



WCPFC8
Eighth Regular Session
5th December – 9th December 2011
Koror, PALAU

KOBE III RECOMMENDATIONS
CAPACITY AND IUU LISTING

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Paper prepared by Secretariat

ISSUES:

1. KOBE III was held in La Jolla, USA in July 2011. The recommendations for management and compliance and proposed future KOBE processes are for the consideration of the Commission. The full report from the meeting can be found at <http://www.tuna.org.org/Kobe3.htm>.

DECISION/ENDORSEMENT(S):

2. WCPFC8 is invited to comment on the compliance and management recommendations from KOBE III, noting that the KOBE II recommendations are being implemented for the major part by the Commission.

DISCUSSION:

3. The consolidated Kobe III Compliance and Management recommendations taken from the above website for Kobe III along with the annexes mentioned in the recommendations are attached for information.

**KOBE III RECOMMENDATIONS
LA JOLLA
JULY 2011**

Compliance and Management

Capacity and Allocation

(1) Kobe III participants recommended that each tRFMO Secretariat annually measure existing capacity in tuna fisheries under its jurisdiction and monitor where that capacity is used and by whom. The results of this work should be referred to the respective Commission for its consideration.

(2) In order to assist in the analysis and appropriate management decision-making to reduce overfishing and overcapacity, Kobe III participants recommended that by 2013 each tRFMO establish a record of vessels, by gear type, actively fishing for stocks under its jurisdiction, and that all tRFMO Secretariats coordinate the establishment of a common vessel database linked, to the extent possible, to the existing consolidated list of active vessels, taking into account the requirements of each tRFMO for vessel registration.

(3) Kobe III participants recommend that developed fishing members freeze large-scale purse seine capacity under their flag. Based on the status of the stocks, each tRFMO should consider a scheme for:

- Reduction of over capacity in a way that does not constrain the access to, development of, and benefit from sustainable tuna fisheries, including on the high seas, by developing coastal States, in particular small island developing States, territories, and States with small and vulnerable economies; and
- Transfer of capacity from developed fishing members to developing coastal fishing members within its area of competence where appropriate.

Decision-Making

(4) Kobe III participants recommended that the decision-making framework guidelines outlined in Annex (K3-008) be referred to the respective tRFMOs for consideration.

III. Compliance and Enforcement

(5) Kobe III participants noted their appreciation for the work already conducted by the tRFMO Secretariats on the development of a consolidated list of authorized vessels, including the implementation of unique vessels identifier (UVIs), and recommended that they continue these efforts. Furthermore, the participants recommended that these efforts

be coordinated with the Food and Agriculture Organization of United Nation's (FAO) effort to develop and impliment a global record of fishing vessels, refrigerated transport vessels, and supply vessels.

(6) Kobe III participants recommended that tRFMOs cooperate to harmonize illegal, unregulated and unreported (IUU) vessel listing criteria, processes, and procedures, to the maximum extent possible, and move towards adopting principles, criteria, and procedures for cross-listing IUU vessels that are listed on the IUU list of other tRFMOs, taking into account the principles in Annex (K3-019).

(7) Kobe III participants recommended that the tRFMOs establish a common format for assessing compliance with data reporting requirements. Furthermore, to facilitate compliance, participants recommended that all tRFMOs streamline and harmonize their reporting formats, procedures, and timing.

(8) Kobe III participants, reaffirming the recommendations regarding port state measures and catch document schemes (CDS), recommended that tRFMOs, developed States, and NGOs accelerate efforts to provide capacity building assistance through various means, including workshops, to implement CDS, port state measures, and data collection and to participate in the scientific work.

IV. Future of Kobe Process

(9) To support the ongoing importance of meeting the core objective of the Kobe process to harmonize approaches and actions of the five tRFMOs, a Steering Committee will be established, comprised of the Chairs and Vice Chairs of each of the five tRFMOs, supported by the five Executive Directors/Secretaries of those same tRFMOs.

(10) The Steering Committee's mandate will be to review and report to the five tRFMOs, on a regular basis as determined by the Steering Committee, on the implementation of the recommendations agreed to during the Kobe process, including those adopted at Kobe III. The first meeting of the Steering Committee will take place during the FAO Committee on Fisheries (COFI) meeting in Rome, July 2012, and the work of the Steering Committee will be guided by the principle of transparency.

(11) Beginning from the adoption of this recommendation at Kobe III, the Secretariat of each of the five tRFMOs will propose that the agenda of their respective annual meetings include a specific item on the Kobe process, to be introduced and led by the Commission Chair, and focused on a review by the tRFMO members of the Kobe process recommendations requiring action by that tRFMO.

(12) Tuna RFMO members should provide input to the Steering Committee through the Chair(s) of their respective RFMO(s) and during the annual review at the RFMO meeting(s).

BACKGROUND FOR AGENDA ITEM V.d.ii¹

Topic: Kobe III Guidelines - Addressing overfishing and/or stocks that are overfished

At Kobe I, the five tuna regional fisheries management organizations (RFMOs) Commissioners agreed to the “Kobe Plot” (or Chart, see below) as a harmonized diagram showing the current and historical level of biomass (B) and fishing mortality (F) versus B_{MSY} ² and F_{MSY} in three colors (green, yellow and red) to illustrate the status of a given stock of tunas. The Kobe Plot has become a standard feature of scientific and policy documents at the tuna RFMOs, and facilitates presentation of stock assessment results in an easily understood, clear and concise manner.

Kobe II produced the “Kobe II Strategy Matrix” (K2SM) as a harmonized format for presentation of fishery management alternatives. The K2SM is expected to improve the way in which the tuna RFMOs’ Scientific Committees communicate to the Commissioners the potential risks and consequences of management options. When possible, K2SM tables, or similar tools, can guide Commission discussions when adopting conservation and management measures with the aim of providing a high probability of achieving and maintaining stocks at levels consistent with Convention objectives. The precautionary approach, which reflects the UN Fish Stocks Agreement as well as certain tuna RFMO Conventions, may be implemented by adopting a higher level of probability.

The Kobe III meeting presents an opportunity to develop this process further by establishing guidelines for decision-making on conservation and management measures that are based on objectives stipulated in the Convention of the applicable tuna RFMO and/or objectives that have been previously agreed. This work should build upon the stock status represented in the Kobe Plot as well as the options in the K2SM, taking a precautionary approach through specific probability levels. These guidelines can consist of harvest control rules that establish a target level of biomass (*e.g.* B_{MSY}) and a limit level of fishing mortality (*e.g.* F_{MSY}). The precautionary approach may also be incorporated by setting target B sufficiently above B_{MSY} and/or limit F sufficiently below B_{MSY} to take uncertainties into account.

Potential guidelines for decision-making on conservation and management measures

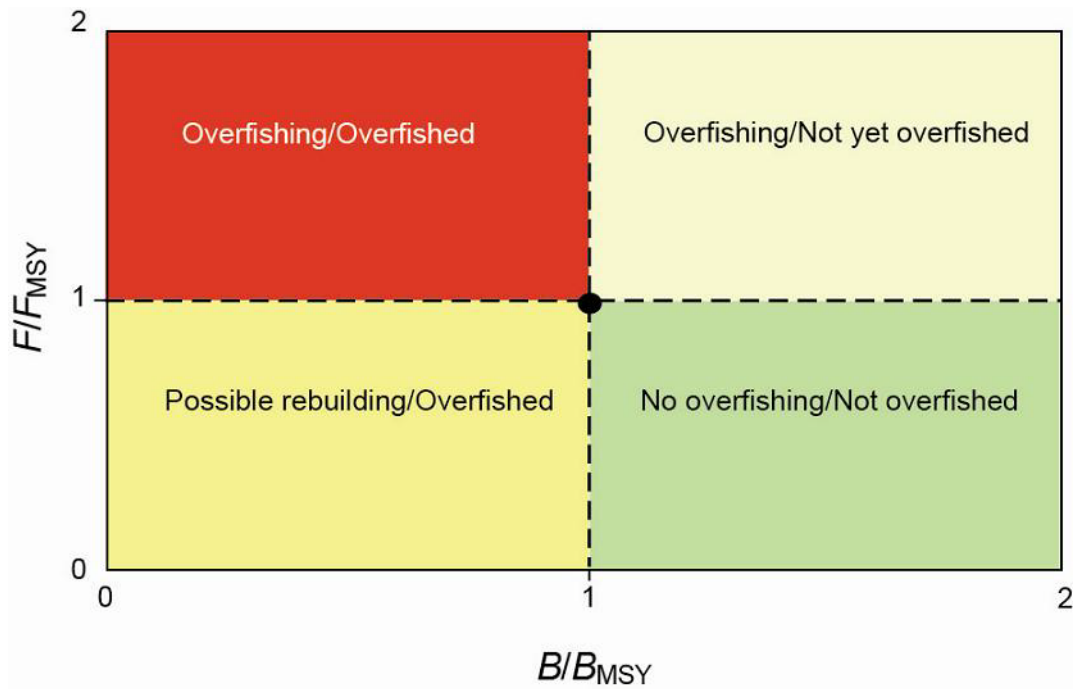
1. For stocks that are in the green zone, management measures should be established which result in a low probability of exceeding limit F .
2. For stocks that are in the lower left-hand yellow zone, management measures should be established which result in a reasonably high probability of rebuilding biomass to target B within a certain timeframe, with a low probability of exceeding limit F .
3. For stocks that are in the upper right-hand yellow zone, management measures should be established that result in a low probability of exceeding limit F within a certain timeframe, and with a reasonably high probability of maintaining biomass at target B .
4. For stocks that are in the red zone, management measures should be established which result in a reasonably high probability of rebuilding biomass to target B within a certain timeframe and which result in a low probability of exceeding limit F within a certain timeframe.
5. When the relevant Commission is unable to reach agreement on management measures, a default

¹ This background paper was developed to provide information and help frame the discussion on this agenda item. It does not necessarily reflect the position of any delegations participating in Kobe III, and is not meant to limit the discussions on this or any other topic.

² MSY = Maximum sustainable yield

measure will be in effect. The default measure, (*e.g.* set fishing mortality at the level with a low probability of exceeding F_{MSY}) must be specified in advance.

6. For stocks that are in the red zone and whose fishing mortality levels and biomass levels are such that, according to scientific advice, the stock is in imminent danger of collapse, fishing mortality should be set at a level of zero (closure).



U.S. White Paper

Basic principles for adopting measures for cross-listing vessels listed as IUU by other RFMOs

1) Compatible listing criteria, processes and procedures: There should be a common understanding among t-RFMOs of each other's listing criteria, processes and procedures. To the maximum extent possible, criteria, processes and procedures should be made compatible among all the t-RFMOs.

2) Scope: An RFMO should ensure its IUU cross-listing procedures are applicable to IUU vessel lists of other RFMOs that have an appropriate nexus (e.g., species and/or geographical) to the cross-listing RFMO. For example NAFO's cross-listing procedure is limited to IUU listings of NEAFC, which covers similar fisheries, and which has a convention area that is in close geographical proximity to the NAFO convention area. In the case of ICCAT, its cross-listing provision provides for the recognition of IUU listings of all other tuna RFMOs, thereby limiting its scope to RFMOs with species mandates (and therefore vessel coverage) similar to that of ICCAT. Given the global mobility of tuna vessels, ICCAT's cross-listing provision does not have a specific geographical limitation.

3) Information sharing between RFMOs: Effective IUU cross-listing provisions depend on the ability and willingness of RFMOs to share information on listing determinations with one another. This should include timely communication to other tuna RFMOs of IUU listings as well as supporting information considered by the original listing RFMOs and other relevant information regarding the listing determination (e.g., listing criteria, processes and procedures used and information on deliberations of the RFMO).

4) Preserving decision-making authority of the cross-listing RFMO: It is important that members of the cross-listing RFMO have the opportunity to consider each vessel, on a case-by-case basis, and to decide not to cross-list a vessel under certain circumstances, including, but not limited to, where:

- the original listing was not compatible or consistent with the RFMO's listing decision criteria or processes,
- there is satisfactory information to establish that the vessel did not engage in the IUU activity identified by the listing RFMO,
- appropriate action has been taken in response to the IUU fishing activities in question, or
- there is insufficient information on the basis for the original listing to make a cross-listing determination.

Decisions by an RFMO to place a vessel that appears on another RFMO's IUU list on its own IUU vessel list through a cross-listing mechanism should be based on a review of all documentation provided to the RFMO considering the cross-listing, any new relevant information, and a review of the report from the original RFMO reflecting its decision-making process.

As a result of this review, any member of the cross-listing RFMO should have the opportunity to object to the cross-listing of any vessel, or request additional time to consider it, given that the original listing RFMO may use different criteria and/or processes for IUU determinations, or a member of the RFMO with the cross-listing provision may not be a member of the original listing RFMO, and therefore would not have participated in the original decision to place the vessel on the IUU list.

K3-019A

5) Timely delisting and listing procedures: In recognition of the original RFMO's primary expertise in determining what activities are IUU under its requirements, removal of a cross-listing should be automatic upon removal of the vessel from the IUU vessel list of the original listing RFMO. Cross-listing procedures should provide for intersessional delisting and, to the extent possible and appropriate, for intersessional listing, of vessels from other RFMO IUU vessel lists.