



CCSBT-EC/1110/13

IMPLEMENTATION OF THE CCSBT STRATEGIC PLAN

Purpose

To consider implementation issues in relation to the CCSBT Strategic Plan.

Discussion

The CCSBT Strategic Plan was adopted by the Special Meeting of the Extended Commission in August 2011 and is provided to this meeting as CCSBT-EC/1110/Info01.

Examination of the timeline within the Strategic Plan reveals that there are numerous items that need to be considered at the 2011 meeting of the Extended Commission (EC). Most of these items are dealt with elsewhere in the EC agenda, particularly agenda items in relation to the management procedure and allocation of the TAC. Other items are addressed in agenda items of the Compliance Committee (CC) meeting, particularly those agenda items relating to compliance with management measures, the compliance plan and the compliance policy statements.

However, there are items of action in six general areas that should be considered at this meeting, but are not dealt with elsewhere in the CC and EC meeting agendas. These are listed below, together with their identifying number in the Strategic Plan, and priorities and target year for implementation.

(3) Quality and provision of scientific advice

3.1(ii) Adoption & implementation of common standard/procedure for scientific data verification (Very High, 2011-2012)

- This is one of the strategies designed to ensure that accurate, verified data is provided to the Scientific Committee and the Commission. To ensure that work on this strategy proceeds in the desired direction, it would be valuable for the EC to provide guidance during CCSBT 18, on the type of standards/procedures it envisages as being developed under this strategy.
- One option is that these standards/procedures be a high level code of practise that would function as both a target and a guide to Members/CNMs on the procedures that should be in place for verification of data. The code would include the expected type of data management system and the types of verification/checking expected both within and between common monitoring systems (e.g. logbooks, observers, inspections). The code of practise would not specify the types of monitoring systems that should be in place or the level of monitoring (% coverage)¹ unless these items have already been agreed or implied by the CCSBT. Furthermore, it is hoped that the code would be a short and simple document to enable improved understanding and adoption of the code.

¹ Specification and adoption of monitoring systems and/or the appropriate level of coverage is a large undertaking that is beyond the intention of the option that is presented here.

- Once there is a common understanding on the type of standards/procedures to be developed, it is suggested that a small working group be tasked with developing a draft code for intersessional discussion, with the intention that a revised draft be submitted for consideration by the ESC.

3.1(iii) Agree on data provision rules that ensure members report accurate and complete data on all sources of mortality for SBT (Very High, 2011)

- There is already an agreement in place that Members are to report data on all sources of mortality. In particular:
 - The report of CCSBT 11 states that: “Members agreed that all sources of SBT mortality (e.g. discards, recreational fishing) and the breakdown of domestic consumption versus exports should be included in national fishery reports presented to the Extended Commission. The standard report should be amended accordingly.”; and
 - CC5 made a number of recommendations, including: “Ensure that SBT discard quantities, together with discard fate (live/dead) are properly recorded and reported by all Members and Cooperating Non-Members as part of their national reports.”
- Nevertheless, it may be worth CCSBT 18 repeating and expanding these requirements by agreeing and stating that: “Members are to report accurate and complete data on the quantity of all sources of SBT mortality (e.g. discards and recreational fishing, including the fate –live/dead– of these) in national reports presented to the Compliance Committee and Extended Commission”
- To ensure that this requirement is properly monitored, it is recommended that the Secretariat’s table of compliance with measures² be expanded to specifically record whether the quantity of discards, recreational fishing and fate of each have been included in the national reports.

(4) Ecologically related species

4.1(i) All Members implement the Recommendation to mitigate the impact on ERS of fishing for SBT (High, 2011)

- In 2010, all Members and CNMs reported that they had implemented or were in the process of implementing the ERS Recommendation. The compliance of Members with CCSBT Conservation and Management measures will again be reviewed at the Compliance Committee’s annual meeting in October 2011.

4.1(i) Agree on and implement data provision requirements for ERS that ensure full reporting of bycatch and mitigation measures used in each fishery; this could occur through other RFMOs (e.g. WCPFC, IOTC) if they have appropriate protocols in place for ERS data reporting (High, 2011 then onwards)

- CCSBT 17 recommended that: “Consideration needs to be given to development of an ERS data exchange including consideration of data submissions and protocols in advance of the meeting”.
- In order to advance CCSBT 17’s recommendation, the Secretariat proposed (in Circular #2011/032) that: “together with the ERSWG Chair, it prepares an interim ERS data exchange plan for intersessional discussion and tentative agreement prior to CCSBT 18”. The Secretariat further advised that: “to maximise the possibility of reaching an agreement, the proposed data exchange plan would not be seeking fine scale nor confidential data. Instead, it would be seeking aggregate scientific observer data on ERS interactions and mortalities on a low resolution (possibly 10*10 latitude by longitude and 3 month quarters), together with information on the number of observed hooks (for longlines) or shots (for purse seine) and the ERS species involved. Data would only be sought for seabird, sharks and sea turtles and probably restricted to sets/shots in which SBT was caught and for the calendar years from 2008 to 2010”.
- Member’s responses to this proposal were distributed in Circular #2011/039 and are provided here in Attachment A. There was no consensus, so the proposal did not proceed.

² This table is provided to the annual meeting of the Compliance Committee.

- The current CCSBT information provision requirements for ERS are provided at Attachment B. At present, only summary information needs to be provided.
- It is recommended that CCSBT decide what level of ERS data or information provision is appropriate. However, if CCSBT 18 is not able to make this decision, then as a last resort, it is suggested that the 2012 meeting of the ERSWG be tasked to provide the EC with a scientific evaluation of the different levels of assessments (of both the impacts of fishing for SBT on ERS, and the effect of mitigation on ERS catch) that are possible for the CCSBT together with the data provision requirements for each level of assessment. This information would be provided in table form by the ERSWG for consideration and decision by CCSBT 19. Unfortunately, this approach means that any new agreed data would probably not be available to Member scientists until at least mid 2013.

4.1(i) Assess how well the mitigation measures adopted by other area-based RFMOs mitigate the risks caused by fishing (Medium, 2012)

- Assessment of the effectiveness of mitigation measures is part of the ERSWG's ongoing work and it is recommended that this be considered by the 2012 ERSWG meeting.
- It is important to note that the mitigation measures adopted by area-based RFMOs where SBT fishing currently occurs (i.e. IOTC, WCPFC and ICCAT) apply in practise to all CCSBT vessels. This is due both to CCSBT's ERS Recommendation and the fact that, with one exception, all CCSBT Members/CNMs that fish in the waters of one of these RFMOs are also Members/CNMs of those RFMOs and are thus required to follow the measures of those RFMOs when fishing for SBT in their waters³. The one exception is the Fishing Entity of Taiwan when fishing in the IOTC Convention area, because it cannot join IOTC. Nevertheless, even in this case, the Fishing Entity of Taiwan is implementing IOTC's measures.
- Consequently, assessing the effectiveness of the mitigation measures applying to CCSBT vessels requires assessing the effectiveness of the mitigation measures of other area-based RFMOs.
- It is further recommended that the ERSWG Chair and 1-2 CCSBT representatives selected from Members participate in the ongoing work of the Joint Tuna RFMO Bycatch Technical Working Group. This will provide valuable information on the success of mitigation measures in other RFMOs, improve the opportunity for harmonisation of measures and potentially lead to harmonised or even joint assessments.

4.1(i) Where necessary, identify and adopt additional mitigation measures to manage risk taking into account the coordination and harmonization with other RFMOs (Medium, 2012)

- CCSBT's mitigation measures are already harmonised with those of IOTC and WCPFC in that the CCSBT ERS Recommendation requires compliance with IOTC's and WCPFC's measures when fishing for SBT in those Convention areas.
- It is not clear why the CCSBT ERS Recommendation does not include a requirement to comply with ICCAT's measures for when fishing for SBT in ICCAT's Convention area. As mentioned above, all CCSBT vessels fishing in ICCAT's waters are flagged to Members/CNMs of ICCAT and are thus required to follow ICCAT's provisions when fishing for SBT in ICCAT's waters.
- It is therefore recommended that the ERS Recommendation be modified as shown in Attachment C to include the requirement to comply with ICCAT's measures when fishing in ICCAT's convention area. This would give the ERS Recommendation global applicability for all current SBT fishing waters and make it clearer that CCSBT Members/CNMs are required to comply with ICCAT's ERS mitigation measures

³ And these are the only waters where SBT fishing currently occurs.

when fishing in ICCAT's Convention area. It also provides protection against any future circumstance where a CCSBT Member/CNM might fish for SBT in the ICCAT Convention area without being a Member/CNM of ICCAT.

(7) Operation of the Commission

7.3(i) *Clearly define the ongoing role of the SFMWG (Medium, 2011)*

- A draft update of the SFMWG's terms of reference is provided at Attachment D. The draft terms of reference:
 - Changes the SFMWG's role in relation to the Strategic Plan to reviewing and updating the Plan, retains the function to develop a draft Fisheries Management Plan (FMP), adds a function in relation to the Compliance Plan/Policies, and adds a function for providing other strategic and fishery management advice as required by the EC. The last function is very general and the EC may be able to define the ongoing role of the SFMWG more clearly. The EC should also consider the current priority (or timeline) for developing a FMP.
 - Specifies, in accordance with the next item in the Strategic Plan, that recommendations and advice from the SFMWG should incorporate modern fisheries management standards.
 - Specifies that where possible, meetings will be chaired by an active participant of recent CCSBT meetings. This is consistent with the CCSBT participation of the previous SFMWG Chair and it was suggested because it is considered that this would be beneficial to running future meetings of the SFMWG, which is a specialist advisory group.

7.3(i) *Include provision of the SFMWG's terms of reference for incorporating modern fisheries management standards into its advice to the Commission (Medium, 2011)*

- See previous item.

(8) Monitoring, control and surveillance

8.1(v) *Adoption and implementation of data confidentiality rules to facilitate the exchange of compliance data (High, 2011)*

- Development of appropriate confidentiality rules requires knowledge of the likely types of data to be shared and the types of sharing mechanisms that are envisaged. It is possible that this information may become clearer during discussion of the Compliance Plan and Compliance Policy on Information Sharing. If so, it might be possible to task the Secretariat with developing draft rules. Otherwise, consideration should be given to deferring development of these rules until further information is available.

(10) Supporting developing countries

10.1(i) *Work with developing country members and cooperating non-members to identify areas where assistance would be beneficial to ensure they meet obligations under Commission decisions & Identify ways in which assistance may be provided (e.g. up-skilling, secondments, workshops etc) (Medium, 2010 onwards)*

- When considering implementation issues for the Strategic Plan during 2010, CCSBT 17 advised that: "Developing Country Members and Cooperating non-Members should provide table of areas where they require assistance for consideration by the Extended Commission".
- At the time of preparing this paper, no such table had been provided to the Secretariat.

- It is recommended that developing Members/CNMs be further encouraged to provide a table, for consideration by the Extended Commission, which lists and prioritises the areas where they require assistance.

10.1(i) Develop & implement a programme to assist developing countries with Commission requirements (Medium, 2011 onwards)

- This item is dependent on the previous item to identify areas for assistance and ways that it may be provided.

(11) Participation in the CCSBT

11.1 Develop mechanisms for extending CCSBT Membership to REIOs, including consideration of membership to the Extended Commission (Medium, 2011-2012)

- Membership of Regional Economic Integration Organisations (REIOs) to the Extended Commission could be accommodated by amending the Resolution to Establish an Extended Commission and an Extended Scientific Committee. A draft amendment for this purpose is provided at Attachment E.
- The process for amending this Resolution requires the Extended Commission to take due deliberation of this issue and then for the Commission to take a decision on the issue.

11.2 Establish a process for identifying non-member States that have, or are likely to become, important port States or market states for SBT, and seek the cooperation of such States with the implementation of CCSBT management measures (High, 2011 onwards)

- A suggested process for identifying important States and seeking cooperation is as follows:
 - Members nominate important States whose cooperation is desired, together with background information supporting that nomination and provide this information to the Executive Secretary at least 6 weeks in advance of the Annual Meeting.
 - The Executive Secretary incorporates this information in the Secretariat's agenda paper for the standing agenda item on "Relationship with Non-Members" for consideration by the Extended Commission.
 - With the Extended Commission's endorsement, the Executive Secretary write to the nominated State(s) seeking their cooperation.
 - The nominating Member follow-up the Executive Secretary's letter with bilateral discussion. This is an important step because experience has shown that many States do not respond to written communication.
- In urgent cases, the first two steps of the above process could be conducted intersessionally using CCSBT Circulars.

Attachment A

(from Attachment A of CCSBT Circular #2011/039)

Member's responses to the proposals in Circular #2011/032 in relation to the 2012 ERSWG Meeting

Australia

Australia supports the three proposals in Circular #2011/032 relating to the 2012 ERSWG meeting

Japan

With regard to the Circular #2011/32, our opinion is as follows.

1 Timing

We prefer the middle of March 2012, rather than April. The other bycatch meetings seem to be held in April.

2 Duration

We think 4-day meeting is reasonable.

3 Data exchange

We are not sure if we need the proposed approach. I understand that the ERSWG in 2009 has already agreed on the data to be exchanged among CCSBT Members (Attachment 4 of 2009 ERSWG report). Japan is willing to do everything that has been agreed on ERS so far, especially in 2009 ERSWG, but is not supportive of trying to establish any new obligations, including exchange of new types of information, in the intersessional period.

New Zealand

In response to your proposals on the Ecologically Related Species Working Group, New Zealand outlines the following:

- We support the suggested timing for the meeting;
- We are flexible on the duration but consider four days may be more than is required, given the range of other important topics CCSBT will also be considering in 2011;
- We strongly support the development of a data exchange for ERS data. As you mention, in the past it has been difficult to reach agreement on the provision of fine-scale data. Perhaps one approach could be to look at a staged approach that would progressively improve the availability of ERS data over time? Considering any required amendments to the ERS data exchange could be a standing agenda item for the ERSWG and/or other meetings as appropriate.
- We would also like to suggest that if possible the Secretariat, perhaps in conjunction with the ERSWG chair, undertake some preliminary analysis and summarising of submitted ERS data - this would be a very useful basis for further analysis at the ERSWG and might streamline that process.

Taiwan

I am writing in response to the Circular #2011/032 relating to ERSWG meeting arrangement and update of the ERS Guides and Pamphlets dated May 24, 2011.

In relation to the ERSWG arrangement, we agree with the proposed timing and duration of the 2012 ERSWG meeting, but regarding the ERS data exchange, we suggest this issue be discussed in the upcoming Extended Scientific Committee meeting.

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Current CCSBT information provision requirements for ERS

(A) Template for the Annual Report to the ERSWG

(From the ERSWG 7 meeting. Changes since then are footnoted below.)

1. Introduction
 - General comments on fishing methods by which southern bluefin tuna is caught in party fisheries (by fleet, area, and time).
 - General comments on type and magnitude of ERS caught by fishery/method.
2. Review of SBT Fisheries
 - Fleet size and distribution (brief summary of trends)
 - Distribution of Catch and Effort (Summary of catch and effort by area and fleet)
3. Fisheries Monitoring for Each Fleet
 - Summary of recent observer coverage of SBT fisheries fleets and summary of data collection activities of observers.
 - Summary of data collection activities from non observed activities.
4. Seabird
 - Summary of cpue and total numbers of seabird incidentally caught by area and fleet and list of numbers of each seabird species observed caught¹.
 - Summary of seabird capture from non observed sources¹.
5. Other Non-target Fish
 - Summary of cpue and total numbers of shark and the predominant non-target fish species by area and fleet¹.
6. Marine Mammal and Marine Reptile
 - Summary of total numbers of marine mammal and marine reptile incidentally caught¹.
7. Mitigation Measures to Minimise Seabird and Other Species Bycatch

Current Measures

 - Mandatory Measures for Each Fleet
 - Description of each measure
 - Compliance Monitoring System (i.e. how is compliance measured)
 - Level of Compliance for each measure
 - Voluntary Measures for Each Fleet
 - Description of each measure
 - Proportion of fleet using each measure and how this proportion was determined

Measures under Development/Testing

 - Description of each measure being developed and tested
 - Lead agency undertaking research
 - Description of any collaboration
 - Results to date

¹ In addition, ERSWG 8 recommended (and CCSBT 16 endorsed) that Members and Cooperating Non-Members should include the information shown in Attachment 4 of the ERSWG 8 report, in future national reports to the ERSWG and including both interaction with ERS and mortalities of ERS. This information should also be provided by species (including the scientific name) wherever possible in either the national report or other reports submitted to the ERSWG.

- Planned development/testing for next year
 - Expected completion date and report to ERSWG
8. Public Relations and Education Activities
- Public Relations Activities*
- media releases
 - information booklets, posters, other written material
 - video
 - public presentations
 - trade shows
 - forums, conference
 - school/university group
- Education*
- crew training, especially ship masters
 - trainee fishers
 - engineers
 - managers
 - observers
- Information Exchange*
- research
 - educational materials
 - other regional fisheries organisations
 - international organisations
 - non-member states and entities
 - review of new ideas obtained from crew debriefings or ship fishing reports
9. Information on other ERS (non-bycatch) such as prey and predator species
10. Others
- Information obtained concerning ERS related fishing activities of non-party fleets.
11. Implementation of the IPOA-Seabirds and IPOA-Sharks
- A description of activities undertaken for the implementation of NPOAs as they relate to SBT fisheries. The emphasis should be on updates and recent activities.

Also note that CCSBT 9 specified that Members should provide a summary of papers submitted to the ERSWG meeting in their national report (see paragraph 89 of the CCSBT 9 report).

(B) Summary of observed ERS mortality for longline and purse seine fisheries
(Interactions reported in this table include the figures reported for mortalities)

Year 1	NZ	JP	AU		TW	KR	ID	EU	PH	ZA
			PS	LL						
Total number of hooks (shots for PS)										
Percentage of hooks (shots) observed										
Total number of observed seabird interactions (mortality)										
Total number of observed shark interactions (mortality)										
Total number of observed sea turtle interactions (mortality)										

Year 2	NZ	JP	AU		TW	KR	ID	EU	PH	ZA
			PS	LL						
Total number of hooks (shots for PS)										
Percentage of hooks (shots) observed <i>[or total hooks observed]</i>										
Total number of observed seabird interactions (mortality)										
Total number of observed shark interactions (mortality)										
Total number of observed sea turtle interactions (mortality)										

Year 3

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Year 4 etc.

Recommendation to Mitigate the Impact on Ecologically Related Species of Fishing for Southern Bluefin Tuna

(~~adopted~~ Updated at the ~~Fifteenth-Eighteenth~~ Annual Meeting – ~~14-17/10-13~~ October 2011~~08~~)

The Extended Commission for the Conservation of Southern Bluefin Tuna,

Concerned that some seabird species, notably albatrosses and petrels, are threatened with global extinction,

Mindful that fishing for southern bluefin tuna can also cause incidental harm to other species such as sea turtles and sharks,

Recalling the definition of ecologically related species in Article 2 of the Convention for the Conservation of Southern Bluefin Tuna,

Further recalling the requirement in Article 5(2) of the Convention for the Conservation of Southern Bluefin Tuna that the Parties shall expeditiously provide to the Commission for the Conservation of Southern Bluefin Tuna data on, *inter alia*, ecologically related species.

Determined to mitigate incidental harm to ecologically related species caused by fishing for southern bluefin tuna,

Noting the importance of harmonising conservation and management measures with other organisations responsible for managing international fisheries, as agreed at the Kobe Meeting of Joint Tuna RFMOs on 26 January 2007,

Reaffirming the recommendation at the seventh meeting of the Ecologically Related Species Working Group (ERSWG) held in Tokyo from 3 to 6 July 2007, that Members and Cooperating Non-Members will provide national reports on their interactions with ecologically related species in southern bluefin tuna fisheries to the ERSWG,

Recommends that:

1. Members and Cooperating Non-Members will, to the extent possible, implement the International Plan of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries (IPOA-Seabirds), the International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks), and the FAO Guidelines to reduce sea turtle mortality in fishing operations (FAO-Sea turtles), if they have not already done so.

2. Members and Cooperating Non-Members will comply with all current binding and recommendatory measures aimed at the protection of ecologically related species, including seabirds, sea turtles and sharks, from fishing, which are adopted from time to time:

- a) by the Indian Ocean Tuna Commission, when fishing in its Convention area, ~~and~~

b) by the Western and Central Pacific Fisheries Commission, when fishing in its Convention area, and

b)c) by the International Commission for the Conservation of Atlantic Tunas, when fishing in its Convention area

irrespective of whether the Member or Cooperating Non-Member concerned is a member of the relevant Commission or otherwise cooperates with it.

3. Members and Cooperating Non-Members will collect and report data on ecologically related species to the Extended Commission and/or its subsidiary bodies as appropriate, including the Ecologically Related Species Working Group. Further, the undertaking described in paragraph 2 will include a commitment to comply with measures adopted by the Indian Ocean Tuna Commission, ~~and~~ the Western and Central Pacific Fisheries Commission and the International Commission for the Conservation of Atlantic Tunas on the collection and reporting of data in relation to ecologically related species. Data confidentiality shall be protected under the rules that apply in those Commissions.

4. Members and Cooperating Non-Members will report annually to the Compliance Committee of the Extended Commission on the action they have taken pursuant to paragraphs 1, 2 and 3 of this recommendation.

5. The Secretariat of the CCSBT is authorised to collect and exchange relevant data concerning ecologically related species with the Secretariat of the Indian Ocean Tuna Commission, ~~and~~ the Secretariat of the Western and Central Pacific Fisheries Commission and the Secretariat of the International Commission for the Conservation of Atlantic Tunas.

6. The Extended Commission will review the operation of this Recommendation with a view to enhancing the protection of ecologically related species from the impacts of fishing for southern bluefin tuna.

7. The Extended Commission and/or its subsidiary bodies as appropriate will undertake an assessment of the risks to ecologically related species posed by fishing for southern bluefin tuna. The Extended Commission will consider how these risks are mitigated by the adoption of measures described at section 2, and will consider whether any additional measures to mitigate risk are required.

**Terms of Reference
Strategy and Fisheries Management Working Group**

(Updated at the Eighteenth Annual Meeting – 10-13 October 2011)

In response to the recommendations of the performance review of the Extended Commission completed in 2008, the Extended Commission has agreed the following Terms of Reference for a Strategy and Fisheries Management Working Group (SFMWG):

Composition

1. The SFMWG shall consist of the Commissioners from ~~m~~Members of the Extended Commission, the Secretariat, and as appropriate, other experts in fisheries management and fisheries science. Numbers of participants will be kept to a minimum.
2. ~~The first m~~Where possible, meetings will be chaired by ~~Japanese~~ an active participant of recent CCSBT meetings and will be nominated at the Annual Meeting of the Extended Commission held prior to the SFMWG meeting.

Functions

3. Recommendations and advice from the SFMWG should incorporate modern fisheries management standards (e.g. precautionary principle, ecosystem management).
- ~~3.4.~~ The broad purpose of the SFMWG shall be:
 - i. ~~To review the develop a draft~~ Strategic Plan (SP) which sets out a common view of the strategic direction of the Extended Commission in managing the SBT fishery and to recommend updates to the Plan as required.
 - ii. To develop a draft Fisheries Management Plan (FMP) for Southern Bluefin Tuna (SBT) comprising management objectives for the SBT stock and ecologically related species, consistent with modern standards of international fisheries management
 - iii. In relation to ii, develop:
 - a rebuild strategy for SBT that is consistent with the UN Fish Stocks Agreement and the precautionary approach; and
 - other technical measures for managing the SBT stock, as appropriate.
 - iv. To review the Compliance Plan and associated Compliance Policy Statements as required by the Extended Commission and to recommend updates or changes as appropriate.
 - v. To develop and provide other strategic and fishery management advice as required by the Extended Commission.
- ~~4.5.~~ The SFMWG shall take into account any relevant advice from the subsidiary bodies of the Extended Commission.

Workplan

- ~~5. The first meeting of the SFMWG will focus on item iii outlined above.~~

- ~~6. The first meeting SFMWG will be held in Tokyo, Japan, from 14-17 April 2009 and any necessary follow up work to the SFMWG meeting will be completed intersessionally before CCSBT16.~~
- ~~6. The SFMWG will meet periodically as required by the Extended Commission.~~
7. The recommendations of the SFMWG will be considered by the Extended Commission at ~~CCSBT16~~its Annual Meetings.

**RESOLUTION TO ESTABLISH AN EXTENDED COMMISSION AND AN
EXTENDED SCIENTIFIC COMMITTEE**

And

**RULES OF PROCEDURE OF THE EXTENDED COMMISSION FOR THE
CONSERVATION OF SOUTHERN BLUEFIN TUNA**

(adopted at the Seventh Annual Meeting (18 – 21 April 2001),
~~and~~ revised at the Tenth Annual Meeting (7 – 10 October 2003)
and further revised at the Eighteenth Annual Meeting (10 – 13 October 2011))

RESOLUTION TO ESTABLISH AN EXTENDED COMMISSION AND AN EXTENDED SCIENTIFIC COMMITTEE

The Commission for the Conservation of Southern Bluefin Tuna (the Commission):

RECOGNISING that ensuring the sustainability of the Southern Bluefin Tuna (SBT) stock requires that all those States, regional economic integration organisations and entities or fishing entities fishing this species work together through the Commission;

CONSIDERING that continued fishing for SBT by States, regional economic integration organisations and entities or fishing entities not adhering to the Commission's conservation and management measures substantially diminishes the effectiveness of those measures;

RECOGNISING the continuing need to encourage all States eligible to accede to the Convention for the Conservation of Southern Bluefin Tuna (the Convention) to do so, and to encourage regional economic integration organisations and entities or fishing entities with vessels fishing for SBT to implement the Commission's conservation and management measures;

Decides as follows:

1. Acting under Articles 8.3(b) and 15.4 of the Convention, the Commission hereby establishes an Extended Commission for the Conservation of Southern Bluefin Tuna (the Extended Commission) and an Extended Scientific Committee, whose Members shall be comprised of the Parties to the Convention and any regional economic integration organisation, entity or fishing entity, vessels flagged to which¹ have caught SBT at any time in the previous three calendar years, that is admitted to membership by the Extended Commission pursuant to this Resolution.

2. The Extended Commission and the Extended Scientific Committee shall perform the same tasks as the Commission and the Scientific Committee including, but not limited to, deciding upon a total allowable catch and its allocation among the Members. All Members shall have equal voting rights. The provisions of the Convention relating to the Commission and the Scientific Committee (Articles 6 to 9, except for 6.9 and 6.10) shall apply *mutatis mutandis* with regard to the Extended Commission and the Extended Scientific Committee. Any dispute concerning the interpretation or implementation of this Resolution, including the articles of the Convention specified in the Resolution, or the Exchange of Letters referred to in paragraph 6, shall be resolved by negotiation, inquiry, mediation, conciliation, arbitration or other peaceful means agreed by the parties to the dispute.

3. The Secretariat of the Commission shall function as the Secretariat of the Extended Commission.

¹ Including vessels flagged to a State that is a Member of the regional economic integration organisation.

4. The Extended Commission shall report forthwith to the Commission if the latter is in session, and in any other case before the latter's next meeting or session of a meeting, all decisions it adopts. Decisions so reported shall become decisions of the Commission at the end of the session of the meeting to which they were reported, unless the Commission decides to the contrary. Any decision of the Commission that affects the operation of the Extended Commission or the rights, obligations or status of any individual Member within the Extended Commission should not be taken without prior due deliberation of that issue by the Extended Commission.

5. The Rules of Procedure for the Extended Commission shall be as annexed to this Resolution. Any revision to the Rules shall be made by the Extended Commission.

6. Any regional economic integration organization, entity or fishing entity, vessels flagged to which¹ have caught SBT at any time in the previous three calendar years, may express its willingness to the Executive Secretary of the Commission to become a member of the Extended Commission. The Executive Secretary of the Commission, on behalf of the Commission, will conduct an Exchange of Letters with the representative of such regional economic integration organization, entity or fishing entity to this effect. In so doing, the applicant shall give the Commission its firm commitment to respect the terms of the Convention and comply with such decisions of the Extended Commission as become decisions of the Commission pursuant to paragraph 4.

7. If the Extended Commission decides to admit the applicant, it shall negotiate with the applicant a formula to govern the level of catch of SBT by the applicant pending the next decision of the Commission setting a total allowable catch and its allocation among the Members. Upon the successful completion of the negotiations referred to in the previous sentence, the Executive Secretary will exchange letters with the applicant as referred to in paragraph 6; the applicant shall thereupon assume the status of Member of the Extended Commission.

8. Any Member of the Extended Commission that is not a Member of the Commission shall be entitled to appoint one representative, to be accompanied by experts and advisers, as an Observer to meetings of the Commission and its subsidiary bodies, including the Scientific Committee. Such representative shall be entitled to be present and speak as an Observer at meetings of the Commission and its subsidiary bodies.

9. The Extended Commission shall decide upon an annual budget. The contributions to the budget of an applicant that is admitted as its Member shall be determined by application *mutatis mutandis* of Article 11 of the Convention.

10. The provisions of this Resolution relating to participation by regional economic integration organisations and entities or fishing entities in the operations of the Extended Commission are solely for the purposes of the Convention.

~~11. The Rules of Procedure are amended by omitting paragraph 3 of Rule 5 and substituting the following:~~

~~“3. A provisional agenda for each annual meeting shall be prepared by the Executive Secretary in consultation with the Chair. The provisional agenda shall be despatched by the Executive Secretary to all the Members not less than 60 days before the date for the opening of the meeting. The provisional agenda shall include:~~

- ~~(a) approval of decisions taken by the Extended Commission;~~
- ~~(b) all items which the Commission has previously decided to include in the provisional agenda; and~~
- ~~(c) all supplementary items the inclusion of which have been requested by any Member of the Commission.”~~

RULES OF PROCEDURE OF THE EXTENDED COMMISSION FOR THE CONSERVATION OF SOUTHERN BLUEFIN TUNA

Rule 1 Representation

1. Each Member shall be represented on the Extended Commission by not more than three delegates who may be accompanied by experts and advisers. Each Member shall inform the Executive Secretary of the Extended Commission of the names of its delegates to the Extended Commission including identification of the head of the delegation and experts and advisers accompanying such delegates, and of any change thereof, as far in advance as possible before the commencement of each meeting of the Extended Commission.

2. Each Member shall designate a correspondent who shall have primary responsibility for liaison with the Executive Secretary during the periods between meetings and shall promptly inform the Executive Secretary of the name and address of such a correspondent and of any change thereof.

Rule 2 Other matters

Except for Rule 4(3) and Rule 9, the Rules of Procedure of the Commission for the Conservation of Southern Bluefin Tuna apply *mutatis mutandis* to the Extended Commission on other matters.

Rule 3 Co-operating Non-Members

A State, regional economic integration organisation or entity that is admitted to the Extended Commission in the capacity of a co-operating non-member will have the right to participate actively in meetings of the Extended Commission, the Extended Scientific Committee and their subsidiary bodies, including, but not limited to, the right to make proposals and the right to speak, but not to vote. The Extended Commission may decide to restrict the participation of a cooperating non-member in a particular Agenda item.