



CCSBT-EC/1810/13

Terms of Reference for the Ecologically Related Species Working Group (ERSWG)

Purpose

To provide an opportunity for the Extended Commission to consider the Terms of Reference (ToR) of the ERSWG and to agree on a revised ToR.

Background

The March 2018 meeting of the Strategy and Fisheries Management Working Group (SFMWG 5) discussed the ERSWG's ToR. The SFMWG was not able to reach consensus on proposed changes to the ToR and instead, recommended technical updates to the ToR and that Members provide additional suggested changes to the Secretariat for the Secretariat to incorporate in a paper to CCSBT 25.

The Secretariat sought suggested revisions for the ToR from Members on 21 March 2018 through Circular #2018/012. The only response received from Members on the revised terms of reference was from Taiwan, which commented that:

“Taiwan would like to maintain the revised ERSWG ToR recommended by the March 2018 meeting of the Strategy and Fisheries Management Working Group (SFMWG) as the attachment 4 of *Report of the Fifth Meeting of SFMWG*.”

As no Member has suggested further modifications to the ToR, the revised ToR recommended by SFMWG 5 is provided at **Attachment A** without further amendment for consideration by the Extended Commission.

Additional Issues to be Considered

The Extended Commission (EC) will be discussing its vision in relation to Ecologically Related Species (ERS) at agenda item 10.1. This discussion will need to be taken into account when considering the revised ToR for the ERSWG.

Discussion at SFMWG 5 included a robust debate in relation to the meaning of the first paragraph of the ERSWG's original ToR, which stated:

“The Ecologically Related Species Working Group will report to the Commission through the Scientific Committee. The Scientific Committee may provide comments to the Commission on the reports (including advice and recommendations) of the Ecologically Related Species Working Group.”

Agreement could not be reached at SFMWG 5 as to whether this meant that the ERSWG should be a subsidiary body to the Extended Scientific Committee (ESC) or whether the ERSWG should report to the EC after providing the ESC with an opportunity to comment on the report. The SFMWG noted that the past practise of the CCSBT was for the ERSWG to report directly to the EC (and providing the opportunity for the ESC to comment on the reports of the ERSWG). Some Members considered that the CCSBT should follow the practise of other tuna RFMOs, namely, a working group dealing with ERS issues reports to the Scientific Committee, which then reports to the Commission. There was no agreement as to whether or not the past practise was correct. The revised ToR at **Attachment A** contains the identical ambiguity on this matter as the original ToR and further discussion is required to resolve this situation.

At CCSBT 25, the EC may be considering the necessity and skillset for a Scientific Advisory Panel member to replace the retiring Panel member. If the EC determines that the ERSWG is essentially a subsidiary body of the ESC that reports to the ESC, then the EC should consider whether the replacement Advisory Panel member should have specific skills in relation to ERS.

**TERMS OF REFERENCE FOR THE WORKING GROUP ON
ECOLOGICALLY RELATED SPECIES (ERS)**

(adopted at the Second Annual Meeting - September 1995)
(updated at the Twenty Fifth Annual Meeting – October 2018)

Terms of Reference for the Working Group on Ecologically Related Species (ERS)

1. The Ecologically Related Species Working Group (ERSWG) will report to the Extended Commission through the Extended Scientific Committee. The Extended Scientific Committee may provide comments to the Extended Commission on the reports (including advice and recommendations) of the ERSWG.
2. To provide information and advice on issues relating to species associated with southern bluefin tuna (SBT) (ecologically related species), with specific reference to:
 - a) species (both fish and non-fish) which may be affected by SBT fisheries operations; and
 - b) predator and prey species which may affect the condition of the SBT stock.
3. (a) With respect to species identified in 2 a) above, to monitor trends and review existing information and relevant research, including but not limited to studies on:
 - (i) the population biology of ecologically related species;
 - (ii) the identification of factors affecting populations of ecologically related species;
 - (iii) the assessment of the SBT and other fisheries effects on ecologically related species and of the proportion of the SBT and other fisheries effects to the overall effects; and
 - (iv) modification to gear and operational aspects of the SBT fishery to minimise the effects on ecologically related species.(b) With respect to species identified in 2 b) above, to monitor trends and review existing information and relevant research, including but not limited to studies on:
 - (i) the population biology of ecologically related species;
 - (ii) the identification of factors affecting population of ecologically related species; and
 - (iii) the assessment of the effects of ecologically related species on the condition of the SBT stock.
4. To provide recommendations on data collection programs and research projects with respect to species and issues identified in 2 above, including recommendations on research priorities and estimated costs of such research.
5. To provide advice on measures to minimise SBT fishery effects on ecologically related species, including but not limited to gear and operational modifications.
6. To provide advice on other measures which may enhance the conservation and management of ecologically related species.
7. To review these terms of reference and to recommend to the Extended Commission changes as and when appropriate.

8. To co-operate and liaise with relevant experts, scientists (from Members of the Extended Commission and elsewhere) and inter-governmental and non-governmental organisations, in data collection and analysis on ERS subject to the provisions of the data handling criteria (Annex1).
9. To respond to requests for advice on specific matters from the Extended Commission.

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Annex 1 Data Handling Criteria for the Ecologically Related Species (ERS) Working Group

1. Collection of Data and Samples

- a) The ERSWG will provide recommendations on the information required and advice on how to collect the relevant data and samples.
- b) The collection of data on and samples of ERS should follow agreed data collection protocols consistent with those of the Extended Scientific Committee, and those of the relevant national authority.
- c) The collection of data and samples of ERS should be conducted in a way that does not interfere with the safe and smooth operation of the vessels.

2. Management of the Data and Samples

- a) The ERSWG shall adhere to the CCSBT's "[Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the CCSBT](#)" in the use and distribution of data.
- b) Unless otherwise agreed, samples of ERS collected on the high seas will be held by the Flag Member; that Members should facilitate access by other interested scientists to the ERS samples.
- c) Participants in the ERSWG should assist each other's work by sharing data and samples on ERS.

3. Analyses of Data and Samples

Analyses of the data and samples on behalf of the Extended Commission may be conducted by scientists from Members of the Extended Commission and other relevant experts designated by the ERSWG.

4. Consideration of the Results of the Analyses

Results of analyses which use data and samples collected under these criteria will not be published without the consent of the Extended Commission Members which provided the data and samples.