

**THIRD JOINT MEETING OF THE TUNA REGIONAL FISHERIES
MANAGEMENT ORGANIZATIONS**

**La Jolla, California (USA)
July 11-15, 2011**

RECOMMENDATIONS OF THE KOBE II PROCESS

Extracts of the reports of the Kobe II meeting and workshops

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**KOBE II MEETING
SAN SEBASTIAN, 2009**

COURSE OF ACTIONS OF KOBE PROCESS 2009-2011

The Participants of the Second Joint Tuna RFMOs Meeting held in San Sebastian, Spain, from June 29, to July 3, 2009.

1. Reconfirming their firm commitment to the Course of Actions adopted in Kobe in January 2007.
2. Considering that some of the actions agreed at the meeting in Kobe in 2007 have been implemented, but that there is more work to be accomplished, and that concrete actions should be taken to implement the Course of Actions of Kobe without delay.
3. Noting the current tuna RFMOs' performances and the risk that these bodies lose some of their relevance as international management organizations, taking into account the performance of the RFMOs and the status of the tuna stocks worldwide, considering then that there is an urgent need for immediate action to strengthen their performance in the short term.
4. Stressing the need for tuna RFMOs to operate on the basis of a sound mandate which foresees the implementation of modern concepts of fisheries management, including science-based marine governance, ecosystem-based management, conservation of marine biodiversity and the precautionary approach.
5. Desiring to strengthen, where appropriate, the co-operation between tuna RFMOs with the objective of agreeing on common standards, approaches and working methods based on best practice for the purpose of simplification and with the view of avoiding unnecessary duplication of work.
6. Welcoming the independent performance reviews carried out and ongoing by CCSBT, ICCAT and IOTC, and urging those RFMOs to consider implementation, as appropriate, of the recommendations of those reviews. Emphasizing the need for IATTC and WCPFC to conduct performance reviews without delay, as agreed in the Kobe Action Plan.
7. Noting with concern that the independent performance reviews carried out so far have identified fundamental shortcomings on such as failure to adopt measures that reflect scientific advice, lack of complete and accurate data collection and untimely provision of data, non compliance, lack of participation of important players, and the need for institutional and legal reform, which need to be addressed without delay.
8. Conscious that many of these shortcomings should be addressed individually by the concerned RFMOs but also recommendations on harmonization and coordination of measures of the tuna RFMOs within the framework of the Kobe process and that such work could greatly enhance the functioning of these RFMOs.
9. Emphasising in particular the need for compatible and best practice standards on issues like transshipment monitoring and control, Vessel Monitoring Systems (VMS), observer requirements, by-catch mitigation measures, catch documentation and positive and negative non-discriminatory negative market measures as well as scientific data collection and reporting, which tend to differ from one organisation to the next.
10. Urging the participants who are negotiating the Port State Measures Agreement to conclude those negotiations as soon as possible.
11. Emphasising that compliance with basic reporting requirements established within the RFMOs is essential for the functioning of tuna RFMOs, and noting with great concern that compliance with reporting requirements in several organisations is poor and needs to be enhanced through appropriate

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sanctions and through cooperation including capacity building, in particular developing coastal States, in particular small island developing States, territories, and States with small and vulnerable economies.

12. Noting that all RFMOs should introduce a robust compliance review mechanism by which compliance record of each Party is examined in depth on a yearly basis.
13. Recognising the need to address these shortcomings with a comprehensive system of non discriminatory sanctions to be developed through the RFMOs to be applied to Parties and non Parties alike that repeatedly fail to comply with their obligations or responsibilities.
14. Agreeing that this system of sanctions developed through RFMOs should include incentives to encourage swift and transparent recognition of overfishing, and reinforced sanctions for unreported overfishing and quota overages.
15. Taking into account the special needs of developing coastal States, in particular, small island developing States, territories and States with small and vulnerable economies, and recognising the need to find mechanisms to enhance the capacity of these States to benefit from and participate in the tuna fisheries and to fulfil their obligations as parties to RFMOs.
16. Recognizing that overfishing is a threat to tuna fisheries and to the ecosystem in which they operate and that, consequently RFMOs should strive to evaluate, control, and reduce as necessary the level of fishing mortality, including through reducing overcapacity in their fisheries.
17. Recognising further that despite the efforts to address the problems of overcapacity at regional level, the problem needs to be also tackled at the global level through the development of a coordinated management effort, in all five tuna RFMOs, and therefore agreeing that this work should be one of the priorities of the Kobe process in the coming years.
18. Acknowledging the need to reconcile the aspirations of developing coastal States, in particular small island developing States, territories, and States with small and vulnerable economies to benefit from tuna fisheries and the need to harness capacity in relation to the state of the tuna stocks.
19. Stressing the importance of sound scientific advice as the basis for fishery management decisions. Considering the critical role of high quality science, incorporating an assessment of uncertainty and risk, for scientific advice to be presented in as clear a form as possible, and calling on scientists from different tuna fisheries to exchange information and harmonise methodologies.
20. Conscious that tuna fisheries must be conducted in full respect of international commitments regarding the conservation of biodiversity and the implementation of the ecosystem approach. Considering that, within this context, it is necessary to improve our knowledge on the effects of tuna fishing on non-target species.

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.

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- 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 (Attachment 1).
 - 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 harmonising 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.
2. The participants agreed to organize:
- a. An international Workshop on RFMO management of tuna fisheries, with an emphasis on reducing overcapacity. This exercise should include all fishing gear. This process is time limited and is to be developed through an international Workshop in 2010 and completed prior to Kobe 3

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in 2011 [Kobe 1 Items 2, 3 and 13]. The Forum Fisheries Agency (FFA) offered to host this Workshop.

- b. An international Workshop on improvement, harmonization and compatibility of monitoring, control and surveillance measures, including monitoring catches from catching vessels to markets. Japan offered to support this Workshop in 2010 [Kobe 1 points 5 and 8].
- c. An international Workshop on tuna RFMO management issues relating to by-catch and to call on RFMOs to avoid duplication of work on this issue. The United States offered to provide support for this Workshop. The Workshop is planned for 2010 [Kobe 1 items 10, 11, 12 and 14].
- d. A meeting of experts to share best practices on the provision of scientific advice. EC offered to host this meeting. The Workshop is planned for 2010 [Kobe 1 points 4 and 14].

The process from 2009 to 2011

- 1. These Workshops should report on their work by the end of September 2010. The reports shall be sent to the acting Chair of the Joint Tuna RFMOs Meeting who will transmit them to the RFMOs Secretaries in view of their dissemination to RFMOs Contracting Parties and Cooperating non Contracting Parties/Members and Cooperating non Members.
- 2. The United States indicated its keen interest in hosting Kobe III in 2011. To that end, options for funding and venue will be explored and communicated to the current Chair. The draft Agenda, the schedule of the meeting, and the relevant documents, will be circulated well in advance and simultaneously to all members of tuna RFMOs, so the participants will have plenty of opportunity to participate in its construction.

THE KOBE II STRATEGY MATRIX

At the first global summit of Tuna RFMOs (Kobe, Japan, January 2007), the Course of Actions document included recommendations to standardize the presentation of stock assessments and to base management decisions upon the scientific advice, including the application of the precautionary approach. Regarding standardization, it was agreed that stock assessment results across all five tuna RFMOs should be presented in the “four quadrant, red-yellow-green” format now referred to as the Kobe Plot. This graphical aid has been widely embraced as a practical, user-friendly method for presenting stock status information. The next logical step is a “strategy matrix” for managers that lays out options for meeting management targets, including if necessary, ending overfishing or rebuilding overfished stocks.

The Strategy Matrix would be a harmonized format for RFMO science bodies to convey advice. Based on targets specified by the Commission for each fishery, the matrix would present the specific management measures that would achieve the intended management target with a certain probability by a certain time. The probabilities and timeframes to be evaluated would be determined by the Commission. In the case of fisheries managed under TACs, the outputs would be the various TACs that would achieve a given result. In the case of fisheries managed by effort limitations, the outputs would be expressed as, for example, fishing effort levels or time/area closures, as specified by the Commission. It would also indicate where there are additional levels of uncertainty associated with data gaps. Managers would then be able to base management decisions upon the level of risk and the timeframe they determine are appropriate for that fishery.

Presenting stock assessment results in this format would also facilitate the application of the precautionary approach, by providing Commissions with the basis to evaluate and adopt management options at various levels of probability. Commissions would establish management objectives and reference points, taking into account the precautionary approach and convention objectives. Additional supportive management measures may be necessary to complement the application of the precautionary approach.

The matrix below provides examples of how this information could be presented, for example, when the management target is to end overfishing, rebuild a depleted stock, or maintain a sustainable fishery.

Strategy Matrix for Setting Management Measures

Management target	Time frame	Probability of meeting target			Data rich/ Data poor
		A%	B%	C%	
<Fishing Mortality Target>	In x years				
	In y years				
	In z years				

Management target	Time frame	Probability of meeting target			Data rich/ Data poor
		A%	B%	C%	
<Biomass target>	In x years				
	In y years				
	In z years				

Management target		Probability of maintaining Status Quo			Data rich/ Data poor
		A%	B%	C%	
<Status Quo>					

WORKSHOP ON THE PROVISION OF SCIENTIFIC ADVICE

BARCELONA 2010

RECOMMENDATIONS***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.

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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

WORKSHOP ON MONITORING, CONTROL, AND SURVEILLANCE

BARCELONA 2010

RECOMMENDATIONS

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.

WORKSHOP ON BYCATCH

BRISBANE 2010

BYCATCH JOINT TECHNICAL WORKING GROUP: TERMS OF REFERENCE

The Bycatch Joint Technical Working Group (WG) should be small in nature so as to work more efficiently (e.g. 2-3 representatives from each Tuna RFMO). The WG will support, streamline, and seek to harmonize the bycatch related activities of Ecosystems/Bycatch working groups. The WG will have the ability, where necessary, to consult and work with other experts including those from fishing industry, IGOs and NGOs. The findings/recommendations of the WG will be considered by each RFMO, including, as appropriate, their technical bodies, in accordance with the procedures of each RFMO. The RFMOs may provide feedback to the WG as necessary. To the extent possible, the WG will meet electronically.

Terms of Reference:

1. Identify, compare and review the data fields and collection protocols of logbook and observer bycatch data being employed by each Tuna RFMO. Provide guidance for improving data collection efforts (e.g., information to be collected) and, to the extent possible, the harmonization of data collection protocols among Tuna RFMOs.
2. Identify species of concern that, based on their susceptibility to fisheries and their conservation status, require immediate action across Tuna RFMOs. Review all available information on these species and identify their data needs.
3. Review and identify appropriate qualitative and quantitative species population status determination methods for bycatch species.
4. Review data analyses to identify all fishery and non-fishery (e.g. oceanographic and physical) factors contributing to bycatch, taking into account the confidentiality rules of each RFMO.
5. Review existing bycatch mitigation measures including those adopted by each Tuna RFMO and consider new mitigation research findings to assess the potential utility of such measures in areas covered by other Tuna RFMOs taking into consideration differences among such areas.
6. Review and compile information on bycatch research that has been already conducted or is currently underway to delineate future research priorities and areas for future collaboration.
7. The duration of the WG will depend on the needs and requests of the Tuna RFMOs.

RECOMMENDATIONS

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,

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- 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.

WORKSHOP ON RFMO MANAGEMENT OF TUNA FISHERIES
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BRISBANE 2010

RECOMMENDATIONS

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 long-term 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 authorised 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 vessel¹ register in any scheme for reducing capacity by eliminating vessels.

¹ The definition of 'active vessel' is to be determined by individual RFMOs

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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.