



FFA



FFA FOURTH MANAGEMENT OPTIONS WORKSHOP

Rarotonga, Cook Islands

10-12 October 2007

SUMMARY RECORD OF PROCEEDINGS

Opening of Workshop

1. The workshop was opened with a word of prayer by Pastor George of the Cook Islands Christian Centre.
2. FFA Director-General, Mr Dan Sua, welcomed participants and opened the workshop. A copy of his opening address is appended as **Attachment A**. The list of participants is appended as **Attachment B**.

Purpose, Objectives and Priorities of the Workshop

3. The Facilitator, Ian Cartwright introduced the purpose, objectives and priorities of the workshop, together with the guiding principles by which it was hoped it would achieve its outcomes. The purpose of the workshop was to.
 - Provide clear understanding for FFA members on WCPFC issues, drawn from the outcomes of WCPFC3, SC3 and TCC3.
 - Provide recommendations, including draft conservation and management measures/resolutions where appropriate, to FFC 65 for consideration.
 - Provide a significant contribution to national and regional positions to be taken forward at WCPFC4.
 - Develop positions on priority issues for consideration by FFC, to be subsequently incorporated in the FFA Negotiating Brief for WCPFC4 in Guam.
 - A better understanding by FFA members of the fisheries management issues and challenges facing WCPFC.
4. The meeting noted that the priorities of the fourth MOW are:
 - Tropical Tuna Management for Big Eye Tuna (BFT) & Yellow Fin Tuna (YFT)
 - Commission Regional Observer Program (ROP)
 - Transshipment

- Co-operating non-members
 - By-catch provisions – Sea turtles mitigation.
5. The guiding principles as progressed through the MHLC process were to:
- secure and protect the rights and interests of FFA Countries
 - secure maximum long-term benefits for FFA countries
 - ensure the conservation of the resource
 - promote full involvement of all FFA countries in a transparent and binding decision-making process
 - ensure consistency with international obligations

Agreement on program

7. Based on the issues and priorities raised in paragraph 3 and 4, the meeting adopted the programme appended as **Attachment C**. The workshop agreed that effective monitoring control and surveillance measures to support proposed and existing conservation and management measures were essential. The programme is appended as **Attachment C**.

Key outcomes for WCPFC and subsidiary meetings to date, of relevance to this MOW

8. The Secretariat presented papers MOW WPs 1, 2 & 3, focusing on key outcomes of the Commission and its subsidiary bodies- the Scientific and Technical and Compliance Committees. The reports were largely background information to the workshop, as most the issues were progressively covered in the three FFA sub-regional workshops on the WCPFC this year.

The meeting noted relevant issues to be developed and put on the table at WCPFC4, being reaffirmed by the WCPFC Chair at TCC3 were:

- Cooperating Non-Members;
- Conservation and Management Measures for Bigeye and Yellowfin Tuna;
- Vessel Monitoring System;
- Transshipment;
- Data Protocols;
- Regional Observer Program;
- Bycatch revisions;
- Review of IUU measure;
- Work Program of the Commission;
- Finance of Secretariat; *and*
- Use of the New Commission HQ.

Outcomes of FFC Ministerial 2007

9. The Secretariat introduced paper MOW WP 6 on Outcomes of FFC Ministerial Meeting 2007, highlighting item 9.1.1, where the Ministerial session endorsed a regional management strategy' to be discussed further in session 10 of the workshop.

The meeting noted that the action list arising from the Ministerial FFC requires further development including timelines and responsibilities, and will be reported back at the next Ministerial meeting.

Brief overview of Management Strategies Workshops – (preliminary Objectives outcomes from sub regional workshops)

10. Secretariat presented MOW WP 2 on the three FFA sub-regional WCPFC workshops conducted this year. Issues discussed were:

- the need for compatibility of the in-zones and the high seas; and
- the range of national perspectives and priorities of FFA members in relation to their fisheries development aspirations and capacities.

FFA Member views of the progress to date in the WCPFC

11. **Fiji** identified the following issues:

- Area of application – clarification needed for 'waters under national jurisdiction'
- Regional Charter Scheme – support for a Regional Charter Scheme.
- MCS Measures – support putting in place effective MCS measures in-zone and in the high seas in the Convention Area.
- National Objectives – objectives and priority setting process at sub-regional workshops were effective. Support for sub-regional workshops was expressed.

12. **Papua New Guinea** identified the following issues:

- MCS Measures - support putting in place effective MCS measures in-zone and in the high seas in the Convention Area, in a timely fashion; while progress has been made with developing resolutions and measures, there had been limited or no change to high seas compliance, whereas .
- Compatibility of Measures – in-zone MCS measures compatible to high seas in the Convention Area, namely VMS, ROP and HSBI.

13. **Australia** identified the following issues:

- IUU Fishing – need to put in place MCS measures immediately to eliminate IUU fishing.
- Catch Documentation – documentation of WCPO catch required.
- MCS Measures – support of putting in place MCS measures promptly.

14. **New Zealand** identified the following issues:
 - Commission CMM Development – good progress so far.
 - Fishing Capacity – concerned that DWFNs are acting in bad faith towards SIDS and restricting their legitimate development aspirations.
 - MCS Measures – support of putting in place MCS measures promptly.
15. **Marshall Island** Submitted to the meeting a draft Resolution on Aspirations of Small Island Developing States which it felt was necessary due to:
 - Non-recognition of DWFNs of the special requirement of SIDS.
 - Capacity restrictions related to the development of domestic fisheries of SIDS.
 - The need to protect and secure rights of SIDS to develop their domestic fisheries.
16. **Cook Island** identified the following issues:
 - Costly – the Commission process required increased participation in it’s subsidiary bodies.
 - Succession Plan for Staff – there was a need for a strategy for continuation.in terms of managing qualified and experienced fisheries staff to engage in Commission and related activities, including, for capacity building.
 - MCS Measures – support in putting place MCS measures promptly.
 - Generally good progress was being made in the Commission – particularly when, compared to other RFMOs.
17. **Federated States of Micronesia** identified the following issues:
 - MCS Measures - support in putting place MCS measures promptly.
 - Area of Application –clarification of text to examine where the term `waters under national jurisdiction’ may be more appropriately used.
18. **Kiribati** raised concerns that the WCPFC need to put in place MCS measures and also to develop mechanism to monitor compliance with conservation and management measures. WCPFC has been adopting CMM in a speedy fashion, in contrast to the high seas measures adopted by DWFN, where progress had been very slow.
19. **Nauru** identified the following issues:
 - Commission CMMs – further measure on BET and YFT must consider `special requirements of SIDS’.
 - MCS Measures - support in putting place MCS measures promptly.
20. **Tonga** identified the following issues:
 - CMM Implementation – CMMs need to be developed in light of status of fish stocks.
 - National Objective – challenge to expand and maximize benefit realized from tuna.
 - MCS Measures - support in putting place MCS measures promptly.
21. **Palau** raised the issue of
 - Assistance in capacity building – capacity building at the national level.

- Negotiation strategy – fair play at level playing field for SIDS and bigger with larger economies CCMs.
22. **Vanuatu** identified the following issues
- capacity building at the national level;
 - in-country training on Commission matters.

Presentation on Tuna Stock Update – SPC-OFP

23. SPC presented a paper on Summary of 'Key Scientific Advice Relating to Tuna Stocks' - A new stock assessment for yellowfin tuna was presented at SC 3. The assessment concluded that the current level of biomass is above the B_{MSY} reference point and while current fishing mortality rates are slightly less than the F_{MSY} reference point there was still a high probability (47%) that over fishing is occurring. Recent catch levels are at about the MSY level and, consequently, the stock can be considered fully exploited, at the current pattern of fishing. Higher yields could be achieved with a shift in the fishing pattern towards larger fish.

24. SC 3 noted the high probability that over fishing was occurring in the yellowfin stock, but made no specific recommendations relating to the level of fishing mortality. Instead, SC 3 noted a range of levels of effort reductions that would be required to maintain biomass at a range of levels above the B_{MSY} level.

The bigeye stock assessment was not updated in 2007 and the recommendations from SC 2 remain the status quo. Specifically, SC 2 recommended a 25% reduction in fishing mortality from recent (2001-2004) levels. It also noted higher reductions would be required to maintain the stock at levels higher than B_{MSY} .

25. A preliminary stock assessment has recently been completed for skipjack tuna. The assessment reaffirms the previous conclusions that the stock biomass remains well above the B_{MSY} level and the stock could sustain higher catches. Nevertheless, the current levels of catch in the western equatorial waters are having a significant impact on the current level of biomass in that region.

26. The yellowfin, bigeye, and skipjack stock assessment models were applied to investigate a comprehensive range of management options; model runs were undertaken increasing/decreasing fishing effort in key fishery groupings (longline, purse-seine associated sets, unassociated sets, and Indonesia/Philippines). For each model run, the stock status (relative to F_{MSY}) and the change in catch from each fishery were available. This information was provided to FFA for inclusion in the consideration of specific potential management measures.

27. A summary of an analysis of recent catch and effort data from the industrial purse seine operating in the equatorial WCPO was presented. The objective of the analysis was to identify areas that have yielded a high catch of bigeye tuna both in absolute terms and as a ratio of the catch of skipjack tuna and yellowfin tuna from unassociated sets. The analysis identified that high catches of bigeye tuna (in absolute and relative terms) were consistently taken within PNG and Solomon Islands archipelagic waters – the areas where purse-seine fishing effort is concentrated on anchored FADs. In addition, high catches of bigeye tuna have also been taken in the far eastern area of the equatorial WCPO in the last two quarters of the year. These catches have largely been taken from purse-seine fishing associated with drifting FADs, largely by vessels based in the eastern Pacific Ocean.

Tropical Tuna (BET and YFT) Management Options

28. The Secretariat presented MOW WP10 on Tropical Tuna (BET and YFT) Management Options. Key issues raised were:

- Participants noted that there may be effort transfer from high seas in to in-zones, which cannot be administered separately.
- The workshop noted the significant differences between regions within the fishery, and the various management options on a FAD closure. The effectiveness of any FAD closure excluding archipelagic waters will be influenced predominantly by the time and regional separation effect (or downstream effect). The purse seine fishery catches mainly 1+ year classes or less while the longline fishery catches at least 5+ years old age classes. Similarly, any increase in CPUEs for Region 5 and 6 is explained by the downstream effect from the more exploited Regions 3 and 4.
- Participants noted that trigger point of 2,000 mt for bigeye in the longline fishery does not apply to domestic fleets of PICTs.
- The key possible CMMs to be considered in the 2007 WCPFC meeting are: catch retention, longline bigeye catch limit reduction and FAD closures. The other options that could be of priority in future WCPFC meetings are capacity limits, purse seine effort reductions or closures, vessel day buy-backs, TACs and allocations, range of other FAD-related measures, and reductions in effort in Indonesia/ Philippines domestic fisheries.
- Participants noted that while the WCPFC will not decide on the incentives for discouraging FAD fishing, research is being conducted to differentiate schools under FADs. In future, the capability to detect schools of small fish, combined with incentives, could be a useful tool to reduce bigeye mortality.

29. Catch retention measure

- Participants noted that FFA generally support catch retention of all skipjack, bigeye and yellowfin, including small fish, taken by purse seiners. Potential resistance from some fleets was recognized, especially those fleets that rely heavily on FAD fishing. There was a proposal to adopt this approach, but subject to the full adoption of ROP.
- Two key issues are: i) the application of the proposed catch retention measure in archipelagic waters; and ii) an incentive scheme to exempt vessel owners that commit to making their boats available for scientific research.
- Participants noted that at least one FFA member has 100% observer coverage in archipelagic waters, and there is a need for improved compliance, including the implementation of an MCS tool kit before developing too many more new CMMs. In contrast, there was the issue of leverage to be used widely. For instance, what does it mean to give leverage to others when it comes to gauging into the development of new CMMs.

30. Longline bigeye catch reduction

- The proposal is aimed towards reducing bigeye catches associated with the major fleets administered by flag states, in particular the prominent Asian fishing countries. The proposed measure would cause the reduction of bigeye limits by those flag fleets.
- Participants noted that the current monitoring of the existing CMM is not working, particularly in respect of the purse seine fleet as four Asian fishing fleets have not

submitted any catch-effort data to the WCPFC. Further, there is no forms of verification and monitoring of such process.

- The Asian fleets have been cut substantially, but not so for the US, which is mainly constituted of domestic longline fleets fishing in US national (mostly Hawaiian) waters. It is expected therefore that future longline catch reduction options need to be sensitive to domestic longline efforts. Participants noted the expectation not to get any agreement at the Commission of the longline proposal.
- Participants recalled that the Asian DWFNs have rejected scientific advice, especially when the bulk of bigeye catches is generated from longline fishing. With the current CMM2005-02 expiring next year, it would be possible to recommend for a one year extension, to enable MCS and monitoring is to be put in place. Similarly during this period, FFA will work towards restructuring this proposal.
- Given this, the proposal is to have the extension roll over for another 3 years until FFA is able to design an alternative longline measure for the WCPFC.
- Participants noted concerns raised by the USA at TCC3 reflecting on their anticipation of a possible measure to reduce longline bigeye catch, however finding it difficult to accept. It may be possible the US will use the dis-proportionate burden on PICTs clause to argue their case, particular in regard to Hawaii domestic longline operations. It was felt that a strategy by the Members is needed to counter this argument.
- The Secretariat explained that the US comments are fair and that a refined response is possible similar to what was done for Japan in recognition of domestic longline fleet operations. A balanced approach can be developed along the lines of recognizing domestic fleets operations especially where bigeye is lightly exploited.

31. **FAD closures**

- Participants expressed the need for a hot-spots type approach recognizing that TCC3 has set a Special WG to develop a measure on FAD closure. It was explained the current proposal of the measure is to have a safety net approach, shorten duration and provision on a pull out approach or clause for CCMs that are disadvantaged.
- Participants also considered compensatory arrangements in the proposed FAD measure that allows FFA members expose to risks or losses. The compensatory response is in the form of HS closures. In particular, the closures of the high sea pockets in the Line Islands of Kiribati and northern boundary of the WCPO, and other related options suggested by WCPFC Executive Director.
- Participants noted that reduction FAD fishing benefit towards catching larger fish further to the east. Participants were reminded that the rationale of the proposed measure is to address juvenile tunas (bigeye/ yellowfin) and to be applied mainly in hot-spots FAD fishing.
- Participants noted that at least one member has a FAD plan in place and been submitted to the Commission. It was noted that not all CCMs engaged in FAD fishing have policies or FAD plans, let alone having any of such plans been submitted to the Commission.

32. **Tuna stocks overview**

- Participants noted the importance of having spatio-temporal distribution of bigeye catches. There is a high proportion of bigeye in the total purse seine fishery relative to the moderate-high proportion of bigeye in purse seine catches in archipelagic waters.

- There were suggestions in extreme situations to identify hot spots and identify other factors to help with decisions on areas to be closed. The time/area closures hypothetical scenarios are mainly the high concentrations of possible FAD purse seine fishing in PNG and Solomon Islands. The possibility for flow on effects for purse seine fleets fishing in the EPO to fish illegally in the borders of eastern WCPO during closed seasons was also noted
 - Participants expressed concerns that while the scenarios focus on PNG/Solomons archipelagic waters, there is nothing done for Philippines/ Indonesia.
33. The key outcomes of the Tropical Tuna (BET & YFT) Management was the development of a Draft Conservation and Management Measure for Bigeye and Yellowfin with emphasis on catch retention, longline bigeye catch reduction, FAD closures and monitoring and compliance issues.
34. The Draft Conservation and Management Measure for Tropical Bigeye and Yellowfin Tuna is appended as **Attachment D**.

Regional Observer Program.

35. The Secretariat presented paper MOW WP9 on the 'Regional Observer Program' discussing issues relating to the background and development of the ROP, through the SC and TCC first and second sessions of the ROP, and where we are, in terms of the recent TCC3 outcomes. Focusing on FFA members, key issues of the ROP in relation to MCS priority; Linkages to other conservation and management measures; Financing; Costs and Source of Observers the ROP. Japan was concern on Liability; Code of Conduct and Data Issues for the ROP.
36. The workshop reviewed the draft Conservation and Management Measure for the Regional Observer Programme focusing on elements in the draft in square brackets.

The Workshop noted:

- the need to avoid reopening of discussion on the agreed text of the Measure;
- the importance of including references to Article 30, particularly 2(b) and 4(c) in the Preamble to the Measure;
- Japan's view that the Regional Observer Programme should be funded by the Commission not CMMs and their fleets;
- the need to clarify the wording of 13(ii) of the measure;
- the possibility of dealing with paragraph 13(ix) on the supply of observer data to the Flag State under the rules on data, implying that this issue be left open for the pending finalization of the rules on data;
- the importance of the principle of "If You Do Not Give It, You Do Not Get It" in relation to data, noting that a coastal State should receive the observer data from a distant water fishing vessel fishing in its EEZ;
- the importance of observers not being responsible for the vessel operators complying with Commission Management Measures in Annex A, 2(i).
- the importance of the draft Regional Observer Programme Implementation Schedule, noting that the commencement date would have to be shifted to 1 March 2008 at the earliest;

- that implementation as of 1 March 2008 could simply mean the use of existing observer programmes, with the phasing in of the full Regional Observer Programme;
- the need to explain to Japan how FFA Members envisage the phased implementation of the Regional Observer Programme occurring; and
- the requirement for 100% observer coverage in the latest draft of the Bigeye and Yellowfin Measure.

37. The meeting noted the outcome of the Regional Observer Program is the development of a revised text of the TCC3 Chair's Draft Conservation and Management Measure for the Establishment of the Regional Observer Program.

38. The reviewed Draft Conservation and Management Measure for the Establishment of the Regional Observer Program is appended as **Attachment E**.

Transshipment

39. The Secretariat presented paper MOW WP8 on Transshipment

The workshop noted:

- The need not to end up in the Commission meeting; with only Japan's proposal, but to work with Australia and the FFA draft that came out of TCC3;
- The opportunity to work with Japan on transshipment and reach a mutually beneficial outcome. Key points to be agreed include area of application, reporting requirements and which vessels are transshipping and to whom;
- The provisions of Article 29 paragraph regarding the provision of data to the Commission for the purpose of monitoring transshipment;
- The need to consider transshipment requirements by other RFMOs;

Comments on Secretariat's draft taking other RFMOs transshipment measures – really complex, when these applied to large freezer vessels affected domestic small to medium longline fishing vessels targeting fresh chilled bigeye for sashimi market.

40. The key outcome of the Transshipment Monitoring is the development of a Conservation and Management Measure for Transshipment Monitoring.

41. The Draft Conservation and Management Measure for Transshipment Monitoring is appended as **Attachment F**.

Cooperating Non-Members

42. The Workshop reviewed the proposed draft Conservation and Management Measure on Cooperating Non Members

The Workshop noted:

- the need for a fair and transparent process for assessing applications for consideration by the TCC through up to the Commission, noting the option of having the TCC

deciding on whether the application meets the basic criteria with the Commission addressing the issue of participatory rights the making the final decision;

- that the stock status of bigeye and yellowfin and over capacity are factors acting against the admittance of Cooperating Non Members;
- the need for MCS measures to be in place to support Management Measures before considering applications for Cooperating Non Members;
- that an application for Cooperating Non Member status does not automatically grant a participatory right;
- the importance of making progress so that this issue does not continue to take up time at WCPFC4;

43. The key outcome of Cooperating Non-member is the review of CMM-2004-02. The proposed review of the 2004-02 measure is appended as **Attachment G**

Mitigation Measures for Sea turtles

44. The Secretariat made a presentation on issues relating to the existing Sea Turtle Mitigation Resolution as detailed in MOW/ WP12. The presentation focused on outcomes and recommendations from the Scientific Committee and the Technical and Compliance Committee.

45. The workshop considered issues raised by the Secretariat and agreed that:

- The “flexible” approach to sea turtle mitigation as recommended by SC2 and recommended by the 2006 MOW be maintained;
- A new CMM should not be developed to forward to the Commission but FFA positions (particularly those positions that are likely to be contrary to the views of the USA) should be considered in the FFA brief for the Commission in 2007;
- Apparatus described in Column A (of the sea turtle mitigation table in SC3 and TCC3 papers), namely line cutters, dehookers and dipnets (where appropriate) should be carried by long-line vessels to safely release hooked sea turtles;
- There was insufficient data and research on use and effectiveness of mitigation options described in Column B (of the sea turtle mitigation table in SC3 and TCC3 papers), for fisheries operating under the national jurisdiction of FFA members, to support any binding measure for options in Column B;
- There was concern about the efficacy of circle hooks as a by-catch mitigation tool across all long-line fisheries, (e.g., concern over possible increased shark capture using circle hooks);
- There appeared to be little or no effort from CMMs in 2007 (other than plans by the USA) to respect the Commission’s 2006 encouragement for CMMs to continue research and mitigation trials, particularly with small island developing states;
- Until such research and mitigation trials are undertaken in FFA member waters, and results presented, Members cannot support development of a CMM for sea turtle mitigation; and
- More information on the spatial and temporal patterns of sea turtle interaction with long-line fishing gear were required before a CMM could be considered.

Take Stock Session Discussing Strategies for FFA in WCPFC4 and Beyond

After completing work on the measures and discussion points in support of the WCPFC4 brief, the workshop held a brief open discussion session dealing with perceived progress made during the workshop and the future issues facing the FFA in respect to the Commission.

Thoughts on progress at the management options workshop

General satisfaction: with the process was expressed by a number of participants, particularly in respect of the proposed B/E and Y/F measure.

Slow progress: some participants were disappointed at the pace of the Commission with respect to implementing management measures to address SC concerns, and especially those related to compliance.

Package deal: while progress with the FAD measure was welcomed, it was acknowledged to be only part of the solution. As presented, it would be necessary to address the issue in both the longline and purse seine fisheries.

Frustration was expressed at what was seen as the current adhoc and adversarial approach taken to introducing management measures that would effectively deal with over fishing and overcapacity.

Philippines and Indonesia: remain a major problem to be resolved and their activities have the potential to undermine/compromise the efforts of the last three days.

Inadequacy of measures: it was noted that while the intended measures will go some way to address the SC issues, they will be inadequate to fully address the 25% FM reduction called for by SC.

Future issues facing FFA members in relation to negotiations at the Commission

- **Costs:** of the Commission (contributions), attending meetings. Issues also exist with relation to fee formula and its application. ROP implementation will depend on the degree to which Commission vs. DWFN payment issue can be resolved.
- **Strain on coastal states:** FFA members are finding that attending the increasing number of meetings, keeping pace with papers and emerging positions/ situations is severely taxing countries.
- **Allocation:** while not an issue for WCPFC4, allocation/participatory rights were considered to be an important issue that will need to be addressed.
- **High seas regulation:** there was concern expressed at the degree to which DWFN fleets operating on the high seas had made efforts to implement management resolutions and measures, including fishing capacity, in contrast to the efforts made by coastal states.
- **Lack of comprehensive management strategy:** management measures to address stock concerns would benefit from an overall management strategy including, limit and target reference points (for single and multi-species).
- **In zone capacity:** the vessel days available under the VDS are now at around 16% more than 2004 levels. The increase is attributable to i) archipelagic days no longer being considered within the VDS limit even though those days were used to establish the 2004 level and ii) the increase in the days allocated to the FSMA fleet. The issue of capacity control in-zones will need to be addressed in the future.
- **Fishing effort expended by Philippines and Indonesia:** the relatively high impact of the Phil. and Indon. fisheries on yellowfin and bigeye were noted. It was considered essential to focus on doing something about this to compliment the efforts of FFA states. An approach based on engagement, interaction and informal consultation was considered to be likely to be the most effective.

- **‘Toothless’ measures;** despite the existence of CMMS, there has been generally disappointing progress, and few ways to make them gain traction.
- **Importance of an effective ROP:** many of the measures discussed at the workshop were dependent on an effective ROP. Once an ROP is in place many management measures options become available.
- **Archipelagic waters;** a number of uncertainties related to the status of archipelagic water exist and these need to be clarified.
- **Development opportunities;** it is vital that SIDs are afforded all possible opportunity to develop their own fleets; currently the overcapacity resulting has the prospect of seriously compromising the development opportunities of some states.
- **Uniqueness of WCPFC:** it was noted that the WCPFC is unique in many ways, including the proportion of the Convention area in the most productive area of the fishery. IN this respect following RFMO practices in other oceans may not be the best way to proceed.
- **Poor reporting;** for a range of reasons, including data to inform stock assessments, reporting rates from some fleets, and in particular the DWLL fleet, required improvement. One way to achieve this may well be to remind DWFN that one of the allocation criteria relates to reporting.



Attachment A



**FFA Management Options Workshop
[Rarotonga, Cook Islands.
10 – 12 October, 2007]**

Opening Address by FFA Director General

1. Kia Orana and Good morning.
2. Let me first of all, welcome each and everyone of you to Rarotonga, Cook islands and to this fourth FFA Management Option Workshop. I would also like to take this opportunity to express my sincere gratitude to the Government and people of Cook Islands for hosting the FFA Management Options Workshop and in particular, the Ministries of Marine Resources and Foreign Affairs for the cordial welcome and hospitality accorded to us since our arrival. There has been a series of meeting since Saturday last week and I acknowledge that some of you have been here since then. I hope you also took time out from the busy meeting schedules to experience the beauty of Rarotonga.
3. Before I venture into the substantive issues of MOW, it is imperative for me to bring to your attention high level regional policy initiatives pertinent to fisheries. At the Forum

Leaders meeting next week, Leaders will be making vital decisions on 5 regional key priority areas under the Pacific Plan that address the major long-term challenges facing the region. The number one of these priority key areas is Fisheries. Leaders will be making decisions and call for the FFA to strengthen the regions management of its highly migratory fish stocks and that urgent supplementary work is needed in some areas; efforts must continue to maintain regional solidarity among Forum Members in their management of these fish stocks, particularly tuna; call for greater effort to foster a long term strategic approach to ensuring these resources are effectively managed. This approach must include the upholding and strengthening of existing regional arrangements, agreements and conservation measures that protect this essential resource in the face of threatened stock levels and intensifying global interest, in particular, from distant water fishing nations.

4. Colleagues, I am particularly gratify by the high priority our political masters now give to fisheries in this region and I must at this juncture congratulate all of you who work tirelessly and so hard to bring to the attention of Leaders to recognize and justifiably put fisheries as a priority issue for this region. I see this as an opportunity to harness the politic support we now have to address the challenges of fisheries management both at the national and regional levels.

5. The responsibility now rests squarely on our shoulders to respond appropriately to the Leaders call for sustainable fisheries. I beg your indulgence in ensuring that you make responsible decisions on critical issues and challenges now facing fisheries at the national and regional levels. The FFA MOW, without a doubt, is now a major component and an important mechanism that I hope would greatly assist and guide us in making informed decisions that foster sustainable fisheries both at the national and regional levels.

6. This is the 4th FFA Management Option Workshop since the first one that was held at the FFA Secretariat in 2004 as part of our preparation for the inaugural meeting of the Western and Central Pacific Fisheries Commission. The FFA Management Option Workshop is a closed session of FFA members and has over the recent years become one of the most crucial events on the busy schedule of the FFA annual work programme.

7. Allow me to reflect briefly on the achievements of the MOW, and its observed evolution over its short life history of just 4 years. At MOW I & II, we prepared ourselves for the set up of the Commission institutional arrangements which resulted in the smooth administrative start-up of the Commission. The Commission adopted staff regulations, budget and work programs and the appointment of competent senior personnel. We started to promote Monitoring, Control and Surveillance principles and made compliance gains very early on in the Commission process by having an agreement on VMS principles, the development of working groups to advance issues such as boarding and inspection, the regional observer program, the institution of the MRAG feasibility study, and the expeditious manner afforded to the Observer Coordinator recruitment. The Commissions adoption without dissent of the reports of the Scientific Committee as well as that for the scientific work programs. In terms of Conservation and Management Measures, we developed and tabled at the Commission, measures for bigeye and yellowfin tuna, south pacific and north pacific albacore. We did the same for Resolutions on the reduction of overcapacity, incidental catch of seabirds, non-target species including turtles and sharks.

8. Because of the positions agreed to by FFA at MOW I & II, FFA was able to achieve major outcomes under the work of the Commission during its first and second annual sessions. These outcomes include a fairly comprehensive set of management measures that require tightening over time to achieve conservation goals, the powerful exemptions from limits for Pacific Island countries domestic development, the adoption of effort limits and the Vessel Day Scheme and the application of global instruments for protection of non-target species.

9. At MOW 3, our approach became more focused and intense. We were determined to ensure that the early work of the Commission reflects FFA member's conviction on our sovereignty, our aspirations as small islands developing states with special requirements, and whatever we do, we do against the fundamental principle of solidarity. We started to develop strategies to address the shortcomings and inefficiencies of existing measures such as those on FADs, High seas purse seining and other fisheries including Indonesia and the Philippines, charter arrangements, shark finning, circle hooks and Catch documentation scheme.

10. Therefore, I can say with a high degree of confidence that the advanced progress that has been made over a short period of time in the WCPFC, has been at the initiative and through the determination of FFA members to set in place cooperative and effective arrangements for the long term conservation and sustainable use of highly migratory fish stocks in the WCPFC Region. This is testament to the efficiency and effectiveness of MOWs I, II and III.

11. However, there remain a number of key outstanding issues which still requires further work and are likely to be the main focus of this years Commission. These include: (i) further work on the Conservation and management measures for bigeye and yellowfin tuna in light of the most recent advice from the Scientific Committee with respect to reduction of fishing effort to avoid over fishing; (ii) Consolidating and strengthening of existing MCS initiatives and measures; and (iii) minimising impacts of fishing on non-target species; in particular, sea turtles.

12. In giving effect to the duty to cooperate in the establishment of conservation and management measures for target and non target species through the work of the WCPFC, the ultimate goal for the FFA members is to ensure, through effective management, the long-term conservation and sustainable use of these resources. However, in endeavouring to achieve this over all objective, care must be taken to ensure that the special requirements and development aspirations of the FFA members are not compromised but are taken into account, particularly to ensure that such conservation and management measures do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto the FFA member countries.

13. From this, we develop and enhance conservation and management measures that must contribute to ensuring sustainability and promote the objective of their optimum utilization. This means that for FFA members, the Commission should not be considering measures without some understanding of their impact on optimum utilization as well as stock sustainability, and FFA Members are entitled to take into account the relative burden on SIDS when considering these measures.

14. Let me remind you of one issue arising from the text of the Convention regarding the difference in standards for different stocks covered under the Convention:

a. For target species, the standard set in Article 5 is that measures should be “designed to maintain or restore stocks at levels capable of producing maximum sustainable yield, as qualified by relevant environmental and economic factors”

b. For non-target species, there are two standards:

- i. The Article 5 reference is to “minimize” the catch of non-target species, without reference to stock size; and
- ii. The Article 10 reference to “*maintaining or restoring populations of such species above levels at which their reproduction may become seriously threatened*”,

15. Whilst the standard for target species is clear, it is not obvious from the Convention how the two standards for non-target species should be applied. However, you may recall that at MOW I, II & III, FFA members position is to attach the tighter standard of “minimizing” catches independent of stock size to species such as seabirds, turtles and other species that are

not retained as part of minimizing waste and discards; and to apply the standard of maintaining stock sizes above the level at which reproduction may become seriously threatened to retained species such as billfish and sharks. It seems to me that further consideration of this issue is appropriate at this time.

16. As you endeavour to develop measures for non target species such as sea turtles, please be mindful of the jurisdictional issue to ensure that such measures do not create a subtle encroachment into the sovereignty of FFA member's decision making process. And more importantly, that such measure does not set precedence on how the WCPFC makes its conservation and management decisions in the future.

17. Unlike previous Management Options Workshops, MOW IV is programmed to focus on the pertinent issues that will be discussed at the next WCPFC meeting. The Agenda is designed so that the huge amount of background information and materials will not be covered with the same amount of detail as did previously. One of the main reasons for having the WCPFC Sub-regional workshops was to deal mainly with the background information and to give FFA members a head start on issues at hand in the WCPFC. The sub regional workshops also provided the opportunity for members to align their national priorities against regional initiatives while at the same time provide a mechanism for an honest and active interaction amongst members and it also provides the opportunity for capacity development purposes.

18. I anticipate that MOW4 is set out to achieve the following outcomes:

- A set of clear recommendations including draft measures and resolutions provided to FFC 65 for endorsement;
- An informed FFA negotiation brief for the WCPFC IV in Guam; and
- A good understanding by FFA members of fisheries management issues and challenges facing the WCPFC.

19. Convening any workshop needs financial and human resources to put it together and to run it successfully. At this juncture I will like to acknowledge the financial support provided by the Government of New Zealand through NZAID that enable us to convene this workshop. If I may on your behalf thank the New Zealand government through the representatives from New Zealand for the invaluable financial support that again make this workshop possible.

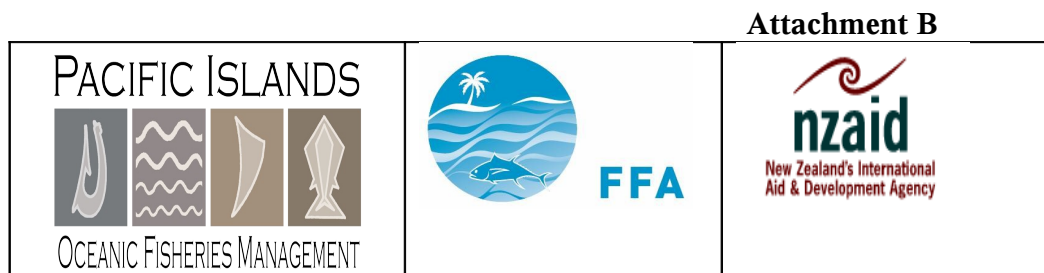
20. I would also like to acknowledge the contribution made by my staff in putting together materials for the workshop, under the watchful eye and guidance of the Deputy Director General, Dr Aqorau. In this connection I will like to mention specifically Mr Les Clark, our main FFA consultant who has once again provided significant contribution to the preparation for this workshop. It is always a pleasure to work with Les and I look forward to continue to work with him. I would also like to thank our sister organization SPC /OFP for their traditional assistance to FFA particularly the MOW and I acknowledge the presence of Drs John Hampton and Adam Langley.

21. Running the Management Options Workshop is probably the more important component in ensuring that the desired objectives of the workshop are achieved and participants return satisfied with the outcomes. It takes special skills to pull all these together especially when the workshop is designed to address sensitive issues that are inherent in fisheries management. On this occasion, I am very grateful to have found someone that I know will be able to lead us through the next three days towards achieving our objectives. Mr Ian Cartwright needs no introduction and I will not attempt to introduce him as it is pointless to tell you what you all already know of Ian. He successfully facilitated the 2005 MOW held

in Honiara and therefore he is not new to the challenge. Let me on your behalf thank Ian for his agreement to again facilitate this workshop. Thank you Mr. Cartwright.

22. I know that the three days ahead will be quite intense and there is the likelihood that we may be required to work late some evenings. Colleagues, I wish you well in your deliberations and a very successful management option workshop.

23. Thank You.



FFA MANAGEMENT OPTIONS WORKSHOP

10-12 October 2007

Rarotonga, Cook Islands

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ned below in Section 2 and in accordance with Sections 3, 4 and 5 below for transshipment operations at sea, all transshipment operations of highly migratory fish stocks covered by the Convention by large-scale tuna longline fishing vessels² (LSTLFVs) must take place in port.

2. Each Member, Cooperating Non-Member and participating Territory (collectively CCMs) shall take the necessary measures to ensure that LSTLFVs flying its flag comply with the obligations set out in Section 4 when transshipping in port.
3. This measure does not apply to vessels engaged in the transshipment of fresh fish³ at sea. CCMs shall report all transshipments of fresh fish to the Commission in its Annual Report to the Commission consistent with Paragraph 27.
4. This measure does not apply to vessels authorized by CCMs when the fishing activity, transshipment and landing of highly migratory fish stocks covered by the Convention all take place within the same waters under national jurisdiction. CCMs shall apply all necessary measures to verify catches of fish stocks covered by the Convention and report, as required, to the Commission.
5. Nothing in this measure shall prejudice the national laws of CCMs when transshipment occurs in waters under national jurisdiction.

SECTION 2. PROGRAM TO MONITOR TRANSHIPMENTS AT SEA

6. The Commission hereby establishes a program to monitor transshipments at sea, which applies to LSTLFVs and to carrier vessels on the WCPFC Record of Vessels (or other exemptions as approved by the Commission) and thereby authorised to receive transshipments from LSTLFVs at sea.
7. Each CCM shall determine whether or not to authorize its LSTLFVs to tranship at sea. All transshipments must be conducted in accordance with the procedures defined in Sections 3 and 4, and annex 2 of this measure.

SECTION 3. CONDITIONS RELATING TO AT-SEA TRANSHIPMENT

8. [Transshipments by LSTLFVs in high seas waters shall be prohibited. CCMs shall not authorize transshipment by LSTLFVs in areas beyond national jurisdiction.] Transshipment at sea in high seas waters prohibited, unlessconditions are met [simon to provide].
9. Transshipments by LSTLFVs in waters under the jurisdiction of the CCMs are subject to prior authorization from the Coastal State concerned. CCMs shall take the necessary measures to ensure that LSTLFVs flying their flag comply with the following conditions (and as described in Section 4):

Flag State Authorization

10. LSTLFVs are not authorized to tranship at sea unless they have obtained prior authorization from their Flag State or in the case of chartered vessels, from the chartering state.

² For the purposes of this measure, “large-scale tuna longline fishing vessels” are defined as all longline vessels on the WCPFC Record of Fishing Vessels.

³ For the purposes of this measure, “fresh fish” means highly migratory fish that are live, whole or dressed/gutted, but not further processed or frozen.

Notification obligations

Fishing vessel:

11. To receive the prior authorization mentioned in paragraph 10 above, the operator and/or owner of the LSTLFV must notify the following information to its Flag State authorities at least 24 hours in advance of the intended transshipment:
 - a) the name of the LSTLFV and its WIN in the WCPFC Record of Fishing Vessels or other exemption lists,
 - b) the name of the vessel to which the fish is being transhipped and its WIN in the WCPFC Record of Fishing Vessels, and the product, including species and processed state, to be transhipped,
 - c) the tonnage by product to be transhipped,
 - d) the date and location of transshipment,
 - e) the geographic location of the catches.
12. The LSTLFV concerned shall complete and transmit to its flag State, not later than 15 days after the transshipment, the WCPFC transshipment declaration in accordance with the format set out in Annex 1.

Receiving carrier vessel:

13. The operator of the receiving carrier vessel shall complete and transmit the WCPFC transshipment declaration to the Executive Director and the flag State of the LSTLFV within 24 hours of the completion of the transshipment.
14. The operator of the receiving carrier vessel shall, 48 hours before landing, transmit a WCPFC transshipment declaration to the competent authorities of the State where the landing takes place.

Observer Program

15. An observer as approved by the Commission... [should be covered by the ROP measure]
16. Vessels shall be prohibited from commencing or continuing at-sea transshipping in the Convention Area without an observer as approved by the Commission on board the carrier vessel, except in cases of force majeure duly notified to the Executive Director.
17. [*should be covered by the VMS measure, but possible inconsistency with bigeye and yellowfin measure*]

SECTION 4. REPORTING CONDITIONS RELATING TO IN-PORT TRANSHIPMENT (cover relevant requirements under the at-sea provisions)

18. Transshipment operations in port may only be undertaken subject to the reporting procedures detailed below.

Notification obligations

19. The operator of the fishing vessel shall comply with any obligations as set by the Port State CCM.
20. The operator of the LSTFV shall, at the time of the transshipment, fully complete the transshipment declaration form (Annex 1).
 - a) The operator of the LSTFV shall complete and transmit to the vessel's flag State not more than 15 days after the transshipment, the WCPFC transshipment declaration and associated schedules of catch and effort, along with the vessel's number in the WCPFC Record of Fishing Vessels, in accordance with the format set out in Annex 1.

21. Receiving vessel

- a) The operator of the receiving vessel shall comply with any notification obligations as set by the CCM.
- b) Not later than 24 hours before the beginning and at the end of the transshipment, the operator of the receiving carrier vessel shall inform the authorities of the Port State in which the transshipment takes place of the quantities of catches of highly migratory fish stocks transhipped to the carrier vessel, and complete and transmit to the competent authorities of the vessel's flag CCM the WCPFC transshipment declaration.

22. Landing or Port State

- a) The operator of the receiving carrier vessel shall, 48 hours before landing, complete an WCPFC transshipment declaration, and transmit it to the competent authorities of the landing State where the landing is to take place.

23. The Port State and the landing State referred to in the above paragraphs shall take appropriate measures to verify the accuracy of the information received, and shall cooperate with the flag CCM of the LSTFV to ensure that landings are consistent with the catches reported by the vessel. This verification shall be carried out so that the vessel suffers the minimum interference and inconvenience and that degradation of the fish is avoided.

24. Insert notification procedures as included in Australia's 2006 transshipment proposal (refer below).

25. Each flag State and chartering state shall report each year to the Commission the details of the transshipments by its vessels and this information shall be made available to all CCMs.

SECTION 5. GENERAL PROVISIONS

26. To ensure the effectiveness of the WCPFC conservation and management measures CCMs shall require vessels to comply with any catch reporting programs as adopted by the Commission.:

27. Each CCM shall report annually in Part 2 of its annual report to the Commission:

- a) The quantities and processed state by species transhipped during the previous year.
- b) The names of its vessels operating under this measure on the WCPFC Record of Fishing Vessels and other exemption lists which have transhipped during the previous year.
- c) A comprehensive report assessing the content and conclusions of the reports of the observers assigned to carrier vessels which have received transshipment from its LSTLFVs.

28. All transhipped highly migratory fish stocks landed in or imported into a port of a CCM, either unprocessed or after having been processed on board, shall be accompanied by the WCPFC transshipment declaration until the first sale after landing has taken place.

29. Each year, the Executive Director shall present a report on the implementation of this measure to the annual meeting of the Technical and Compliance Committee, which shall review compliance with this measure.

30. These provisions will be applicable from 1 July 2008. At its 2010 Annual Meeting, the Commission shall review and, as appropriate, revise this measure.

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ANNEX 1

WCPFC TRANSHIPMENT DECLARATION (to be combined with elements of the SPC/FFA Regional Unloading Forms)

(Include linkage to log sheets in order to identify when and where transhipped fish were caught)

Carrier Vessel	Fishing Vessel
Name of the Vessel and Radio Call Sign: Flag: Flag state license number: National Register Number, if available: WCPFC Record Number (WIN), if available:	Name of the Vessel and Radio Call Sign: Flag: Flag state license number: National Register Number, if available: WCPFC Record Number (WIN), if available:

name: _____ Day _____ Month _____ Hour _____ Year 20____ Agent's
 Carrier: Operator's name of LSTLV: _____ Operator's name of _____
 Departure _____ | _____ | _____ | from _____
 Return _____ | _____ | _____ | to _____ Signature: _____
 Signature: _____ Signature: _____
 Transhipment _____ | _____ | _____ | _____

Indicate the weight in kilograms or the unit used (e.g. box, basket) and the landed weight in kilograms of this unit: _____ kilograms LOCATION OF TRANSHIPMENT (and destination of transhipment).....

Species	Port	Sea	Type of product							
			Whole	Gutted	Headed	Filletted				

If transhipment effected at sea, WCPFC Observer Signature: _____

Paragraph 24 - Notification procedures as included in Australia's 2006 transhipment proposal.

Notification Obligations

Fishing Vessel:

1ii. Prior to transhipping, the Captain of the fishing vessel must notify the following information to the port state authorities, at least 48 hours in advance

- 1a. the name of the purse seiner and its WCPFC Identification Number (WIN);
- 2b. the name of the carrier vessel(s) and its WIN;
- 3c. the product (to species level) to be transhipped and its estimated tonnage;
- 4d. the date and location of transhipment;
- 5e. the geographic location of the tuna catches

1iii. The Captain of the fishing vessel shall, at the time of the transhipment, inform its flag State of the following;

- 1a. the products and quantities involved;
- 2b. the date and location of transhipment;

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- 3c. the name, registration number, WIN and flag of the receiving carrier vessel(s);
- 4d. the geographic location of the tuna catches.

1iv. The Captain of the fishing vessel shall complete and transmit to its flag State the WCPFC Transshipment Declaration, along with its WIN, in accordance with the format set out in Annex B, no later than 15 days after the transshipment.

Receiving Carrier Vessels:

1v. Not later than 24 hours before the beginning and at the end of the transshipment, the Master of the receiving carrier vessel shall inform the port State authorities of the quantities of catches of tuna and tuna like species transhipped to their vessel, and complete and transmit the WCPFC transshipment declaration to the WCPFC Executive Secretary and the flag State CCM of the fishing vessel, along with the carrier vessel's WIN, within 24 hours.

1vi. the Master of the receiving carrier vessel shall, 48 hours before landing, complete and transmit a WCPFC transshipment declaration along with its WIN to the competent authorities of the landing State where the landing takes place.

Port/Landing State:

1vii. The Port State and the Landing State referred to in the above paragraphs shall take the appropriate measures to verify the accuracy of the information received and shall cooperate with the flag CCM of the fishing vessel to ensure that landings are consistent with reported catches amount of each vessel. This verification shall be carried out so that the vessel suffers the minimum interference and inconvenience and that degradation of the fish is avoided.

1viii. Each flag CCM of the fishing vessel shall include in its annual report to the Commission the details on the transshipments by its vessels.

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Attachment G

Cooperating Non-Members⁴ Conservation and Management Measure – 2004 – 02(CMM 2004-02)

PROPOSED REVISIONS TO CMM2004-02 (as proposed by small group 3 for consideration of MOW) as at Thursday 7pm

In giving effect to article 32 of the Convention:-

1. A non-member of the Commission, whose vessels intend to fish in the Convention Area, may request the Commission for the status of a Cooperating non-member. Any such request shall be received by the Executive Director by 31 July of each year. The Executive Director shall notify all members of the Commission of any such request.

2. A non-member seeking the status of Cooperating non-member shall include with its request:

- (a) an indication of its views on ratification of or accession to the Convention;
- (b) a commitment to cooperate fully in the implementation of conservation and management measures adopted by the Commission and to ensure that fishing vessels flying its flag and fishing in the Convention Area and, to the greatest extent possible, its nationals, comply with the provisions of the Convention and conservation and management measures adopted under it;
- (c) full data on its historical fisheries in the Convention Area, including nominal catches, number/type of vessels, name of fishing vessels, fishing effort and fishing areas;
- (d) all the data members of the Commission are required to submit, in accordance with the recommendations adopted by the Commission;
- (e) details on its current fishing presence in the Convention Area, including the number of its vessels and their characteristics;
- (f) results from research programmes it has conducted in the Convention Area; and
- (g) any further relevant information as determined by the Commission.

3. Cooperating non members shall:

- (a) Comply with all conservation and management measures in force in the Convention Area;
- (b) Provide all the data members of the Commission are required to submit, in accordance with the recommendations adopted by the Commission;
- (c) Inform the Commission annually of the measures it takes to ensure compliance by its vessels with the Commission's conservation and management measures;
- (d) Respond in a timely manner to alleged violations of conservation and management measures by its vessels, as requested by a member of the Commission or determined by the appropriate subsidiary bodies of the Commission and communicate to the member making the request and to the Commission, the actions it has taken against the vessels in accordance with the provisions of Article 25 of the Convention.

4. The Commission shall accord Cooperating non-member status on an annual basis. It may renew the conferral of status subject to a review of the Cooperating non-member's compliance with the Convention's objectives and requirements.

5. The Commission shall, in determining whether a non-party is accorded Cooperating nonmember status, have regard to:

- (a) the views of the non-member applicant on ratification of or accession to the Convention;
- (b) the status of the stocks and the existing level of fishing effort in the fishery; and

⁴ As contained in Annex I of the Final Report of Working Group III [WCPFC/PrepCon/46]

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- (c) its record of compliance with the provisions of the Convention and the conservation and management measures developed by the Commission and other Regional Fisheries Management Organizations (RFMOs).

5 bis. The Commission shall determine the nature and extent of participatory rights, including specification of rights applicable under existing Conservation and Management Measures, of a Cooperating non-member in a fishery taking into account *inter alia*:

- (a) the status of the straddling fish stocks and highly migratory fish stocks and the existing level of fishing effort in the fishery;
- (b) the respective interests, fishing patterns and fishing practices of new and existing members or participants;
- (c) the respective contributions of new and existing members or participants to conservation and management of the stocks, to the collection and provision of accurate data and to the conduct of scientific research on the stocks;
- (d) the needs of coastal fishing communities which are dependent mainly on fishing for the stocks;
- (e) the needs of coastal States whose economies are overwhelmingly dependent on the exploitation of living marine resources;
- (f) the interests of developing States from the subregion or region in whose areas of national jurisdiction the stocks also occur; and
- (g) the development and implementation of an effective MCS framework for the Commission.

6. Cooperating non-members are entitled to participate at meetings of the Commission and its subsidiary bodies as Observers.

7. A Cooperating non-member is invited to make a financial contribution commensurate with the benefits it enjoys from participation in the fishery. If a Cooperating non-member makes a voluntary contribution in any financial year and then subsequently becomes a member of the Commission in that financial year, its voluntary contribution will be offset against its assessed contribution for that financial year.

8. Cooperating non-members seeking to renew their status as a Cooperating non-member shall comply with any reasonable requirements the Commission may prescribe to ensure compliance with Commission conservation and management measures.

9. The Commission shall also consider information available from other RFMOs relating to non-members seeking Cooperating non-member status, as well as data submitted by such non-members to the Commission. Caution shall be used so as not to introduce into the Convention Area the excessive fishing capacity of other regions or IUU fishing activities in granting Cooperating non-member status to such non-members.

10. The Commission shall monitor the activities of nationals and fishing vessels of Cooperating non-members, including their record of compliance with the provisions of the Convention and conservation and management measures adopted under it and the willingness of such Cooperating non-members to voluntarily contribute to the work of the Commission.

11. The Commission shall revoke the status of any such Cooperating non-member whose nationals or fishing vessels have undermined the effectiveness of conservation and management measures adopted pursuant to the Convention.

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12. The Executive Director shall contact each year all non-members whose vessels fish in the Convention Area for species under the Commission's competence to urge them to become a member of the Commission or to apply for the status of Cooperating non-member. In doing so, the Executive Director shall provide a copy of all relevant recommendations and resolutions adopted by the Commission.

13. The Technical and Compliance Committee will assess applications from Cooperating Non-Members and provide recommendations and technical advice to the Commission.

14. The Executive Director shall forward a copy of the relevant TCC recommendations and advice to the non-member applicant as soon as practicable.

15. The non-member applicant shall have the opportunity to consider the recommendations and advice of the TCC, and to submit additional information if necessary in advance of the Commission's decision on its application.