

Report of the Special Meeting of the Commission

18-19 July Canberra, Australia

Report of the Special Meeting of the Commission 18-19 July 2006

Canberra, Australia

Agenda Item 1. Opening of Meeting

- 1. The Commission confirmed the Chair and Vice Chair for the meeting as being Mr Ryotaro Suzuki (Japan) and Mr Daryl Quinlivan (Australia) respectively.
- 2. The meeting approved the Chair's proposed procedure for managing the Commission and Extended Commission Meetings
- 3. The agenda was adopted and is included at **Appendix 1**.
- 4. The Chair welcomed participants and opened the meeting.
- 5. Participants were introduced and the list of meeting participants is included at **Appendix 2**.

Agenda Item 2. Adoption of Decisions and Report of the Extended Commission

6. The Commission adopted the decisions taken by the Extended Commission, which is at **Appendix 3**.

Agenda Item 3. Close of meeting

7. The meeting closed at 11:00pm, 19 July 2006.

List of Appendices

Appendix

- 1 Agenda
- 2 List of Participants
- 3 Report of the Special Meeting of the Extended Commission

Agenda Special Meeting of the Commission 18-19 July 2006 Canberra, Australia

- 1. Opening of Meeting
- 2. Adoption of Decisions and Report of the Extended Commission
- 3. Close of meeting

List of Participants Special Meeting of the Commission 18-19 July 2006 Canberra, Australia

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Appendix 3

Report of the Special Meeting of the Extended Commission

18-19 July 2006 Canberra, Australia

Report of the Special Meeting of the Extended Commission 18-19 July 2006

Canberra, Australia

Agenda Item 1. Opening of meeting

- 1. The Chair (Mr Ryotaro Suzuki) opened the meeting.
- 2. The agenda was adopted and is included at **Attachment 1**.
- 3. The list of meeting participants is included at **Attachment 2** and the list of documents submitted to the meeting is at **Attachment 3**.
- 4. Australia and Japan presented a joint statement regarding the independent reviews of the southern bluefin tuna market data and farm data anomalies. The joint statement is at **Attachment 4**.
- 5. Opening statements were presented by Australia and Japan and these are at **Attachments 5** and **6** respectively.

Agenda Item 2. Presentation and Consideration of Review Reports

2.1 Japanese SBT Market Data Anomalies

- 6. The report of the Independent Review of Japanese Southern Bluefin Tuna Market Data Anomalies (CCSBT/0607/11) was presented on behalf of the independent panel by Mr Kageyama and Dr Hidaka.
- 7. The independent review panel were asked numerous questions by Members. The principle questions were in relation to:
 - The level and duration of anomalies;
 - Differences in the reliability of anomaly estimates for different periods through time (1985-1995, 1996-2002, 2003-2005);
 - Reasons for the differences of opinion between the panel members, but noting that the differences in anomaly estimates (Case 1 and 2) were relatively small when compared to the magnitude of anomaly;
 - Whether the source of anomaly could be better defined; and
 - Noting that the anomaly estimates from the market data were not directly comparable (on an annual basis) to the actual year of catch because of the time taken for frozen catch to be marketed. Consequently, anomaly estimates by the report were considered as averages over multiple years rather than specific annual estimates.
 - In response to a question from Australia, Mr Kageyama of the Japanese market Review Panel said that we looked and analysed 14 markets. We have not looked at the other markets because some do not have separate SBT records and we do

not have statistics on them so it was difficult for us to get information on some markets. For example, Kanazawa has products directly sent to consumer markets. Dr Hidaka noted that the panel surveyed all whole sale markets, which had statistics on SBT, as a separate item. Even if there are markets not being investigated, which have no statistics on SBT, one could assume that the market handled a very small amount of SBT. Therefore, not surveying such markets does not affect the results of the Japanese Market Review Panel.

2.2 Australian SBT Farming Operation Anomalies

- 8. The report of the Independent review of Australian SBT Farming Operations Anomalies (CCSBT/0607/12) was presented on behalf of the independent panel by Dr Battaglene.
- 9. Members noted that there were significant differences in opinion between the panel members who prepared the report on the Australian SBT farming anomalies. Panellists had similar views on the robustness of the current regulatory and management regime for the Australian surface fishery, but differed significantly in their views on the issue of weight loss of SBT during tow from the wild to the farms and on the potential bias in the 40 fish sample for determining average weights of the SBT that were caught. The difference in opinion was caused by differences in scientific views as to whether the data was applicable to undertake statistically valid analyses. O'Neill and Battaglene felt that based on the data provided to the panel and the confounding issues already mentioned they could not determine that over catch is occurring in the Australian SBT farming industry. Fushimi and Yamakawa felt that while there were limitations in the data, the panel should estimate the over catch and that this is an obligation of the panel.
- 10. It was noted that the panel did not consider the Australian recreational fishery. It was further noted that while detailed analysis in the report was restricted to the last five catch years, some data going back 10 years is included in the report.
- 11. The meeting discussed the difficulty of obtaining individual measurement data on a per cage basis. The analysis in the report uses packing list data from farm audits by the Australian Fisheries Management Authority (AFMA). However, Australia advised that the packing list data it provided to the panel, which was collected as part of farm audits, is not representative of all fish in the farm pens due to the way the fish are harvested. AFMA only held data for the 20 percent of farms which underwent a full audit each year and only if they export fresh fish. In addition, fresh fish tended to be selected for large sizes by divers to attract premium prices. Australia advised that it had provided over 70 data sets for the review.
- 12. Some Members also noted that the TIS data used in the analyses of growth rates included large fish in early years and that these may have been from the longline fishery instead of the surface fishery. These longline caught fish would further confound the analysis. Further investigation would be required to determine if this was due to longline data being included or if it were outliers in the data.

Policy Considerations Arising from the Review Reports

- 13. New Zealand congratulated both Australia and Japan for initiating these independent reviews and extended its thanks to all the panel members. New Zealand also made the following statement:
 - We are very disappointed that the panels could not reach a consensus on their conclusions.
 - Mr Chair, New Zealand is absolutely outraged at the level of possible over catch that is indicated in the reports. This level of over catch has the potential to undermine the international credibility of this Commission. We will be judged by how well we deal with this crisis.
 - Our fleet has been decimated by the current state of the stock. We cannot help but conclude that there is a direct link between the state of the stock, the state of our fleet, and this systematic, high level of over catch.
 - I want to make it very clear that New Zealand is seriously aggrieved and we want these matters resolved.
 - Both independent panels could not fully complete their reports because they were
 not provided with all the relevant information. I urge both the Australian and
 Japanese governments to take further action on these reports. I invite both
 governments to place these reports in the hands of the appropriate government
 authorities with the power to get access to the relevant data that was withheld
 from both panels.
 - The Japanese and the Australian governments are accountable for the performance of their respective industries. They cannot hide behind the independent panels.
 - In the meantime, we must provide the best available information to the independent science panel.
 - New Zealand proposes that the reports be forwarded to the independent science panel for comment.
 - We have to make a TAC decision in October. At present the best available advice we have from the science committee is a reduction of 7,160t from the assumed global catch (14,930t) from the beginning of 2007.
 - That is New Zealand's position.
- 14. Taiwan expressed its concern at the state of the stock. Taiwan noted that CCSBT 12 was not able to reach agreement on the catch reduction recommended by the Extended Scientific Committee for 2006, so that it would need to adopt the alternative recommendation for a 7,160t reduction for 2007. Taiwan noted that for some years, the assessed over catch was almost equivalent to the TAC set by the CCSBT. Taiwan requested that the Extended Scientific Committee be asked to reevaluate the stock assessment based on the new information.
- 15. Korea commented that if the conclusions of the Independent Review Panels are true, it means that during all those years, over fishing has been conducted. This is Illegal, Unreported and Unregulated (IUU) fishing and the Commission should re-confirm

which relevant Members are responsible for it. Korea noted that for years, it has made every effort to eliminate IUU fishing, a chronic and prevalent problem worldwide and that the CCSBT should ensure its pledge towards conservation of our common asset of fishery resources through adopting further strong measures in a consistent manner. Korea also noted that the CCSBT was at the final stages of finalising a Management Procedure (MP) at CCSBT 12, but Australia and Japan were not able to adopt the MP at that time. Korea also advised that it considered it would be necessary to accept the 7,160t quota cut recommended by the Extended Scientific Committee for 2007.

- 16. The Chair of the Scientific Committee presented paper CCSBT/0607/13 and advised the meeting of options that existed for dealing with revised estimates of catch and CPUE in the CCSBT Operating Model. With suitable advice from the Special Meeting it should be possible for the Operating Model code to be updated to deal with altered catch and CPUE scenarios and for revised constant catch projections to be used to give updated advice on recommended initial catch reductions to reduce short term risks. However, further MP re-tuning and testing would need to be conducted in 2007 with a view to recommending final MP implementation at CCSBT 14.
- 17. The meeting discussed advice that could be provided to the SAG/ESC on the basis of the independent reviews and the following points were raised.
 - Australia is disappointed that Commission Members were unable to agree to provide immediately the reports from the independent review panels to the Scientific Advisory Panel and Scientific Committee so that they could commence work on a revised stock assessment. Australia stated that it is essential that the Scientific Committee is given adequate time to complete its work and commented on the important role that the Scientific Advisory Panel should play in assessing the validity of the information provided by independent review panels. Australia proposed a document titled "Minimum Advice Requested from the SAG/SC Regarding the Impact of Over Catch Scenarios on Stock Status Advice" to facilitate the scientific work required for CCSBT 13.
 - Australia stated that the key issue for the stock assessment was the CPUE series. The market review panel specifically tried to provide numbers of fish above and below 40kg. We also have information from Japanese Fishery Agency (JFA) on over catch in 2005 (see CCSBT/0607/11, pg 129). They identified 1700t over catch in 2005 and attributed this to some registered SBT vessels as well as non-SBT vessels. It would be helpful if the JFA could advise whether this is typical of vessels in past 20 years. The data to use is the fine scale catch data (or logbooks) from the fleets. If these data were made available, this would make the task more achievable.
 - Japan was concerned that the Australian Farming Review Panel did not reach consensus regarding over catch. Japan also observed that it had been agreed that the reviews were to be conducted in parallel. However, 4 panel members of the market review had produced figures on anomalies, but in the farming review only two members had provided such figures, while the other two did not. Furthermore the farm review was limited to cover the last 6 years. It was difficult to agree on

- specific scenarios until over catch estimates could be provided in relation to the farm review and for the full time series of farming operations. Japan also explained its new SBT fishing regulation, including a tagging system.
- Australia considered that the reviews presented a balanced range of opinions and provided a good source of information for moving forward. Australia believed that it was now the Commission's responsibility to prepare scenarios for the Scientific Advisory Panel and the ESC to consider.
- Korea expressed its concern at the lack of consensus from the review reports and
 that subsequent discussions may be useless. Korea was disappointed that over the
 years, considerable energy, manpower and cost has been contributed to SBT
 assessments, but that at the final stages results have been denied by Members
 because of internal matters in certain sectors. Korea does not want to see this
 situation extending to CCSBT 13.
- New Zealand and Taiwan expressed concerns that some data existed that had not been provided to the reviews. They were prepared to consider scenarios to provide the SAG/SC with the best current information for them to analyses, but advised that there was no substitute for real data and called on Australia and Japan to obtain the full data from their industries.
- Australia advised that it cooperated fully with the review and that it had provided over 70 data sets to the review panel. In response to comments regarding provision of complete packing list data from individual companies, Australia advised that there were aspects of these data that made them inappropriate for the analyses completed by Fushimi and Yamakawa and that confidence limits from these analyses would be extremely large. Australia advised that it was happy to discuss these issues in further detail.
- 18. The Chair of the Scientific Committee (SC) advised that from a scientific point of view, the difference between Case 1 and Case 2 of the market review were quite small. Providing that the Commission agreed that either Case 1 or Case 2 were plausible, he advised that there was probably not a need to put significant effort into resolving differences between the two cases. In respect of the farm review, the SC Chair noted that the review panel had done a good job in identifying potential biases in estimating the catch inputs to farms. He believed that the Independent Scientific Advisory Panel could look at these possible causes of bias and provide recommendations on how to quantify these.
- 19. To resolve instructions to the SAG/ESC on the advice required regarding the impact of over catch scenarios on stock status, Australia provided a document for consideration. The Extended Commission considered the document and agreed to the document provided at **Attachment 7**. The Extended Commission agreed that Members would consider the document further and provide comments to the Secretariat by 26 July 2006. The Secretariat will circulate the comments to Members with the aim of reaching intersessional agreement on the instructions to provide to the SAG/ESC

Agenda Item 3. Management of Over-catch and Under-catch in National Allocations

20. The meeting agreed to defer consideration of this agenda item until CCSBT 13.

Agenda Item 4. Relationship with CCAMLR

21. The meeting agreed to defer consideration of this agenda item until CCSBT 13.

Agenda Item 5. Compliance Committee – Terms of Reference

- 22. The Executive Secretary introduced paper CCSBT/0607/06 regarding the terms of reference and other operational procedures for the Compliance Committee. Option 4 of CCSBT/0607/06 was used as the basis for further discussions by a working group lead by the Chair of the Compliance Committee.
- 23. The meeting adopted the modified terms of reference for the Compliance Committee that was developed by the working group. The terms of reference are at **Attachment 8**.
- 24. The Meeting agreed that consideration of the specific details of reports to the Compliance Committee should be addressed at the first meeting of the Committee. Preparatory work maybe undertaken intersessionally before the meeting. In the meantime the Compliance Committee will use the information provided in national reports.

Agenda Item 6. Appointment of New Executive Secretary

25. The Extended Commission agreed that the decision of the interview committee for the new Executive Secretary would represent the formal decision of the CCSBT for the selection of the new Executive Secretary. The Extended Commission also agreed to the terms of appointment outlined in paper CCSBT/0607/07.

Agenda Item 7. Other Business

26. The Extended Commission decided that the report of the meeting and all documents submitted to the meeting are to be treated as being confidential until considered at CCSBT 13.

Agenda Item 8. Adoption of Report

27. The report of the meeting was adopted.

Agenda Item 9. Close of Meeting

28. The meeting closed at 11:00 pm, 19 July 2006.

List of Attachments

Attachment

- 1 Agenda
- 2 List of Participants
- 3 List of Documents
- 4 Australia Japan Joint statement on the independent reviews of southern bluefin tuna market data and farm data anomalies.
- 5 Opening Statement of Australia
- 6 Opening Statement of Japan
- 7 Minimum Advice Requested from the SAG/SC Regarding the Impact of Over catch Scenarios on Stock Status Advice.
- 8 Terms of Reference for the Compliance Committee

Attachment 1

Agenda Special Meeting of the Extended Commission 18-19 July 2006 Canberra, Australia

- 1. Opening of Meeting
- 2. Presentation and Consideration of Review Reports
 - 2.1. Japanese SBT Market Data Anomalies
 - 2.2. Australian SBT Farming Operation Anomalies
- 3. Management of Over-catch and Under-catch in National Allocations
- 4. Relationship with CCAMLR
- 5. Compliance Committee Terms of Reference
- 6. Appointment of New Executive Secretary
- 7. Other Business
- 8. Adoption of Report
- 9. Close of Meeting

Attachment 2

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List of Documents Special Meeting of the Extended Commission

(CCSBT/0607/)

- 01. Draft Agenda
- 02. List of Participants
- 03. Draft List of Documents
- 04. (Secretariat) Management of Over-catch and Under-catch in National Allocations
- 05. (Secretariat) Relationship with CCAMLR
- 06. (Secretariat) Compliance Committee Terms of Reference
- 07. (Secretariat) Executive Secretary
- 08. (Australia/Japan) Japanese SBT Market Data Anomalies
- 09. (Australia/Japan) Australian SBT Farming Operation Anomalies
- 10. (Taiwan) Proposal for Management of Over-catch and Under-catch in National Allocations/Catch Limit
- 11. (Australia/Japan) Japanese SBT Market Data Anomalies (Full Report)
- 12. (Australia/Japan) Australian SBT Farming Operation Anomalies (Full Report)
- 13. Overview of Options for Dealing with Revised Estimates of Catch and CPUE in the CCSBT Operating Model and Management Procedure.: A. Penney, A. Parma, and R. Kennedy

(CCSBT/0607/Info)

- 01. (Advisory Panel) Reply prepared by the Advisory Panel and Independent Chairs to questions from the CCSBT Secretariat regarding our opinions and advice on the implications, workload scheduling and budgetary implications that might result from any CCSBT request for additional advice from the SC in response to the outcomes of the planned reviews of SBT market data from Japanese markets and the Australian farming operation at Port Lincoln.
- 02. (Japan) Japanese New SBT Fishery Regulation.

Australia – Japan joint statement on the independent reviews of southern bluefin tuna market data and farm data anomalies

At the 12th annual Commission meeting for the Conservation of Southern Bluefin Tuna (CCSBT) (11-14 October 2005) the Extended Commission welcomed the decision by Australia and Japan that independent reviews would be undertaken of the Japanese Southern Bluefin Tuna (SBT) market data anomalies, and the Australian SBT farming operation anomalies at Port Lincoln, to determine whether or not overcatching is occurring relative to the total allowable catch (TAC), and if it is occurring, over what period the over-catch has occurred and the source of the over-catch.

Each of the review panels were constituted by four independent experts with Australia and Japan each selecting two members for each panel. To conduct the reviews both panels met five times respectively and communicated regularly to ensure the reviews were able to be finalised for the Special meeting in July. To ensure transparency, the panel meetings were open to all Extended Commission members, unless the panel members decided to have closed meetings. Taiwan and New Zealand sent representatives to several panel meetings.

These reviews are the result of landmark collaboration between the agencies responsible for fisheries in the Australian and Japanese Governments. The reviews were initiated voluntarily and at significant cost, both in terms of human and financial resources, to the respective Governments. The reviews will assist in ensuring accurate information is provided for scientific assessments of the global SBT fishery. These reviews demonstrate the leadership and strong commitment of Australia and Japan to sustainable and best practice management of the SBT resource.

The Australian and Japanese Governments are pleased to submit the reports from the independent review panels to this Special Meeting of the CCSBT. These reports present the review panels' findings from the independent reviews. The panels reported that many difficulties were encountered during the establishment, verification and assessment of the data for the reviews.

Australia and Japan recognise that there is still disagreement amongst panellists on some elements of these reports. The areas of disagreement require careful consideration. The Extended Commission should discuss the reports for the improvement of the stock assessment before the Scientific Committee uses new data in a revised stock assessment.

Australia and Japan recognise the importance of an internationally credible scientific process that ensures that there is global acceptance of the management of SBT.

Both the Australian and Japanese Governments will continue to undertake continual improvement in their domestic management of the SBT fishery.

Australia and Japan reiterate their commitment to world's best practice in managing the SBT fishery and call on all CCSBT Members and Cooperating Non-Members to recognise the valuable contribution of the reviews. These collaborative reviews have reinforced the Australia and Japan relationship with a strong and enduring commitment to continue working together within the CCSBT framework.

Opening Statement by Australia

Good morning Chair, delegates, Secretariat and interpreters

Welcome to Canberra I hope you enjoy your short stay here. The Australian Government has arranged for a gathering this evening and a Cocktail party will be held tonight from 6.30 to 8.30pm.

As most of you will recall at the 12th annual Commission meeting for the Conservation of Southern Bluefin Tuna (CCSBT) (11-14 October 2005) the Extended Commission welcomed the decision by Australia and Japan that independent reviews would be undertaken of the Japanese Southern Bluefin Tuna (SBT) market data anomalies, and the Australian SBT farming operation data anomalies at Port Lincoln.

As you all know the SBT fishery is important to us all. The SBT industry is of significant national interest to Australia and Australia is very proud of the innovation and expertise in our specialist SBT farming industry, which is critically important to the regional centre of Port Lincoln in South Australia. SBT farming is Port Lincoln's most significant industry as it provides 15% of the town's total workforce and has a \$1 billion asset base.

The Australian Government is therefore pleased to finally receive the reports from the independent review panels for consideration at this Special Meeting of the CCSBT. The review findings will assist in ensuring accurate information is provided for scientific assessments of the global SBT fishery. Australia expects that the outcomes of these reviews will feed into the Commission's scientific process to ensure continued and effective management of the global fishery. However, Australia sees these reviews as just the start of a process of continual improvement to the management of the SBT fishery. Further work within the CCSBT is required to create an environment of trust, knowing that the decisions members take are supported by accurate, transparent and verifiable data.

It is critical that members will be ready to agree to arrangements at CCSBT13 that can eliminate and deter Illegal, Unreported and Unregulated fishing and assure the effective implementation of the management procedure. To effectively manage the SBT fishery implementing the following is critical:

- An effective Catch Documentation System (CDS).
- A fully operational CCSBT Compliance Committee.
- Implementation of a centralised vessel monitoring system.
- The introduction of monthly catch and effort reporting to the CCSBT Secretariat at a 1x1 level for all gear and the provision of fine scale historical catch and effort data for SBT and non target species. This data should be provided to the CCSBT Secretariat.
- That an international observer programme for all CCSBT members is established in 2007 that has 10% coverage.

That a vessel register review occurs and that the current vessel register is amended to ensure all vessels fishing and freighting vessels for SBT are included in the scheme.

I think you would all agree that regulation of the industry in Australia is a rigorous and well managed process.

Australia has in place a comprehensive process to ensure it meets its obligations in reporting catch of SBT to the CCSBT. There are rigorous and enforced protocols to ensure that every fish is photographed and counted so that total weight of the catch is correctly reported to CCSBT.

Australia spends approximately \$1 million annually monitoring and auditing the activities of SBT fishers to ensure compliance with total allowable catch allocations.

Australia has also instituted a system of continual improvement including investment in new camera technology with the aim of individually measuring each fish caught for farming operations.

However, the Australian Government will continue to undertake continual improvement in the domestic management of the SBT fishery and is currently considering a range of mechanisms for further improvement.

John Kalish

Opening Statement by Japan (Translated by Secretariat)

Mr Chairman, I would like to send my congratulations on your appointment as the Chair of this meeting.

I would also like to congratulate Mr. Crothers from New Zealand and Mr. Jae-hak Son from Korea (although he seems not to be here this time) for their appointment as commissioners of their respective countries. I extend my best wishes to Mr. Ki-Hiok Barng and Ms Emma Waterhouse, the two past commissioners who have worked cooperatively with us.

At the outset of this meeting, I would like to express my gratitude to the Australian government who will be hosting tonight's reception tonight and the staff at the CCSBT Secretariat that have worked hard to prepare for this meeting

This is a short meeting, scheduled for two days. One of the agenda items for this meeting is the presentation of the results of the Japanese Market Review Panel and the Australian Farm Industry Review Panel. The Japanese and Australian governments decided at CCSBT 12 held in Taiwan, to carry out these reviews.

Since fish are a common resource, and is in the water, it is difficult to understand every aspect of it. In particular, it is difficult to understand the stock status.

The two countries recognize the importance of re-evaluating the stock status in order to realize the sustainable use of Southern Bluefin Tuna with such characteristics, and have tackled this difficult issue in a short period of time.

All around the world, it is being reported that marine resources are declining, and conflicts of interest among nations are intensifying. Despite the fact that we may end up in a difficult situation, Japan and Australia decided voluntarily to tackle this issue by setting up independent review panels to examine the anomalies in the Japanese market and in Australian farming.

I have not seen a precedent for this sort of decision and measure, and I am proud

that both countries have taken this landmark approach.

The Japanese government has cooperated fully in this market investigation.

Japan is in a special position where it has the largest fish markets in the world and almost all of Southern Bluefin Tuna is imported into the country. As such, a lot of information, including statistics and import data, exists only in the country.

On the other hand, the fish market in Japan is so complex that it is very difficult to understand the system fully. I am certain that the panel members will testify to this.

In a free competitive society, all sorts of information exist, but companies hold confidential information. It cannot be denied that it was sometimes difficult to disclose everything in a free economy.

Nevertheless, this market review was been carried out with a great amount of cooperation from the parties concerned.

The two countries spent a significant amount of budget, manpower and time, without seeking assistance from CCSBT, to carry out this work.

We trust that Australia is also making the right decision as a responsible fishing nation for its future advancement.

We have strengthened our landing inspection system and identified over catch by Japanese fishing vessels last autumn. We have decided to deduct this excess volume from this year's quota, as well as introduce a new management system from this fishing season, which includes measures to allocate quota to individual vessels, label each fish with a catch number, and designate SBT unloading ports.

Furthermore, while personnel cuts are taking place within the government, we have decided to increase the number of port inspectors to strengthen landing inspections. We intend to increase further the number of inspectors in the future.

It is necessary to overcome the difficulties we face with SBT, to look ahead into the future to improve the stock situation, and realize continuous prosperity for all countries involved. The world is seeking all countries to manage its tuna fisheries a responsible manner. We have already contributed to the global fisheries management through the trade information scheme.

We endeavor to contribute from now on to.

Thank you.

Minimum Advice Requested from the SAG/SC Regarding the Impact of Over catch Scenarios on Stock Status Advice

To provide the SAG/SC with scenarios upon which to provide revised stock status and TAC advice, the meeting recognised that there are five key questions that need to be addressed:

- a) How much over catch has occurred?
- b) In which years did over catch occur?
- c) How big were the fish in the over catch?
- d) Which fleets took the over catch?
- e) How much of the over catch came from reported effort used in the nominal CPUE series?

In the longer term, the meeting agreed that all parties should provide detailed information that can be used to provide reliable answers to these questions. However, the meeting also recognised that this information may take some time to collate and in the meantime the Commission will need updated stock status and TAC advice at its meeting in October.

To enable the SAG/SC to make progress at the 2006 meetings, the meeting agreed to seek advice on the impact of alternate scenarios for longline catch, farm catch and nominal CPUE as outlined below, as a minimum¹.

Issue	Options	Plausibility Weighted
Market Anomaly	Case 1 – 1996 - 2005	50% Note: The accuracy of the estimates from 1996 to 2002 is lower than that from 2003 to 2005
	Case 2 – 1985 – 2005	50%
Farm Anomaly	Case 1 - 1992 - 2005	Note: O'Neill and Battaglene stated that data available
	Status quo	
	10% over - catch	

¹ The SAG/SC would not be limited to providing advice based only on these scenarios and, moreover, the SAG/SC is encouraged to provide advice on alternate scenarios that it considers may be more plausible than those outlined.

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	20% over - catch	to the review
		panel does not
		support the
		conclusion that
		over-catch is
		occurring in the
		Australian SBT
		farming industry
	Case 2	Note: Fushimi
	Table 7.18 of the	and Yamakawa
	Australian Farm	estimated over-
	Review Report	catch to range
	_	from 952t or 18%
		to 2544t or 49.5%
Nominal CPUE	0-100% of Longline	
	Anomaly used to scale	
	(see below) existing	
	nominal CPUE series	

Revision of the nominal CPUE

As CPUE is a ratio, altering either the catch or the effort can have the same effect. Therefore, for the purpose of scenario testing, it is possible to alter the proportion of over catch attributed to the previously reported effort in order to explore a range of alternate CPUE values. Attributing none of the over catch (i.e. 0%) to previously reported effort results in no change to the CPUE. At the other extreme, all of the over catch (100%) can be attributed to reported effort and the nominal CPUE scaled accordingly.

There is a range of existing and potential information sources that may assist in deciding on a revised nominal CPUE scenario (or range of scenarios). These include 2005 vessel inspection reports, RTMP data, observers on Japanese vessels (e.g. AFZ, NZ EEZ, High Seas, South Africa).

Size of Fish in the Over catch

Noting a lack of detailed and/or agreed information in the reviews about the size of the fish in the over catch, the Special Meeting considered that there was no basis for changing the catch-at-size proportions from previously reported data at this time (i.e. over catch should be assumed to have the same size distributions as reported catch).

Proposed Terms of Reference for the Compliance Committee

Functions

- A. Monitor, review and assess compliance with all conservation and management measures adopted by the Extended Commission.
- B. Exchange information on Member and Co-operating Non-Member activities in relation to compliance activities by Members and Co-operating Non-Members of the Extended Commission.
- C. Report to the Extended Commission on the implementation of compliance measures by Members and Co-operating Non-Members.
- D. Make recommendations to the Extended Commission on new compliance measures, including measures to address non compliance.
- E. Make recommendations to the Extended Commission on cooperation in compliance activities and information exchange.

Procedural Rules

- 1. The Compliance Committee will meet annually immediately prior to the annual meeting of the Extended Commission unless otherwise decided by the Extended Commission.
- 2. The Compliance Committee will be composed of two representatives from each of the Members and Cooperating Non-members of the Extended Commission. Representatives on the Compliance Committee may be accompanied by advisers. A quorum will be three Members of the Extended Commission.
- 3. With the agreement of the Extended Commission, representatives of pertinent inter-governmental and non-governmental organisations and non-members may participate as observers.
- 4. The Compliance Committee will prepare a report for consideration by the Extended Commission at its annual meeting or as otherwise requested by the

Extended Commission.

- 5. Reports and recommendations of the Compliance Committee will be adopted by consensus of the Members of the Extended Commission present.
- 6. Only Members of the Extended Commission will have voting rights.
- 7. Members and Cooperating Non-members of the Extended Commission may bring forward for consideration any matters relevant to the functions of the Compliance Committee.
- 8. The Extended Commission shall appoint a Chair of the Compliance
 Committee who shall sit in office for a period of two years. The Chair may
 only be re-appointed once. The Chair will be independent and not be regarded
 as part of any Member's delegation. Appointments of the Chair will be made
 taking into account the technical nature of the Compliance Committee.
- 9. The duties of the Chair are to manage the business of the Compliance Committee meeting and to present the Committee's reports to the Extended Commission.
- 10. Four weeks prior to the convening of the Compliance Committee, each Member and Cooperating Non-member of the Extended Commission will provide a report providing the information listed in the national report. The Compliance Committee may, by consensus, propose new elements for Members and Co-operating Non-members to provide information in the report.
- 11. Four weeks prior to the convening of the Compliance Committee, the Secretariat will provide a report on its activities related to the Extended Commission's conservation and management measures.
- 12. The Compliance Committee may make recommendations to the Extended Commission that material used in its deliberations be regarded as confidential and not to be published.
- 13. The Compliance Committee may make recommendations to the Extended Commission to amend these terms of reference to facilitate its work.