



**COMMISSION
EIGHTEENTH REGULAR SESSION**
Electronic Meeting
1 – 7 December 2021

FFA COMMENTS ON THE CHAIR'S CONSULTATIVE DRAFT CMM - 1 OCTOBER

**WCPFC18-2021-TTM-DP07
22 October 2021**

FFA Member CCMs



FFA

22 October 2021

Ms Jung-Re Riley Kim
Chair Western and Central Pacific Fisheries Commission
PO Box 2356 Kolonia
FEDERATED STATES OF MICRONESIA

Dear Ms Kim,

FFA comments on the WCPFC Chair's Consultative Draft Tropical Tuna CMM

FFA members thank you for your consultative draft CMM and we are pleased to see that wording suggested by FFA members has been reflected in the draft.

As noted in FFA Members' earlier submissions on the TTM, we are committed to ensuring improved MCS measures for longline fisheries, particularly those in the high seas, as part of the package of measures in the revised CMM. To that end, FFA members put forward specific proposals for incorporation into the draft TTM on the following measures:

- 1) High seas entry and exit reporting.
- 2) E-Reporting of logsheet data (relating to high seas fishing) to apply from 1 Jan 2023.
- 3) Bigeye catch verification via Catch Documentation Scheme to the first point of sale to be referred to TCC.
- 4) Commitment to establish E-Monitoring requirement to supplement coverage by human observers.
- 5) Transshipment reform.

FFA members' specific text proposals on these elements are appended as Attachment 1 along with the requisite CMM2013-06 SIDS impact assessment.

We look forward to the feedback of other CCMs on the consultative draft as we work towards agreement of a revised measure and to receiving your next iteration of the draft measure in early November.

Yours sincerely,

G.P.N. Baleinabuli
FFC Chair

Attachment 1: Longline MCS related provisions

1. By 1 January 2023, the Secretariat shall develop an online secure portal for the automated electronic submission by vessels of the reports required by this paragraph. From 1 January 2023, flag States shall require their vessels to submit reports either directly or via 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 high seas in the Convention Area. Such reports shall also contain estimated catch (kilograms) on board. The report shall contain the following:

VID/Entry/Exit: Date/Time*; Lat/Long*; YFT/BET/ALB/SKJ/SWO/SHK/OTH/TOT(kgs)
/TRANSHIPMENT (Y/N)

**: Of anticipated point of entry or exit*

2. CCMs shall ensure that fishing vessels flying their flag and fishing on the high seas in the Convention Area, submit operational catch and effort data daily through electronic means from 1 January 2023.
3. TCC18 shall consider a proposal to track bigeye catch from the point of capture to the first point of sale, with a view to adoption by the Commission in 2023.
4. By 2023, the Commission shall establish a WCPFC Regional Electronic Monitoring Programme. The ERandEM Working Group is tasked with undertaking the necessary work to meet this deadline. TCC18 shall consider a proposal on the Minimum Standards for WCPFC Regional Electronic Monitoring Programme with a view to adoption by the Commission in 2022.
5. TCC18 shall consider the work of the transshipment Intersessional Working Group to review CMM 2009-06 with a view to adoption by the Commission of a revised transshipment measure in 2022.

**PRELIMINARY CMM 2013-06 ASSESSMENT OF THE PROPOSED MCS LONGLINE PROVISIONS FOR
THE NEW TROPICAL TUNA MEASURE**

CMM 2013-06 requires that an assessment of the impact of new proposals on SIDS and territories be undertaken. In considering any new proposal, the Commission shall apply the following questions to determine the nature and extent of the impact of the proposal on SIDS and territories in the Convention Area.

This CMM 2013-06 assessment of the proposed MCS provisions to the Longline Section of the new Tropical Tuna measure is provided on a preliminary basis and is without prejudice to the final position of FFA Members on the proposal.

a. Who is required to implement the proposal?

All flag CCMs who have vessels entering/exiting the high seas or fishing in the high seas of the Convention Area are required to implement the provisions in 1 and 2.

The rest of the provisions are taskings to the relevant subsidiary body (TCC) and working group (ERandEM WG, transshipment IWG) and the impact of these would depend on the outcome of these taskings, from these bodies.

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

The proposal will have an impact upon all CCMs, in particular flag CCMs. Flag CCMs will be required to ensure that operators of their flag vessels entering or exiting the high seas in the Convention Area comply with the requirement to submit entry/exit reports as required under paragraph 1. Flag CCMs will be required to ensure that their fishing vessels comply with the requirements to electronically submit daily operational catch and effort data when fishing in the high seas.

In order to implement the proposed obligations, flag CCMs are expected to put in place regulations or license conditions and relevant procedures to effectively monitor and ensure compliance by their flagged fishing vessels. Flag CCMs are also required to have arrangements in place to promptly investigate and take the necessary action where there is sufficient evidence of non-compliance and to notify or report to relevant CCMs and the WCPFC Secretariat of actions taken.

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

The proposed provisions relating to entry/exit report to the high seas as well as electronically reporting of catch and effort daily taken in the high seas is unique among RFMOs and there are no linkages with other proposals or instruments in other RFMOs.

Notwithstanding this, the proposal is similar to FFA Members, (which makes up the majority of the SIDS and territories), minimum terms and conditions for vessel reporting requirements relating to weekly reports of catch on board as well as entry into and departure from zones of any licensing FFA members. In addition, the FFA minimum terms and conditions require vessels to complete daily reports of all catch and by-catch by species, taken in the fishery waters of the FFA licensing member including the high seas and shall certify that such information is true, complete and accurate. Such terms and conditions are already being implemented by FFA Members on their flagged vessels, as well as foreign fishing vessels, including through conditions of licence.

We also note that a similar reporting requirement relating to entry and exit into the Eastern High Seas Pocket (EHSP) was in place in the past, stipulated by CMM 2010-02 paragraph 2.

d. Does the proposal affect development opportunities for SIDS?

The proposal is not expected to have a direct effect on SIDS development opportunities; rather there will be an indirect effect on the development opportunities for SIDS because SIDS will be required to implement the requirements for their flag vessels. Such requirements will have cost and resource implications. Despite the implementation costs on SIDS flag vessels, the proposals are expected to have an overall long term benefit on SIDS development opportunities by ensuring longline fisheries are effectively monitored. In addition, ensuring a level playing field between EEZs and high seas so that SIDS domestic vessels are no longer bearing costs that currently do not apply to high seas vessels.

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

The proposal is not expected to have a direct impact on SIDS domestic access to resources (and development aspirations). As stated in (c) above, there are currently similar reporting requirements in place for the FFA members, which make up the majority of SIDS and territories, through the FFA harmonized minimum terms and conditions.

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

For SIDS to effectively implement this proposal, activities to be undertaken for which resources will be required may include but are not limited to the following: review of relevant national policies and regulatory framework; develop and implement a monitoring regime; undertake stakeholder consultations; and training where required.

The Special Requirement Fund (SRF) can be used to financially assist SIDS implement these requirements.

g. What mitigation measures are included in the proposal?

There are no mitigation measures included in the proposal.

Nonetheless, FFA will be supporting its Members to implement these requirements, including looking to access funds if required, to support Members to implement these requirements.

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

There are no assistance mechanisms included in the proposal to avoid a disproportionate burden on SIDS.

CMM 2013-06 provides that in cases where the transfer of a disproportionate burden of conservation action has been demonstrated by a SIDS or territory, CCMs shall cooperate, to mitigate the burden for the implementation by the relevant SIDS and territories of specific obligations including through: 1) phased or delayed implementation of specific obligations; 2) exemption of specific obligations; 3) proportional or rotational implementation; or 4) establishment of a compensatory funding mechanism in accordance with the financial regulations of the Commission.