

## Convener's Report of Workshop I

### 6. Workshop to review actions agreed in Kobe

The Convener made a presentation summarizing the progress made on the 14 Key Areas and Challenges identified in the 2007 Kobe Course of Actions. The Convener's presentation was complemented by presentations and documents prepared by the five RFMO Secretariats and by Japan and ISSF. The documents and presentations are attached as **Annex 5.1 to Annex 5.12** to the report.

Recognizing that the Kobe work-plan is an on-going process, the Workshop concluded that not enough progress has been made by some or all of the RFMOs in various areas. The Workshop then reviewed the Key Areas and Challenges identified in the Kobe Course of Actions, with a view to identify actions that RFMOs could take in order to make further progress. The main conclusions and recommendations that in the view of the Convener were reached by the Workshop are highlighted below for each item.

#### ***1. Improvement, sharing and dissemination of data and stock assessments and all other relevant information in an accurate and timely manner including development of research methodologies.***

It is necessary to develop rules and procedures for the handling and dissemination of data, including detailed non-public domain data. Confidentiality rules should be established promptly by those RFMOs that have not done so, such that data protection cannot be used as an excuse for not submitting data to RFMOs or sharing data among RFMOs.

Timely reporting of data is not sufficient by itself. It is necessary to ensure and improve data quality through proper verification processes.

Data collection and reporting is a fundamental obligation which is not being fulfilled satisfactorily in many cases. It is necessary to understand the causes of failures to report data and correct any problems. In some cases, sanctions may need to be introduced in order to enhance compliance with data submission requirements.

#### ***2. Development, where appropriate, and application of equitable and transparent criteria and procedures for allocation of fishing opportunities or level of fishing effort, including provisions to allow for new entrants.***

Allocation of fishing opportunities and/or capacity is fundamental to effective management of tuna resources. Each RFMO should make much more effort to develop and implement fair and equitable allocation procedures.

#### ***3. Controls, including capacity reduction as appropriate, to ensure that actual total catch, fishing effort level and capacity are commensurate with available fishing opportunities in order to ensure resource sustainability of tuna stocks while allowing legitimate fishery development of developing coastal states, particularly small island developing states and territories.***

This item was deferred to Workshop II.

#### ***4. Ensuring that management measures are based on the best scientific advice available and consistent with the precautionary approach, particularly, with respect to establishment of effective stock rebuilding measures and other measures to maintain stocks at sustainable levels.***

Adherence to scientific advice and consistency with the Precautionary Approach are not being achieved for several tuna stocks. It is necessary for each RFMO to implement the Precautionary Approach in making management decisions.

The setting of reference points (management targets and limits) and tolerable risk levels is a policy question. The role of science is one of estimating the status of stocks with regards to these reference points and the uncertainty associated with them. There would be a benefit from convergence of both policy and science aspects. The United States presented a joint proposal (TRFMO2-021/2009) for harmonizing the way in which scientific advice is conveyed to managers including risk levels. Discussion of the proposal was deferred to Plenary.

***5. Ensuring compliance through establishment of integrated MCS (monitoring, control and surveillance) measures that could include VMS, observers, boarding and inspection schemes, port state controls, market state measures, stronger controls on transshipment, and monitoring of bluefin tuna farming, and the harmonization of those measures across the five tuna RFMOs where appropriate to avoid duplication and increase cost efficiency.***

The five RFMOs have made progress in various MCS components.

Inter-sessional technical workshops should be held among the five RFMOs in order to standardize and harmonize, to the degree possible, operational aspects of VMS, observer programs and transshipment controls.

Port State control measures should be introduced by the RFMOs as soon as FAO completes the work that is being currently carried out. Members taking part in that process should strive to complete the Agreement expeditiously.

Efforts to develop a unique vessel identifier should be accelerated.

Mechanisms to regularly assess compliance by each Member should be introduced in each RFMO. The use of appropriate sanctions in cases of non-compliance should be considered.

***6. Application of penalties and sanctions of adequate severity to deter IUU fishing by both non-Members and Members.***  
***and***

***7. Development and implementation of stronger measures to prevent, deter and eliminate IUU fishing including, mechanisms to identify and quantify IUU activities based on trade and other relevant information, a system to exchange information on IUU fishing among RFMOs and among flag states, port states and market states and coastal states, consolidation of the positive and negative lists as described in section II below, effective control over nationals in accordance with their duties under international law, identification of beneficial ownership and demonstration of “genuine link” and dissemination of relevant information to the public.***

More coordination between RFMOs is needed in order to prevent the spill-over of fishing effort from one area to another when restrictive management measures are taken.

The nature of IUU fishing has been changing in recent years. It is necessary for the five RFMOs to agree on the concepts used and on the non-discriminatory treatment of Members and non-Members. Criteria for defining and identifying IUU activities should be harmonized among the RFMOs.

RFMOs should develop measures to recognize IUU lists of other tuna RFMOs and to facilitate the appropriate exchange of information on IUU listing determinations.

***8. Establishment and implementation of a system to monitor catches from catching vessels to markets.***

There is a need to establish and implement systems that cover all product forms (frozen or fresh) and fishing methods (longline, purse seine or baitboat) from catch to market, regardless of whether they

are traded internationally or not. These systems should balance simplicity and effectiveness and should be based on harmonized criteria.

The existing Statistical Document Programs for bigeye should be improved, harmonized and eventually developed into a Catch Document System. This should be a step-by-step process in order to avoid undue burden on users.

#### ***9. Reviewing the performance of tuna RFMOs in accordance with Annex I.***

CCSBT, ICCAT and IOTC have conducted their performance reviews. These RFMOs should address the recommendations made in their respective reviews and report progress made to the Third Joint Tuna RFMO Meeting.

IATTC and WCPFC should conduct their performance reviews promptly.

***10. Implementation of the precautionary approach and an ecosystem-based approach to fisheries management including improved data collection on incidental by-catch and non-target species and establishment of measures to minimize the adverse effect of fishing for highly migratory fish species on ecologically related species, particularly sea turtles, seabirds and sharks, taking into account the characteristics of each ecosystem and technologies used to minimize adverse effect.***

More progress is required to better quantify incidental catches of ecologically-related species through observer programs and other means. Programs should be introduced to assist developing coastal states to collect data on incidental catches, especially in artisanal fisheries.

Coordination between RFMOs should be considered to adopt common “best practice” standards for by-catch mitigation.

***11. Development of data collection, stock assessment and appropriate management of shark fisheries under the competence of tuna RFMOs.***

Proper management of sharks is important for preserving biodiversity. Effective management measures should be adopted and implemented by all RFMOs, especially for the more vulnerable (least productive) oceanic shark species.

***12. Research and development of techniques to reduce incidental take of juvenile tunas during tuna fisheries, in particular FAD operations.***

More progress is required to better quantify catches of juveniles, especially in purse seine fisheries. This should be achieved through comprehensive monitoring, including observer programs for all gear types, and sampling at landing ports. Industry initiatives to mitigate juvenile catches should be encouraged and, if successful, be incorporated into management measures.

Incentives should be created to encourage industries to reduce juvenile catch. ISSF will host a workshop involving RFMO, industry, national, and other interested scientists to address this issue.

***13. Provision of adequate capacity building assistance, including human resource development, for developing coastal states, particularly small island developing states and territories, towards responsible fishery development, including participation in RFMO and scientific meetings, fisheries data collection and stock assessment and implementation of MCS measures.***

Capacity building assistance should also include assistance to participate in fisheries, including those in the high seas.

Assistance for participation in scientific meetings is useful, but it is also important to train scientists from developing countries so that they can take part in the processing and analysis of data for stock assessment.

**Annex 5.10** provides an inventory of funds that are currently available in the five tuna RFMOs for capacity building. In addition, FAO administers a fund established under Article VII of the UN Fish Stocks Agreement, which is available to countries that are Parties to the Agreement. The Secretariats of the tuna RFMOs will develop and distribute to their member guidance on application procedures for these funds.

Norway presented a document on the UN Fish Stocks Agreement and tuna RFMO members (**Annex 5.11**).

*14. Enhancement of cooperation among scientists, relevant experts and with other relevant fisheries organizations possibly through organization of symposia or working groups on appropriate topics of common interest. Coordination of timing of annual meetings and scientific meetings with a view to avoiding their overlap as well as allowing an adequate interval between scientific and annual meetings and between proposal submission and annual meetings.*

Efforts for improved coordination and harmonized presentation of scientific results should be continued. The scope of scientific work should be expanded to include that of economists and other social scientists.