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**EXPLANATORY NOTE**

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**EU PROPOSAL FOR A CATCH DOCUMENTATION SCHEME FOR THE WCPFC**

**WCPFC8- 2011-DP/29**  
**31 January 2012**

Paper prepared by the European Union

## **Explanatory Note**

### **EU proposal for a Catch Documentation Scheme for the WCPFC**

Following the discussions held at WCPFC 7 and TCC7, the EU submits for the consideration of WCPFC8 this proposal for the development of a Catch Documentation Scheme for the Commission to cover bigeye, yellowfin, skipjack and swordfish catches.

This proposal is intended to help support the implementation of conservation and management measures, improve control and data gathering as well as scientific research, for tropical tunas –bigeye, yellowfin and skipjack - and swordfish falling under the WCPFC competence. It considers the pressure on these stocks in the West and Central Pacific Ocean, the impact which market factors have on these resources and fisheries, and the need to control trade flows in order to combat illegal, unreported and unregulated fishing.

The proposal is consistent with the recommendations of the Kobe II workshop, notably for ensuring compatibility with already existing certification schemes being implemented, consistency across RFMOs and use of electronic systems to enhance efficiency, effectiveness and utility.

Furthermore, the EU fully supports the commitment undertaken in the Kobe process for technical assistance and capacity building support to be provided to small island developing countries, including through the Special Requirements Fund of the WCPFC, but also on a bilateral basis.

This draft CMM, just like all relevant EU policies and legislation, rests on the premise that flag States have the duty to ensure that their vessels conduct their fishing activities in a responsible manner, fully respecting WCPFC conservation and management measures. In addition, there is a need for improvement and strict control over all the components involved in tuna and tuna-like species fisheries.

Moreover, importing States have a complementary role to play to ensure compliance with WCPFC CMMs. An effective control of the movements of the catches, tracking of the product from the point of capture throughout the whole operation to its final market, as outlined in the proposed CMM on CDS, would therefore be a useful compliance instrument.

While port States remain responsible to promote the effectiveness of management measures adopted by regional fisheries management organizations, the flag State has the legitimate power to enforce effective measures in case of vessel's non-compliance or illegal activity. A system that attempts to attribute such powers to coastal or chartering States would therefore not be legitimate from the point of view of the EU's legislation on IUU. Catch certificates that could be issued in accordance with such scheme will not in any way replace the EU IUU catch certificate.

On the other hand, if a WCPFC CMM on CDS as proposed here by the EU is adopted, the possibility would exist for such WCPFC scheme to be recognised as substitute for the EU IUU scheme and in that case it would no longer be necessary for individual CCMs to provide documentation related to the referred EU IUU scheme.

Furthermore, in order for the WCPFC CDS to be able to serve its actual purpose, it would need to be unitary for all CCMs and provide the same information in order to have a common point of reference. By the same token, the CMM on CDS proposed by the EU is intended to apply equally to all CCMs and does not foresee derogatory provisions for any party.

As for possibilities for simplified procedures for artisanal fisheries or small fishing vessels, if such are to be agreed, the framework of operation for these types of vessel operations should be clearly defined.