



COMMISSION
Twenty-First Regular Session
28 November to 3 December 2024
Suva, Fiji (Hybrid)

**Proposal to revise CMM 2023-01 related to the high seas purse seine effort limit adjustment
for Indonesia**

WCPFC21-2024-DP07
29 October 2024

Submitted by Indonesia

A. Explanatory Note

Indonesia, as a key member in the Western and Central Pacific Fisheries Commission (WCPFC), relies heavily on marine resources for economic development and food security. Currently, under Conservation and Management Measure (CMM) 2023-01, Indonesia's high seas purse seine effort is recorded to zero days, required a notification to the WCPFC for the expansion of its high seas purse seine activities. Moreover, CMM 2023-01 paragraph 43 stated that CCMs, other than Small Island Developing States for Small Island Developing States and Indonesia, shall keep the number of purse seine vessels flying their flag larger than 24m with freezing capacity operating between 20oN and 20oS (hereinafter "LSPSVs") to the applicable level under CMM 2013.-. This means that Indonesia is allowed to fish in the high seas for its large purse seine vessels.

Indonesia aims to revise the high seas purse seine limit to utilize its rights to fish in the high seas of the Convention Area. A working paper presented during the 4th Scientific Committee Meeting in 2008 provided effort limit data for the national water of non-PNA countries and the high seas, suggesting that Indonesia's high seas fishing effort could be estimated at around 500 days.

Legal Basis for High Seas Access

Indonesia's request for revising the high seas purse seine limit is backed by international agreements such as the United Nations Convention on the Law of the Sea (UNCLOS), the United Nations Fish Stocks Agreement (UNFSA) and the WCPFC Convention. Several articles from these conventions establish the rights and interests of developing coastal states in accessing high seas fisheries.

UNCLOS Articles:

- Article 87 establishes the freedom of fishing on the high seas but requires due regard for the interests of other states.
- Article 116 affirms the right of all states to engage in high seas fishing, provided they adhere to their treaty obligations and respect the rights of coastal states.
- Article 119 mandates that conservation measures should be designed based on scientific evidence, keeping in mind the special requirements of developing states.

These articles emphasize the importance of equitable opportunities for developing states to access fisheries resources and ensure they are not disadvantaged by conservation measures.

UNFSA Provisions:

The UNFSA, particularly Article 24, requires Regional Fisheries Management Organizations (RFMOs) to assist developing states in equitable participation in high seas fisheries. It stresses avoiding adverse impacts on developing states and preventing the undue transfer of conservation burdens to these states.

WCPFC Convention:

The WCPFC Convention (Article 30) also recognizes the special requirements of developing states, highlighting the need for fair access and avoiding adverse impacts on their fisheries. It mandates the WCPFC to ensure that conservation measures provide equitable opportunities for developing states to expand and develop their fisheries sustainably.

Indonesia's proposal

Indonesia proposes to set a high seas purse seine effort limit as much as 500 days based on:

- Estimation on purse seine fishing effort in the high seas by SPC's paper in SC4.
- Estimation on catch rate equivalent to the effort rate for the six purse seiners in Indonesian EEZ during 2023 was around 500 days.

Justification for Indonesia's Proposal

- Indonesia's fisheries sector is crucial to its national economy, supporting millions of livelihoods. Revising the high seas limit would provide Indonesia with opportunities for economic diversification and growth, allowing greater participation in the high seas fishery and empowering coastal communities.
- Indonesia is committed to maintaining sustainable fisheries. Any increase in high seas purse seine activities would comply with WCPFC guidelines, ensuring minimal environmental impact. Indonesia plans to implement robust monitoring, control, and surveillance measures to ensure compliance.
- Indonesia seeks a fair opportunity to participate in the high seas fishery. The current zero-day limit restricts Indonesia's competitiveness compared to other WCPFC members with current allocations. Adjusting the limit would align with the principles of fairness and equity outlined in international fisheries governance frameworks.
- Allowing Indonesia, a developing coastal state, to use its rights for a high seas purse seine limit would also benefit the WCPFC scientific community, as Indonesia would be able to actively participate in providing operational data from fishing vessels operated in the high seas for the science work.
- Indonesia is ready to fulfil the requirement of the CMM related to the high seas fishing activities (i.e. notify the Secretariat of WCPFC when the vessel about to enter the high seas, operating MTU VMS such as PTSOG Taiwan that compatible with the WCPFC MTU list, deploy an observer for each purse seiners fishing in the high seas, implement vessel marking following the WCPFC standard).

By agreeing this proposal, the WCPFC can promote and demonstrate a greater regional cooperation, equity, and shared responsibility for sustainable fisheries management. Indonesia looks forward to constructive dialogue and collaboration with WCPFC members to realize a mutually beneficial outcome.

B. Consideration of CMM 2013-06

1. Who is required to implement the proposal?
Indonesia.
2. Which CCMs would this proposal impact and in what ways and what proportion?
This proposal may only impact to Indonesia.
3. Are there linkages with other proposals or instruments in other Regional Fisheries Management Organizations or international organizations that reduce the burden of implementation?
No.
4. Does the proposal affect development opportunities of SIDS?
No.
5. Does the proposal affect SIDS domestic access to resources and development aspirations?
No.
6. What sources, including financial and human capacity, are needed by SIDS to implement the proposal?
No additional resources are required for SIDS to implement this proposal.
7. What mitigation measures are included in the proposal?
No mitigation measures are included.
8. What assistant mechanisms and associated timeframe, including training and financial support, are included in the proposal to avoid a disproportionate burden on SIDS?
This proposal does not place a disproportionate burden on SIDs.

C. Proposed Changes to CMM 2023-01

High seas purse seine effort control³

25. CCMs that are not SIDS shall restrict the level of purse seine effort on the high seas in the area 20oN to 20oS to the limits set out in Attachment 1, Table 2, except that the Philippines shall take measures on the high seas in accordance with Attachment 2.

Attachment 1

CCM	EFFORT LIMIT (DAYS)
CHINA	26
ECUADOR	**
EL SALVADOR	**
EUROPEAN UNION	403

INDONESIA	(0) 500
JAPAN	121
NEW ZEALAND	160
PHILIPPINES	#
REPUBLIC OF KOREA	207
CHINESE TAIPEI	95
USA	1270

** subject to CNM on participatory rights

The measures that the Philippines will take are in **Attachment 2**.