

**Kobe1 Course of Actions: A Secretariat Review of responses by the
Western and Central Pacific Fisheries Commission since 2007¹**

	Course of Actions	Response
I	Key areas and challenges Key areas and challenges to be urgently addressed through effective cooperation and coordination among the five tuna RFMOs.	
I.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.	<ul style="list-style-type: none"> • Scientific information and public domain data, including the results of research and stock assessments involving target stocks or species taken incidentally in WCPO tuna fishing operations is available on the WCPFC website (www.wcpfc.int). • The availability of operational level data is governed by confidentiality rules that limit public domain information to that which does not reveal the operations of any one vessel. Catch and effort data in the public domain must be aggregated to a level of three vessels or more. As aggregated data provided by WCPFC Members rarely details the associated number of vessels so the majority of data received is treated as non-public domain. • Further, the Commission is developing additional rules and procedures for the access to and dissemination of non public domain data for compliance and enforcement purposes. • During the review period, WCPFC-affiliated scientists and data managers have collaborated directly with scientists and research programmes in both IOTC and IATTC.
I.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.	<ul style="list-style-type: none"> • Although the Commission has not established a TAC and allocated it in accordance with the WCPF Convention (Article 10) it has placed limits on the catch and effort for bigeye and yellowfin tuna through Conservation and Management Measures (CMM) it has adopted. • At its December 2008 annual session, the Commission revised procedures for considering applications from new entrants for Cooperating Non-member (CNM) status providing further guidance in respect of fishing opportunities on stocks that are approaching full exploitation. • A sub-regional group of WCPFC Members, known as the Parties to the Nauru Agreement (PNA), have implemented an EEZ-based scheme for allocating fishing opportunities among purse seine vessels on the basis of fishing effort in days. This provides for new

¹ Without prejudice to the individual or collective views of WCPFC Members, Cooperating non-Members and Participating Territories (CCMs).

		entrants, as long as the flag State entrant is a Member or Cooperating Non-member of the Commission, and supports the aspirations of developing States to develop their fisheries. This Arrangement has been incorporated in to the CMM for yellowfin and bigeye tuna adopted by the Commission.
I.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.	<ul style="list-style-type: none"> • The Commissions conservation and management measures (CMM) either require no additional increase in catch or effort or, in the case of the latest decision relating to the conservation and management of bigeye and yellowfin tuna (CMM 2008-01) set an objective of decreasing fishing mortality on bigeye by 30% within the period 2009-2011. Conservation and management measures relating to bigeye, yellowfin, albacore and swordfish include provisions that are without prejudice to the legitimate fishery development aspirations of developing States and participating territories.
I.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.	<ul style="list-style-type: none"> • The 2008 Independent Review of Interim Arrangements for Science Structure and Function noted that, taking into account uncertainties created by incomplete and delayed receipt of data, the quality of scientific advice from both the Commission's scientific services provider, the Secretariat of the Pacific Community's Oceanic Fisheries Programme (SPC-OPF), and the Scientific Committee, is high by international standards. • The Commission is commencing a process to consider management objectives for the conservation and management of target tuna species. Management decisions to date have been based on maintaining stocks at or above MSY-based reference points.
I.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.	<ul style="list-style-type: none"> • The Commission has made good progress with the development and implementation of an integrated suite of MCS tools including: <ul style="list-style-type: none"> ○ Record of Fishing Vessels and Authorization to Fish. ○ Activation of a centralized VMS on April 1, 2009. ○ Implementation of IUU Vessel Listing Procedures. ○ Implementation of high seas boarding and inspection procedures in 2008. ○ Development and implementation of a regional observer programme in 2008 (20% purse seine coverage in 2009, 100% in 2010 and 5% for the longline fleet by June 2012). ○ Requirements for FAD Management Plans, catch retention and development plans for fisheries taking incidental catches of bigeye tuna.

		<ul style="list-style-type: none"> • Ongoing consideration, under the auspices of the Commission’s Technical and Compliance Committee (TCC) in respect of: <ul style="list-style-type: none"> ○ transshipment verification, ○ port State measures, ○ chartering arrangements, ○ catch/statistical documentation, ○ the control of nationals, and ○ compliance monitoring and reporting. • Limited progress has been made in relation to: <ul style="list-style-type: none"> ○ Consideration of trade measures, ○ Harmonization of efforts across other t-RFMOs (although some CCMs have tried to raise this in discussions relating to IUU Vessel List procedures and catch documentation, for example).
I.6	<p>Application of penalties and sanctions of adequate severity to deter IUU fishing by both non-members and members.</p>	<ul style="list-style-type: none"> • The IUU Vessel List is the Commission’s primary tool to deter IUU fishing. Current issues still under consideration in respect of the Commission’s IUU procedure include, but are not limited to, the: <ul style="list-style-type: none"> ○ reciprocal recognition of the IUU Vessel List of other t-RFMOs, ○ current provision for the participation of a flag State Member responsible for a vessel proposed for Listing in the IUU decision-making process, and ○ application of the IUU designation to other vessels linked to the ownership of a vessel placed on the IUU Vessel List. • At its 2008 regular annual session, the TCC started a process to consider means to improve monitoring of the implementation of the CMMs and other decisions of the Commission, and appropriate responses in the event of non-compliance, through the development of a Committee for Monitoring Compliance with CMMs. This matter will be further considered at the TCC’s 2009 session.
I.7	<p>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</p>	<p>See above in respect of current WCPFC initiatives relating to the control of nationals and the IUU List. The IUU List adopted by the WCPFC at its regular annual session is distributed to other RFMOs and published on the WCPFC website. The t-RFMO Secretariats have collaborated to merge their respective records of fishing vessels – and so create a global record of tuna fishing vessels registered with one or more of the t-RFMOs (www.tuna-org.org).</p>

	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.	
I.8	Establishment and implementation of a system to monitor catches from catching vessels to markets.	See above concerning limited progress in relation to an agreement on a catch documentation/statistical document scheme for the WCPFC.
I.9	Reviewing the performance of tuna RFMOs in accordance with Annex I.	<ul style="list-style-type: none"> • The WCPFC has not yet arranged for a full performance review. During 2008 an <i>Independent Review of the Interim Arrangements for Science Structure and Function</i> was completed and the Commission and its subsidiary bodies will consider implementation strategies for accepted recommendations during 2009. • As a relatively new organization (formed in 2005), the general view of CCMs is that the Commission is still establishing its Secretariat, procedures and systems and adopting foundation conservation and management measures. Therefore, it is appropriate to provide sufficient time for the new Commission to become operational. When the WCPFC does a performance review in the near future it will also be able to use the experience gained from other performance reviews to formulate the terms of reference and process for its review.
I.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.	<ul style="list-style-type: none"> • In 2007, the annual session of the Commission endorsed a recommendation from the Scientific Committee to commence a 3-year research plan to assess, and propose actions for minimizing the risk to non-target species taken during tuna fishing operations in the WCPF Convention Area. Implementation of the Ecological Risk Assessment Research Plan by the SPC-OFP commenced in 2008. Some of the outcomes of the research will be incorporated into a by-catch and by-catch mitigation component of the Commission’s website which is currently under development. • The Commission has adopted binding CMMs for sea turtles, sea birds, sharks and a non-binding resolution in relation to non-target species of fish. Common features of these decisions of the Commission include a commitment to relevant international guidelines such as the relevant Technical Guidelines and Plans of Action developed under the auspices of the FAO Code of Conduct, improved data collection particularly through observer programmes, biological and mitigation research, assessment of the status of shark stocks, requiring the use of specific mitigation

		<p>technologies, and encouraging full utilization (of sharks).</p> <ul style="list-style-type: none"> • At its 2008 annual Session the Commission adopted a CMM relating to the prohibition of fishing with long driftnets.
I.11	Development of data collection, stock assessment and appropriate management of shark fisheries under the competence of tuna RFMOs.	In 2008, the Commission revised its 2006 CMM for sharks by extending the measure to vessels less than 24m LOA and calling for assessments of key shark species.
I.12	Research and development of techniques to reduce incidental take of juvenile tunas during tuna fisheries, in particular FAD operations.	Since its first session in 2005, the Commission's Scientific Committee, through the work of both its Ecosystems and By-catch Specialist Working Group (SWG) and Fishing Technology SWG, have discussed WCPO and global efforts to reduce the catch of small tunas on floating objects (STFO). The Commission's current CMM for bigeye and yellowfin tuna encourages CCMs, in collaboration with industry, to actively research mitigation measures to reduce the take of juvenile bigeye and yellowfin tuna in fishing operations associated with FADs.
I.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.	<p>The Commission's budget includes a line item to support a representative from each developing State Member and Participating Territory to attend each meeting of the Commission and its subsidiary bodies.</p> <p>The Commission has also established a voluntary fund, called the Special Requirements Fund, to support capacity building in developing State Members and Participating Territories. In addition, one Member has established its own Fund to support similar endeavors.</p> <p>The Global Environment Facility recently approved a funding proposal prepared by the WCPFC Secretariat to strengthen data collection, fishery monitoring and WCPFC-engagement capacity building in Indonesia, Philippines and Vietnam.</p>
I.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.	WCPFC-affiliated scientists regular engage with IATTC and IOTC scientists on stock assessment activities, particularly in respect of pan-Pacific stocks, biological research and tagging studies. The SPC-OFP actively engages in an international network of science associated with tunas including research on ocean ecosystems and climate change.

II.	Technical work to cooperate across RFMOs:	
II.1	Creation of a harmonized list of tuna fishing vessels that is as comprehensive as possible (positive list) including use of a permanent unique identifier for each vessel such as an IMO number. The positive list should include support vessels. Creation of a global list of IUU vessels.	Since 2007, the t-RFMO Secretariats have collaborated with IMO, LR-F, and FAO to review details currently collected by t-RFMOs for their respective records of fishing vessels, reconciled that against IMO/LR-F requirements to generate a permanent unique vessel identifier and identified a process for t-RFMOs to achieve the outcome agreed at Kobe1. See TRFMO2-011/2009.
II.2	Harmonization and improvement of the trade tracking programs and, as appropriate, development of catch documentation including tagging systems as required	The WCPFC has only engaged in activities associated with this through WCPFC members who are members of other RFMOs which are actively involved in trade tracking and catch documentation programme development and implementation. See I.5 and I.8 above.
II.3	Harmonization of transshipment control measures	The WCPFCs transshipment verification scheme is under development. The WCPFC has only engaged related activities in other t-RFMOs through WCPFC members who are members of other RFMOs which are actively involved in the development and implementation of transshipment verification procedures.
II.4	Standardization of presentation form of stock assessment results	The WCPFC science service provider and the Scientific Committee generally use the “Kobe-plot” to present stock assessment results.
III	Implementation at each RFMO in 2007	
III.1	Report to COFI27	
III.2	Members shall commence implementing the measures foreseen in this Course of Actions at the 2007 annual meeting of each tuna RFMO as a matter of priority, consistent with the respective convention.	As described above, many of the issues identified for action at Kobe have been taken up in the WCPFC.
III.3	Follow-up mechanism	
III.3(1)	Policy level An ad-hoc tuna RFMO Chairs’ meeting should be held in January or February 2008 in the United States to discuss follow-up actions by each tuna RFMO. The meeting should be held with the participation of the appropriate representation from the tuna RFMOs Secretariats, as well as representation from the FAO.	See www.tuna-org.org
III.3(2)	Technical level A technical Working Group (WG)	See www.tuna-org.org . The WCPFC Secretariat is

<p>consisting of appropriate experts from tuna RFMOs is established to consider technical issue 1 in Section II of this Course of Actions. The first Working Group meeting will be held in July 2007 in the United States in conjunction with the ICCAT inter-sessional meetings and the tuna RFMOs will consider the results of such work during the 2008 annual meetings. The five tuna RFMO Secretariats will jointly consider the technical issues 2 and 3 in Section II on the occasion of the meeting of FAO COFI in 2007. Technical issue 4 will be considered by the scientific chairs of the 5 tuna RFMOs. The results on the four technical issues should be reported to the next joint RFMO meeting.</p>	<p>aware of one such Technical WG meeting.</p>
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