



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

**PROPOSAL FOR CMM FOR INTERIM ACCEPTABLE LEVELS OF RISK OF BREACHING
LIMIT REFERENCE POINTS**

**WCPFC13-2016-DP10
4 November 2016**

Proposal from FFA Member CCMs



4 November 2016

Feleti P. Teo OBE
Executive Director
Western and Central Pacific Fisheries Commission
PO Box 2356, Kolonia
Federated States of Micronesia

Dear Feleti,

Interim acceptable levels of risk of breaching limit reference points

I write on behalf of the 17 members of the Forum Fisheries Agency in my capacity as the Chair of the Forum Fisheries Committee. FFA members are pleased to submit a proposal to define the interim acceptable levels of risk of breaching limit reference points. The determination of risk levels is a component of the harvest strategy workplan that was adopted by the Commission last year. Agreed risk levels will inform future decisions of the Commission in terms of setting target reference points and in the design of harvest control rules.

Our proposal is based on the paper that Australia submitted to the Harvest Strategy Workshop last year, and proposals to the SC and TCC this year. However, CCMs will note that FFA members have decided not to advocate an acceptable level of risk for bigeye tuna at this stage.

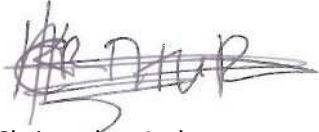
The main reason for recommending further consideration on bigeye is that the stock is currently lower than the agreed limit reference point. As per our letter on the Tropical Tuna CMM, FFA members propose that the first course of action should be to rebuild it back to $20\%SBF=0$, at which time further actions to incorporate uncertainty and/or a target reference point can be determined.

CCMs will note that the proposed interim risk levels for skipjack and albacore are 5%, whereas yellowfin is set slightly higher at 10%. This is consistent with the position of FFA members over the past few years. The additional precaution for skipjack and albacore reflects the relative importance of those two stocks to the FFA members. Having said that, at 10%, the proposed level for yellowfin remains precautionary and meets the purpose of specifying a risk level from both a technical and a legal perspective.

FFA members have deliberately termed these proposals as “interim”. It is our expectation that as candidate harvest control rules are developed and tested, there will probably be a need for the Commission to revisit this issue and determine arrangements that can be made more permanent. In that way, these proposals should be viewed as a starting point to guide additional technical work.

FFA members look forward to discussing this proposal in Denarau and would welcome any inquiries, which should be directed to the FFA Secretariat (tim.adams@ffa.int or wez.norris@ffa.int).

Yours sincerely

A handwritten signature in black ink, appearing to read 'CHRISTOPHER ARTHUR', with a long horizontal flourish extending to the right.

Christopher Arthur

Chair

Forum Fisheries Committee

**CONSERVATION AND MANAGEMENT MEASURE FOR INTERIM ACCEPTABLE LEVELS OF RISK
OF BREACHING LIMIT REFERENCE POINTS**

The Western and Central Pacific Fisheries Commission (WCPFC):

Noting 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 *United Nations Convention on the Law of the Sea* of 10 December 1982 and the *Agreement for the Implementation of the Provisions of the United Nations Convention of the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks* (UNFSA);

Recalling that Annex II of UNFSA sets out guidelines for the application of precautionary reference points in conservation and management of straddling fish stocks and highly migratory fish stocks, including that fishery management strategies shall ensure that the risk of exceeding limit reference points is very low;

Recalling also Articles 5(c) and 6(1)(a) of the Convention which require members to apply the precautionary approach and, in so doing, to apply the guidelines set out in Annex II of UNFSA and determine, on the basis of the best scientific information available, stock-specific reference points and the action to be taken if they are exceeded;

Noting that the Commission has adopted a Conservation and Management Measure on Establishing a Harvest Strategy for Key Fisheries and Stocks in The Western and Central Pacific Ocean (CMM 2014-06), and that each harvest strategy developed by the Commission in accordance with that CMM shall, wherever possible, contain acceptable levels of risk of breaching limit reference points;

Noting also the Commission has adopted limit reference points for four key tuna stocks in the Western and Central Pacific Ocean (skipjack, bigeye, yellowfin, and South Pacific albacore);

Further noting the guidance on determining acceptable levels of risk of breaching the limit reference point provided in Annex 1 of CMM 2014-06 which requires the Commission to ensure that the risk of exceeding limit reference points is very low;

Mindful that the depletion of key tuna stocks below the limit reference points has social, economic and biological consequences;

Desiring to make progress on the development of harvest strategies for key tuna stocks through the adoption of acceptable levels of risk of breaching the limit reference points for three of these stocks;

Adopts, in accordance with Article 10 of the Convention, the following conservation and management measure with respect to acceptable levels of risk of breaching limit reference points:

1. The interim acceptable levels of risk of breaching limit reference points for three key tuna stocks shall be as follows:
 - a) 5% for south Pacific albacore;
 - b) 5% for skipjack; and
 - c) 10% for yellowfin.
2. The interim acceptable levels of risk contained in paragraph 1 may be reviewed by the Commission as more information becomes available through the management strategy evaluation process, including in assessing the performance of harvest control rules for these stocks, once adopted.
3. The Commission shall use these interim acceptable levels of risk to ensure that no harvest control rule will be adopted that results in a higher level of risk than the acceptable levels of risk contained in paragraph 1.
4. The Scientific Committee shall use these interim acceptable levels of risk in the testing and evaluation of candidate harvest control rules.
5. The Scientific Committee shall include consideration of these interim acceptable levels of risk in its work and in reporting to the Commission on management advice and implications for the relevant stocks.

2013-06 Checklist for proposed CMM on “Acceptable levels of risk of breaching limit reference points”

a. Who is required to implement the proposal?

This CMM places obligations on the Commission itself and not on individual Members, Cooperating Non-Members and Participating Territories. The proposal identifies interim acceptable levels of risk of breaching Limit Reference Points that the Commission will apply when developing target reference points and harvest control rules under CMM 2014-06. These interim acceptable levels of risk will guide the work of SPC in carrying out management strategy evaluation (MSE) testing to develop harvest control rules.

This measure formalises the commitment under Article 6(1)(a) of the WCPFC Convention that the risks of exceeding limit reference points should be very low.

b. Which CCMs would this proposal impact and in what way(s) and what proportion?

This CMM will be implemented by the Commission and subsidiary bodies, and does not bind individual members. As such, there is no direct impact on any CCM. There will however be indirect implications for all CCMs from the implementation of these risk levels.

These interim acceptable levels of risk may have implications for the setting of Target Reference Points for the Commission, consistent with the requirement that ‘target reference points shall be conservative and separated from limit reference points with an appropriate buffer, with a view to ensuring that the target reference points are not so close to the limit reference points that the chance that the limits are exceeded is greater than the agreed level of risk’ (CMM2014-16).

The interim acceptable levels of risk adopted through this measure will guide the development of harvest control rules. Depending on the status of the stock and the Target Reference Points, the Harvest Control Rules necessary to avoid a certain level of risk may result in impacts on all CCMs by requiring reductions to catch and or effort in order to achieve the Target Reference Point.

c. Are there linkages with other proposals or instruments in other regional fisheries management organizations or international organizations that reduce the burden of implementation?

This proposal does not impose an implementation burden on any CCMs, as it is intended to guide the development of individual harvest strategies (rather than impose management requirements on members).

d. Does the proposal affect development opportunities for SIDS?

No. The proposal incorporates consideration of development aspirations of SIDS in the setting of the interim acceptable levels of risk. The proposed interim acceptable levels of risk have been developed in recognition of the economic importance of some stocks to SIDS and have been set consistent with this importance.

e. Does the proposal affect SIDS domestic access to resources and development aspirations?

No (see above).

f. What resources, including financial and human capacity, are needed by SIDS to implement the proposal?

None (see above).

g. What mitigation measures are included in the proposal?

Not applicable (see above).

h. What assistance mechanisms and associated timeframe, including training and financial support, are included in the proposal to avoid a disproportionate burden on SIDS?

Not applicable.