

INTER-AMERICAN TROPICAL TUNA COMMISSION

81ST MEETING

ANTIGUA, GUATEMALA
27 SEPTEMBER-1 OCTOBER 2010

DOCUMENT IATTC-81-14

STATUS OF THE IATTC WITH REGARD TO THE KOBE PROCESS

This document consists of two parts. Section 1 deals with the evaluation of the Commission's performance, pursuant to the Kobe process; Section 2 lists the recommendations made by the meetings held in the framework of that process, as a basis for discussion and possible agreement on the future work of the Commission.

1. IATTC PERFORMANCE EVALUATION

For background information on this issue, see Document [IATTC-80-13](#), presented at the 80th Meeting of the Commission in June 2009.

At that meeting, a draft resolution on evaluating the performance of the IATTC was presented by seven members (Appendix 1). After considerable discussion, in the end no agreement was reached.

This important issue, agreed at the first meeting of the tuna regional fisheries management organizations (RFMOs) in January 2007, has been on the agenda for all six IATTC meetings since June 2007, but the Commission has failed in its attempts to reach agreement on how to proceed with a performance review, even though considerable time has been dedicated at meetings to discussing the issue in depth. Three of the five other tuna RFMOs have completed their performance reviews.

One important consideration is the appropriate time to make the evaluation as a result of the entry into force of the Antigua Convention, considering that the Commission is just beginning to work under this new regime.

2. MEETINGS OF TUNA RFMOs

After the meeting of the five tuna RFMOs in Kobe, Japan, in January 2007, which initiated the "Kobe process", a second meeting was held in San Sebastian, Spain, in June-July 2009, at which some proposals for immediate action (Appendix 2) were agreed. Subsequently, the following meetings have been held as part of the Kobe process:

Meeting	Documents presented by the IATTC staff
Barcelona, Spain, May-June 2010	
Meeting of experts to share best practices on the provision of scientific advice	
Workshop on improvement, harmonization and compatibility of monitoring, control and surveillance measures, including monitoring catches from catching vessels to markets	IATTC transshipment observer program
Brisbane, Australia, June-July 2010	
International workshop on tuna RFMO management of issues relating to bycatch	Actions to reduce bycatch
International workshop on RFMO management of tuna fisheries	Presentation made on vessel capacity issues

The reports of the meetings and the IATTC presentations can be found at <http://www.tuna-org.org/>; the recommendations are presented in Appendices 3-6 of this document.

These five meetings associated with the Kobe process which have taken place since the last meeting of the Commission produced over 82 detailed and specific recommendations. A number of these are already being done by the IATTC and therefore do not require specific action by the members in order for them to continue. However, there are others which the Commission needs to address. In order to facilitate this process, the staff has listed the following 24 recommendations which it believes require the attention of the Commission:

2.1. Recommendations from the Second Joint Meeting of Tuna RFMOs

- a. Members of RFMOs collaborate at a global level, and that each flag State or fishing entity ensure that its fishing capacity is commensurate with its fishing opportunities as determined by each tuna RFMO, including through a fair, transparent, and equitable process for the allocation of fishing opportunities among its members.
- b. The establishment of a global Register of active vessels, with contributions by the five RFMOs.
- c. The implementation of a robust compliance review mechanism within each RFMO recording the actions by the Parties and non Contracting Parties, on a yearly basis, with a view to possible sanctions to Parties and non Contracting Parties found to be non compliant and possible incentives for good compliance.
- d. Consistent with the FAO IPOA-Sharks, establish precautionary, science-based conservation and management measures for sharks taken in fisheries within the convention areas of each tuna RFMO.
- e. The tuna RFMO Secretariats continue their collaboration to advance implementation of a combined vessel register that incorporates a unique vessel identifier (UVI).
- f. To start work between RFMOs on harmonizing and making compatible the procedures and criteria for the listing and delisting from the respective RFMO IUU list, with the aim of developing a global IUU list. As a first step, an indicative list combining the tuna RFMOs IUU lists should be prepared.
- g. Enhance the ability of developing coastal States, to conserve and manage highly migratory fish stocks and to develop their own fisheries for such stocks; enable them to participate in high seas fisheries for such stocks, including facilitating access to such fisheries; and to facilitate their participation in the work of tuna RFMOs and relevant technical Workshops.

2.2. Recommendations from the meeting of experts to share best practices on the provision of scientific advice

- a. Efforts should be undertaken so that basic data used in stock assessment (catch, effort and sizes by flag and time/area strata) provided by members should be made available via the websites of tuna RFMOs or by other means.
- b. Tuna RFMOs should ensure adequate sampling for catch, effort and size composition across all fleets and especially distant water longline vessels for which this information is becoming limited.
- c. Tuna RFMOs should promote peer reviews of their stock assessment works.
- d. All documents, data and assumptions related to past assessments undertaken by tuna RFMOs should be made available in order to allow evaluation by any interested stakeholder.
- e. Chairs of Scientific Committees should establish an annotated list of common issues that could be addressed jointly by tuna RFMOs and prioritize them for discussion at the Kobe 3 meeting.
- f. Developed countries should strengthen in a sustained manner their financial and technical support for capacity-building in developing countries, notably small island developing States, on the basis of

adequate institutional arrangements in those countries and making full use of local, sub-regional and regional synergies.

2.3. Recommendations from the workshop on improvement, harmonization and compatibility of monitoring, control and surveillance measures, including monitoring catches from catching vessels to markets

- a. Where appropriate, develop agreements such that RFMO-authorized high seas observers can operate effectively in the various ocean basins covered by other RFMOs with a view to avoiding duplication of observers.
- b. Establish or expand the use of catch documentation system (CDS) to fisheries for tuna and tuna-like species and sharks not currently covered by an existing CDS and to which current conservation and management measures apply, taking into account the specific characteristics and circumstances of each RFMO.
- c. Provide technical assistance and capacity building support to assist developing countries in implementing existing CDSs and any expanded CDS, including ensuring that capacity building funds that currently exist in RFMOs can be used for this purpose.
- d. Encourage RFMO Members to consider signing and ratifying the FAO Port State Measures Agreement at their earliest opportunity.
- e. Where they do not already exist, where appropriate, adopt port State control measures that are consistent with the FAO Port State Measures Agreement, and that take into account the specific characteristics and circumstances of each RFMO.

2.4. Recommendations from the workshop on the management of issues relating to bycatch

- a. Seek binding measures or strengthen existing mitigation measures, including the development of mandatory reporting requirements for bycatch of all five taxa across all gear types and fishing methods where bycatch is a concern.
- b. As a matter of priority, establish a joint T-RFMO technical working group to promote greater cooperation and coordination among RFMOs with the attached Terms of Reference. The RFMOs are encouraged to expedite the formation of the joint working group.
- c. Acknowledging the additional or new requirements of bycatch mitigation and the need to build further capacity for implementation, in carrying out the recommendations in I, II, and III above, consider capacity building programs for developing countries to assist in their implementation.

2.5. Recommendations from the international workshop on RFMO management of tuna fisheries

- a. Review existing capacity against the best available scientific advice on sustainable levels of catch and implement measures to address any overcapacity identified.
- b. Consider using right-based management approaches and other approaches as part of a 'tool box' to address the aspirations of developing states, overfishing, overcapacity and allocation.
- c. The tuna RFMOs should ensure a constant exchange of information with regard to the capacity of fleets operating within their zones as well as the mechanisms to manage this capacity.

Appendix 1.

INTER-AMERICAN TROPICAL TUNA COMMISSION

80TH MEETING

LA JOLLA, CALIFORNIA (USA)

8-12 JUNE 2009

PROPOSAL H1

**PRESENTED BY COSTA RICA, EL SALVADOR, GUATEMALA,
MEXICO, NICARAGUA, PANAMA, AND VENEZUELA**

**RESOLUTION ON THE REVIEW OF THE PERFORMANCE OF THE
ORGANIZATION**

The Inter-American Tropical Tuna Commission (IATTC):

Taking into account the agreements and considerations emanating from FAO at its session of, as well as UN Resolution 61/105 of 2006 which exhorts Regional Fisheries Management Organizations (RFMOs) to undertake a review of their performance;

Noting the Course of Actions for RFMOs identified at the Joint Tuna RFMOs Meeting in Kobe, Japan, on 26 January 2007, and in particular those related to Performance Reviews, as well as the considerations emanating from the meeting of the Chairs of tuna organizations held in March 2007 in San Francisco, California;

Recognizing that other RFMOs have made progress in the process of Performance Reviews; and

Aware of the importance of developing comprehensive evaluation criteria for measuring the performance of RFMOs appropriate to the reality of the organization, the fisheries that it regulates and their markets;

Resolves as follows:

1. The Commission shall conduct a review of its performance, for presentation at its annual meeting in 2010, with the goal of improving its effectiveness and efficiency in fulfilling its mandates.
2. This review shall be carried out on the basis of the criteria in Annex A taking into account all the programs and activities under the IATTC's responsibility and the relevant international agreements, and instruments related to the conservation and management of fisheries resources.
3. A Review Panel shall be constituted, which shall be responsible for carrying out the review of the performance of the IATTC, in accordance with this Resolution. This panel shall be composed of two/three representatives of IATTC Parties, a member of the Secretariat, and three external experts with suitable experience in fisheries science, in the management of fisheries resources, and in the legal regulation of fisheries, respectively.

The external experts shall be internationally recognized, and shall have experience in, and knowledge on, matters for which the IATTC has responsibility. The members of the Panel should be nationals of the member countries with representations of four identified regions: North, Central and South America, and distant water fishing nations, with knowledge in fisheries management and international fisheries organizations, especially in IATTC's programs and activities.

4. The Review Panel Chairperson shall be a member of the Panel, elected by its members. The Panel may adopt its own rules of procedure and any guideline to perform its work as the members may deem necessary.

5. In order to integrate the Panel, the IATTC Secretariat shall prepare a list of 10 candidates each for both the experts and country representatives, which shall be sent to the Parties through email so they can indicate their respective preferences. The persons that receive the most votes will be selected to integrate the Panel. Member countries may submit the name of a prospective panelist.
6. The Panel shall assess in its final report, the efficiency status of the organization, it shall identify the circumstances which implied such efficiency level and will provide to the Commission with the advice on tools, strategies and main actions to improve the level of efficiency assessed.
7. In reviewing the performance of the Commission and formulating its recommendations the Panel take into consideration the implications of the entering into force of the Antigua Convention
8. The IATTC Secretariat shall provide logistical support to the Review Panel, and its staff will participate in the work of the Panel as required by the members of the Panel.
9. Travel and accommodation costs for the participation in the meetings of the Review Panel for the external experts shall be borne by the IATTC budget. IATTC Parties shall bear the costs of their own representatives who participate in the sessions of the Review Panel. However, if this is not possible for them, their participation shall also be covered by the Commission's budget.
10. The Chair of the Panel shall communicate the report and recommendations of the Review Panel to the Chairman of the IATTC and the Director at least 60 days in advance of the 2010 Annual Meeting. The Director shall distribute the report and recommendations to the IATTC Parties and observers, and publish them on the Commission's website. The Parties may then make their respective observations.
11. The Commission shall consider, and as appropriate adopt, such actions as may improve their performance, in accordance with the results of the review that that Panel presents, identifying, as appropriate, the necessary resources that this may imply on the basis of a cost-benefit approach.

Annex A

Suggested criteria for reviewing the performance of the Commission

	AREA	General Criteria	Detailed Criteria
1	<i>Collection, analysis, and scientific evaluation of information (data)</i>	Data collection and sharing	<ul style="list-style-type: none"> • Extent to which the IATTC has agreed formats, specifications and timeframes for data submissions. • Extent to which the Parties and cooperating non-members of the IATTC, individually or through the Commission, 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 IATTC and shared among members and other RFMOs. • Extent to which the IATTC is addressing any gaps in the collection and sharing of data as required. • Extent to which the data collected by the Commission complies with the stock assessment needs • Degree to which the financial resources allocated to data collection are appropriate • Availability of resources for such data collection.
		Living marine resources	<ul style="list-style-type: none"> • Status of the principal fish stocks under the purview of the IATTC in relation to the maximum sustainable yield or other pertinent biological parameters • Trends in the status of those stocks. • Status of the species that belong to the same ecosystems as, or that are associated with or depend on, the main target stocks (hereafter “non-target species”). • Trends in the status of those species.
		Quality and provision of scientific advice	<ul style="list-style-type: none"> • Extent to which the IATTC 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 IATTC has developed capacity and infrastructure for carrying out in depth scientific analyses.
2	<i>Adoption of conservation and management measures</i>	Basis and efficiency of measures adopted	<ul style="list-style-type: none"> • Degree of correspondence between the scientific recommendations made by the scientific staff of the Commission and the conservation measures adopted by the Parties • Extent to which the IATTC 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 IATTC has adopted the best practices for fisheries management in accordance with the pertinent international instruments, especially those relating to the management of fisheries resources • Extent to which the precautionary approach and ecosystem

			<p>considerations are applied including the application of precautionary reference points.</p> <ul style="list-style-type: none"> • Extent to which the IATTC has adopted and is implementing effective rebuilding plans for depleted or overfished stocks. • Extent to which the IATTC has moved toward the adoption of conservation and management measures for previously unregulated fisheries resources (?) • Extent to which IATTC has taken due account of the need to conserve marine biological diversity and minimize harmful impacts of fishing on living marine resources and marine ecosystems. • Extent to which fishing gear and methods are selective, minimize discards and catches of juveniles, and are harmless to the marine environment • Extent to which the IATTC has adopted measures to minimize pollution, waste, discards, catch by lost, abandoned or unutilized fishing gear, catch of non-target species, both fish and non-fish species, and impacts on associated or dependent species, in particular endangered species • Extent to which the marking of fishing gear, in accordance with the Code of Conduct for Responsible Fishing, has been attempted
		Capacity management	<ul style="list-style-type: none"> • Extent to which the IATTC has identified fishing capacity levels commensurate with long-term sustainability and optimum utilization of relevant fisheries. • Extent to which the IATTC has taken actions to prevent or eliminate excess fishing capacity and effort.
		Fishing allocations and opportunities	<ul style="list-style-type: none"> • Extent to which the IATTC agrees on the allocation of allowable catch or levels of fishing effort, including taking into account requests for participation from new members or participants in accordance with the status of the resources and taking into consideration article 5 of the Code of Conduct for Responsible Fishing and other applicable international instruments. • Extent to which the IATTC allocates fishing opportunities among its members in accordance with international standards.
3	<i>Compliance and enforcement</i>	Flag State duties	<ul style="list-style-type: none"> • Extent to which IATTC Parties are fulfilling their duties as flag States under the treaty establishing the IATTC pursuant to decisions and measures adopted by IATTC and under other applicable international instruments.
		Port State measures	<ul style="list-style-type: none"> • Extent to which the IATTC has adopted pertinent and necessary measures relating to the exercise of the rights and duties of its members as port States. • Extent to which Port State measures adopted by IATTC are effectively implemented taking into consideration the logistical resource capacity available in Developing States
		Monitoring, control and surveillance	<ul style="list-style-type: none"> • Extent to which the IATTC has adopted integrated MCS measures (e.g., required use of VMS, observers, certification and catch documentation and trade tracking schemes,

		(MCS) *	<p>restrictions on transshipment)</p> <ul style="list-style-type: none"> • Extent to which MCS measures are effectively implemented . • Extent to which these systems contribute to the objectives for which they were created, including, VMS, and the tuna tracking and certification scheme.
		Cooperative mechanisms to detect and deter non-compliance	<ul style="list-style-type: none"> • Extent to which the IATTC 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 the IATTC, its Parties and cooperating non-members monitor and follow up on infractions of management measures • Extent to which these mechanisms are being effectively utilized • Extent to which there is reciprocity with other organizations and other states for the exchange of pertinent information
		Trade, market Access related measures and Sustainability	<ul style="list-style-type: none"> • Extent to which the IATTC has adopted measures relating to the exercise of the rights and duties of its members as market States • [Extent to which the adoption of trade related measures by the IATTC, has contributed to the effective implementation of provisions of the IATTC Convention and conservation and management related measures adopted by the Commission and its Programs, including the AIDCP,, in accordance with the applicable provisions of the Commission and consistent with the contents of section 11.2 of the Code of Conduct for Responsible Fishing, including paragraphs 11.2.4, 11.2.5 and 11.2.6. • Extent to which these trade-related measures are effectively implemented • Extent to which market access is restricted by members to the entry of fisheries products for which the IATTC has responsibility and that have been captured in a manner either consistently or inconsistent with the conservation and management measures adopted by the Commission or those of the AIDCP, in accordance with the WTO.
4	<i>Functioning of the Organization</i>	Decision-making	<ul style="list-style-type: none"> • Extent to which IATTC has transparent and consistent decision-making procedures that facilitate the adoption of conservation and management measures in a timely and effective manner • Extent to which the decision-making procedures are effective and are a factor in the development and adoption of conservation measures
		Transparency	<ul style="list-style-type: none"> • Extent to which the IATTC is operating in a transparent manner, including the participation of NGOs with experience in fisheries resource conservation and management. • Extent to which the IATTC's decisions, reports of meetings, the scientific advice on which decisions are taken, and other relevant materials are made available to the public in a timely

			manner
		Dispute settlement	<ul style="list-style-type: none"> • Extent to which the IATTC has established adequate mechanisms for resolving disputes.
			•
5	<i>International cooperation</i>	Relationship to cooperating non-members	<ul style="list-style-type: none"> • Extent to which the IATTC facilitates cooperation between the Parties 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 IATTC, as well as measures to deter such activities.
		Cooperation with other RFMOs	<ul style="list-style-type: none"> • Extent to which the IATTC 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 IATTC recognizes the special needs of developing States and pursues forms of cooperation with developing States, including with fishing allocations or opportunities and the development of their capability effectively participate in the scientific assessments made within the framework of the IATTC, and their ability to participate in relevant meetings • Extent to which IATTC Parties, individually or through the IATTC, provide relevant assistance to developing States
6	<i>Financial and administrative issues</i>	Availability of resources for IATTC activities	<ul style="list-style-type: none"> • Extent to which financial and other resources are made available to achieve the aims of the IATTC and to implement the IATTC's decisions. • Extent to which IATTC is efficiently and effectively managing its human and financial resources, including those of the Secretariat. • Extent to which the cost of the Commission's projects and activities justify their financial costs, principally but not exclusively, by means of a cost-benefit analysis.

Appendix 2.

RECOMMENDATIONS OF THE SECOND JOINT MEETING OF TUNA RFMOs

San Sebastián (Spain), June-July 2009

Proposals for Immediate Action

1. The participants agree to call on RFMOs to take the following actions:

a. The participants agreed that global fishing capacity for tunas is too high, and that this problem needs to be urgently addressed. The participants recognized that in order to address this problem it is imperative that members of RFMOs collaborate at a global level, and that each flag State or fishing entity ensure that its fishing capacity is commensurate with its fishing opportunities as determined by each tuna RFMO, including through a fair, transparent, and equitable process for the allocation of fishing opportunities among its members. The participants agreed that this problem should be addressed in a way that does not constrain the access to, development of, and benefit from sustainable tuna fisheries, including on the high seas, by developing coastal States, in particular small island developing States, territories, and States with small and vulnerable economies.

b. Tuna fishing capacity should not be transferred between RFMO areas and, as appropriate within RFMO areas, unless in accordance with the measures of the RFMOs concerned.

c. The establishment of a global Register of active vessels, with contributions by the five RFMOs. This list will not be understood as providing individual or collective fishing rights. It will be without prejudice to any system of rights provided for in the existing RFMOs. The preparation of this list will be coordinated by the Secretariats of the tuna RFMOs.

d. The implementation of a robust compliance review mechanism within each RFMO recording the actions by the Parties and non Contracting Parties, on a yearly basis, with a view to possible sanctions to Parties and non Contracting Parties found to be non compliant and possible incentives for good compliance.

e. Improve the request for scientific advice to clearly articulate risk and uncertainty to decision makers.

f. Consistent with the FAO IPOA-Sharks, establish precautionary, science-based conservation and management measures for sharks taken in fisheries within the convention areas of each tuna RFMO, including as appropriate:

- Measures to improve the enforcement of existing finning bans;
- Prohibitions on retention of particularly vulnerable or depleted shark species, based on advice from scientists and experts;
- Concrete management measures in line with best available scientific advice with priority given to overfished populations;
- Precautionary fishing controls on a provisional basis for shark species for which there is no scientific advice; and
- Measures to improve the provision of data on sharks in all fisheries and by all gears.

g. Provide accurate, timely and complete data, and adopt measures to address the current low rate of compliance by RFMO participants with the obligations for data provision under the rules of each RFMO and any other relevant international instrument.

h. The tuna RFMO Secretariats continue their collaboration to advance implementation of a combined vessel register that incorporates a unique vessel identifier (UVI). The Secretariats will advance this through meetings of their members and on-going collaboration with the competent organizations

concerned, such as Lloyds Register-Fairplay, as appropriate, to include all of the tuna fishing vessels and to avoid unnecessary duplication.

i. To start work between RFMOs on harmonizing and making compatible the procedures and criteria for the listing and delisting from the respective RFMO IUU list, with the aim of developing a global IUU list. As a first step, an indicative list combining the tuna RFMOs IUU lists should be prepared.

j. Enhance the ability of developing coastal States, in particular small island developing States, territories, and States with small and vulnerable economies, to conserve and manage highly migratory fish stocks and to develop their own fisheries for such stocks; enable them to participate in high seas fisheries for such stocks, including facilitating access to such fisheries; and to facilitate their participation in the work of tuna RFMOs and relevant technical Workshops. The Workshops agreed will consider how to address this principle.

Appendix 3

RECOMMENDATIONS OF THE JOINT TUNA RFMOs MEETING OF EXPERTS TO SHARE BEST PRACTICES ON THE PROVISION OF SCIENTIFIC ADVICE.

Barcelona, Spain, May-June 2010

Routine data collected by year: Catch, effort and size data

1. All members of t-RFMOs are called upon to give a top priority to the provision of data of good quality in a timely manner, according to the existing mandatory data requirements of tuna RFMOs, in order to facilitate the work of tuna RFMOs scientific bodies in the provision of scientific advice based on the most recent information.
2. Lags in the submission of fishery data should be reduced making a full use of communication technologies (e.g. web based) and efforts should be undertaken that basic data formats are harmonized.
3. Efforts should be undertaken so that basic data used in stock assessment (catch, effort and sizes by flag and time/area strata) provided by members should be made available via the websites of tuna RFMOs or by other means.
4. Fine scale operational data should be made available in a timely manner to support stock assessment work, and confidentiality concerns should be addressed through RFMOs rules and procedures for access protection and security of data.
5. Tuna RFMOs should ensure adequate sampling for catch, effort and size composition across all fleets and especially distant water longliners for which this information is becoming limited.
6. Tuna RFMOs should cooperate to improve the quality of data, in particular for methods to estimate: (1) species and size composition of tunas caught by purse seiners and by artisanal fisheries and (2) catch and size of farmed tunas.
7. Tuna RFMOs should use alternative sources of data, notably observer and cannery data, to both validate the information routinely reported by Parties and estimate catches from non-reporting fleets.

Biological data

8. Regular large scale tagging programs should be developed, along with appropriate reporting systems, to estimate natural mortality growth and movement patterns by sex, and other fundamental parameters for stock assessments.
9. Archival tagging should be an ongoing activity of tagging programs as it provides additional insights into tuna behavior and vulnerability.
10. Spatial aspects of assessment should be encouraged within all tuna RFMOs in order to substantiate spatial management measures.

11. The use of high-resolution spatial ecosystem modeling frameworks should be encouraged in all tuna RFMOs since they offer the opportunity to better integrate biological features of tuna stocks and their environment.

Stock assessment

12. Tuna RFMOs should promote peer reviews of their stock assessment works.

13. Tuna RFMOs should use more than one stock assessment model and avoid the use of assumption-rich models in data-poor situations.

14. Chairs of Scientific Committees should jointly develop checklists and minimum standards for stock assessments.

Communication by tuna RFMOs

15. Standardized executive summaries should be developed for consideration by all tuna RFMOs to summarize stock status and management recommendations. These summaries should be discussed and proposed by the chairs of the Scientific Committees at Kobe 3.

16. The application of the Kobe 2 strategy matrix should be expanded and applied primarily to stocks for which sufficient information is available.

17. Tuna RFMOs should develop mechanisms to deliver timely and adequate information on their scientific outcomes to the public.

18. All documents, data and assumptions related to past assessments undertaken by tuna RFMOs should be made available in order to allow evaluation by any interested stakeholder.

Enhanced cooperation between tuna RFMOs

19. Chairs of Scientific Committees should establish an annotated list of common issues that could be addressed jointly by tuna RFMOs and prioritize them for discussion at the Kobe 3 meeting.

20. Tuna RFMOs should actively cooperate with programs integrating ecosystem and socio-economic approaches such as CLIOTOP to support the conservation of multi-species resources.

Capacity-building

21. Where determined by a Tuna RFMO, a review of the effectiveness of capacity-building assistance already provided should be undertaken. Reviews of tuna scientific management capacity in developing countries, within the framework of the respective RFMO may also be conducted at their request.

22. Developed countries should strengthen in a sustained manner their financial and technical support for capacity-building in developing countries, notably small island developing States, on the basis of adequate institutional arrangements in those countries and making full use of local, sub-regional and regional synergies.

23. Tuna RFMOs should have assistance funds that cover various forms of capacity-building (e.g. training of technicians and scientists, scholarships and fellowships, attendance to meetings, institutional building, development of fisheries).

24. Tuna RFMOs, if necessary, should ensure regular training of technicians for collecting and processing of data for developing states, notably those where tuna is landed.

25. The structural weaknesses in the receiving mechanism for capacity building within a country should be improved by working closely with Tuna RFMOs

Appendix 4.

RECOMMENDATIONS FROM THE JOINT TUNA RFMOs WORKSHOP ON IMPROVEMENT, HARMONIZATION AND COMPATIBILITY OF MONITORING, CONTROL AND SURVEILLANCE MEASURES, INCLUDING MONITORING CATCHES FROM CATCHING VESSELS TO MARKETS

Barcelona, Spain, May-June 2010

The participants in the Kobe II Workshop on MCS held in Barcelona, Spain from June 3-5, 2010 recommended the following to tuna RFMOs, and requested that such RFMOs report on their actions towards these recommendations at the Kobe III Meeting scheduled for 2011:

VMS

1. Where they do not already exist, establish standards for the format (see attached ICCAT format as an example), content, structure and frequency of VMS messages; and
2. Ensure there are no gaps in geographic coverage in regional VMS programs, and all relevant vessel types and sizes participate in VMS programs while on the high seas.

Transshipment

1. Cooperate with other tuna RFMOs to standardize transshipment Declaration forms so that they use, to the maximum extent possible, the same format and include the same required data fields, as well as develop minimum standards for the timeframes by which such Declarations are submitted to RFMO Secretariats, flag States, coastal States, and port States.
2. Establish that advance notifications must be provided to the relevant tuna RFMO Secretariat for those high seas transshipment activities that are permitted by that RFMO's measures (for example, 36 hours in advance of the transshipment operation taking place).

Observers

- RFMOs are encouraged to support the establishment of regional observer programs which could be built on existing national programs. It is the responsibility of each RFMO to clearly establish the purpose and scope of the information collected by its regional observer program, such as whether it will be used to support scientific or monitoring functions, or both, and then define the specific observer tasks and duties appropriate for that particular purpose and scope.
 - There are specific aspects of observer programs that could benefit from the development of minimum standards or procedures that if utilized by tuna RFMOs could promote comparable observer-generated data.
1. Where appropriate and practical, subject all gear types in high seas fishing operations to observer coverage while adopting a minimum of 5% coverage as an initial level. Observer coverage rates should be evaluated and may be adjusted depending on the scope and objectives of each observer program or particular conservation and management measures.
 2. Where appropriate, develop agreements such that RFMO-authorized high seas observers can operate effectively in the various ocean basins covered by other RFMOs with a view to avoiding duplication of observers. Such observer programs will provide required data to the RFMO in whose area the fishing operations take place.
 3. Exchange information and examples of the standards developed in each program. These should include:
 - a. Training material and procedures;
 - b. On-board reference materials;

- c. Health and safety issues;
- d. Rights, and responsibilities of vessel operators, masters, crew and observers;
- e. Data collection, storage and dissemination including where appropriate between RFMOs;
- f. Debriefing protocols and procedures;
- g. Reporting formats – especially for target and by-catch species;
- h. Basic qualifications and experience of observers.

Catch Documentation Schemes (CDS).

1. Establish or expand the use of CDS to fisheries for tuna and tuna-like species and sharks not currently covered by an existing CDS and to which current conservation and management measures apply, taking into account the specific characteristics and circumstances of each RFMO.
2. Ensure compatibility between new or expanded CDS and existing certification schemes already implemented by coastal, port and importing States.
3. Develop a common/harmonized form for use across RFMOs and the use of electronic systems and tags to enhance the efficiency, effectiveness and utility of a CDS.
4. Take into account fish caught by purse seine fisheries and delivered to processing plants when implementing an expanded CDS.
5. Consider a tagging system for fresh and chilled products to improve the implementation of new or expanded CDS.
6. Develop a simplified CDS form to cover catches by artisanal fisheries that are exported (see Appendix 3, EU form that could serve as an example).
7. Provide technical assistance and capacity building support to assist developing countries in implementing existing CDSs and any expanded CDS, including ensuring that capacity building funds that currently exist in RFMOs can be used for this purpose.

Port State Measures

1. Encourage RFMO Members to consider signing and ratifying the FAO Port State Measures Agreement at their earliest opportunity.
2. Where they do not already exist, where appropriate, adopt port State control measures that are consistent with the FAO Port State Measures Agreement, and that take into account the specific characteristics and circumstances of each RFMO.

Data

When useful to support scientific and MCS purposes, cooperate with other tuna RFMOs to develop protocols for exchanging data, including provisions for data confidentiality.

Appendix 5

RECOMMENDATIONS FROM THE KOBE WORKSHOP ON BYCATCH

Brisbane, Australia, June-July 2010

Participants in the Kobe II Bycatch Workshop support bringing the following recommendations forward to the respective RFMOs as regards bycatch across five taxa (seabirds, sea turtles, finfish, marine mammals, and sharks):

I. Improving assessment of bycatch within t-RFMOs

1. RFMOs should assess the impact of fisheries for tuna, tuna like and other species covered by the conventions on bycatch by taxon using the best available data.
2. RFMOs should consider adopting standards for bycatch data collection which, at a minimum, allows the data to contribute to the assessment of bycatch species population status and evaluation of the effectiveness of bycatch measures. The data should allow the RFMOs to assess the level of interaction of the fisheries with bycatch species.
3. Encourage the participation of appropriate scientists in relevant t-RFMO working groups to conduct and evaluate bycatch assessments and proposed mitigation strategies; and
4. Implement/enhance observer and port sampling programs with sufficient coverage to quantify/estimate bycatch and require timely reporting to inform mitigation needs and support conservation and management objectives, addressing practical and financial constraints

II. Improving ways to mitigate/reduce bycatch within t-RFMO

5. RFMO measures should reflect adopted international agreements, tools and guidelines to reduce bycatch, including the relevant provisions of the FAO Code of Conduct, the IPOAs for Seabirds and Sharks, the FAO guidelines on sea turtles, the best practice guidelines for IPOAs for seabirds, and the precautionary approach and ecosystem approaches.
6. For populations of concern including those evaluated as depleted, RFMOs should develop and adopt immediate, effective management measures, for example, prohibition as appropriate on retention of such species where alternative effective sustainability measures are not in place.
7. Evaluate the effectiveness of current bycatch mitigation measures, and their impact on target species catch and management, and identify priorities for action and gaps in implementation, including enforcement of current measures and capacity building needs in developing states.
8. Seek binding measures or strengthen existing mitigation measures, including the development of mandatory reporting requirements for bycatch of all five taxa across all gear types and fishing methods where bycatch is a concern; and
9. Identify research priorities, including potential pilot projects to further develop and evaluate the effectiveness of current or proposed bycatch mitigation measures, working with fishers, fishing industry, IGOs and NGOs, universities and others as appropriate, and facilitate a full compendium of information regarding mitigation techniques or tools currently in use, e.g. building on the WCPFC Bycatch Mitigation Information System.
10. Due to the conservation status of certain populations and in accordance with priorities in the RFMO areas, expedite action on reducing bycatch of threatened and endangered species.
11. Adopt the following principles as the basis for developing best practice on bycatch avoidance and mitigation measures and on bycatch conservation and management measure.

- binding,

- clear and direct,
- measureable,
- science-based,
- ecosystem-based,
- ecologically efficient (reduces the mortality of bycatch),
- practical and safe,
- economically efficient,
- holistic,
- collaboratively developed with industry and stakeholders, and
- fully implemented.

III. Improving cooperation and coordination across RFMOs

12. As a matter of priority, establish a joint t-RFMO technical working group to promote greater cooperation and coordination among RFMOs with the attached Terms of Reference. The RFMOs are encouraged to expedite the formation of the joint working group.

13. Actively develop collaborations between relevant fishing industry, IGOs and NGOs, universities and others as appropriate, and RFMOs to assess the impact of bycatch on the five taxa, study the effectiveness of bycatch mitigation measures, and further the understanding of population dynamics of species of conservation concern; and

14. Develop the long-term capacity of T-RFMOs to coordinate and cooperate for data collection, assessment of bycatch, outreach, education, and observer training, including establishing a process to share information on current bycatch initiatives and potential capacity building activities.

15. RFMOs are encouraged to report progress to Kobe III on the formation and on progress against the recommendations in part I and II of this workshop report.

IV. CAPACITY BUILDING FOR DEVELOPING COUNTRIES

16. Acknowledging the additional or new requirements of bycatch mitigation and the need to build further capacity for implementation, in carrying out the recommendations in I, II, and III above, consider capacity building programs for developing countries to assist in their implementation. Establish a list of existing capacity building programs related to bycatch issues (see attached Appendix 2 for example) to avoid duplication where possible and facilitate coordination of new capacity building programs.

Appendix 6

RECOMMENDATIONS FROM THE INTERNATIONAL WORKSHOP ON RFMO MANAGEMENT OF TUNA FISHERIES

Brisbane, Australia, June-July 2010

Key themes

- a. The long-term profitability of all tuna fisheries is linked to their sustainability and proper management, and all RFMOs should ensure that all stocks of tunas are maintained at sustainable and optimal levels through science-based measures.
- b. Overcapacity is a symptom of broader management problems, and in developing solutions we need to ensure that we deal with both the problem of overcapacity and the longer-term management issues.
- c. In some areas a high proportion of the world's tuna resources are harvested from the waters of developing coastal states. For some of these countries and many small island developing states they are their only tradable resource, and developing coastal States seek a better return for access to tuna resources. Providing developing coastal States with the assistance to better manage, utilise and trade and market these resources will increase the economic return. In this context, developed fishing countries should work with developing coastal States to build industries that provide a better return, including as appropriate reducing and restructuring fleets.
- d. Rights in RFMOs and under international law come with associated obligations, and these must be honoured by all member and cooperating non-member countries.
- e. Tuna sashimi markets are now world-wide, not just in Japan; e.g. USA, EU, China, Chinese Taipei, and Korea.
- f. Fish-aggregating devices (FADs) increase the catches in purse-seine fisheries for skipjack tuna, but FAD fishing for skipjack also captures juvenile bigeye and yellowfin tunas, lowering the longterm catch rates of those species.
- g. Rights already exist in most tuna fisheries, e.g. participatory rights in RFMOs, allocations in some RFMOs, and states' rights under international law.
- h. Some participants stated that now is not the time to build further purse seiners, unless industry can secure long-term access rights in partnership with developing coastal States.
- i. The issues relating to overcapacity and overfishing in tuna RFMOs do not change; hopefully the players now understand that they must act.

Recommendations

RFMOs should, as a matter of urgency:

1. Develop publicly available authorized and active vessel lists for all gears. These lists will include small-scale fishing vessels that are capable of catching significant amounts of fish under the competency of tuna RFMOs.
2. Encourage secretariats to continue their work on the global list of tuna vessels, including the assignment of a unique vessel identifier.
3. As appropriate, RFMOs include only vessels on their active vessel register in any scheme for reducing capacity by eliminating vessels.
4. Review existing capacity against the best available scientific advice on sustainable levels of catch and implement measures to address any overcapacity identified.
5. Each tuna RFMO consider implementing where appropriate a freeze on fishing capacity on a fishery

by fishery basis. Such a freeze should not constrain the access to, development of, and benefit from sustainable tuna fisheries by developing coastal States.

6. All RFMOs establish strong requirements for the provision of accurate data and information to secretariats so that the status of tuna stocks can be accurately assessed. All RFMO members and cooperating non-members should make a firm commitment to provide these data on a timely basis, and it should be cross-checked with market, landings and processing establishment data under the competency of tuna RFMOs.
7. Develop a consistent enforceable regime for sanctions and penalties, to be applied to RFMO members and non-members and their vessels that breach the rules and regulations developed and implemented by RFMOs.
8. Ensure that the effectiveness of all conservation and management measures is not undermined by exemption or exclusion clauses.
9. Ensure that all conservation and management measures are implemented in a consistent and transparent manner and are achieving their management goals.
10. Review and strengthen their MCS framework to improve the integrity of their management regime and measures.

RFMOs should, in the medium term:

11. Develop measures of capacity and, in the absence of an agreed capacity definition, adopt the FAO definition “The amount of fish (or fishing effort) that can be produced over a period of time (e.g. a year or a fishing season) by a vessel or a fleet if fully utilised and for a given resource condition.”
12. Ensure that all stocks maintained at sustainable and optimal levels through science-based measures.
13. Review and develop management regimes, based *inter alia* on the concept of fishing rights for fisheries under the RFMOs’ competence.
14. Consider using right-based management approaches and other approaches as part of a 'tool box' to address the aspirations of developing states, overfishing, overcapacity and allocation.
15. The tuna RFMOs should ensure a constant exchange of information with regard to the capacity of fleets operating within their zones as well as the mechanisms to manage this capacity. Kobe III will provide an opportunity for the tuna RFMOs to provide an update on progress with these issues.