

INTER-AMERICAN TROPICAL TUNA COMMISSION
COMISIÓN INTERAMERICANA DEL ATÚN TROPICAL

75TH MEETING

CANCUN (MEXICO)
25-29 JUNE 2007

DOCUMENT IATTC-75-13

**ACTIONS BY TUNA REGIONAL FISHERIES MANAGEMENT
ORGANIZATIONS**

In January 2007, the five regional fisheries management organizations (RFMOs) responsible for tunas and tuna-like species¹ held their first joint meeting at Kobe, Japan. Attached to this document are the Meeting Report (Annex A) and the Course of Actions for RFMOs agreed by the Meeting (Annex B). It was agreed that members shall commence implementing the measures foreseen in the Course of Actions at the 2007 annual meeting of each Commission as a matter of priority, consistent with the respective convention.

Following the meeting, Ambassador David Balton of the United States carried out further consultations, and subsequently sent a memorandum with a suggested set of criteria for reviewing the performance of RFMOs (Annex C).

At this meeting, the Commission should decide its next steps in implementing the measures in the Course of Actions. More specifically, the Commission should decide on the following:

1. A performance review, as recommended by the Kobe meeting.
2. The review criteria set forth in Annex C.
3. How to proceed with the performance review, keeping in mind the agreement at the Kobe meeting that “as decided by each tuna RFMO, the reviews should be conducted by a team of individuals drawn from the RFMO secretariat, members of that RFMO and outside experts, with a view to ensuring objectivity and credibility.”
4. Which of the other actions recommended by the Kobe meeting should be addressed by the IATTC, and in what manner.

¹ Commission for the Conservation of Southern Bluefin Tuna (CCSBT); Indian Ocean Tuna Commission (IOTC); Inter-American Tropical Tuna Commission (IATTC); International Commission for the Conservation of Atlantic Tuna (ICCAT); Western and Central Pacific Fisheries Commission (WCPFC)

Annex A.

Report of the Joint Meeting of Tuna RFMOs Kobe, Japan – January 22 – 26, 2007

The Government of Japan, with technical assistance provided by the Food and Agricultural Organization of the United Nations (FAO), organized and hosted the first Joint Meeting of Tuna RFMOs from January 22nd to 26th 2007 in Kobe, Japan. The meeting included participants from 54 Members and cooperating non-Members of 5 tuna RFMOs (IATTC: Inter-American Tropical Tuna Commission, ICCAT: International Commission for the Conservation of Atlantic Tunas, IOTC: Indian Ocean Tuna Commission, WCPFC: Western and Central Pacific Fisheries Commission, and CCSBT: Commission for the Conservation of Southern Bluefin Tuna), as well as representatives of the Secretariats of the 5 tuna RFMOs, one non-Member, 7 inter-governmental organizations and 7 non-governmental organizations. The list of participants is attached as **Appendix 1**.

The list of documents discussed in the Joint Meeting and the adopted agenda are attached as **Appendix 2** and **3**, respectively.

Mr. Toshiro Shirasu, Director-General of Fisheries Agency of Japan, opened the Joint Meeting. The opening statement of Mr. Shirasu is attached as **Appendix 4**. Mr. Masanori Miyahara (Japan) was elected as the Chairperson.

An open-ended drafting committee to develop the Course of Actions for RFMOs from the Kobe meeting of joint tuna RFMOs was created.

Dr. Sachiko Tsuji (FAO) made presentations on the status of tuna stocks and data availability of tuna resources. A summary of stock status of tuna resources and the explanatory document for data availability are attached as **Appendix 5** and **6**. It was noted with concern that most commercially important tuna stocks in the world are fully or over-exploited.

Mr. Yuichiro Harada (OPRT) and Mr. Lahsen Ababouch (FAO) made presentations on the status of the sashimi and canned tuna product markets, respectively. The presentations are attached as **Appendix 7** and **8**. It was noted that the demand for both sashimi and canned tuna is continuously increasing in the world.

Dr. Robin Allen (IATTC), Dr. Bill Hogarth, Mr. Driss Meski, Dr. Jerry Scott and Dr. Victor Restrepo (ICCAT), Mr. John Spencer and Mr. Alejandro Anganuzzi (IOTC), Mr. Andrew Wright (WCPFC), and Mr. Neil Hermes (CCSBT) made presentations on the organization of, conservation and management measures taken by, and challenges of their respective tuna RFMOs. The challenges commonly faced by those RFMOs include establishment of effective and comprehensive stock rebuilding programs, collection of reliable data for stock assessment, restriction of fishing capacity/fishing effort, implementation of effective MCS (monitoring, control and surveillance) measures, striking a balance between the needs of developed and developing states, and effective cooperation among the tuna RFMOs. Their presentations are attached as **Appendix 9, 10, 11, 12, and 13**.

Mr. John Spencer (European Community) acted as a facilitator on the agenda of “Coordination of Measures of RFMOs”. The issues discussed under this agenda included IUU fishing, trade and catch tracking programs, transshipments and data collection and reporting. Participants underlined the need for a stronger cooperation and coordination among tuna RFMOs on all of those issues. Particularly, unification of lists of authorized as well as IUU vessels, data sharing among tuna RFMOs, and establishment of harmonized regulation for transshipment including a global observer scheme for carrier vessels could be the first area of coordination, following some technical discussions.

Mr. Glenn Hurry (Australia) acted as a facilitator on the agenda of “Addressing Fishing Capacity, Fishing Effort and Compliance”. It was agreed that in general global fishing capacity for tunas is too high and should not increase, and be reduced as appropriate, while recognizing the aspiration of developing states,

particularly small island developing states and territories, for the development of their fisheries industries. The need for tuna RFMOs to set sustainable catch and effort limits and address issues of allocation was also discussed in conjunction with overcapacity. It was also recognized that an improved, comprehensive and integrated MCS package of measures needs to be developed. The conference noted the importance of the outcome of the St John conference and the 2006 FAO workshop on capacity to the Joint Meeting.

Mr. David Balton (USA) acted as a facilitator on the agenda of “Responsible Actions to Address the Concerns raised by the International Community”. It was agreed that the five tuna RFMOs should have their performance reviewed in accordance with a common methodology, based on common criteria to the extent possible. Participants also agreed on the need to implement the ecosystem-based approach and precautionary approach and urgent need to develop and implement measures to minimize the by-catch of other ocean species in tuna fisheries (particularly sea turtles, seabirds and sharks) as well as devising ways to increase assistance to developing countries.

Based on the discussions above, the Drafting Committee developed a draft Course of Actions for RFMOs from the Kobe meeting of joint tuna RFMOs, which describes (I) key areas and challenges, (II) technical work to cooperate across RFMOs to address the challenges, and (III) follow-up actions. The Joint Meeting agreed upon the Course of Actions by consensus as attached as **Appendix 14**. The participants confirmed that their willingness to implement the Course of Actions through their participation in tuna RFMOs.

In relation to paragraphs 3 and 13 in Section I of the Course of Actions, the meeting noted the special requirements of developing coastal states, particularly small island developing states and territories, as shown in **Appendix 15**.

The United States of America offered to host the technical working group (July 2007 in conjunction with the ICCAT intersessional meetings) and an ad-hoc Tuna RFMO Chairs’ meeting (probably January or February 2008) mentioned in Section II and III respectively of the Course of Actions. The European Community offered to host the second Joint Meeting of Tuna RFMOs in 2009. The Joint Meeting welcomed the both offers. Mr. Miyahara declared the close of the first Joint Meeting of tuna RFMOs.

Annex B.

Course of Actions for RFMOs from the Kobe meeting of joint tuna RFMOs (January 26, 2007, Kobe, Japan)

The assembled members and cooperating non members of the five tuna RFMOs present at the Joint Meeting of Tuna RFMOs, recognizing the critical need to arrest further stock decline in the case of depleted stocks, maintain and rebuild tuna stocks to sustainable levels and deal effectively with overfishing, overcapacity and IUU fishing activities, jointly commit to take urgent actions to co-operate through tuna RFMOs in accordance with their obligations under international law.

While noting that tuna RFMOs have different characteristics, pressures on their individual stocks, and management arrangements, it was agreed that enhanced cooperation among tuna RFMOs on a broad range of issues can increase their effectiveness and efficiency and provide improved management of all tuna stocks.

I. Key areas and challenges

Recognizing that priorities may vary from tuna RFMO to tuna RFMO, the following are identified as key areas and challenges to be urgently addressed through effective cooperation and coordination among the five tuna RFMOs to improve their performance:

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
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
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
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
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
6. Application of penalties and sanctions of adequate severity to deter IUU fishing by both non-members and members
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
8. Establishment and implementation of a system to monitor catches from catching vessels to markets
9. Reviewing the performance of tuna RFMOs in accordance with ANNEX 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

11. Development of data collection, stock assessment and appropriate management of shark fisheries under the competence of tuna RFMOs
12. Research and development of techniques to reduce incidental take of juvenile tunas during tuna fisheries, in particular FAD operations
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
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

II. Technical work to cooperate across RFMOs will commence by addressing the following challenges.

1. Harmonization and improvement of the trade tracking programs and, as appropriate, development of catch documentation including tagging systems as required
2. 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.
3. Harmonization of transshipment control measures
4. Standardization of presentation form of stock assessment results

III. Follow-up actions

1. Report to 2007 FAO Committee on Fisheries (COFI)

Participants request Japan to report the results of this Meeting to the 2007 COFI.

2. Implementation at each RFMO in 2007

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.

3. Establishment of a follow-up mechanism (ANNEX II)

(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.

(2) Technical level

A technical working group (WG) consisting of appropriate experts from tuna RFMOs is established to consider technical issue 1 in section II of this Course of Actions. The first WG meeting will be held in July 2007 in the United States in conjunction with the ICCAT intersessional meetings and the tuna RFMOs will consider the results of such work during the 2008 annual meetings. The 5 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 4 technical issues should be reported to the next joint RFMO meeting.

4. Next joint RFMO meeting

The next joint RFMO meeting is expected to be held in January/February 2009 in the European Community. It is desirable to hold the following joint meetings every two years but such frequency of meetings should be subject to a decision by the 2nd joint RFMO meeting.

Attachment on RFMO Performance Review

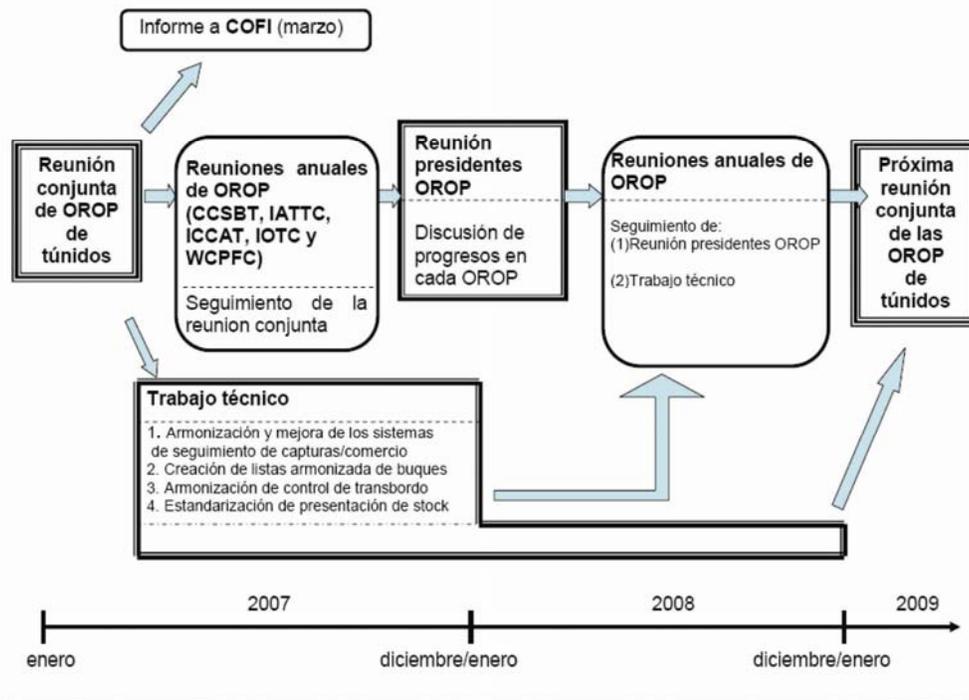
The five tuna RFMOs should have reviews of their performance conducted in accordance with a common methodology and a common set of criteria. The goal of the performance reviews shall be to assist the RFMOs, through these evaluations, in improving their effectiveness and efficiency in fulfilling their mandates.

As decided by each tuna RFMO, the reviews should be conducted by a team of individuals drawn from the RFMO secretariat, members of that RFMO and outside experts, with a view to ensuring objectivity and credibility.

The results of the performance reviews should be presented in the first instance to the tuna RFMO in question for consideration and possible action. The results of the reviews should also be made public on the respective RFMO website, and may be considered as well at future meetings of the five tuna RFMOs, COFI, and other relevant bodies.

The first performance reviews should commence as soon as practicable, following the development of a performance review framework through electronic means which is subject to the approval of the tuna RFMOs. The performance standards (criteria) contained in the framework should be based on the common elements of the tuna RFMO charters, best practices of each tuna RFMO and relevant provisions of applicable international instruments.

Each tuna RFMO should decide on the precise timing of its first performance review and on follow-up performance reviews, with a view to having performance reviews undertaken every 3-5 years.



Annex C.

30 April 2007

Indian Ocean Tuna Commission
Chair: Mr. John Spencer
Secretary: Alejandro Anganuzzi

Western and Central Pacific Fisheries Commission
Chair: Mr. Glenn Hurry
Executive Director: Mr. Drew Wright

International Commission for the Conservation of Atlantic Tunas
Chair: Dr. William Hogarth
Executive Secretary: Mr. Driss Meski

Inter-American Tropical Tuna Commission
Director: Dr. Robin Allen

Commission for the Conservation of Southern Bluefin Tuna
Chair: Mr. Daryl Quinlivan
Executive Secretary: Mr. Neil Hermes

Dear Chairs and Heads of Secretariats,

Enclosed for the consideration of your respective Regional Fisheries Management Organizations (RFMOs) is a set of suggested criteria for use in reviewing the performance of those RFMOs.

As you are aware, the international community has called for the performance of RFMOs to be reviewed. For example, the Review Conference for the 1995 United Nations Fish Stocks Agreement urged RFMOs to “undergo performance reviews on an urgent basis, whether initiated by the organizations themselves or with external partners; encourage the inclusion of some element of independent evaluation in such reviews; and ensure that the results are made publicly available. The reviews should use transparent criteria based on the Agreement and other relevant instruments, including best practices of regional fisheries management organizations.” Similarly, United Nations General Assembly Resolution 61/105 urged States, through their participation in RFMOs, to undertake performance reviews of those organizations.

The Joint Meeting of the five Tuna RFMOs that took place in Kobe, Japan, in January 2007 agreed, *inter alia*, that:

- those RFMOs should have reviews of their performance conducted in accordance with a common methodology and a common set of criteria;
- as decided by each RFMO, the reviews should be conducted by a team of individuals drawn from the RFMO secretariat, members of that RFMO and outside experts, with a view to ensuring objectivity and credibility;

- the results of the performance reviews should be presented in the first instance to the RFMO in question for consideration and possible action and could be discussed in other relevant fora as well;
- the results of the reviews should also be made public on the respective RFMO website;
- the first performance reviews should commence as soon as practicable; and
- each RFMO should decide on the precise timing of its first performance review and on follow-up performance reviews, with a view to having performance reviews undertaken every 3-5 years.

As envisioned at the Kobe Meeting, I have led an informal process over the past few months to develop a common set of criteria that the five Tuna RFMOs could consider in undertaking performance reviews. This process included a discussion on the margins of the 27th Committee on Fisheries of the Food and Agriculture Organization and an extended side meeting held in conjunction with the 6th Informal Consultations of States Parties to the 1995 UN Fish Stocks Agreement. Between these two meetings, I also received and incorporated a significant number of comments and suggestions from representatives of governments, international organizations and civil society.

I commend the enclosed criteria for your consideration. I also note that at least one RFMO, the North East Atlantic Fisheries Commission (NEAFC), has completed an initial performance review. You may find the Report of the NEAFC Performance Review Panel at: <http://www.neafc.org/news/docs/performance-review-final-edited.pdf>.

Sincerely,
(signed)

Ambassador David A. Balton
Facilitator, Kobe Meeting of Five Tuna RFMOs
President, Review Conference for the 1995 UN Fish Stocks Agreement

cc:

Commission for the Conservation of Antarctic Marine Living Resources
General Fisheries Commission for the Mediterranean
North Atlantic Salmon Conservation Organization
North East Atlantic Fisheries Commission
North Pacific Anadromous Fish Commission
Northwest Atlantic Fisheries Organization
South East Atlantic Fisheries Organization
Food and Agriculture Organization Fisheries and Aquaculture Department

Suggested Criteria for Reviewing the Performance of Regional Fisheries Management Organizations (RFMOs)

AREA	General Criteria	Detailed Criteria
1	<i>Conservation and management</i>	<ul style="list-style-type: none"> • Status of major fish stocks under the purview of the RFMO in relation to maximum sustainable yield or other relevant biological standards. • Trends in the status of those stocks. • Status of species that belong to the same ecosystems as, or are associated with or dependent upon, the major target stocks (hereinafter “non-target species”). • Trends in the status of those species. • Extent to which the RFMO has agreed formats, specifications and timeframes for data submission, taking into account UNFSA Annex I. • Extent to which RFMO members and cooperating non-members, individually or through the RFMO, collect and share complete and accurate fisheries data concerning target stocks and non-target species and other relevant data in a timely manner. • Extent to which fishing data and fishing vessel data are gathered by the RFMO and shared among members and other RFMOs. • Extent to which the RFMO is addressing any gaps in the collection and sharing of data as required. • Extent to which the RFMO receives and/or produces the best scientific advice relevant to the fish stocks and other living marine resources under its purview, as well as to the effects of fishing on the marine environment. • Extent to which the RFMO has adopted conservation and management measures for both target stocks and non-target species that ensures the long-term sustainability of such stocks and species and are based on the best scientific evidence available. • Extent to which the RFMO has applied the precautionary approach as set forth in UNFSA Article 6 and the Code of Conduct for Responsible Fisheries Article 7.5, including the application of precautionary reference points. • Extent to which the RFMO has adopted and is implementing effective rebuilding plans for depleted or overfished stocks. • Extent to which the RFMO has moved toward the adoption of conservation and management measures for previously unregulated fisheries, including new and exploratory fisheries. • Extent to which the RFMO has taken due account of the need to conserve marine biological diversity and minimize harmful impacts of fisheries on living marine resources and marine ecosystems. • Extent to which the RFMO has adopted measures to minimize pollution, waste, discards, catch by lost or abandoned gear, catch of non-target species, both fish and non-fish species, and impacts on associated or dependent species, in particular endangered species, through measures including, to the extent practicable, the development and use of selective, environmentally safe and cost-effective fishing gear and techniques. • Extent to which the RFMO has identified fishing capacity levels commensurate with long-term sustainability and optimum utilization of relevant fisheries. • Extent to which the RFMO has taken actions to prevent or eliminate excess fishing capacity and effort. • Extent to which measures have been adopted as reflected in UNFSA Article 7. • Extent to which the RFMO agrees on the allocation of allowable catch or levels of fishing effort, including taking into account requests for participation from new members or participants as reflected in UNFSA Article 11.
	Status of living marine resources	
	Data collection and sharing	
	Quality and provision of scientific advice	
	Adoption of conservation and management measures	
	Capacity management	
	Compatibility of management measures	
	Fishing allocations and opportunities	

2	<i>Compliance and enforcement</i>	Flag State duties	<ul style="list-style-type: none"> Extent to which RFMO members are fulfilling their duties as flag States under the treaty establishing the RFMO, pursuant to measures adopted by the RFMO, and under other international instruments, including, inter alia, the 1982 Law of the Sea Convention, the UNFSA and the 1993 FAO Compliance Agreement, as applicable.
		Port State measures	<ul style="list-style-type: none"> Extent to which the RFMO has adopted measures relating to the exercise of the rights and duties of its members as port States, as reflected in UNFSA Article 23 and the Code of Conduct for Responsible Fisheries Article 8.3. Extent to which these measures are effectively implemented.
		Monitoring, control and surveillance (MCS)	<ul style="list-style-type: none"> Extent to which the RFMO has adopted integrated MCS measures (e.g., required use of VMS, observers, catch documentation and trade tracking schemes, restrictions on transshipment, boarding and inspection schemes). Extent to which these measures are effectively implemented.
		Follow-up on infringements	<ul style="list-style-type: none"> Extent to which the RFMO, its members and cooperating non-members follow up on infringements to management measures.
		Cooperative mechanisms to detect and deter non-compliance	<ul style="list-style-type: none"> Extent to which the RFMO has established adequate cooperative mechanisms to both monitor compliance and detect and deter non-compliance (e.g., compliance committees, vessel lists, sharing of information about non-compliance). Extent to which these mechanisms are being effectively utilized.
3	<i>Decision-making and dispute settlement</i>	Market-related measures	<ul style="list-style-type: none"> Extent to which the RFMO has adopted measures relating to the exercise of the rights and duties of its members as market States. Extent to which these market-related measures are effectively implemented.
		Decision-making	<ul style="list-style-type: none"> Extent to which RFMO has transparent and consistent decision-making procedures that facilitate the adoption of conservation and management measures in a timely and effective manner.
4	<i>International cooperation</i>	Dispute settlement	<ul style="list-style-type: none"> Extent to which the RFMO has established adequate mechanisms for resolving disputes.
		Transparency	<ul style="list-style-type: none"> Extent to which the RFMO is operating in a transparent manner, as reflected in UNFSA Article 12 and the Code of Conduct for Responsible Fisheries Article 7.1.9. Extent to which RFMO decisions, meeting reports, scientific advice upon which decisions are made, and other relevant materials are made publicly available in a timely fashion.
5	<i>Financial and administrative issues</i>	Relationship to cooperating non-members	<ul style="list-style-type: none"> Extent to which the RFMO facilitates cooperation between members and non-members, including through the adoption and implementation of procedures for granting cooperating status.
		Relationship to non-cooperating non-members	<ul style="list-style-type: none"> Extent of fishing activity by vessels of non-members that are not cooperating with the RFMO, as well as measures to deter such activities.
		Cooperation with other RFMOs	<ul style="list-style-type: none"> Extent to which the RFMO cooperates with other RFMOs, including through the network of Regional Fishery Body Secretariats.
		Special requirements of developing States	<ul style="list-style-type: none"> Extent to which the RFMO recognizes the special needs of developing States and pursues forms of cooperation with developing States, including with respect to fishing allocations or opportunities, taking into account UNFSA Articles 24 and 25, and the Code of Conduct of Responsible Fisheries Article 5. Extent to which RFMO members, individually or through the RFMO, provide relevant assistance to developing States, as reflected in UNFSA Article 26.
5	<i>Financial and administrative issues</i>	Availability of resources for RFMO activities	<ul style="list-style-type: none"> Extent to which financial and other resources are made available to achieve the aims of the RFMO and to implement the RFMO's decisions.
		Efficiency and cost-effectiveness	<ul style="list-style-type: none"> Extent to which the RFMO is efficiently and effectively managing its human and financial resources, including those of the Secretariat.