion.

VMS

4. Adjacent coastal states/territories shall receive continuous near real-time VMS data pursuant to paragraph 22 of the Commission's Rules and Procedures for the Protection, Access to, and Dissemination of High Seas Non-Public Domain Data and Information Compiled by the Commission for the Purpose of Monitoring, Control or Surveillance (MCS) Activities and the Access to and Dissemination of High Seas VMS Data for Scientific Purposes; and through a standing request under paragraph 5 of these Rules and Procedures

VESSEL LIST

5. The Commission Secretariat shall maintain a 'live list' of all fishing vessels present in the E-HSP, based on near-real time VMS information. This list will be made available to Commission Members through the WCPFC website.

TRANSHIPMENT

~~6. Any transshipment activities undertaken in the E-HSP shall be in accordance with applicable CMMs. Vessels intending to tranship (either unloading or receiving) in the E-HSP shall indicate this to the Commission, in the reporting format as described in paragraph 2 of this measure. Transshipment activities in the EHSP shall be prohibited~~

COMPLIANCE

7. Vessels found to be non-compliant with this measure shall be dealt with in accordance with CMM 2010-06, and any other applicable measures adopted by the Commission.

REVIEW OF MEASURE

8. The measures described above shall be reviewed every two years, in conjunction with the relevant advice from the Technical and Compliance Committee (TCC). This review shall consider, inter alia, whether the measure is having the intended effect and the extent to which all CCMs and fishing sectors are contributing to achieving the Commission's conservation objectives.

9. The Commission shall consider, at its 8th Regular Session, the expansion of the Special Management Area to the high seas within 100 miles from the EEZ boundaries of coastal states.

10. This measure shall remain in place until such time as the Commission adopts an alternative measure for the E-HSP.

ATTACHMENT A: Eastern High Seas Pocket

