

Over and under fishing proposal for southern bluefin tuna

Proposal

- 1 This paper contains a proposal that the extended Commission for the Conservation of Southern Bluefin Tuna (ECCSBT) agree to a resolution formalising arrangements for over and under fishing of national southern bluefin tuna allocations.

Background

- 2 The ECCSBT operates to an informal arrangement that requires members to pay back any annual over catch of their national allocation generally by way of reduction in the following year. There are no penalty provisions in place, and no formal provisions have been agreed for the management of annual under catch of national allocations.
- 3 Members operate to differing fishing years and apply different reporting and management arrangements to ensure their nationals remain within each national allocation. In some cases the requirement to pay back over catch from one fishing year by the following year may be impracticable because of the management arrangements that apply in some member states.
- 4 The formalisation of an under and over fishing regime has been discussed previously at CCSBT but no agreement has been reached on the detail of a proposal that could apply to all members. Southern bluefin tuna are a relatively long lived species and, under normal circumstances, small annual variations in catch (over and under) the national allocations on average are unlikely to create a conservation risk for the species. However, current concerns regarding the stock status suggest there should be strong disincentives against over fishing particularly persistent over fishing.
- 5 There are conservation benefits to leaving southern bluefin tuna uncaught. However because southern bluefin tuna are valuable there are competing incentives for individual fishers or fleets to fully catch their allocations. A balance between these competing incentives is required. An over and under fishing regime proposed for consideration by ECCSBT is as follows.

Carry forward of under fishing

- 6 Providing a limited ability for fishers to carry forward under fishing from one year to the next reduces the risk that in attempting to fully catch individual or country allocations in a given year those allocations are over fished. Under this regime limited over fishing could occur in any one year without penalty but only if it can be balanced against under fishing in the previous year. Otherwise, pay back provisions would apply.
- 7 In order to retain some conservation benefits from significant levels of under fishing, it is necessary to impose a limit on the level of under fishing that can be carried forward. Carry forward provisions of 10% under fishing where national allocations are 1500 tonnes or less and 5% under fishing where national allocations are greater than 1500 tonnes are proposed for discussion. Pay back provisions would still apply for over fishing in excess of these provisions.

- 8 Based on current allocations carry forward of under fishing would apply in accordance with the table below. Members could apply these provisions to individual allocations (vessel or quota owner) within their national allocations or to their national allocation alone.

Country	Allocation, tonnes	Maximum over fishing carry forward, tonnes
Australia	5265	263
Japan	3000	150
Korea	1140	114
Taiwan	1140	114
Indonesia	750	75
New Zealand	420	42
Philippines	45	5
EU	10	1

Pay back of over fishing

- 9 If over fishing occurs in a year and this can not be balanced against under catch in the previous year (either because the maximum over fishing carry forward is exceeded or no under fishing had occurred) then pay back provisions should apply. In order to accommodate different management arrangements between members a pay back period of two calendar years is proposed.
- 10 The southern bluefin tuna stock is at an all time low. As a disincentive to over fishing, a penalty regime is proposed that would see the pay back requirement increase as the level of overcatch increases. It is proposed that penalty provisions apply only to future overcatch.
- 11 The following penalty scale is proposed for discussion. This scale differentiates between small-medium and large national allocations and penalties commence at a level beyond which overcatch can not be considered accidental or inadvertent.

Overcatch %	Payback	
	National allocation <1500 tonnes	National allocation >1500 tonnes
<10	100	100
10=<20	120	150
20=<50	150	200
50=<100	200	250
>100	300	300

***Note: Overcatch** is the percent over the national allocation after any under-fishing rights had been deducted.

Payback is the percentage of over catch to be deducted from the national allocation in one of the following two years.

Summary

- 12 A more flexible approach to dealing with over and under catch of annual national allocations would have a distinct advantage for members in meeting the Convention objectives and can still recognise current concerns regarding stock status. Linked to decisions on an over and under fishing regime will be an emphasis on accurate and timely catch reporting of southern bluefin tuna catches.
- 13 The key decisions that are required of ECCSBT if an over and under fishing regime is to be formalised are:
- The percentage of under fishing that can be carried forward from one year to the next.
 - Pay back provisions including the option of a penalty regime
 - The time period for payback of over catch and for the use of under catch from a given fishing year.