



**COMMISSION
THIRTEENTH REGULAR SESSION**
Denarau Island, Fiji
5 – 9 December, 2016

**PROPOSAL FOR A CONSERVATION AND MANAGEMENT MEASURE ON FISHERIES
AND ACCESS AGREEMENTS INFORMATION**

**WCPFC13-2016-DP05
4 November 2016**

Proposal from the European Union

**European Union proposal for a
Conservation and Management Measure
on fisheries and access agreements information**

Explanatory Note addressing CMM 2013-06 criteria

- a. *Who is required to implement the proposal?*
This proposal applies to CCMs that allow foreign-flagged vessels to fish in waters under their jurisdiction for species managed by WCPFC, and CCMs whose vessels fish in waters under the jurisdiction of another CCM or non-Contracting party (NCP) for species managed by WCPFC following the establishment of an agreement.
- b. *Which CCMs would this proposal impact and in what way(s) and what proportion?*
Same as under point (a). This CMM will also impact all the CCMs that are involved in control and enforcement activities within the WCPFC area. It will greatly facilitate assessment of compliance of fishing operators in relation to WCPFC applicable rules.
- c. *Are there linkages with other proposals or instruments in other regional fisheries management organizations or international organizations that reduce the burden of implementation?*
Other RFMOs, like IOTC and ICCAT have already adopted similar CMMs. These have greatly contributed in ensuring transparency among CCMs, while facilitating joint efforts to combat illegal, unreported, and unregulated fishing.
- d. *Does the proposal affect development opportunities for SIDS?*
The proposal will involve some additional administrative workload to concerned CCMs administrations. However, this is considered as a necessary burden that will not affect development opportunities for SIDS and should be largely compensated by the increased transparency which could have a positive economic impact in the future.
- e. *Does the proposal affect SIDS domestic access to resources and development aspirations?*
The proposal will not affect SIDS domestic access to resources and development aspirations.
- f. *What resources, including financial and human capacity, are needed by SIDS to implement the proposal?*
Not applicable: no additional resources or training are required for SIDS to implement this CMM.
- g. *What mitigation measures are included in the proposal?*
Not applicable: no mitigation measures are required.
- h. *What assistance mechanisms and associated timeframe, including training and financial support, are included in the proposal to avoid a disproportionate burden on SIDS?*
None.

EUROPEAN UNION

PROPOSAL FOR A CONSERVATION AND MANAGEMENT MEASURE ON FISHERIES AND ACCESS AGREEMENTS INFORMATION

The Western and Central Pacific Fisheries Commission,

AWARE of the data reporting requirements for all CCMs and the importance of complete statistical reporting to the work of the Scientific Committee and the Commission;

MINDFUL of the need to ensure transparency among CCMs, in particular to facilitate joint efforts to combat illegal, unreported, and unregulated fishing;

RECALLING in this respect that greater transparency regarding fisheries access agreements, including by making them publicly available, subject to confidentiality requirements, was encouraged in the recommendations of the resumed Review Conference on the United Nations Fish Stocks Agreement adopted by unanimity;

RECALLING the duties of CCMs concerning IUU fisheries as stated in the *Conservation and Management Measure to Establish a List of Vessels Presumed to have Carried out Illegal, Unreported and Unregulated Fishing Activity in the WCPFC*; which requires CCMs to ensure that their vessels do not conduct fishing activities within areas under the national jurisdiction of other States without authorisation and/or infringe the coastal State's laws and resolutions;

NOTING that improving transparency in management and decision-making has been recognised among the key values of the Commission during the WCPFC Strategic Planning Process that took place in 2016;

ADOPTS, in accordance with the provisions of Article 20 of the WCPFC Convention, the following:

1. Contracting Members and Cooperating non-Members (CCMs) that allow foreign-flagged vessels to fish in waters under their jurisdiction for species managed by WCPFC, and CCMs whose vessels fish in waters under the jurisdiction of another CCM or non-Contracting party (NCP) for species managed by WCPFC pursuant to an agreement, shall, individually or jointly, notify the Commission prior to beginning fishing activities of the existence of such agreements and provide to the Commission information concerning these agreements, including:

- The CCMs, Non-contracting parties (NCPs), or other entities involved in the agreement;
- The time period or periods covered by the agreement;
- The number of vessels and gear types authorized;

- The stock or species authorized for harvest, including any applicable catch limits;
- The CCM’s quota or catch limit to which the catch will be applied, where applicable;
- The number of fishing days authorized, where applicable;
- Monitoring, control, and surveillance measures required by the flag CCM and coastal State involved with, for the coastal State, a particular specification of:
 - i. The national authority (contact coordinates) responsible for issuing fishing licences or permits,
 - ii. The national authority (contact coordinates) responsible for the MCS activities.
- Data reporting obligations stipulated in the agreement, including those between the parties involved, as well as those regarding information that must be provided to the Commission;
- A copy of the written agreement.

2. For agreements in existence prior to the entry into force of this CMM, the information specified in paragraph 1 shall be provided, at the latest, 60 days in advance of the 2016 Commission meeting.

3. When an access agreement is modified in a manner that changes any of the information specified in paragraph 1, these changes shall be promptly notified to the Commission.

4. Consistent with WCPFC data reporting requirements, flag CCMs involved in the agreements specified in paragraph 1 shall ensure that all target and incidental catches made pursuant to these agreements are reported to the Scientific Committee.

5. Flag CCMs and coastal CCMs involved in the agreements specified in paragraph 1 shall provide a summary of the activities carried out pursuant to each agreement, including all catches made pursuant to these agreements, in their annual report to the Commission.

6. In cases where coastal CCMs allow foreign-flagged vessels to fish in waters under their jurisdiction for species managed by WCPFC through a mechanism other than a CCM-to-CCM or CCM-to-NCP agreement, the coastal CCM shall be solely responsible for providing the information required by this CMM. Flag CCMs with vessels involved in such an agreement, however, shall endeavour to provide to the Commission relevant information regarding that agreement as indicated in paragraph 1.

7. The Secretariat shall develop a form for reporting the information specified in this CMM and annually compile CCM submissions into a report to be presented to the

Commission for consideration at its annual meeting. The Secretariat will make this information available on the secured part of the WCPFC website.

8. This CMM does not apply to chartering arrangements covered by CMM 2012-05.

9. All information provided pursuant to this CMM shall be consistent with domestic confidentiality requirements.