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IATTC – WCPFC OVERLAP AREA

This document is based on document WCPFC0-2011/41 of 15 November 2011, which was submitted to the eighth regular session of the WCPFC for its discussion.

Noting the direction to the WCPFC Executive Director to meet with IATTC concerning the overlap area and also the informal joint WCPFC/IATTC discussions at La Jolla prior to Kobe 3 and the desire from those present to establish a small working group on the overlap area, the Directors of both Commissions met in La Jolla on 1-2 November 2011. They discussed a range of issues concerning the overlap area but principally the options for managing the overlap area, implementing the Memorandum of Understanding (MoU) on the Cross-Endorsement of Observers, and longer-term collaboration between the agencies.

This paper concentrates on options for managing the overlap area, and is prepared as a background brief to try to put the options into context to enable IATTC to provide advice to its Chair and its Director on the preferred direction any future discussions might take. Japan produced a discussion paper on the overlap area for the informal meeting of the parties prior to Kobe 3 and that paper has been used in preparing this brief.

1. HISTORICAL CONTEXT

Decisions taken by the parties to the WCPFC and IATTC have resulted in an overlap area bounded by 150°W, 130°W, 4°S, and 50°S. The IATTC was established in 1949 by the IATTC Convention, which was updated by the Antigua Convention, agreed in 2003 and brought into force in 2010. While the 1949 IATTC Convention did not have boundaries described, the Antigua Convention uses 150°W as the western boundary of the IATTC fishery. IATTC scientists and managers first began to use 150°W in 1972 (page 60, 1972 IATTC Annual Report). The following quote from the 1978 IATTC Annual report "The corresponding values for the EPO (east of 150°W) are 80 and 104,000 tons respectively" (page 57, 1978 IATTC Annual Report) confirms the use of 150°W. From that point on 150°W can be seen regularly in scientific reports, and by the 1980s it was in regular use by the IATTC. The 1998 Agreement on the International Dolphin Conservation Program (AIDCP) is bounded by 150°W.

The use of 150°W by the Pacific island countries and the South Pacific Commission (SPC) can be seen in the reports of the Western Pacific Yellowfin Tuna Research group for 1995 and 1997, which both use 150°W in their assessments and commentary. It is not until the negotiations for the WCPFC Convention, which entered in force in June 2004, commenced that the concept of the current WCPFC boundaries come into being. Without commenting further on history, it is understood at that time that there were negotiations to try to resolve the issue, but these were unsuccessful. While the finalization of the WCPFC Convention predates the Antigua Convention, both Agreements were being negotiated with their members at the same time, noting that a number of members are members of both organizations.

Delving further into the issue will not resolve it, but the use of 150°W is raised here to demonstrate that it has been used by both Commissions for a number of years and is not the boundary of only one

organization.

2. INTEREST IN THE AREA

The waters outside the Marquesas Islands' part of the French Polynesian EEZ have been fished historically by purse-seine vessels from Mexico and the United States, but in recent years the fleets have been from Ecuador, Spain, Korea, and El Salvador. Longline fleets from a number of distant fishing nations, principally Japan, the United States, Chinese Taipei, and Korea, have operated in this area for many years and continue to do so. Table 1 below shows the purse-seine catches by fleet in this area from 1995-2010, and Table 2 shows the longline catch by fleet for the same period.

South of French Polynesia there is no purse seining and the only activity is fishing for southern albacore and southern swordfish. This activity is undertaken mainly by longline vessels from the European Union and Chinese Taipei.

TABLE 1. Annual purse-seine catches in the WCPFC-IATTC overlap area (WCPFC data)

	Target tuna catch (metric tons)				
Year	**Ecuador**	**Spain**	**FSM**	**El Salvador**	**USA**
1995					42
1996					
1997					
1998		1,624			
1999		277			73
2000		398			
2001		1,860		109	
2002		1,110		724	
2003		2,031		0	
2004		1,290	4		
2005		437			0
2006		2,414			
2007	345	985		297	
2008	5,708	575		1,957	
2009	851	0		447	0
2010		53		715	

TABLE 2. Annual longline catches in the WCPFC-IATTC overlap area (WCPFC data)

	Target tuna catch (metric tons)						
Year	**Belize**	**China**	**Japan**	**Korea**	**French Polynesia**	**Chinese Taipei**	**Vanuatu**
1995			5,126	6,984	701	475	
1996			4,103	7,129	1,289	1,223	
1997			3,620	5,607	2,441	2,548	
1998	18		8,516	8,667	3,324	3,030	
1999	29		5,039	7,894	2,527	2,124	
2000	82	4	7,847	9,340	4,932	2,631	
2001	168	1	5,039	9,548	4,930	5,432	108
2002	692	194	4,185	5,158	4,373		235
2003	456	6,704	2,116	4,604	4,003	10,952	193
2004		163	3,316	4,169	3,154	7,423	1,469
2005		111	2,455	3,251	3,334	4,508	785
2006			2,867	1,732	3,274	3,237	1,522
2007			2,911	496	3,572	2,959	1,336
2008			1,661	1,410	3,072	1,471	1,068
2009		1,610	2,086	465	4,104	1,060	1,391
2010	29	1,870	1,732	1,785	3,207	2,513	1,783

A brief summary of this table shows that over time almost all the purse-seine fishing in the area has been by IATTC vessels. Longlining has increased in recent times, with fleets from Korea and Chinese Taipei joining the Japanese in the fishery, and these vessels are related to the WCPFC more than to IATTC. As noted above, the fisheries in the overlap area are different north and south of French Polynesia.

3. SUMMARY

This area, as noted in the Japanese paper and confirmed by data from the SPC and IATTC, is not heavily fished. Each year the catch by purse seiners and longliners from the above table shows between 18,000 and 20,000 tons of catch whilst the total combined catch from WCPFC and IATTC is about 3.5 million tons of tuna annually. The catch from the overlap area is therefore approximately 0.175% of the overall catch. Therefore the ongoing management of this area should not take up a lot of the resources in time or money from either organization. Clearly what is needed is simple and practical approaches to deal with the overlap area. Attachment 1 is a table showing membership of both Commissions and Attachment 2 a map of the overlap area

Additionally, for purposes of comparison, Tables 3a and 3b present data from IATTC records on annual catches in the overlap area during 1995-2010, by species and by flag, respectively. In both cases, the data are for all gears except purse seines; data for the purse-seine fishery are presented in Table 4, broken down by flag

TABLE 3a. Annual total catches of tunas and billfishes, by species, in the IATTC-WCPFC overlap area by all gears other than purse seines, 1995-2010 (IATTC data).

	ALB	BET	YFT	SKJ	SWO	MLS	BUM	Total
1995	1,663	8,325	3,032	0	311	202	1,436	**14,969**
1996	2,523	7,401	3,774	18	310	152	825	**15,003**
1997	4,213	6,963	3,617	77	210	233	732	**16,045**
1998	6,415	9,133	5,581	156	560	247	1,016	**23,108**
1999	5,573	12,237	3,780	138	513	434	1,041	**23,716**
2000	4,879	11,567	6,510	39	546	212	1,013	**24,766**
2001	7,732	11,034	6,081	14	782	341	862	**26,846**
2002	4,928	16,374	6,245	54	2,400	335	542	**30,878**
2003	7,097	15,369	6,292	160	1,801	338	947	**32,004**
2004	4,504	10,743	4,329	259	1,488	255	1,157	**22,735**
2005	3,237	8,260	2,499	28	786	223	805	**15,838**
2006	4,460	4,154	1,761	46	428	245	631	**11,725**
2007	3,280	7,030	1,593	44	1,101	250	812	**14,110**
2008	2,503	4,939	1,141	16	2,921	196	404	**12,120**
2009	2,656	3,626	1,741	23	982	106	427	**9,561**
2010	3,451	6,487	1,481	40	1,192	265	693	**13,609**

TABLE 3b. Annual total catches of tunas and billfishes, by flag, in the IATTC-WCPFC overlap area by all gears other than purse seines, 1995-2010 (IATTC data). * :missing data; -: no catch.

	CAN	CHN	COK	EUR /ESP	JPN	KOR	PYF	TWN	Total
1995	-	-	-	-	6,469	7,069	766	665	**14,969**
1996	-	-	-	-	4,720	7,579	1,125	1,579	**15,003**
1997	-	-	10	-	5,202	6,078	2,129	2,626	**16,045**
1998	-	-	2	-	9,218	8,180	3,006	2,702	**23,108**
1999	606	-	28	-	5,053	9,214	5,481	3,334	**23,716**
2000	336	-	99	-	7,484	10,093	4,519	2,235	**24,766**
2001	287	2,715	55	-	5,479	6,944	4,347	7,019	**26,846**
2002	11	4,106	2	-	4,849	6,464	1,044	14,402	**30,878**
2003	5	7,221	676	-	3,522	6,306	3,814	10,460	**32,004**
2004	59	1,245	412	57	4,890	5,477	2,933	7,662	**22,735**
2005	405	1,598	-	48	2,673	2,763	2,570	5,781	**15,838**
2006	1,348	*	117	-	2,963	*	3,073	4,224	**11,725**
2007	21	1,943	35	517	3,181	832	3,269	4,312	**14,110**
2008	-	2,788	-	2,281	1,639	876	2,722	1,814	**12,120**
2009	-	*	-	675	2,469	1,110	3,715	1,592	**9,561**
2010	-	2,322	-	383	2,400	2,047	2,770	3,687	**13,609**

TABLE 4. Annual total purse-seine catches of tunas and billfishes, by vessels of IATTC Members and Cooperating non-Members, in the IATTC-WCPFC overlap area, 1995-2010 (IATTC data). -: no catch.

	Member or Cooperating non-Member											Total
	COL	ECU	EUR /ESP	GTM	MEX	NIC	PAN	SLV	USA	VEN	VUT	
1995	74	-	-	-	-	-	-	-	951	-	745	1,770
1996	845	166	26	-	-	-	-	-	285	-	1,668	2,990
1997	518	1,062	146	-	-	-	-	-	209	-	1,431	3,366
1998	-	3,249	1,366	-	-	-	-	-	58	-	145	4,818
1999	-	1,114	930	256	-	-	-	-	73	-	185	2,558
2000	-	3,116	860	678	-	-	30		8	-	-	4,692
2001	-	676	747	356	-	-	78	539	329	-	230	2,955
2002	-	594	1,737	315	-	-	20	1,155	-	-	-	3,821
2003	-	1,630	2,863	122	-	-	1,350	74	-	-	247	6,286
2004	-	2,704	1,480	-	-	-	718	-	13	-	67	4,982
2005	-	1,462	1,010	-	-	-	194	-	-	-	120	2,786
2006	-	4,946	3,779	-	-	45	732	-	-	512	-	10,014
2007	123	7,703	971	-	-	-	3,679	562	502	436	179	14,155
2008	-	9,698	1,108	209	347	-	2,849	2,358	-	1,285	476	18,330
2009	-	4,429	255	-	1,373	632	474	476	-	820	268	8,727
2010	-	6,257	226	1,071	-	1,379	3,309	534	-	-	422	13,198

4. OPTIONS FOR MANAGEMENT OF THE AREA

Taking into account the precedents and the situation described above, the best course of action seems to be to find a practical outcome we can all agree on. There appears to be a limited number of practical options for consideration for the ongoing management of the overlap area, and these are outlined below, in no particular order.

Option 1. Single-organization management of the area

Under this regime, the management of the area would be through an MoU, with one or the other RFMO tasked to manage the area. Given the historical IATTC activities in the area, and noting it has capacity limits for purse seining and longline catch limits (IATTC Resolutions C-02-03 and C-11-01), along with FAD and dolphin measures, one option may be to have IATTC to manage the overlap area and report annually to WCPFC on activities in this area. The EEZ waters of French Polynesia and Kiribati could still be managed as part of the WCPFC.

One potential issue with this option is that IATTC only goes to 50°S and not to the Antarctic Convergence Zone, so there is still a body of water not covered in this proposal, albeit one not regularly subject to fishing activity.

Option 2. Management by gear type

This option is an extension of Option 1, but takes into consideration the difference in the fisheries north and south of French Polynesia. Under this option, IATTC would be tasked with managing the purse-seine fishery where it occurs in the northern part of the overlap area, drawing on its historical fishing in the area, noting the membership of both Kiribati and France (French Polynesia) in IATTC and the capacity limits IATTC has in place.

WCPFC would manage longlining in the area, noting its strong interest in southern swordfish and southern albacore management, and that the WCPFC Convention southern boundary abuts the Antarctic Convergence Zone boundary with the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR). The IATTC southern boundary is limited to 50°S. Prior to the adoption of the management regime of one of the organizations, both will need to adopt similar measures with the

purpose of jointly implementing these measures.

Option 3. Box the area and manage as a special management area

This would involve agreeing to share the management of the area between the two Commissions. The boxed area would be managed by both Commissions as a Special Management Area, and they would apply an agreed set of conservation and management measures and resolutions for stock management and conservation. While this might look like an attractive option, it has the disadvantages of costs, as the parties would need to work together to negotiate and develop a set of agreed Conservation and Management Measures (WCPFC) or Resolutions (IATTC) for the area and to meet a number of times throughout the year and discuss conservation, management and compliance for a limited area and a small amount of catch. Even if this was undertaken only at the Secretariat level, it would add significantly to the costs of the Commissions and would be unwieldy in getting agreement on.

Option 4. Application of measures from both Commissions

Under this proposal the area would stay as it is, an overlap area, and it would be managed by applying the rules of the Commissions as follows.

1. Vessels from the WCPFC register would fish under WCPFC rules
2. Vessels from IATTC would fish under IATTC rules
3. Vessels flagged to parties that are members of both Commissions would need to select and advise under which Commission they wish to fish. The rules of that Commission would then apply to those vessels on a permanent basis.

The advantage of this option is that the Commissions can decide to do this immediately. However, what this option does not do is limit and control fishing capacity and catch levels in the overlap area, as there is no decision on how much catch can be taken in the area. IATTC has a capacity limit for purse seiners and catch limits for longliners, but WCPFC does not restrict purse-seine or longline catch in the area. Therefore, before this option could be applied, a decision would need to be reached among the parties as to the catch limits to be applied, by gear type and species, in the overlap area.

Option 5.

Option 5 would involve both organizations taking a longer-term view (10 years) of tuna management in the Pacific Ocean basin. This might involve a working group being established to consider if in the longer term there was potential for a joint authority to be established by both Commissions for species-based tuna and billfish management for the entire Pacific basin. The starting point could be to accept Option 2 above as a building block for the future, and put a priority on establishing joint scientific activities, including data collection and stock assessment. Then over time activities such as vessel registries, VMS and MCS could be aligned.

The challenge to making this option work is that conservation and management measures are already adopted within the framework of each Commission, and it is possible that the measures adopted for a single trans-Pacific stock could be weakened or blocked by a lack of consensus among the Commissions' members. As in option 2, both organizations need to adopt similar measures.

5. CONCLUSION

The Commission is invited to provide advice to the Chairman and the Director on these and other potential options, as a guide to any discussions that will take place if the establishment of a small working group between the Commissions is agreed.

Appendix 1. WCPFC and IATTC: Members and Cooperating non-Members

WCPFC	CIAT
Members	
Australia	Belize
China	Canada
Canada	China
Cook Islands	Colombia
European Union	Costa Rica
Fed. States of Micronesia	Ecuador
Fiji	El Salvador
France	European Union
Japan	France
Kiribati	Guatemala
Korea	Japan
Marshall Islands	Kiribati
Nauru	Korea
Niue	Mexico
Palau	Nicaragua
Papua New Guinea	Panama
Philippines	Peru
Samoa	Chinese Taipei
Solomon Islands	United States of America
Chinese Taipei	Vanuatu
Tonga	Venezuela
Tuvalu	
United States of America	
Vanuatu	
Participating Territories	
American Samoa	
Community of the Northern Mariana Islands	
French Polynesia	
Guam	
New Caledonia	
Tokelau	
Wallis and Futuna	
Cooperating non-Members	
Belize	Cook Islands
Ecuador	
El Salvador	
Indonesia	
Mexico	
Panama	
Senegal	
Thailand	
Vietnam	

Appendix 2. Overlap area between the WCPFC and IATTC Conventions