

## **INTERNATIONAL MANAGEMENT MEASURES: (Peter Flournoy)**

### **DECEMBER 2005**

First Meeting of the Northern Committee, First Meeting of the Technical and Compliance Committee, and Second Regular Meeting of the Western and Central Pacific Fisheries Commission - Pohnpei, Federated States of Micronesia - December 5-16, 2005.

The Technical and Compliance Committee meet for a week and picked up work where the Working Group III of the PrepCon had left off. The Fijian Chair, Apolosi Turaganivalu kept the meeting moving through an ambitious agenda (Canada was elected as vice-chair). A large amount of time was spent arguing whether the VMS system to be used should be IMARSAT- C or ARGOS, and whether it should be a two information flow system. It was finally agreed that for now either system could be used, and that for those units which could not be remotely interrogated (ARGOS) the standard reporting rate should be once every hour. The TCC also agreed to a long list of monitoring, surveillance, and control functions which observers should fulfill, which are basically meaningless until the WCPFC passes some management and conservation regulations. More importantly it was decided to hire an observer coordinator a year earlier than anticipated who could begin to organize how the system would work day-to-day.

A new draft of boarding and inspection procedures was distributed (which has been reviewed and if remaining intact will adequately protect fishermen from dangerous intrusions and harassment during fishing operations. A working group on B&I, under the Chairmanship of Gibbons-Fly, will convene electronically in early 2006, with a meeting tentatively set for March in Honolulu (in conjunction with the South Pacific Tuna Treaty annual meeting where most FFA member countries will be in attendance anyway), over the objections of the EU, which objected to another inter-sessional meeting.

Most important for WFOA/AFRF was the preparatory work done on the North Pacific Albacore Resolution and the meeting of the Northern Committee, first informally on Saturday, and then Monday as a newly constituted committee of the WCPFC. Massa Miyahara, from Japan was selected as Chair, and the next formal meeting of the NC was set for Tokyo from September 11-13, 2006. The U.S. was successful in obtaining a slightly stronger resolution on North Pacific albacore than that passed by the IATTC last June which is in line with the strategy to maintain a healthy and sustainable stock. Also reviewed was an MOU for the International Science Committee (chaired by Gary Sakagawa of the U.S.) to provide scientific analysis and stock assessments for the NC. Miyahara proved to be a strong and dominate chair.

With over a week of preparatory meetings the Second Commission meeting should have gone smoothly, however, as the week wore on it was clear to this observer that the Australian and New Zealand delegations were determined to manipulate the FFA member states as much as possible in order to continue to thwart any Japanese movement because they are still mired in the southern bluefin dispute with Japan which so skewed the MHLTC negotiations and the PrepCon process. This destructive force seems to now even exceed the disruptive behavior associated with the China- Chinese Taiwan, and Japan-Chinese Taiwan conflicts. The Commission did advance, however, by the participation of Indonesia (not yet a party) and active participation by the Philippines, both of which are thought to have fishing activities which heavily influence the health of the BE and YF stocks in the Convention Area. The absent player, which has never been included, is Thailand with its canning facilities which by accepting small yellowfin and big-eye tuna increasing provides the economic motivation for fishing practices which are believed to be devastating some of the tuna stocks in the Convention Area.

Primarily at the instigation of the U.S., the WCPFC passed resolutions dealing with turtles, seabirds, sharks and reduction of food fish bycatch after protracted negotiations with the FFA countries, who, with the exception of Australia and New Zealand, appear to be more eager to discuss matters relating directly to the resources that provide the basis for the tuna fishery. These discussions were useful, however, to highlight the growing willingness of many of the Pacific Island States to voice their views in the plenary meetings (Fiji, PNG, Tokelau, Niue, Cook Islands, and to a lesser extent Vanuatu, Nauru, and Samoa) and to make well-reasoned contributions to the meeting negotiations without waiting for an FFA caucus. In the past very few Pacific Island State delegates would say anything without it first being cleared by the FFA caucus.

A \$2.5 million budget was agreed to easily, (U.S. share \$370,000 in fiscal 2007), as well as other administrative matters such as housing, furnishing the nearly completed Commission building (being built by the Chinese with imported Chinese labor), hiring a Science Coordinator, Dr. Soh from Korea, formerly the chair of the Scientific Committee, (to be replaced, hopefully by Bob Skillman from the Honolulu laboratory), and confirming the hiring of Drew Wright from Australia as the Executive Director.

Taking management and conservation measures relating to the purse seine and longline catches of YF and BE tuna proved more tedious. There was general disappointment that it proved impossible to apply relatively modest measures, such as a 4-week purse seine closure in the Convention Area or a limitation on FAD sets, and these measures were tabled for the Third Commission meeting. The southern swordfish resolution which had been originally tabled as part of New Zealand South Pacific albacore resolution was resurrected at the 11th hour. Designed obviously to protect the Australian and New Zealand swordfish fishery in the own EEZs from localized depletion, any meaningful resolution was blocked by the only other country which cared about swordfish in the South Pacific, the EU.

One of the management resolutions which should have been passed was the Japanese resolution to document BE tuna landings, similarly to the way dolphin safe YF landings are documented in the IATTC. Unfortunately, this resolution was blocked by New Zealand and Australia.

The next most time consuming discussion was over South Pacific albacore. New Zealand made no secret that they would kill the North Pacific albacore resolution unless the South Pacific resolution was passed, allegedly fearing a great expansion of effort in the south if both the east and west North Pacific catches were limited. Unfortunately, the most the Science Committee had said (perhaps preoccupied by BE and YF which had been the subject of concern for years) was that there might be local depletion of southern albacore in the longline fisheries which it is generally acknowledged are approaching MSY. However, nothing had been said by the scientists to provide a basis for limiting in any way the lightly exploited southern albacore surface fishery. Despite this and other arguments advanced by the U.S., Japan, Canada, and the Chair suggesting there was no basis in the science to include pole and line, troll, and handline gear, and further there was no rational reason to divide the Pacific south of the equator into zones north and south of 20 degrees south, New Zealand would not budge. The Chair suggested both the North and the

South resolutions should be in effect only for one year and that the science should be reviewed annually in order to evaluate the need for such measures, at which point New Zealand finally gave in. The operative paragraphs of the resolution finally passed are:

1. Commission Members, Cooperating Non-Members, and Participating Territories (CCMs) shall not increase the number of their fishing vessels actively fishing for South Pacific albacore in the Convention Area south of 20 degrees south above current (2005) levels or recent historical (2000-2004) levels.
2. The provisions of Paragraph 1 shall not prejudice the legitimate rights and obligations under international law of small island developing states and territories of CCMs in the Convention Area for whom South Pacific albacore is an important component of the domestic tuna fishery in waters under their national jurisdiction, and who may wish to pursue a responsible level of development of their fisheries for South Pacific albacore.
3. CCMs that actively fish for South Pacific albacore in the Convention Area south of the equator shall cooperate to ensure the long term sustainability and economic viability of the fishery for South Pacific albacore, including cooperation and collaboration on research to reduce uncertainty with regard to the status of this stock.
4. This resolution shall be reviewed in 2006 by the Scientific Committee and evaluated according to the Science Committee's advice."

Paragraph 2 applies to the U.S. territories of Guam, American Samoa, and the Northern Marianas and vessels home ported there. The prefatory paragraphs talk about the longline fleets and the longline exploitable biomass, and do not mention the surface fisheries at all. The North Pacific albacore resolution contains the stronger language which we wanted that in addition to putting a cap on the fishery at current levels, "The MCMs (same as CCMs above) shall work to maintain, and as necessary reduce the level of fishing effort on North Pacific albacore in the Convention Area commensurate with the long-term sustainability of the stock."

At this meeting, similar to what occurred in the June IATTC meeting, U.S. government officials went out of their way to seek information about and to gain a true understanding of the concerns of the U.S. albacore fishermen, and then worked hard to protect those rights based upon the best scientific information available. Especially hard work by the PIR office, and by representatives from both the State and Commerce Departments, were evident in the results obtained for albacore fishermen.

The next meeting of the WCPFC will be in Apia, Samoa, December 11-15, 2006