



**SIXTH REGULAR SESSION**  
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**REPORT OF THE EXECUTIVE DIRECTOR  
ON THE WORK OF THE COMMISSION DURING 2009**

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**WCPFC6-2009/19**  
**7<sup>th</sup> November 2009**

**Prepared by the Secretariat**

**1. Introduction**

1. In response to Rule 13 of the Commission's Rules of Procedure, which requires the Executive Director to make a report to the Commission at its regular session on the work of the Commission, this paper summarises the main activities of the Commission during 2009. During this period the work of the Commission included:

- a) On-going monitoring of progress with implementation of conservation and management measures (CMMs) and decisions of the Commission;
- b) implementing the programme of work approved at the Fifth Session of the Commission (WCPFC5). Key elements included:
  - enhancements to the WCPFC Record of Fishing Vessels;
  - implementation of the Commission's vessel monitoring system as scheduled in April;
  - support to CCMs and associated agency's efforts with the effective implementation of the Regional Observer Programme in advance of the August and September high seas and exclusive economic zone (EEZ) closure of purse seine fishing on fish aggregating devices (FADs);
  - securing funding support for the 3-year West Pacific East Asia Oceanic Fisheries Management Project (WPEA OFM) including the Global Environment Facility (GEF), AusAID, the US National Marine Fisheries Service and the Government of Japan;
  - significant support involving a diverse network of collaborators to commence activities under the WPEA OFM in Philippines, Indonesia and Vietnam;
  - on-going productive collaboration with the Commission's Science Services Provider (the Secretariat of the Pacific Community's Oceanic Fisheries Programme (SPC-OFP));
  - continued excellent progress, across a wide geographic range within the Convention Area, with the SPC-OFP led Pacific Tuna Tagging Project (PTTP);
  - on-going improvements to the functionality of the headquarters office building;
  - effective engagement at both Secretariat and CCM level in a wide range of relevant regional and international processes including through the Forum Fisheries Committee (FFC), the Parties to the Nauru Agreement (PNA), the Food and Agriculture Organisation (FAO) and the Kobe process for tuna regional fisheries management organisations (RFMOs); and
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- c) support for various working groups that considered Commission matters inter-sessionally, principally by electronic means, including those associated with:
  - the Regional Observer Programme-Inter-sessional Working Group (ROP-IWG); and

- the work of the Ad Hoc Task Group [Data] in respect of high seas data for the purposes on surveillance and enforcement and the use of VMS data for scientific purposes; and
- d) the fifth regular sessions of the Commission's subsidiary bodies, Scientific Committee (SC), Northern Committee (NC), the Technical and Compliance Committee (TCC), and a third session of the Finance and Administration Committee (FAC) to be convened in association with WCPFC6.

## 2. Work of the Commission's Subsidiary Bodies

### 2.1 Scientific Committee

2. The Fifth Regular Session of the Scientific Committee (SC5) took place at Port Vila, Vanuatu from 10–21 August 2009. All Members, Cooperating Non-members and Participating Territories (CCMs), except American Samoa, Belize, Commonwealth of the Northern Mariana Islands, El Salvador, France, Guam, Indonesia, Mexico, Senegal, Tokelau, and Wallis and Futuna, attended. Dr Naozumi Miyabe (Japan) chaired the meeting. Six Specialist Working Groups (Statistics, Stock Assessment, Ecosystems and By-catch, Methods, Fishing Technology and Biology) met during the first week of the Committee.

3. The Committee noted that the total tuna catch in the Convention Area for 2008 was estimated to be 2,426,195 mt, the highest annual catch on record. The WCPF Convention Area accounted for 81% of the total catch of tunas from the Pacific Ocean and 56% of the total global tuna catch in 2008. A review of the status of bigeye, yellowfin, south Pacific albacore tuna and swordfish stocks in the southwest and south central Pacific in 2009 was undertaken. For bigeye, the SC5 again recommended a minimum 30% reduction in fishing mortality from the 2001-2004 level with an indication that a reduction in fishing mortality of 34-50% from the 2004 to 2007 levels, though there are some uncertainties, would be required to return the fishing mortality rate to  $F_{MSY}$ . Management implications for other species are summarized in the SC5 Summary Report which is available on the Commission's website. SC5 agreed that full bigeye and skipjack tuna assessments will be undertaken in 2010. Other issues arising from SC5 included:

- a) an appraisal of CMM-2008-01 with respect to the potential for achieving the objectives of the Measure;
- b) a summary of the most recent information and assessments for tuna and billfish stocks in the North Pacific;
- c) continued support for further work concerning the reproductive biology of bigeye tuna in the Pacific Ocean and better characterization of the species composition in the purse seine fishery;
- d) recommendations from a dedicated session of the Methods Specialist Working Group to discuss reference points;
- e) recommendations on by-catch mitigation associated with seabirds, sea turtles, sharks, and juvenile bigeye and yellowfin tunas;
- f) recommendations associated with addressing data gaps, harmonising the data holdings of the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) with those of the Commission's, data fields associated with monitoring FADs in the purse seine fishery, potential use of VMS data for scientific purposes, and data collection associated with transshipment;
- g) the status of the Indonesia and Philippines Data Collection Project (IPDCP)/WPEA OFM and the PTPP;
- h) recommendations to the Commission on the adoption of the revisions to the MOU with SPC to provide for a three-year arrangement as directed by WCPFC5;
- i) adoption of revised 'Guidelines outlining the process for formulating the work programme and budget of the Scientific Committee';
- j) inclusion of three new projects into 2010 SC work programme: SEAPODYM simulation modelling, identifying provisional decision rules, and stock assessment of southwest Pacific striped marlin;

- k) review of the recommendations from the Independent Review with a focus on potential peer review arrangements for stock assessments and arrangements for improving the efficiency of the annual meeting of the Scientific Committee including through the re-structuring of the work of SWGs;
- l) an offer from Tonga to host the Fifth Regular Session of the Scientific Committee, 9-20 August 2010; and
- m) the nomination of Pamela Maru (Cook Islands) for Vice Chairperson of the SC to replace the Dr Keith Bigelow. The SC expressed appreciation to Dr Bigelow for his invaluable service to the Committee.

## **2.2 Northern Committee**

4. The Fifth Regular Session of the Northern Committee (NC5) took place at Nagasaki, Japan from 7–10 September 2009. The meeting was attended by members from Canada, Cook Islands, Japan, Republic of Korea, Chinese Taipei, United States of America (USA) and Vanuatu and several observers from CCMs. Mr Masanori Miyahara (Japan) chaired the meeting.

5. NC5 reviewed the advice and recommendations for northern stocks formulated by the ISC at its 9<sup>th</sup> Plenary Session (ISC9), Takamatsu, Chinese Taipei 22-27 July 2009. It considered a draft measure for Pacific bluefin to address i) application throughout the stocks range covering high seas and coastal fisheries effort, ii) target fisheries and fisheries that take bluefin as bycatch, iii) acceptance of a reference level of fishing effort (2002–2004), iv) the need for provide complete catch and effort data, v) identification of stock-specific reference points, vi) large range of yearly fluctuations of catches, vii) the special needs of artisanal fisheries, viii) the issue of increasing F on juveniles, and xii) freezing  $F_{\text{current}}$  (2002–2004) as the reference period for measuring F (for the purpose of monitoring compliance with management measures).

6. NC5 also agreed to a draft measure for north Pacific albacore for the consideration of the Commission, noting that, as a pan-Pacific stock, collaboration between the IATTC and WCPFC on management and conservation efforts is necessary and that there is a need to use clear and explicit baselines or benchmarks for fishing effort rather than using ambiguous terms such as “current levels” as has been the practice in the Commission’s current conservation and management measures.

7. Other issues considered by the NC included swordfish and striped marlin (including an assessment in 2011), sharks and inter-sessional work in 2010 to support implementation of the Regional Observer Programme (ROP), data gaps, the recommendations of the Independent Review of Interim Arrangements for Science Structure and Function and resourcing the ISC. The next meeting of the NC was proposed for 8-11 September 2010 in Japan.

## **2.3 Regional Observer Programme - Inter-sessional Working Group**

8. The third meeting of the Inter-sessional Working Group to develop the Regional Observer Programme (ROP-IWG3) took place at Guam from 17-20 March 2009. Fifty-two participants representing CCMs, SPC-OFP and the FFA Secretariat attended the meeting that was chaired by Dr Charles Karnella (USA).

9. The ROP-IWG3 reached agreement on standards for the elements of the ROP, including; Vessel Safety Checklist (VSC), ROP observer placements, procedures for deploying ROP observers, cadre of observers, observer and observer trainer qualifications, authorization of debriefers and requirements of debriefing, liability and insurance, ROP workbook (forms and harmonization) and also considered other means for obtaining data collected by observers and explore developing technologies for monitoring vessel operations and sampling catch. These standards are recommended to the Commission on an interim basis as they may need to be revised as implementation of the ROP proceeds.

10. The ROP-IWG3 also recommended to the Commission that the function of the ROP-IWG be reconsidered, and recommended that a technical and operational group be established to accommodate all the technical and operational issues that may arise during the early development of the ROP.

11. The ROP-IWG3 also considered and approved the use of the FAD information interim data standards and the use of an improvised definition of a “FAD Set” for 2009. The meeting approved several cost options for data management to be forwarded to the TCC and the Commission for further discussion. TCC narrowed these cost options down to two and asked the Secretariat to carry out more work on these options for the Commission’s consideration in December.

12. The Secretariat continues to discuss with IATTC the cross-endorsement of IAATC and WCPO observers which, when an agreement is reached, will enable observers from both organisations to carry out observer duties on a vessel that may choose to fish in the convention areas of both organisations during one trip.

13. The ROP continues to develop with some work still to be carried out on definitions, vessel size, and fishery coverage. During 2010 the audit process for authorisation of ROP interim authorised observer programmes will commence on invitation by respective CCMs.

## **2.5 Technical and Compliance Committee**

14. The Fifth Regular Session of the Technical and Compliance Committee (TCC5) was held at Pohnpei, Federated States of Micronesia from 1 to 6 October 2009. The meeting was chaired by Ambassador Wendell Sanford (Canada), and 140 participants from 26 CCMs, one Cooperating Non-Member and four observers attended the meeting.

15. A major TCC5 recommendation is that the Commission adopt new rules and procedures for the protection, access to and dissemination of data for the purpose of monitoring, control and surveillance on the high seas, and access to and dissemination of high seas VMS data for scientific purposes (See Section 2.6). Other important TCC5 recommendations relate to the Regional Observer Programme, namely the preparation by the Secretariat of supplementary information on incidents arising from the August-October 2009 FAD closure for the Commission’s consideration at WCPFC6 and the arrangements required to process the data and information that will be generated by the ROP.

16. TCC5 also reviewed implementation of the Commission VMS that is now tracking the positions of over 2,200 authorized fishing vessels, resulting in recommendations for the implementation of electronic vessel registration and establishment of a redundancy capacity for the Commission VMS at Pohnpei. As the result of a review of the scope and quality of information for vessels on the WCPFC Record of Fishing Vessels (RFV), TCC5 recommended that an on-line system for entering vessel details be developed as a means to improve the ability of flag States to maintain their respective records of fishing vessels on the RFV. Following a review of information submitted by CCMs alleging that 17 fishing vessels had undertaken illegal, unreported or unregulated (IUU) fishing activities in the WCPFC Convention Area during 2008 and early 2009, TCC5 decided to place 15 of these vessels on the Provisional IUU Vessel List for consideration by the Commission at WCPFC6.

17. TCC5 agreed to recommend to the Commission that the Sixth Regular Session of the Technical and Compliance Committee be held at Pohnpei, Federated States of Micronesia from 30 September to 5 October 2010. Ambassador Wendell Stanford (Canada), who had chaired the previous two sessions of the Committee, stepped down as Chair at the conclusion of TCC5. Mr Noan Pakop (PNG) was recommended to the Commission as his replacement.

## 2.6 Ad Hoc Task Group [Data]

18. WCPFC4 endorsed the recommendation of the Third Regular Session of the Technical and Compliance Committee (TCC3) for continuation of the work of the Ad Hoc Task Group-Data (AHTG [Data]). WCPFC Circular 2008/08 dated 14 March 2008, referring to this endorsement by WCPFC4 and the on-going need for structured consideration of data-related matters in the Commission, particularly in relation to MCS data<sup>1</sup>, invited CCMs to agree to a program of work for the AHTG [Data]. The terms of reference for the Group were subsequently agreed electronically and Ms Holly Koehler (USA) was nominated to chair the AHTG [Data].

19. In 2008 and 2009, working nearly exclusively by electronic means the AHTG [Data] considered four (4) drafts of the *Rules and Procedures for the Protection, Access to, and Dissemination of High Seas Non-Public Domain Data and Information Compiled by the Commission for the Purpose of Monitoring, Control or Surveillance (MCS) Activities and the Access to and Dissemination of High Seas VMS Data for Scientific Purposes* (the Commission's *High Seas Non-Public Data Rules* or *HS NPDR*) over a period of 20 months. In addition, consultation was undertaken with both the Scientific Committee (SC) and the TCC during their 2008 and 2009 regular annual sessions and a progress report was provided to WCPFC5 at Busan, Korea in December 2008. The AHTG [Data] met formally from 28-29 September 2009 at Palikir, FSM in advance of TCC5 where it developed two additional drafts of the High Seas Non-Public Domain Data Rules. The sixth draft was provided to TCC5 for its consideration and advice regarding the one outstanding issue in the text. During the course of the TCC5 the AHTG [Data] was able to finalize the text and TCC5 unanimously recommended the Final Draft of the Commission's *High Seas Non-Public Data Rules* to WCPFC6 for its consideration and adoption (WCPFC6-2009/15).

## 2.7 Finance and Administration Committee

20. A Finance and Administration Committee (FAC), co-chaired by Terry Toomata (Samoa) and Xiaobing Liu (China), will meet for the third time just prior to, and throughout, WCPFC6, as necessary. In addition to personnel, work programme and budget matters, the FAC will consider a range of administrative matters relating to the work of the Commission including issues associated with the headquarters office, the implementation of the Secretariat's Business Plan and progress with the finalisation of a Strategic Plan for the Commission.

## 2 Secretariat Activities

### 2.7 Secretariat administrative and establishment matters

#### *Business Plan*

21. The Business Plan is intended to provide guidance on implementation and monitoring of Secretariat-related activities identified in a Strategic Plan for the Commission. Although the Strategic Plan is still before the Commission for consideration WCPFC4 adopted a recommendation from the First Session of the Finance and Administration Committee (FAC1) relating to a Business Plan for the Secretariat. The Secretariat will report on the progress with implementation of the Plan during 2009. (WCPFC6-2009-FAC3/08).

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<sup>1</sup> Paragraph 23 of the "Rules and Procedures for the Protection, Access to and Dissemination of Data Compiled by the Commission" states, "For the purpose of compliance and enforcement activities on the high seas, Non-Public Domain data will be made available subject to separate rules and procedures for the access and dissemination of such data, that the Commission will adopt for these purposes".

### *Recruitment of secretariat staff*

22. The VMS Manager, Mr Albert Carlot from Vanuatu, commenced work with the Secretariat in early January. Subsequently, two VMS Operations Officers were recruited in advance of, and shortly after, the activation of the Commission VMS. Mr Milo Abello and Mr Julio Mendez are both from Pohnpei State. Mrs Mercy Ringlen, also from Pohnpei State, was recruited as Secretary/Receptionist. The Compliance Manager, Mr Andrew Richards, gave notice of his intention not to renew his contract when it expires in early 2010. Subsequently, an extensive recruitment exercise for a new Compliance Manager was conducted and this resulted in the selection of Mr Peter Flewwelling of Canada. Mr Flewwelling is expected to commence with the Commission in February 2010.

### *IT systems and communications*

23. Following the approval of *ICT Strategic Plan 2009-2011* and a related 2009 Work Plan, and its associated *IT Procurement Policy* and *IT Acceptable Use Policy*, the main priorities delivered in 2009 included: (i) redevelopment of the Commission's public website with secure section for CCMs only; (ii) the enhanced Record of Fishing Vessels (RFV) now secure on corporate servers and accessible to CCMs and public users; (iii) Microsoft Small Business Server 2008 (Premium) environment and MS Office 2007 application suite with good functionality for staff and better compatibility with external partners including CCMs; (iv) technology support to the implementation of the Commission VMS and work associated with the Compliance Information Management System (IMS); and (v) continued improvements to the Secretariat's corporate network and ICT infrastructure portfolio including disaster recovery and redundancy measures.

24. In relation to communications, the Secretariat increasingly relies on Voice Over Internet Protocol (VOIP). While line quality is often not of a high standard this has resulted in significant communication cost savings. With improvements to the RFV increased CCM access to the Commission's servers in Pohnpei is forecast. Current bandwidth, both through the local communications provider (FSM Telecom) and through the back up satellite terminal installed by the Secretariat in 2008 (currently a shared facility offering a maximum of up to 512kbps download and up to 128kbps upload), will be insufficient to support both the needs of the Secretariat and CCM clients. As a result, in late 2009, the Secretariat upgraded its satellite terminal to dedicated 512/512kbps as a temporary measure until the new fibre optic facility, which is scheduled to be commissioned in May 2009, is available to the Secretariat.

### *Financial and administrative arrangements*

25. Financial and administrative arrangements operated satisfactorily during the year. The failure of the headquarters building's central air-conditioning system and the standby generator switching system proved difficult issues. It is hoped to progressively introduce split system cooling as funds permit to provide a more flexible, robust and economical air conditioning solution. It is hoped that the Commission can draw on the expertise of the Pohnpei Utilities Commission and its technical network to identify a cost effective solution in regard to the lack of connectivity in relation to the standby generator. It is still anticipated that expert accounting system such as QuickBooks Enterprise can be implemented in early 2010 to help manage the Commission's financial processes and records.

### *Annual Accounts and Contributions*

26. The 2008 financial statements were completed, audited and made available through the Commission's website within the specified time frames, together with the External Auditor's Reports. The Auditor reported that the statements and accounts complied with the required accounting standards as well as the Commission's Financial regulations and presented a fair view of the financial position (see also WCPFC6-2009-FAC3/04).

27. Article 18 (3) of the Convention provides that if a member's contributions are in arrears for the preceding two full years it shall not participate in the taking of decisions by the Commission, subject to the Commission permitting such a member to vote. As at 31 October 2009 one member had contributions outstanding in full in relation to 2008 and 2009. If this remains the case on 01 January 2010 then Article 18 (3) will be applicable. WCPFC6-2009-FAC3/05 includes more detail about the status of contributions.

#### *New Bank Accounts*

28. The following new accounts were opened during 2010:

- *ANZ Bank, Port Vila, Vanuatu*  
Business Cheque Account 1342262, titled WCPFC Operating Account. This account was opened in conjunction with the Fifth Meeting of the Scientific Committee to service that meeting.
- *ANZ Bank Guam / Citizens Security Bank*  
Money Market Account #4120-000476: WCPFC/Western Pacific East Asia Oceanic Fisheries Management Project to help manage and obtain optimum interest returns for the project of the same title;  
Business Savings Account #300048014: Western and Central Pacific Fisheries Commission;  
Interest Plus Business Account 200103852: Western and Central Pacific Fisheries Commission; and  
Money Market Savings Account 4120000328: Western and Central Pacific Fisheries Commission.

29. The three ANZ Bank accounts, as notified in last year's report, have been opened to diversify bank holdings from the Bank of Guam and to seek higher interest rates without additional risk.

30. The Secretariat will endeavour to establish banking facilities in Papeete to service WCPF6, similar to arrangements made in Busan for WCPFC5.

#### *Office facilities*

31. As mentioned above considerable challenges continue to be experienced with building systems particularly the air conditioning system, standby generator and fire prevention systems. These items will require ongoing attention during 2010, subject to the provision of funds in the approved 2010 budget. Unfortunately power outages in Kolonia appear to have become a regular feature of the operating environment. On a positive note a low cost multi-purpose building was completed. This facility, although relatively small, will enable the Commission to conduct training, diplomatic, reception and other events without compromising the integrity of the main headquarters building. Paper WCPFC6-2009-FAC3/09 presents additional information concerning the headquarters property.

32. During the year, the Commission received a donation of two small boats, trailers and outboard motors from Australia. It is intended to make, at no operating cost to the Commission, one or more of these available for staff recreational purposes, subject to stringent safety and operational requirements. This will make a significant improvement to the quality of recreational opportunities for staff.

#### *Pohnpei State Tax*

33. Administrative arrangements have now been put in place with the FSM Government through the Ministry of Foreign Affairs for the reimbursement of Pohnpei tax payments made by the Commission and these reimbursements are now regularly processed.

## Contracts and Consultancies during 2009

### *Commission-related activities*

- The SPC-OFP continued in the role of data manager, scientific services provider and webmaster (until June) for a fifth year. The SPC-OFP produced or was involved in producing around 38 documents for the SC5, mostly related with assigned science services. It also provided a broad area of other advice services for the Secretariat's inter-sessional activities;
- Legal advisory services: international fisheries and marine law (Professor Martin Tsamenyi, University of Wollongong, Australia);
- Rapporteur support to the Secretariat during SC5, TCC5 and WCPFC6 (Dr Shelley Clarke);
- Service Level Agreement (SLA) between WCPFC and FFA to provide infrastructure and technical support for the Commission's VMS;
- Air time contracts with Satcomms Australia (which covers Vizada (Inmarsat) and Iridium (for Faria units)) and CLS Argos for the Commission's VMS;
- SLA between WCPFC and Bonnice Mann Computing (BMC) of Pohnpei, FSM, for technical support to the Commission's corporate IT network;
- SLA between WCPFC and Eighty Options (Tasmania, Australia), for technical support and maintenance to the Commission's public website; and
- SLA between WCPFC and Taz-e (Tasmania, Australia) for technical support for mission critical RFV applications.

### *SC-related activities*

- Documentation for the Competency-Based Training of Observers continued (SPC-OFP);
- Final report on the revised stock assessment for south west Pacific swordfish (CSIRO, Australia);
- Progress report on the study of bigeye tuna reproductive biology presented (SPC-OFP);
- Progress report on the stock structure and life-history characteristics of South Pacific albacore presented (CSIRO, Australia);
- Third Steering Committee meeting for the Pacific Tuna Tagging Project convened (SPC-OFP);
- Progress report on ecological risk analysis project presented (SPC-OFP);
- Project outputs from utilising underwater videos and other tools to characterize species, size composition and spatial distribution of tunas aggregating around floating objects presented (David Itano, USA);
- Progress report on the collection and evaluation of purse-seine species composition data presented (SPC-OFP);
- Project report on alternative models for standardization of fishing catch and effort for construction of stock assessment indices presented (Zane Zhang, Canada).
- Investigation of issues associated with reporting annual catch estimates for yellowfin and bigeye tuna in Philippines (Peter Williams (SPC-OFP) and David Itano (USA)).

### *TCC-related activities*

- Amendments to the WCPFC Record of Fishing Vessels (RFV) and Web Facility (Taz-E, Australia);
- Information Management System (Taz-E, Australia);
- Technical support relating to Commission VMS Budget Estimates (Absolute Software, USA);
- Review of paragraph 3(j) of CMM 2007-03 (Prof. William R Edeson, Australia);
- Further work on the by-catch mitigation database (SPF-OFP).



#### 4. Relations with other organisations

34. Regular dialogue was maintained with the FFA, SPC, and IATTC to assist with Secretariat support to CCMs with the implementation of the Commission's decisions. Regular communications was also maintained with the ICCAT, CCAMLR, IOTC and CCSBT to share information and exchange views on areas of common interest. A third consultation meeting between the IATTC and WCPFC secretariats was held in June and a fourth consultation is scheduled in the margins of WCPFC6. Other organisations with which productive relations were maintained throughout the year included the Western Pacific Regional Fisheries Management Council, the Agreement for the Conservation of Albatross and Petrels (ACAP), FAO, and Birdlife International.

35. In addition to meetings of subsidiary bodies of the Commission and quarterly meetings with FFA concerning the implementation of the Service Level Agreement in respect of the Commission's VMS, the Secretariat participated in the following meetings and workshops during 2009:

- SPC Pre-stock Assessment Workshop, Noumea, New Caledonia;
- 1<sup>st</sup> Meeting of ACP Ministers Responsible for Fisheries, Brussels, Belgium;
- 28<sup>th</sup> FAO Committee on Fisheries (COFI), Rome, Italy;
- 10<sup>th</sup> meeting of tuna RFMO Secretariats, Rome, Italy;
- 12<sup>th</sup> MCS Working Group Meeting, Honiara, Solomon Islands.
- 2<sup>nd</sup> Meeting of the Regional Fishery Body Secretariats' Network (RSN2), Rome, Italy;
- 13<sup>th</sup> Annual Session of the Indian Ocean Tuna Commission, Bali, Indonesia;
- World Ocean Conference, Manado, Indonesia;
- WCPFC/IOTC Workshop on the Implementation of a Logbook Programme for the Fisheries of Indonesia, Jakarta, Indonesia;
- 70<sup>th</sup> Meeting of the Forum Fisheries Committee, Alofi, Niue;
- 80<sup>th</sup> Session of the IATTC, La Jolla, USA;
- 2<sup>nd</sup> Meeting of the tuna RFMOs, San Sebastian, Spain;
- Inception Workshop for the West Pacific East Asia Oceanic Fisheries Management Project, Cebu, Philippines;
- 9<sup>th</sup> meeting of the International Scientific Committee on Tuna and Tuna-like Species in the North Pacific Ocean (ISC), Kaohsiung, Chinese Taipei;
- 40<sup>th</sup> Pacific Islands Forum at Cairns, Australia;
- 2<sup>nd</sup> Pacific Tuna Forum, Port Moresby, Papua New Guinea;
- 11<sup>th</sup> Philippine Tuna Congress, General Santos City, Philippines; and
- 5<sup>th</sup> GEF Biennial International Waters Conference, Cairns, Australia;

#### 5. Immediate and emerging issues

36. The Commission has now effectively been operating for more than four years during which time it has adopted various decisions for the conservation and management of WCPO fish stocks, mitigation of by-catch and the development of tools to support the monitoring, control and surveillance of fishing operations in the Convention Area. Emerging issues that present immediate challenges for the Commission include:

- a) ***Supporting the current skipjack catch but reducing the impact on bigeye and yellowfin:*** Responding to the advice of the Scientific Committee CMM 2008-01 sets an objective of a 30% reduction in the mortality of bigeye over three years. It also requires that there be no increase in fishing mortality on yellowfin. The 2009 session of the Scientific Committee concluded that there is a high probability that overfishing of yellowfin is occurring in the western equatorial region (MFCL Region 3), a region which accounts for 95% of the yellowfin catch, and where spawning stock biomass is estimated to have declined to 30% from the unexploited level. The issue is supporting the current skipjack catch but reducing the impact of that fishery on bigeye and yellowfin. A majority of coastal States are

apparently comfortable with skipjack catches being maintained at current levels, or increased, because few of them have significant interests in the longline fishery at this time. Constraining the purse seine fishery to conserve bigeye currently generates benefits that mainly accrue to the longline fleets of distant water fishing nations. Either the purse seine industry develops fishing methods that mitigate the catch of juvenile tunas or flag States wishing to preserve their longline fisheries may need to consider trade-off arrangements for purse seine fleets to reduce their catch of juveniles. With 100% observer coverage, in combination with improved monitoring of landings, there is potential to re-examine effort-based means for managing bigeye and yellowfin mortality and consider the adoption of a catch-based scheme. This could involve vessel or zone-based caps which might trigger a closure for FAD sets, for example, once limits are attained.

- b) ***Purse seine fleet growth:*** Industry reports suggest that the WCPO purse seine fleet has the potential to increase by 40 vessels within 5 years. PNA stated policy is for the “orderly restructuring” of fleets that have traditionally operated under bilateral or multilateral access arrangements so that as locally-based domestic fleets increase effort accommodated under access arrangements is proportionally reduced. This is not happening. Eighteen additional seiners entered the fishery during 2009 alone. It is hard to imagine that this is not stressing the purse seine effort cap agreed to in CMM 2008-01 and its predecessors. Flag States are restructuring older components of their fleets under joint venture arrangements with coastal States while at the same time maintaining vessel numbers within their own fleet. The replacement vessels in the foreign flagged fleet are generally larger and more efficient than the vessels they replace. In addition, some fleets are re-structuring their operations to significantly increase potential fishing days on the fishing grounds. Not only has efficiency of purse seine operations increased significantly in the last 5 years but effort continues to increase under CMM 2008-01. This poses serious challenges for sustainable management of the fishery and, in the light of the advice of the Scientific Committee, is not precautionary in respect of bigeye and yellowfin tuna. The Commission needs to establish exactly what effort, in fishing days, was provided for in CMM 2005-01 and 2006-01, agree to a total cap for the entire fishery (inclusive of what are currently broadly termed “exemptions”), and establish a transparent means to monitor and report on all effort in the fishery. Within that total cap effort can be managed in a tiered arrangement so that the development aspirations of coastal States remain preeminent.
- c) ***More timely operational data from all fisheries:*** Given the continuing call by the Scientific Committee for reductions in the fishing mortality of bigeye and the increasing need for better monitoring of the status of the bigeye and yellowfin stocks, there is a crucial need for more timely operational data from all fisheries throughout the Convention Area. This particularly concerns high seas longline fisheries and non-purse seine fisheries in Indonesia and Philippines.
- d) ***Meaningful engagement by Indonesia:*** The Convention entered into force on 19 June 2004 – 5½ years ago. Despite some progress with implementation of Commission-initiated data collection and fishery monitoring activities, most recently under the West Pacific East Asia Oceanic Fisheries Management Project, broader engagement by Indonesia in the Commission is an on-going concern that requires strategic consideration by the Commission.
- e) ***Operationalizing compatibility:*** The provisions of Article 8 of the WCPF Convention on "Compatibility of conservation and management measures" between the high seas and areas under national jurisdiction" is the key provision intended to achieve the objectives of the Convention. Although CMM 2008-01 makes passing reference to compatible measures, the Commission has not yet fully implemented arrangements for reporting and monitoring the application of measures and decisions of the Commission uniformly throughout the Convention Area. Apart from recognition of measures developed by the Parties to the Nauru Agreement, the trend so far has been for the Commission to focus on the high seas.

- f) ***Measures for northern stocks:*** To implement effective measures for north Pacific Ocean stocks of bluefin, albacore and striped marlin;
- g) ***Structured decision-making for conservation and management:*** Establishment of management objectives for key tuna target species, adoption of appropriate management measures to achieve agreed objectives, and development of management strategies and tools that support decision rules providing for a timely response as new information is received concerning the status of stocks;
- h) ***Encouraging compliance and deterring non-compliance:*** Further development of processes to report and monitor on compliance, and minimize non-compliance, with the Convention and the decisions of the Commission.
- i) ***VMS operations:*** Continued development and effective application of the Commission's VMS.
- j) ***Continued implementation of the ROP:*** On-going support for broad implementation of the ROP across all fisheries including the provision of adequate resources to support the effective processing and dissemination of data generated by the ROP;
- k) ***Development aspirations of developing States and participating territories:*** Continued efforts to address challenges relating to the development of tuna fisheries in the small island developing State and participating territory CCMs of the Commission;
- l) ***Support for a productive secretariat:*** Maintenance of a healthy and comfortable working environment for the Secretariat in Pohnpei; and
- m) ***New partnerships:*** Working with the new PNA office in Marshall Islands for mutual benefit and effectiveness and preparing to engage with the new South Pacific RFMO once its convention enters into force and a secretariat is established.

## **6. Acknowledgements**

37. The Secretariat, on behalf of the Commission, extends appreciation to the following governments, organisations and individuals for the support provided to the Commission during 2009:
- a) The Government of the Federated States of Micronesia, particularly the office of the National Oceanic Resources Management Authority for on-going support to the Secretariat's operations in Pohnpei;
  - b) The Government of New Caledonia for a voluntary contribution of USD11,460 to the General Account Fund;
  - c) The Government of the United States of America (Department of State) for voluntary contributions of USD23,838 and a USD15,000 contribution to the Special Requirements Fund;
  - d) To AusAID for support to the Chairman's travel (USD41,181) and USD100,000 to the WPEA OFM;
  - e) The Government of Japan for support provided to small island developing State members of the Commission through the Japan Trust Fund and a contribution to the WPEA OFM (USD30,000);
  - f) The Government of Korea for a voluntary contribution totalling USD800,000 to the Pacific Tuna Tagging Project commencing in 2009 for a period of 4 years;
  - g) The SPC-OFP for on-going professional data management, scientific and technical support services;

- h) The Government of Vanuatu for its generous support, management and efficient logistical arrangements for the Fifth Regular Session of the Scientific Committee at Port Vila in August;
- i) The Government of Japan, particularly the Fisheries Agency of Japan, for financial, logistical and administrative support to the Northern Committee during its fifth meeting at Nagasaki;
- j) The Government of the Federated States of Micronesia, particularly the College of Micronesia and the National Oceanic Resources Management Agency for the provision of meeting facilities and administrative support for the fifth Regular Session of the Technical and Compliance Committee;
- k) The Governments of France and French Polynesia for the effective administrative and logistical supported provided in the lead up to, and during, WCPFC6; and
- l) Respectively to the Governments of Fiji, USA, Canada and Japan for releasing staff to chair the Commission. Ambassador Satya N. Nandan (Fiji) who will chair his first session of the Commission at Papeete. During the year the Commission's subsidiary bodies benefitted from the dedicated efforts of the following officers – Dr Naozumi Miyabe (Japan) in respect of the SC5, Ambassador Wendell Sanford (Canada) in respect of the TCC5, Mr Masanori Miyahara (Japan) in relation to NC5, Ambassador Terry To'omata (Samoa) in respect of the FAC, Dr Charles Karnella (USA) in respect of the ROP-IWG3 and Ms Holly Koehler (USA) in respect of the AHTG [Data].

**Progress in operationalizing the functions of the Commission through to December 2009 as assessed by the Secretariat and without prejudice to the views of CCMs (refer to Article 10 of the Convention for the full text)**

Reference	Function	Secretariat's provisional assessment of progress to date	
		Pre-2009	2009
10(1)	Without prejudice to the sovereign rights of coastal States for the purpose of exploring and exploiting, conserving and managing highly migratory fish stocks within areas under national jurisdiction, the functions of the Commission shall be to:		
10(1)(a)	determine the total allowable catch or total level of fishing effort within the Convention Area for such highly migratory fish stocks as the Commission may decide and adopt such other CMMs and recommendations as may be necessary to ensure the long-term sustainability of such stocks;	<ul style="list-style-type: none"> <li>• MHLC3 and MHLC5 adopted a resolution on fishing effort, capacity and the precautionary approach.</li> <li>• PrepCon3 adopted a resolution relating to illegal, unreported and unregulated fishing and limits on fishing capacity.</li> <li>• PrepCon5 adopted a resolution in response to the recommendations of the second meeting of the Scientific Coordinating Group on sustainable fisheries management, which includes a call for reasonable restraint in respect of any expansion of fishing effort and capacity in the WCPO. <ul style="list-style-type: none"> <li>- WCPFC1 adopted a resolution on CMMs that provided for the continuation of the resolutions adopted during the MHLC and Preparatory Conference.</li> </ul> </li> <li>• WCPFC2 adopted the following CMMs that placed restraints on catch and effort: <ul style="list-style-type: none"> <li>- CMM-2005-01: CMM for bigeye and yellowfin tuna in the WCPO</li> <li>- CMM-2005-02: CMM for South Pacific albacore</li> <li>- CMM-2005-03: CMM for North Pacific albacore</li> </ul> </li> <li>• WCPFC3 adopted the following CMMs that restrained catch and effort: <ul style="list-style-type: none"> <li>- CMM-2006-01: CMM for bigeye and yellowfin tuna in the WCPO</li> <li>- CMM-2006-03: CMM for swordfish in the South West Pacific</li> <li>- CMM-2006-04: CMM for striped marlin in the Southwest Pacific</li> <li>- CMM-2006-05: CMM for sharks in the western and central Pacific Ocean</li> </ul> </li> <li>• WCPFC5 <ul style="list-style-type: none"> <li>- CMM-2008-01: CMM for bigeye and yellowfin tuna in the WCPO [replaces CMM 2005-01 and 2006-01].</li> </ul> </li> </ul>	<p>SC5 Recommendations:</p> <ul style="list-style-type: none"> <li>• Bigeye tuna: The SC recommended a reduction in fishing mortality of 30% from 2001-2004 levels in order to return fishing mortality to MSY levels. Recent estimates of <math>F/F_{MSY}</math> (1.51-2.01 reference years 2004-2007) indicate F has increased significantly since 2001-2004. Therefore the 2009 streamlined assessment indicates a reduction in F of 34-50% from the 2004-2007 levels is required, noting some uncertainties.</li> <li>• Yellowfin tuna: Stock assessment results from 2009 were more optimistic than for 2007 although comparison of 2007 and 2009 results with similar values of steepness indicates only slight improvement. SC noted advice from SA-SWG that MFCL region 3, which supports approximately 95% of the catch, has significantly higher fishery impact than other regions and that it is unlikely that mixing from other regions is rapid enough to transfer fishery impacts in the short term, if at all.</li> <li>• Skipjack tuna: No new information presented to SC5 so management recommendations from SC4 were maintained. A new assessment is scheduled for 2010. SC4's advice was that the high recent catches are considered to be sustainable unless recruitment falls persistently below the long-term average.</li> </ul>

		<ul style="list-style-type: none"> <li>- CMM 2008-02: Process for considering applications for Cooperating Non—member status [replaces CMM 2004-02]</li> <li>- CMM 2008-05: Conservation and management of swordfish [replaces CMM 2006-03].</li> </ul>	<p>Any increases in PS catches of skipjack may result in a corresponding increase in fishing mortality for bigeye and yellowfin tunas.</p> <ul style="list-style-type: none"> <li>• South Pacific albacore: A new assessment was conducted in 2009. Estimates indicate that over-fishing is not occurring, that the stock is not in an over-fished state and that there is no indication that current levels of catch are not sustainable with regard to recruitment overfishing.</li> <li>• Southwestern Pacific swordfish: Although data uncertainties are yet to be resolved SC5 recommended to WCPFC6 that the catch limits specified in CMM 2008-05 be carried forward to future years.</li> <li>• Southwestern Pacific striped marlin: No new assessment in 2009 so the advice from SC2 was carried forward: no increase in fishing mortality (i.e. fishing effort) on striped marlin in the southwestern Pacific (SC2 recommendation)</li> <li>• Northern stocks: The SC did not modify ISC9’s conservation advice and NC5 recommended draft CMMs, for the consideration of WCPFC6, that provide for no increase in fishing mortality for Pacific bluefin and north Pacific albacore. An informal group continued efforts to develop conservation and management advice in respect of striped marlin in the north Pacific Ocean.</li> </ul>
10(1)(b)	<p>promote cooperation and coordination between members of the Commission to ensure that CMMs for highly migratory fish stocks in areas under national jurisdiction and measures for the same stocks on the high</p>	<ul style="list-style-type: none"> <li>• Paragraph 1 of the CMM 2008-01 refers to compatible measures for the high seas and EEZs so that bigeye and yellowfin tuna stocks are maintained at levels capable of producing their maximum sustainable yield as qualified by relevant environmental and economic factors including the special requirements of developing States in the Convention Area as expressed by Article 5 of the Convention.</li> </ul>	<ul style="list-style-type: none"> <li>• The matter of compatibility is an issue that requires further consideration and elaboration in the Commission.</li> </ul>

	seas are compatible;		
10(1)(c)	adopt, where necessary, CMMs and recommendations for non-target species and species dependent on or associated with the target stocks, with a view to maintaining or restoring populations of such species above levels at which their reproduction may become seriously threatened;	<ul style="list-style-type: none"> <li>• WCPFC1 adopted Resolution-2004-04 (Resolution on CMMs) in relation to the mitigation of juvenile fish, seabirds, sea turtles and sharks.</li> <li>• WCPFC2 adopted the following resolutions: <ul style="list-style-type: none"> <li>- Resolution-2005-01 (Resolution on the incidental catch of seabirds)</li> <li>- Resolution-2005-03 (Resolution on non-target fish species)</li> <li>- Resolution-2005-04 (Resolution to mitigate the impact of fishing for highly migratory fish species on sea turtles)</li> </ul> </li> <li>• WCPFC3 adopted the following CMM: <ul style="list-style-type: none"> <li>- CMM-2006-02 (CMM to mitigate the impact of fishing for highly migratory fish stocks on seabirds)</li> </ul> </li> <li>• WCPFC4 adopted the following CMM: <ul style="list-style-type: none"> <li>- CMM-2007-04 (CMM to mitigate the impact of fishing for highly migratory fish stocks on seabirds, revision of CMM-2006-02)</li> </ul> </li> <li>• WCPFC5 adopted: <ul style="list-style-type: none"> <li>- CMM 2008-03 (Conservation and management of sea turtles)</li> <li>- CMM 2008-04 (CMM to prohibit the use of large scale driftnets on the high seas in the Convention Area)</li> <li>- CMM 2008-06 (Conservation and management of sharks)</li> </ul> </li> </ul>	<p>Recommendations concerning by-catch species are described in paragraphs 283, 286, 288, 290, and 311 in the Pre-edited version of the SC5 Summary Report.</p> <p>Other recommendations by subsidiary bodies to the Commission include:</p> <ul style="list-style-type: none"> <li>• In relation to methods to mitigate the catch of seabirds in WCPO tuna fisheries TCC4 recommended that the Secretariat undertake additional research, particularly in relation to the work undertaken by IOTC, on this issue. TCC5 referred the Secretariat's paper (WCPFC-TCC5-2009/33) to WCPFC6 for further consideration.</li> <li>• Referral by SC5 and TCC5 of a sea turtle by-catch mitigation plan by Australia, as provided for at paragraph 7 (a)(iii) for adoption by WCPFC6.</li> </ul>
10(1)(d)	adopt standards for collection, verification and for the timely exchange and reporting of data on fisheries for highly migratory fish stocks in the Convention Area in accordance with Annex I of the Agreement, which shall form an integral part of this Convention;	<ul style="list-style-type: none"> <li>• WCPFC2 adopted: <ul style="list-style-type: none"> <li>- Scientific Data to be Provided to the Commission</li> <li>- Standards for the Provision of Operational Level Catch and Effort Data to the Commission</li> <li>- CCM's Annual Report, format of Part 1 (Information on fisheries, research and statistics) and Part 2 (Information on management and compliance)</li> <li>- CMM-2005-03 (CMM for North Pacific albacore) for the CCM's provision of catch and effort data for North Pacific albacore to the Commission</li> </ul> </li> <li>• WCPFC3 adopted: <ul style="list-style-type: none"> <li>- A revised format of Part 2</li> <li>- CMM-2006-03 (CMM for swordfish in the South West Pacific) for the CCMs' provision of the number of fishing vessels fishing for South West Pacific swordfish to the Commission</li> <li>- CMM-2006-04 (CMM for striped marlin in the southwest</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• The AHTG [Data] worked over 20 months to adopt, unanimously, <i>Rules and Procedures for the Protection, Access to, and Dissemination of High Seas Non-Public Domain Data and Information Compiled by the Commission for the Purpose of Monitoring, Control or Surveillance (MCS) Activities and the Access to and Dissemination of High Seas VMS Data for Scientific Purposes</i>. These will be considered by WCPFC6 for adoption.</li> <li>• The Secretariat continues to work with SPC-OFI on the maintenance of the data audit facility for CCMs on the WCPFC website.</li> <li>• TCC5 considered means to improve the proportion of WCPFC aggregated data in the public domain by proposing a refinement to the rules for <i>Scientific Data to be Provided to the</i></li> </ul>

		<p>Pacific) for the CCMs' provision of the number of fishing vessels fishing for southwest Pacific striped marlin</p> <ul style="list-style-type: none"> <li>• WCPFC4 adopted: <ul style="list-style-type: none"> <li>- revisions to <i>Scientific Data to be Provided to the Commission</i>;</li> <li>- <i>Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission</i>;</li> <li>- A recommendation from SC3 that the Commission undertake a study for the causes of data gaps.</li> </ul> </li> <li>• WCPFC5 recommended: <ul style="list-style-type: none"> <li>- The AHTG [Data] continue its efforts in 2010 to develop rules and procedures for data for the purposes of high seas surveillance and enforcement and VMS data for scientific purposes.</li> </ul> </li> </ul>	<p><i>Commission</i> by requiring CCMs to report on the number of vessels, by time and area strata, associated with aggregated data provided to the Commission.</p>
10(1)(e)	<p>compile and disseminate accurate and complete statistical data to ensure that the best scientific information is available, while maintaining confidentiality, where appropriate;</p>	<ul style="list-style-type: none"> <li>• SPC-OFP has served in the role of Commission's data manager since 2004.</li> <li>• WCPFC3 adopted:</li> <li>• A living document, <i>Rules and Procedures for Access to and Dissemination of Data Compiled by the Commission</i>, and</li> <li>• Information Security Policy for the Commission's Secretariat.</li> <li>• WCPFC4 adopted:</li> <li>• A revised <i>Rules and Procedures for Access to and Dissemination of Data Compiled by the Commission</i>, which includes a Framework, Data Request Form and Confidentiality Agreement</li> </ul>	<ul style="list-style-type: none"> <li>• Consistent with the Commission's 2007 Rules and Procedures Data and the Information Security Policy data holdings were regularly updated on the on the Commissions website throughout 2009.</li> <li>• WCPFC5 recommended that CCMs actively work toward removal of domestic barriers to data submission (WCPFC5 Summary Report para. 64).</li> </ul>
10(1)(f)	<p>obtain and evaluate scientific advice, review the status of stocks, promote the conduct of relevant scientific research and disseminate the results thereof;</p>	<ul style="list-style-type: none"> <li>• At each meeting, the Commission receives and evaluates scientific advice and recommendations from the Scientific Committee, including a review the status of stocks</li> <li>• The SC proposes a work programme, endorsed by the Commission, the results of which are reported to the Commission</li> </ul>	<ul style="list-style-type: none"> <li>• The Summary Report of the 2009 annual session for the Scientific Committee was posted on the Commission's website shortly after the meeting in August.</li> <li>• During 2009, the Scientific Committee, the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) and the Northern Committee considered the advice and recommendations of the Independent review of Interim Arrangements for Science Structure and Function which was undertaken in 2008.</li> </ul>



			WCPFC6 will further consider the recommendations of the Review at WCPFC6 at Papeete.
10(1)(g)	develop, where necessary, criteria for the allocation of the total allowable catch or the total level of fishing effort for highly migratory fish stocks in the Convention Area;	<ul style="list-style-type: none"> <li>At WCPFC2, the Commission agreed to prepare a discussion paper on allocation issues (Paragraph 39, Summary Report)</li> <li>At WCPFC3, a discussion document on allocation (WCPFC3-2006/15, Discussion paper on allocation issues) was presented and the Commission requested written comments by CCMs on the allocation report to be provided by 31 August 2007 (paragraph 122, WCPFC3 Report).</li> <li>WCPFC4 deferred further consideration of this matter to WCPFC5.</li> </ul>	WCPFC5 agreed that consideration of allocation should be merged with the Commission's consideration of management objectives and reference points. WCPFC5 recommended that WCPFC6 consider the possibility of holding a dedicated workshop on management objectives in 2010.
10(1)(h)	adopt generally recommended international minimum standards for the responsible conduct of fishing operations;	Guidance is available through, among other international agreements, the Code of Conduct for Responsible Fisheries, Annex I of the Agreement, and Annex III of the Convention, all of which are taken into consideration in developing CMMs or other decisions of the Commission.	<ul style="list-style-type: none"> <li>WCPFC6 will have an opportunity to discuss the outcomes of the second Joint Meeting of Tuna RFMOs at San Sebastian, Spain in July 2009 and considerations for the WCPFC.</li> <li>TCC4 reached consensus that if possible, progress should be made on developing a process to report and monitor on compliance with the Convention and the decisions of the Commission. WCPFC6 will consider a framework for this, proposed by Australia.</li> </ul>
10(1)(i)	establish appropriate cooperative mechanisms for effective monitoring, control, surveillance and enforcement, including a vessel monitoring system;	<ul style="list-style-type: none"> <li>Through the TCC, some progress has been made in respect of various elements of a MCS framework that eventually become integrated to the Commission's MCS Scheme. These include a Record of Fishing Vessels, high seas boarding and inspection, a regional observer programme, IUU Listing procedures, VMS and implementation issues associated with mitigation of by-catch.</li> </ul>	<ul style="list-style-type: none"> <li>TCC5 further considered additional MCS issues for inclusion among a suite of measures to address IUU fishing and promote compliance with the Commission's CMMs and the decisions of the Commission including catch documentation, port State measures, transshipment verification and a revision of CMM 2004-01 (Record of Fishing vessels and Authorisations to Fish) to accommodate carrier and bunker vessels not flagged to CCMs. WCPFC6 will further consider these matters.</li> </ul>
10(1)(j)	obtain and evaluate economic and other fisheries-related data and	Individual CCMs take economic and other fisheries-related data into consideration when considering WCPO tuna issues. <i>The Independent Review of Interim Arrangements for Science Structure and Function</i>	WCPFC6 will consider the IR report and the advice and recommendations of the SC and NC in relation to its recommendations.

	information relevant to the work of the Commission;	recommended the Commission (paragraph 60 of the IR Executive Summary): a) Establish an Ad-hoc Group on Socio-economic Issues which identifies : i) socio-economic issues and how they might be addressed; ii) consider the types of information and analyses required to generate appropriate management advice; and iii) consider the availability of expertise within the CCMs and/or potential service providers to undertake the necessary work.	
10(1)(k)	agree on means by which the fishing interests of any new member of the Commission may be accommodated;	<ul style="list-style-type: none"> <li>• PrepCon7</li> <li>- Annex II of WCPFC/PrepCon/46 (Cooperating Non-members)</li> <li>• WCPFC1</li> <li>- CMM-2004-02 (Cooperating Non-Members)</li> <li>• WCPFC5</li> <li>- CMM 2008-02 (Cooperating Non-members) revised and replaces CMM 2004-02.</li> </ul>	<ul style="list-style-type: none"> <li>• WCPFC6 will review applications for renewal of cooperating non-member status from Indonesia, Belize, El Salvador, Mexico and Senegal. Applications for Cooperating Non-member status from Ecuador and Vietnam will also be considered.</li> </ul>
10(1)(l)	adopt its rules of procedure and financial regulations and such other internal administrative regulations as may be necessary to carry out its functions;	<ul style="list-style-type: none"> <li>• WCPFC1 adopted:</li> <li>• Rules of Procedure of the Commission.</li> <li>• WCPFC2 adopted:</li> <li>• Staff Regulations;</li> <li>• Financial Regulations;</li> <li>• Scientific Data to be Provided to the Commission; and</li> <li>• Principles, Guidelines and Operational Procedures for the Commission's Special Requirements Fund.</li> <li>• WCPFC3 adopted:</li> <li>- Strategic Research Plan 2007-2011;</li> <li>- Rules and Procedures for Access to, and Dissemination of, Data Compiled by the Commission;</li> <li>- Sea Turtle Research Programme; and</li> <li>- Annual Report to the Commission: Part 1 [Information on Fisheries, Research and Statistics], Part 2 [Management and Compliance].</li> <li>▪ WCPFC4 adopted:</li> <li>- Scientific Data to be Provided to the Commission (revised)</li> <li>- Rules and Procedures for the Protection, Access to, and Dissemination of, Data Compiled by the Commission (revised)</li> </ul>	WCPFC6, under the auspices of the Third Session of the Finance and Administration Committee (FAC3), will consider a revised draft Strategic Plan.

		<ul style="list-style-type: none"> <li>- Business Plan for the Secretariat <ul style="list-style-type: none"> <li>▪ WCPFC5 adopted:</li> </ul> </li> <li>- Revised Staff Regulations to reflect changes to staff terms and conditions.</li> </ul>	
10(1)(m)	consider and approve the proposed budget of the Commission;	A standing agenda item for each annual session of the Commission.	
10(1)(n)	promote the peaceful settlement of disputes;	The provisions of Article 20 (Decision-making) and Annex II (Review Panel) provide the foundation for the peaceful settlement of disputes.	
10(1)(o)	discuss any question or matter within the competence of the Commission and adopt any measures or recommendations necessary for achieving the objective of this Convention.	Through the MHLC and Preparatory Conference, several Resolutions were adopted. Some of which were carried over to the Commission. At WCPFC 1 a single resolution was adopted. At WCPFC2 binding CMMs and non-binding resolutions were adopted. At WCPFC3 all measures adopted by the Commission were binding CMMs although some included a voluntary component.	
10(2)	In giving effect to paragraph 1, the Commission may adopt measures relating to, <u>inter alia</u> :		
10(2)(a)	the quantity of any species or stocks which may be caught;	<ul style="list-style-type: none"> <li>• WCPFC2 adopted: <ul style="list-style-type: none"> <li>- CMM-2005-01 (CMM for Bigeye and Yellowfin Tuna in the Western and Central Pacific Ocean) that established catch limits for bigeye tuna</li> </ul> </li> <li>• WCPFC5 adopted: <ul style="list-style-type: none"> <li>- CMM 2008-01 (CMM for Bigeye and Yellowfin Tuna in the Western and Central Pacific Ocean) that established catch limits for bigeye.</li> </ul> </li> </ul>	
10(2)(b)	the level of fishing effort;	<ul style="list-style-type: none"> <li>• WCPFC2 adopted: <ul style="list-style-type: none"> <li>- CMM-2005-01 that established the limit of purse seine fishing effort</li> <li>- CMM-2005-03 (CMM for North Pacific Albacore) that established the limit of fishing effort for North Pacific albacore</li> </ul> </li> <li>• WCPFC3 adopted: <ul style="list-style-type: none"> <li>- CMM-2006-01 that established the limit of purse seine fishing effort</li> </ul> </li> <li>• WCPFC5 adopted: <ul style="list-style-type: none"> <li>- CMM 2008-05 (Conservation and management of swordfish) that established limits for the number of fishing vessels fishing for swordfish.</li> </ul> </li> </ul>	

10(2)(c)	limitations of fishing capacity, including measures relating to fishing vessel numbers, types and sizes;	<ul style="list-style-type: none"> <li>• MHL3 and MHL5 adopted a resolution that limited fishing effort and capacity.</li> <li>• PrepCon3 adopted a ‘Resolution of the Preparatory Conference relating to illegal, unreported and unregulated fishing and limits on fishing capacity’.</li> <li>• PrepCon5 adopted a ‘Resolution of the Preparatory Conference in response to the recommendations of the second meeting of the scientific coordinating group on sustainable fisheries management’ that limited fishing effort and capacity.</li> <li>• WCPFC1 adopted: <ul style="list-style-type: none"> <li>- Resolution-2004-04 (Resolution on CMMs) that limited fishing effort and capacity.</li> </ul> </li> <li>• WCPFC2 adopted: <ul style="list-style-type: none"> <li>- Resolution-2005-02 (Resolution on reduction of overcapacity)</li> <li>- CMM-2005-02 (CMM for South Pacific albacore) that limited the number of fishing vessels.</li> </ul> </li> <li>• WCPFC3 adopted: <ul style="list-style-type: none"> <li>- CMM-2006-03 (CMM for swordfish in the South West Pacific) that limited the number of fishing vessels.</li> <li>- CMM-2006-04 (CMM for striped marlin in the southwest pacific) that limited the number of fishing vessels.</li> </ul> </li> <li>• WCPFC5 adopted: <ul style="list-style-type: none"> <li>- CMM 2008-05 (Conservation and management of swordfish) that established limits for the number of fishing vessels fishing for swordfish.</li> </ul> </li> </ul>	
10(2)(d)	the areas and periods in which fishing may occur;	WCPFC5 adopted CMM 2008-01 for the conservation and management of bigeye and yellowfin tuna in the WCPO which i) established a closure for fishing on FADs on the high seas and within EEZs for August and September in 2009 and July, August and September in 2010 and 2011, and ii) prohibited all purse seine fishing in two high seas pockets in the area between 20°N and 20°S commencing 1 January 2010, unless the Commission decides otherwise. At WCPFC6, the Commission will also consider the closure of two additional high seas pockets in the south Pacific.	
10(2)(e)	the size of fish of any species which may be taken;	No decisions have been taken in relation to this measure.	
10(2)(f)	the fishing gear and technology which may be	No decisions have been taken in relation to this measure.	

	used;		
10(2)(g)	particular subregions or regions.	Apart from general application of CMM 2008-01 to 20°N and 20°S, the Commission has not adopted measures relating to particular regions or sub-regions.	
10(3)	In developing criteria for allocation of the total allowable catch or the total level of fishing effort the Commission shall take into account, <u>inter alia</u> :		
(a) ~ (j)			
10(4)	The Commission may adopt decisions relating to the allocation of the total allowable catch or the total level of fishing effort. Such decisions, including decisions relating to the exclusion of vessel types, shall be taken by consensus.	The Commission continues its consideration of the matter of allocation.	
10(5)	The Commission shall take into account the reports and any recommendations of the Scientific Committee and the Technical and Compliance Committee on matters within their respective areas of competence.	The respective reports and recommendations of the Scientific Committee, the Northern Committee and the Technical and Compliance Committee will be presented to WCPFC6.	The reports and recommendations of SC5, TCC5 and NC5 will be considered by WCPFC6.
10(6)	The Commission shall promptly notify all members of the measures and recommendations decided upon by the Commission and shall give due publicity to the CMMs adopted by it.	All Preparatory Conference meeting material, including Resolutions, the Summary Reports of all the Commission's sessions, including those of its subsidiary bodies, have been made publicly available on the Commission's website.	The meeting documents and the Summary Reports of all the Commission's sessions, including those of its subsidiary bodies, have been posted on the Commission's website.