

Commission for the Conservation of  
Southern Bluefin Tuna



みなみまぐろ保存委員会

## **Report of the Seventeenth Annual Meeting of the Commission**

**15 October 2010**

**Narita, Japan**

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### **Agenda Item 1. Opening of meeting**

#### ***1.1 Welcoming address***

1. The Chair (Mr Masanori Miyahara, Japan) welcomed participants and opened the meeting.

#### ***1.2 Adoption of agenda***

2. The agenda was adopted and is included at **Appendix 1**.
3. The list of meeting participants is included at **Appendix 2**.

### **Agenda Item 2. Approval of decisions taken by the Extended Commission**

4. The Commission approved the decisions taken by the Extended Commission for the Seventeenth Meeting of the Commission, which is at **Appendix 3**.

### **Agenda Item 3. Election of the Chair and Vice-Chair for CCSBT 18 and venue**

5. The Chair of CCSBT 18 will be nominated by Indonesia within one month.
6. Japan nominated Mr Masanori Miyahara as Vice Chair.

### **Agenda Item 4. Other business**

7. The Commission considered the deliberations of the Extended Commission with respect to the renewal of the Executive Secretary's contract and agreed to renew Mr Kennedy's contract at least three months before it expires.

### **Agenda Item 5. Adoption of report of meeting**

8. The report was adopted.

### **Agenda Item 6. Close of meeting**

9. The meeting closed at 3:40pm, 15 October 2010.

## **List of Appendices**

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**Agenda**  
**Seventeenth Annual Meeting of the Commission**  
**15 October 2010**  
**Narita, Japan**

1. Opening of the Meeting
  - 1.1 Welcoming address
  - 1.2 Adoption of agenda
2. Approval of decisions taken by the Extended Commission
3. Election of the Chair and Vice-Chair for CCSBT 18 and venue
4. Other business
5. Adoption of report of meeting
6. Close of meeting

**List of Participants**  
**Seventeenth Annual Meeting of the Commission (CCSBT17)**

**CHAIR**

Mr Masanori MIYAHARA  
Chief Counselor  
Fisheries Agency of Japan  
1-2-1 Kasumigaseki, Chiyoda-ku  
Tokyo 100-8907  
Phone: +81 3 3591 2045  
Fax: +81 3 3502 0571  
Email: masanori\_miyahara1@nm.maff.go.jp

**JAPAN**

Mr Tetsuya KAWASHIMA  
Assistant Director  
International Affairs Division,  
Fisheries Agency of Japan  
1-2-1 Kasumigaseki, Chiyoda-ku  
Tokyo 100-8907  
Phone: +81 3 3502 8459  
Fax: +81 3 3502 0571  
Email: tetsuya\_kawashima@nm.maff.go.jp

**AUSTRALIA**

Ms Anna WILLOCK  
International Fisheries  
Department of Agriculture, Fisheries and Forestry  
GPO Box 858  
Canberra ACT 2601  
Phone: + 61 2 6272 5561  
Fax: + 61 2 6272 5089  
Email: anna.willock@daff.gov.au

Mr Yasuo KITANO  
Fishery Division, Economic Affairs Bureau, Ministry  
of Foreign Affairs  
2-2-1 Kasumigaseki, Chiyoda-ku,  
Tokyo 100-8919  
Phone: + 81 3 5501 8000(ext. 3665)  
Fax: +81 3 5501 8332  
Email: yasuo.kitano@mofa.go.jp

**INDONESIA**

Mr Agus A.BUDHIMAN  
Director, Fishery Resources Management  
Directorate General of Capture Fisheries  
Ministry of Marine Affairs and Fisheries  
Jln. Medan Merdeka Timur No. 16, GMB II,  
10<sup>th</sup> Floor, Central Jakarta 10110 Indonesia  
Phone: +62 21 3519070 ext. 1002  
FAX: +62 21 3453008  
Email: budhiman2004@yahoo.com  
budhiman@indosat.net.id

Mr Yujiro AKATSUKA  
Far Seas Fisheries Division,  
Fisheries Agency of Japan  
1-2-1 Kasumigaseki, Chiyoda-ku  
Tokyo 100-8907, JAPAN  
Phone: + 81 3 3591 6582  
Fax: +81 81 3 3595 7332  
Email: yuujirou\_akatsuka@nm.maff.go.jp

**NEW ZEALAND**

Mr. Andi SOESMONO  
Deputy Director for Multilateral Cooperation  
Ministry of Marine Affairs and Fisheries  
Jln. Medan Merdeka Timur No. 16, Gedung Mina  
Bahari I, Lantai 6  
Jakarta Pusat, 10110 Indonesia  
Phone: +62 21 3519070 ext. 7626  
Fax: +62 21 3864293  
Email: ansoes\_69@yahoo.co.id  
puskita\_dkp@yahoo.com

Mr Arthur HORE  
Fisheries Manager Highly Migratory  
Species/Pelagic Ministry of Fisheries  
PO Box 19747  
Auckland 1026  
Phone: +64 9 820 7686  
Fax: +64 9 820 1980  
Email: arthur.hore@fish.govt

## **CCSBT SECRETARIAT**

Ms Marisa Macpherson  
Legal Adviser  
Ministry of Foreign Affairs and Trade  
Private Bag 18-901, Wellington  
Phone: +64 4 439 8023  
Fax: +64 4 439 8103  
Email: marisa.macpherson@mfat.govt.nz

PO Box 37, Deakin West ACT 2600  
AUSTRALIA  
Phone: +61 2 6282 8396  
Fax: +61 2 6282 8407

Mr Robert KENNEDY  
Executive Secretary  
Email: rkennedy@ccsbt.org

Mr Shinichi SUZUKI  
Deputy Executive Secretary  
Email: ssuzuki@ccsbt.org

## **INTERPRETERS**

Ms Yoko YAMAKAGE

Commission for the Conservation of  
Southern Bluefin Tuna



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### Appendix 3

# **Report of the Extended Commission of the Seventeenth Annual Meeting of the Commission**

**11-14 October 2010**

**Taipei, Taiwan**

**Report of the Extended Commission of the  
Seventeenth Annual Meeting of the Commission  
11-14 October 2010  
Taipei, Taiwan**

**Agenda Item 1. Opening of meeting**

***1.1. Confirmation of Chair and Vice-Chair for the Extended Commission of the Seventeenth Meeting of the Commission***

1. Mr Tzu-Yaw Tsay (Taiwan) was confirmed as the Chair of the Extended Commission of CCSBT 17.
2. The Chair opened the meeting.
3. The Chair introduced Dr. Yu-Tsai Huang, Deputy Minister of the Council of Agriculture who welcomed participants and made an opening address to the meeting.

***1.2. Adoption of agenda***

4. The agenda was adopted and is included at **Attachment 1**.
5. Participants were introduced and the list of meeting participants is included at **Attachment 2**.
6. The list of documents submitted to the meeting is at **Attachment 3**.

***1.3. Opening statements***

***1.3.1 Members***

7. Opening statements by Members of the Extended Commission are at **Attachment 4**.

***1.3.2 Cooperating Non-Members***

8. Opening statements by Cooperating Non-Members (CNMs) are at **Attachment 5**.

***1.3.3 Observers***

9. Opening Statements by Observers are at **Attachment 6**.

**Agenda Item 2. Report from the Secretariat**

10. Members noted the report from the Secretariat (CCSBT-EC/1010/04), and agreed that the Humane Society International would be granted long term observer status to meetings of the Compliance Committee.



### **Agenda Item 3. Finance and Administration**

11. The Executive Secretary provided an outline of the financial matters that the meeting would need to consider, including the revised budget for 2010 (CCSBT-EC/1010/05), and the proposed budget for 2011 (CCSBT-EC/1010/06). Detailed consideration of these papers was referred to the Finance and Administration Committee (FAC).
12. The FAC was convened to consider:
  - the revised budget for 2010;
  - the proposed budget for 2011; and
  - other finance and administration issues.
13. Ms. Trysh Stone (Australia) was nominated to Chair the FAC.

#### ***3.1. Report from the Finance and Administration Committee***

14. The Chair of the FAC reported on the outcome of the FAC deliberations. This included recommending a revised budget for 2010, a proposed budget for 2011 and noted that due to a carryover of funds saved from 2010, the proposed 2011 budget was an increase of only 1.1% over the 2010 budget.
15. It was also noted that there was support for providing additional resources for compliance analyses. Some Members supported in principle the addition of one staff member to the Secretariat to work as a Compliance Officer. However, some Members advised that they were not able to approve funding for an additional staff member in 2011, and the FAC requested that Members be prepared to possibly approve such funding at CCSBT 18.

#### ***3.2. Discussion on Finance Issues and adoption of budget***

16. The FAC was unable to agree upon sharing the costs of the Aerial Survey among Members, but thanked Australia for its continuing work, noting that the results of the Aerial Survey were very important for the work of the ESC.
17. Australia suggested that in order for Members to make a more informed decision about ongoing funding for aerial survey, that Members should present estimates of their funding contributions to CCSBT science, compliance and provision of commercial catch data to FAC in 2011.
18. The Extended Commission adopted the report of the FAC and all of its recommendations, including the revised budget for 2010 and the proposed budget for 2011. The report of the FAC is at **Attachment 7**.

### **Agenda Item 4. Review of SBT Fisheries and ERS Interactions**

19. The meeting agreed that the CCSBT's template for national reports should be modified to include a report on SBT imports and their domestic market for SBT, noting that some Members and CNMs do not currently have such a market.

**4.1. *Monitoring of Japanese wholesale markets and Australian SBT farming operations***

20. The meeting noted that Members (particularly Japan and Australia) had undertaken to work intersessionally to develop methods of market analyses based on CDS data, trade data, public data from the markets and any other relevant data available, and to cooperatively progress joint market studies and monitoring.
21. The meeting thanked Australia for its continued work in development of commercial trials of Stereo Video monitoring, and encouraged Australia to provide the results of the trial to the meetings in 2011.

**4.2. *Recreational Fisheries***

22. The meeting agreed that there was still a concern over the lack of suitable recreational catch data, and noted Members' continuing commitment to provide available estimates of recreational catch and to improve accuracy of such estimates.
23. It was noted that the extent of recreational fisheries was still somewhat unknown and as a consequence, the impact of this on the overall SBT fishery was also unknown.

**Agenda Item 5. Report from the Compliance Committee**

24. The Chair of the Compliance Committee presented the report of the Compliance Committee meeting and provided the following personal observations in relation to the meeting:
- It was disappointing that the European Union was not present at the meeting to answer questions about its National Report and the lack of a Compliance Action Plan.
  - Positive aspects of the meeting included:
    - Members' in-depth questioning of each other on their National Reports and Compliance Action Plans. The questions provided a positive mechanism to produce valuable information and holding Members accountable for meeting their compliance obligations.
    - Good progress made in identifying compliance risks. The intersessional Compliance Risk Assessment working group provided valuable information, as did the Secretariat's Compliance with Measures report and associated summary tables.
    - Good progress had been made in fine tuning the Catch Documentation System (CDS). While still in the early stages of implementation, the CDS is proving to be effective, and is consistent with world's best practice.
  - Negative aspects of the meeting included:

- The Compliance Committee developed good processes to identify problems and risks, but had not moved into problem solving mode and did not come up with solutions to the problems or measures to mitigate the identified compliance risks.
  - There were some serious issues of non-compliance. These are:
    - a) There were some circumstances where the CDS was poorly implemented. In other circumstances Members were using different standards and definitions within the CDS, causing inequities in compliance effort and associated costs.
    - b) Transshipment observers are unable to act as validators or to adequately identify or quantify SBT during transshipments. This raised questions as to the effectiveness of the transshipment resolution as a whole.
    - c) While considerable progress had been made with monitoring in the farm sector, there was still some concern about the effectiveness of existing monitoring systems.
    - d) Port States had not been provided with sufficient information in order to deliver on their obligations.
25. The meeting noted and welcomed the frank remarks from the Chair of the Compliance Committee. The meeting also expressed appreciation to South Africa for its efforts as a port State in relation to SBT compliance issues.
26. The report of the Compliance Committee meeting, including its recommendations, was adopted and is at **Attachment 8**.
27. The Extended Commission (EC) agreed that a Compliance Plan should be developed as recommended by the Compliance Committee and that the plan should place special emphasis on managing the following compliance risks:
- Effective implementation of the CDS, with special emphasis on physical validation and appropriate verification.
  - Improvement to the transshipment monitoring program, including prior notification of SBT transshipments with observer deployment requests and training of all observers to enable detection of SBT transshipments even when SBT is not declared.
  - SBT being landed as other (non SBT) species.
  - Expansion of markets for SBT.
  - Monitoring of catches from the farm sector.
  - Non-reporting of bycatch and discards against national allocations.
  - Better systems to provide information to port States to assist port States to provide improved monitoring of SBT activities.
28. The EC noted that in addition to including the above items in the Compliance Plan, it expected Members and Cooperating Non-Members to immediately commence addressing some of the identified compliance risks and not wait for finalisation of the plan.
29. The EC also agreed that to ensure effective implementation of compliance measures, five draft compliance policy statements should be developed for

consideration at the next meeting of the Compliance Committee. These are policy statements to:

- Clearly specify Members' compliance obligations. Each obligation (such as VMS) should be clearly stated and be accompanied by a standard that clearly specified what needed to be achieved. Certain resolutions of the EC, such as the CDS, would be broken down into several obligations.
  - Obtain improved reporting by Members against their compliance obligations. This would specify the reporting required against each obligation.
  - Provide for independent auditing of Members' compliance systems. This is to verify compliance with the stated obligations.
  - Specify sanctions for non-compliance against the obligations and/or CCSBT's management and conservation measures. This could include market measures, allocation reductions and penalties.
  - Provide for the sharing of compliance information.
30. The meeting agreed that the Compliance Policies should be developed by the Executive Secretary and CC Chair according to the following process:
- The drafts will be circulated for comments;
  - A second draft will be prepared and circulated to the SFMWG; and
  - A third draft incorporating the SFMWG's comments will be sent to the CC.
31. A new reporting format would be agreed at the SFMWG and provided to Members to use in their preparation of national reports to the Commission in 2011.
32. The meeting confirmed that the Compliance Committee should deal with all compliance issues, including those for ecologically related species.

#### **Agenda Item 6. Report from the Strategy and Fisheries Management Working Group**

33. The Chair of the SFMWG presented the report of the 2<sup>nd</sup> meeting of the SFMWG, which is at **Attachment 9** and is summarised in paper CCSBT-EC/1010/09. The EC adopted the report of the SFMWG, noting that further discussions on the strategic plan recommended by the SFMWG for adoption at CCSBT 17 would occur under agenda item 8.

#### **Agenda Item 7. Report from the 2010 Joint Tuna RFMO workshops**

34. The Executive Secretary presented the paper CCSBT-EC/1010/10 which provided a summary of the reports from the 4 joint tuna RFMO workshops held during 2010, noting there were a total of 75 recommendations from the workshops for consideration by the Extended Commission.
35. The meeting noted that the recommendations in the paper had been agreed in discussion of other agenda items.

36. Japan informed the meeting that one of the important outcomes of the joint tuna workshop relating to MCS measures was that each RFMO will expand Catch Documentation Systems to include other species and there may be a need to harmonise systems.

## **Agenda Item 8. Adoption and Implementation of the CCSBT Strategic Plan**

### ***8.1. Adoption of the Plan***

37. The Executive Secretary presented paper CCSBT-EC/1010/11 in relation to adoption of the strategic plan. The meeting noted, that due to the absence of appropriate representatives from the European Union, it could not consider Goal 11 which includes ensuring that Regional Economic Integration Organisations are engaged in the cooperative management of SBT.
38. Due to a request to make changes to the strategic plan, there was no consensus to adopt the plan. Members were requested to submit changes and additions to the Secretariat by the end of the year. The Secretariat will incorporate such changes and circulate the modified plan to the SFMWG meeting for consideration and then for adoption at CCSBT 18. So that this process does not delay action relating to strategies of the plan it was agreed that strategies identified in the annotated agenda for consideration during 2010 be discussed at this meeting.

### ***8.2. Implementation of the Plan***

39. The meeting made the following recommendations relating to the strategies specified above:
- The limit below which stock size should not be allowed to fall was agreed to be generally the current level of the spawning stock biomass and the means of examining this and developing other appropriate reference points could be considered in the context of MP adoption including the metarule process.
  - The Terms of Reference of the Compliance Committee will be amended as shown in **Attachment 10** in order to reinforce the CC's role in relation to obtaining accurate data on all fisheries.
  - Development of a framework to provide for underfishing and response to overfishing would be considered as part of the rules for a 3 year block quota under the MP during the next SFMWG meeting.
  - The Secretariat should develop an active vessel list based on information from the CDS and publish the list on its website. In addition, templates developed for the Compliance Committee should include questions to Flag States relating to issues of overcapacity.
  - A Chair with appropriate expertise should be appointed to the ERSWG by the Extended Commission for a term of at least two meetings of the ERSWG. The appointment of the Chair should be undertaken intersessionally and in time for the next meeting of the ERSWG and to represent CCSBT in the technical working group on ERS planned under the Kobe process.
  - Consideration needs to be given to development of an ERS data exchange including consideration of data submissions and protocols in advance of the

meeting. The next meeting of the ERSWG will be tasked to develop standards for data collection.

- The ESC should be advised that the Extended Commission is seeking to avoid unnecessary expenditure. In that context the ESC should be asked to make a recommendation in relation to the number of panel Members required for ESC meetings and time required to hold its meetings once development and implementation of the MP is complete.
- The 2011 Compliance Committee meeting should be extended to 3 days, with a rest day between it and the Extended Commission meeting.
- Specified Members would act as the CCSBT observers at RFMO meetings of interest (e.g. tuna RFMOs and CCAMLR) and the observer Members to provide reports back to the CCSBT on matters of relevance in order to improve coordination with other RFMO's. The following Members were nominated to observe the next series of RFMO's annual meetings:
  - New Zealand to observe meetings of WCPFC
  - Australia to observe meetings of CCAMLR
  - Japan to observe meetings of IOTC and ICCAT
  - Taiwan to observe meetings of IATTC
- To aid in decision making, documents should be developed for any issues or proposals intended to be made at meetings and the documents should be submitted at least 4 weeks in advance of the meeting.
- The Extended Commission will provide funding for consultancies, on a case by case basis, to resource the Secretariat to conduct specified tasks.
- To provide easy reference for Members, intersessional requests to Members from the Secretariat should be numbered and placed on the private area of the CCSBT website and include specification of required timeframes.
- To clearly document rationale for decisions that differ from scientific advice, the Rules of Procedure of the Commission will be modified to require inclusion of such rationale in the report of the meeting. The revised Rules of Procedure are at **Attachment 11**.
- The Rules of Procedure shall also be amended to task the Scientific Committee to incorporate advice consistent with a precautionary approach:

*Rule 8 Bis (SCIENTIFIC ADVICE)*

*"1. The Scientific Committee shall incorporate advice consistent with the precautionary approach in its advice to the Commission".*

- The meeting further agreed that the ESC in future shall be asked to consider how an ecosystem approach might be incorporated into its advice to the Commission.
- Consideration of establishing procedures for penalties and incentives to promote compliance was deferred to discussion of the draft compliance policy statement that is to be developed on this matter.
- Developing Country Members and Cooperating non-Members should provide table of areas where they require assistance for consideration by the Extended Commission.

### **Agenda Item 9. Report from the Extended Scientific Committee**

40. The Chair of the ESC presented the report of the ESC which is at **Attachment 12**.
41. Following an extensive question and answer session relating to issues arising from the report of the ESC, and noting the extensive work undertaken in development of a Management Procedure, the Extended Commission adopted the report of the ESC. However, the Extended Commission may need to consider changes to the ESC's work plan including any future work that may be undertaken for further examination of an MP, and other information requests developed at this meeting.

### **Agenda Item 10. Adoption of a Management Procedure**

42. The meeting was presented with options for three different management procedures that had been developed by the ESC, as outlined in CCSBT-EC/1010/13. Each MP was pre-programmed to achieve the same target rebuilding levels, but that there were significant differences in the behaviour of the MPs.
43. It was noted that the advice from the ESC indicated that stocks were at a very low level (approximately 5% of the unfished spawning biomass). Members advised that they were committed to adopting an MP for implementation in 2012 to rebuild the SBT stock.
44. The meeting agreed that taking a precautionary approach was important. Some Members also noted that there needed to be a balance between reductions in TAC, and the impact on industry, which was the purpose of the MP.
45. It was further noted that the EC was required to make decisions on a number of important items in relation to the MP, including:
  - Which of the MPs to adopt;
  - The timeframe required to reach the interim rebuilding target of 20% of the unfished spawning biomass;
  - The minimum acceptable rebuilding probability;
  - The maximum size of TAC changes;
  - The minimum size of TAC changes;
  - The frequency of TAC setting; and
  - The time lag between calculation and implementation of the TAC.
46. At CCSBT17, the Extended Commission re-affirmed its commitment to adopt a Management Procedure.
47. The Extended Commission acknowledged and thanked the Extended Scientific Committee for its work to date and agreed certain parameters for an MP including tuning to a 70% probability of achieving the interim rebuilding target; setting 3-year TACs; and a minimum TAC change of 100t; but some Members

considered that further information was required, including advice on the effect of an initial large reduction in the TAC before implementation of the management procedure.

48. The Extended Commission accepts that this will require an extra commitment of time in 2011 to consider further information and reach consensus decisions. Decisions will be required on, *inter alia*, which Management Procedure to adopt; the parameters associated with the management procedure (including the rebuilding timeframe and the maximum allowable changes in TAC); and when the management procedure is applied.
49. The Extended Commission noted that in the event consensus could not be reached on adoption of a Management Procedure, an existing decision of CCSBT 16 would see the TAC for 2012 set at 5,000 – 6,000t.
50. In order to assist decisions to be made at CCSBT 18 on the Management Procedure to adopt and the quantum and timing of reductions in catch, the following process will apply:
  - Intersessional evaluation of the questions outlined in **Attachment 13** by Members of the Extended Scientific Committee to present preliminary results to the Strategy and Fisheries Management Working Group meeting
  - Bring forward data exchange requirements (apart from aerial survey data)
  - A 4 day Strategy and Fisheries Management Working Group meeting in Japan in March/April 2011 to consider compliance, allocation and strategic plan issues
  - Bring forward and extend to 10 days the meeting of the Extended Scientific Committee in Indonesia (encompassing a meeting of the Operating Model and Management Procedure Working Group (the ‘Seattle meeting’) previously scheduled) to enable evaluation of questions outlined in Attachment 13; a new stock assessment; and the use of the new stock assessment in candidate management procedures: late July 2011
  - A 3 day special meeting of the Extended Commission to evaluate and adopt a management procedure in Australia: late August 2011
  - CCSBT 18 in Indonesia: 6-8 October (Compliance Committee) and 10-13 October 2011 (Extended Commission)
51. It was noted that the additional meeting time in the above process was likely to cause an over-expenditure in the approved budget for 2011, but that this can be funded through the Extended Commission’s cash reserves.

## **Agenda Item 11. Total Allowable Catch and its allocation**

### ***11.1. TAC determination***

52. The meeting agreed that the current TAC allocation decided at CCSBT 16 was considered a 2 year total TAC, and could be distributed across the two year period, with unused catch from the first year carried forward to the second year.
53. The meeting noted that the TAC under an MP could be considered either as 3 single year fixed allocations or as a 3 year block in which quota can be distributed



between years provided that tightly controlled rules are agreed and in place prior to this occurring.

54. The meeting also agreed that there would be no carryover of unused quota from 2010/11 to 2012.
55. There was no agreement on a TAC for 2012. Most Members agreed to continue the current TAC in accordance with advice from the ESC for a TAC in 2012 if a 1 year time lag is adopted. Japan was unable to agree to a specific TAC for 2012 as it considered this could be dependent on decisions in relation to an MP and in particular whether additional reductions are required.

### ***11.2. Research Mortality Allowance***

56. The Extended Commission considered paper CCSBT-EC/1010/14 and approved Japan's request of 1t of RMA for a recruitment monitoring survey in 2010/2011.

### ***11.3. Allocation of TAC***

57. It was noted that defined rules about allocation of the TAC will be required under the MP.
58. Japan remarked that its 5 year period of reduced allocation finishes after 2011 and that it will want to revert to its nominal catch level, but is ready to consider further reductions with other Members as necessary to recover the stock. It also emphasised the need for serious compliance efforts by all the Members.
59. South Africa advised it was in the process of ratifying Membership with CCSBT and that it hoped to have this completed during 2011. South Africa further advised that it would be seeking an equitable allocation in this process.

## **Agenda Item 12. Cooperating Non-Members**

60. The Executive Secretary presented CCSBT-EC/1010/15, detailing the performance of Cooperating Non-Members (CNMs).
61. Concerns were raised in relation to the lack of reporting from the European Union, in particular:
  - Failure to provide a Compliance Action Plan
  - No information on effort, transhipments, logbooks or observers in the national report
  - Failure to provide monthly catch reports for the third consecutive year.
  - Failure to provide information on how catch was acquitted against quota given the infrequency of catch reporting and the fact that quota was not allocated to individual vessels.
  - Non attendance at the meeting of the Compliance Committee.

62. The European Union advised that its fishery was not targeting SBT but consisted entirely of by-catch and that the current regulations resulted in a lag in reporting timeframes and subsequently obligations relating to Monthly Catch Reporting could not be previously met. It further advised that these regulations were under review and they hoped to soon be able to meet this CCSBT obligation.
63. The meeting agreed to continue the European Union's status as a Cooperating Non-Member, and encouraged the European Union to improve its reporting and provide appropriate representation to both the Commission and Compliance Committee meetings in future years.
64. The meeting thanked the Philippines for its efforts to resolve issues relating to reporting, verification and compliance in its SBT fishery. The Extended Commission agreed to continue the Philippines status as a Cooperating Non-Member.
65. The Extended Commission appreciated South Africa's efforts as a port state and noted that South Africa had advised it was in the process of ratifying full membership to the CCSBT. The meeting agreed to continue South Africa's status as a Cooperating Non-Member.
66. It was agreed that the TAC Allocations to Cooperating Non-Members for 2011 would remain at the same levels as in 2010.

### **Agenda Item 13. Relationship with Non-Members**

67. The meeting considered paper CCSBT-EC/1010/16, which outlined CCSBT's relationship with Non-Members, noting that in response to last year's requests, a reply had been received from the USA in relation to cooperation with the CDS. No response has yet been received from China, and the Secretariat will again write to China to seek its cooperation. Members were also encouraged to seek cooperation through bilateral means.
68. The meeting requested that the Executive Secretary should write to any non members involved in SBT fishing or trade to seek cooperation with the Extended Commission.
69. Following a request by South Africa, the meeting also agreed that the Executive Secretary should write to port states that may be involved with SBT fisheries to seek cooperation. These would include Namibia and Mauritius.

### **Agenda Item 14. Activities with other organisations**

#### ***14.1 Relationship with CCAMLR***

70. The Executive Secretary presented CCSBT-EC/1010/17 which included an update on the limited intersessional progress in relation to the relationship with the Commission for Conservation of Antarctic Marine Living Resources (CCAMLR), and with other organisations.
71. The meeting noted that Australia and New Zealand were still undergoing consultations on this matter.

72. Australia urged all Members not to fish in the CCAMLR area for SBT at this time (**Attachment 14**)

**14.2. Relationship with ACAP**

73. Attachment C of CCSBT-EC/1010/17 detailed a draft Arrangement between CCSBT and the Agreement on the Conservation of Albatrosses and Petrels (ACAP).
74. Although some Members considered an Arrangement would be beneficial to allow sharing of information and expertise, no consensus was reached on entering into an Arrangement with ACAP. However the meeting noted that an Arrangement might be possible once progress on ERS matters starts to be made within the next ERSWG.

**Agenda Item 15. Governance – Role of Chair and Commissioners**

75. The meeting considered CCSBT-EC/1010/18 in relation to appointing a Chair and Vice-Chair of the Commission for a 2 year period, with a possibility of re-appointment for a further 2 years.
76. No consensus was reached on this matter.

**Agenda Item 16. Confidentiality of Data and Documents**

**16.1. Data Confidentiality Rules and Arrangements**

77. The meeting agreed the Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the CCSBT for immediate application. These rules are provided at **Attachment 15**. Three paragraphs of the rules (5c, 21 and 22) are not to be implemented at the present time but will be discussed before CCSBT 18.

**16.2. Confidentiality of documents from previous years**

78. Some Members emphasised the importance of transparency. There was no consensus to change the current arrangements relating to the confidentiality of the Japanese Market Review or the Australian Farm Review, along with any past and future documents that refer to these two reports.

**16.3. Confidentiality of reports and documents from 2010**

79. The Extended Commission noted that with exception of Attachment A of paper CCSBT-ESC/1009/04 and CCSBT-ESC/1009/09, papers CCSBT-ESC/1009/31 and CCSBT-ESC/1009/32, CCSBT-CC/1010/BGD03 and CCSBT-CC/1010/BGD05 the reports of meetings and documents submitted to the meetings under the jurisdiction of CCSBT 17 would be made publicly available.

### **Agenda Item 17. Other business**

80. The meeting noted that advancements were being made in regard to development of hatchery raised SBT. Members were encouraged, where possible, to provide further information on developments to future meetings of the Extended Scientific Committee.
81. The meeting noted that the draft Resolution provided by Australia on the Provision of Data had not been agreed, but would be included at **Attachment 16**, for possible discussion at future meetings including the SFMWG.
82. Members agreed to provide comments on Australia's proposal to consider development of a Regional Observer Program in time for discussion at the next meeting of the SFMWG.
83. Japan's draft resolutions on an Emergency Rule for TAC adjustment, and Reduction of Juvenile Mortality are provided at **Attachments 17 and 18**.
84. The Extended Commission noted that the Executive Secretary's contract expires immediately after CCSBT 18. The Extended Commission advised that it would be happy for the Executive Secretary's contract to be renewed and commended him for his performance to date.

### **Agenda Item 18. Close of meeting**

#### ***18.1. Election of Chair and Vice-Chair for the Extended Commission of the 18th Annual Meeting of the CCSBT***

85. The Chair of the Extended Commission of CCSBT 18 will be nominated by Indonesia. Japan nominated Mr Masanori Miyahara as Vice-Chair.

#### ***18.2. Dates and timing for the meetings in 2011***

86. It was agreed that the Sixth Meeting of the Compliance Committee will be held in Bali, Indonesia from 6 to 8 October 2011 and that the 2011 meeting of the Extended Commission would be held in Bali, Indonesia from 10 to 13 October 2011.

#### ***18.3 Adoption of report***

87. The report of the meeting was adopted.

#### ***18.4 Close of meeting***

88. The meeting closed at 4:50pm, 14 October 2010.

## **List of Attachments**

### **Attachment**

1. Agenda
2. List of Participants
3. List of Documents
4. Opening Statements by Members
5. Opening Statements by Cooperating Non-Members
6. Opening Statements by Observers
7. Report of the Finance and Administration Committee
8. Report of the Fifth Meeting of the Compliance Committee
9. Report of the Second Meeting of the Strategy and Fisheries Management Working Group
10. Amended Terms of Reference for the Compliance Committee
11. Amended Rules of Procedure
12. Report of the Fifteenth Meeting of the Scientific Committee
13. Intersessional requests to the Extended Scientific Committee
14. Statement by Australia in Regards to Fishing in CCAMLR waters
15. Rules and Procedures for the Protection, Access to, and Dissemination of data compiled by the CCSBT
16. Australia's proposed draft Resolution on the Provision of Fisheries-Dependent Data
17. Japan's proposed draft Resolution on Emergency Rules for TAC Adjustment
18. Japan's proposed draft Resolution on Reduction of Juvenile Mortality of Southern Bluefin Tuna

**Agenda**  
**Extended Commission of the Seventeenth Annual Meeting of the Commission**  
**11-14 October 2010**  
**Taipei, Taiwan**

1. Opening of the Meeting
  - 1.1. Confirmation of Chair and Vice-Chair for the Extended Commission of the Seventeenth Meeting of the Commission
  - 1.2. Adoption of Agenda
  - 1.3. Opening Statements
    - 1.3.1. Members
    - 1.3.2. Cooperating Non-members
2. Report from the Secretariat
3. Finance and Administration
  - 3.1. Report from the Finance and Administration Committee
  - 3.2. Discussion on Finance Issues and adoption of budget
4. Review of SBT Fisheries and ERS Interactions
  - 4.1. Monitoring of Japanese wholesale markets and Australian SBT farming operations
  - 4.2. Recreational Fisheries
5. Report from the Compliance Committee
6. Report from the Strategy and Fisheries Management Working Group
7. Report from the 2010 Joint Tuna RFMO workshops
8. Adoption and Implementation of the CCSBT Strategic Plan
  - 8.1. Adoption of the Plan
  - 8.2. Implementation of the Plan
9. Report from the Extended Scientific Committee
10. Adoption of a Management Procedure
11. Total Allowable Catch and its Allocation
  - 11.1 TAC determination
  - 11.2 Research Mortality Allowance
  - 11.3 Allocation of TAC
12. Cooperating Non-Members
13. Relationship with Non-members

14. Activities with Other Organisations
  - 14.1. Relationship with CCAMLRL
  - 14.2. Relationship with ACAP
15. Governance – Role of Chair and Commissioners
16. Confidentiality of Data and Documents
  - 16.1. Data Confidentiality Rules and Arrangements
  - 16.2. Confidentiality of documents from previous years
  - 16.3. Confidentiality of reports and documents from 2010
17. Other Business
18. Close of Meeting
  - 18.1. Election of Chair and Vice-Chair for the Extended Commission of the 18<sup>th</sup> Annual Meeting of the CCSBT
  - 18.2. Dates and timing for the meetings in 2011
  - 18.3. Adoption of report
  - 18.4. Close of meeting

**List of Participants**  
**The Extended Commission of the Seventeenth Annual Commission Meeting**

**CHAIR**

Mr Tzu-Yaw TSAY  
Deputy Director-General  
Fishries Agency, Council of Agriculture Executive  
Yuan  
2, Chaochow St., Taipei, Taiwan  
Phone: + 886 2 3343 6011  
Fax: + 886 2 2341 1953  
Email: tzuyaw@ms1.fa.gov.tw

**SCIENTIFIC COMMITTEE CHAIR**

Dr John ANNALA  
Chief Scientific Officer  
Gulf of Maine Research Institute  
350 Commercial Street Portland, Maine 04101  
USA  
Phone: +1 207 772 2321  
Fax: +1 207 772 6855  
Email: jannala@gmri.org

**SPECIAL ADVISORS TO CHAIR**

Mr Ding-Rong LIN  
Seinor Specialist  
Fishries Agency, Council of Agriculture Executive  
Yuan  
No.2, Chaozhou St., Zhongzheng Dist.  
Taipei City 100, Taiwan (R.O.C.)  
Phone: +886-2-3343-6013  
Fax: + 886-2-2321-7783  
Email: dingrong@ms1.fa.gov.tw

**AUSTRALIA**

Dr Rhondda DICKSON  
HEAD OF DELEGATION – AUSTRALIA  
Deputy Secretary  
Department of Agriculture, Fisheries and Forestry  
GPO Box 858  
Canberra ACT 2601  
Phone: + 61 2 6272 5002  
Fax: + 61 2 6272 4906  
Email: rhondda.dickson@daff.gov.au

Mr Wei-Yang LIU  
Secretary  
Overseas Fisheries Development Council  
19, Lane 113, Roosevelt Road, Sec. 4, Taipei  
Phone: + 886 2 27381522 ext 123  
Fax: + 886 2738 4329  
Email: weiyang@ofdc.org.tw

Ms Anna WILLOCK  
International Fisheries  
Department of Agriculture, Fisheries and Forestry  
GPO Box 858  
Canberra ACT 2601  
Phone: + 61 2 6272 5561  
Fax: + 61 2 6272 5089  
Email: anna.willock@daff.gov.au

**COMPLIANCE COMMITTEE CHAIR**

Mr Stan CROTHERS  
NEW ZEALAND  
Email: crothers@xtra.co.nz

Dr Katrina PHILLIPS  
International Fisheries  
Department of Agriculture, Fisheries and Forestry  
GPO Box 858  
Canberra ACT 2601  
Phone: + 61 2 6272 5558  
Fax: + 61 2 6272 5089  
Email: katrina.phillips@daff.gov.au



Dr Gavin BEGG  
General Manager A/g  
Australian Bureau of Agricultural and  
Resource Economics–Bureau of Rural Sciences  
Department of Agriculture, Fisheries and Forestry  
GPO Box 858  
Canberra ACT 2601  
Phone: + 61 2 6272 4277  
Fax: + 61 2 6272 3882  
Email: gavin.begg@abare-brs.gov.au

Ms Simona TIMMINS  
Senior Legal Officer  
Office of International Law  
Attorney-General's Department  
3-5 National Circuit  
Barton ACT 2600  
Phone: + 61 2 6141 3385  
Fax: + 61 2 6141 3486  
Email: simona.timmings@ag.gov.au

Ms Trysh STONE  
Senior Manager, Tuna and International Fisheries  
Australian Fisheries Management Authority  
Box 7051  
Canberra Business Centre ACT 2610  
Phone: + 61 2 6225 5311  
Fax: +61 2 6225 5446  
Email: trysh.stone@afma.gov.au

Ms Serina HUANG  
Executive Deputy Director  
Economic and Policy Section  
Australian Commerce and Industry Office  
President International Tower  
27-28F, 9-11, Song Gao Rd., Taipei 11073 Taiwan  
Phone: + 886 2 8725 4130  
Fax: + 886 2 8789 9599  
Email: serina.huang@dfat.gov.au

Mr David POWER  
Tuna and International Fisheries  
Australian Fisheries Management Authority  
Box 7051  
Canberra Business Centre ACT 2610  
Phone: + 61 2 6225 5475  
Fax: +61 2 6225 5446  
Email: david.power@afma.gov.au

Mr Brian JEFFRIESS  
Chief Executive Officer  
Australian SBT Industry Association Ltd (ASBTIA)  
PO Box 416  
Fullarton. SA 5063  
Phone: + 61 419840299  
Fax: +61 886823749  
Email: austuna@bigpond.com

Ms Kathryn READ  
Assistant Director, Sustainable Fisheries  
Department of Sustainability, Environment, Water,  
Population and Communities  
GPO Box 787  
Canberra ACT 2601  
Phone: + 61 2 6274 2327  
Email: kathryn.read@environment.gov.au

Mr Andrew WILKINSON  
General Manager  
Tony's Tuna International P/L  
Pine Freezer Rd  
Port Lincoln 5606 SA  
Phone: + 61 8 8682 2266  
Fax: + 61 8 8683 0646  
Email: andrew@tonystuna.com.au

Mr Scott-Marshall HARPER  
Sea Law, Environment Law and Antarctic Policy  
Section  
International Legal Division  
Department of Foreign Affairs and Trade  
RG Casey Building  
John McEwen Crescent  
Barton ACT 2600  
Phone: +61 2 6261 3688  
Email: scottmarshall.harper@dfat.gov.au

Mr Ben HUR  
Managing Director  
Dae Young Fisheries P/L  
Suit 9, 240 Longueville Rd  
Lane Cove NSW 2066  
Phone: + 61 2 9420 4002  
Fax: + 61 2 9420 3834  
Email: daeyoung@bigpond.net.au

Mr Rick KOLEGA  
Managing Director  
Sekol Farmed Tuna P/L  
Po Box 1870  
Port Lincoln SA 5606  
Phone: + 61 8 8682 1766  
Mob: + 61 4 1784 3336  
Email: finak@bigpond.com

Mr Chi-Shing HUANG  
Specialist  
Fisheries Agency  
No.1 Yugang North 1st Road, Kaohsiung, Taiwan  
Phone:+ 886 7 823 9835  
Fax:+ 886 7 823 7078  
Email: chishing@ms1.f.gov.tw

Prof Mehdi Doroudi  
Executive Director,  
Fisheries and Aquaculture  
Division  
Primary Industries & Resources South Australia  
PO Box 1625  
Adelaide SA 5001  
Phone: +61 8 8226 0261  
Fax: +61 8 8226 0330  
Email: Mehdi.Doroudi@sa.gov.au

Ms Yen-Ju LIN  
Specialist  
Fisheries Agency  
No. 70-1, Sec. 1, Jinshan S. Rd., Taipei, Taiwan  
Phone:+ 886 2 3343 6037  
Fax:+ 886 2 3343 6096  
Email: yenju@ms1.f.gov.tw

Mr Anthony Hurst  
Executive Director Fisheries Victoria  
Department of Primary Industries  
GPO Box 4440  
Melbourne VIC 3001  
Phone: +61 3 9658 4360  
Fax: +61 3 9658 4203  
Email: anthony.hurst@dpi.vic.gov.au

Ms Fu-Hui CHUANG  
Officer  
Fisheries Agency  
No. 70-1, Sec. 1, Jinshan S. Rd., Taipei, Taiwan  
Phone:+ 886 2 3343 6086  
Fax:+ 886 2 3343 6128  
Email: fuhui@ms1.f.gov.tw

## **FISHING ENTITY OF TAIWAN**

Ms Shiuling LIN  
Section Chief  
Fisheries Agency  
No. 70-1, Sec. 1, Jinshan S. Rd., Taipei, Taiwan  
Phone:+ 886 2 3343 6156  
Fax:+ 886 2 3343 6096  
Email:Shiuling@ms1.f.gov.tw

Ms Jen-Fen CHANG  
Officer  
Fisheries Agency  
No. 70-1, Sec. 1, Jinshan S. Rd., Taipei, Taiwan  
Phone:+ 886 2 3343 6171  
Fax:+ 886 2 3343 6096  
Email: chenfen@ms1.f.gov.tw

Mr Chi-Chao LIU  
Section Chief  
Fisheries Agency  
No. 70-1, Sec. 1, Jinshan S. Rd., Taipei, Taiwan  
Phone:+ 886 2 3343 6084  
Fax:+ 886 2 3343 6128  
Email: chichao@ms1.f.gov.tw

Mr Greg G. D. LEE  
Section Chief  
Department of International Organizations, Ministry of  
Foreign Affairs  
2 Kaitakelan Blvd. Taipei, 10048, Taiwan  
Phone:+ 886 2 2348 2526  
Fax:+ 886 2 2361 7694  
Email: gdlee@mail.mofa.gov.tw

Ms Yi-Chi HUANG  
Officer  
Department of International Organizations, Ministry of  
Foreign Affairs  
2 Kaitakelan Blvd. Taipei, 10048, Taiwan  
Phone:+ 886 2 2348 2528  
Fax:+ 886 2 2361 7694  
Email: ychuang@mofa.gov.tw

Mr Yun-Chi HSIEH  
Assistant  
National Taiwan University  
No.1 Section 4, Roosevelt Rd. Taipei, Taiwan  
Phone:+ 886-2-3366-8919  
Fax:+ 886-2-3366-8904  
Email: r97a21113@ntu.edu.tw

Dr Sheng-Ping WANG  
Associate Professor  
Department of Environmental Biology and  
Fisheries Science, National Taiwan Ocean University  
No. 2 Pei-Ning Rd., Keelung 202, Taiwan  
Phone:+ 886 2 2462 2192 ext5028  
Fax:+ 886 2 2463 6834  
Email: wsp@mail.ntou.edu.tw

Mr Allen HUNG  
Secretary  
Overseas Fisheries Development Council  
19, Lane 113, Roosevelt Rd. Sec. 4, Taipei, Taiwan  
Phone:+ 886 2738 1522 ext139  
Fax:+ 886 2738 4329  
Email: allen@ofdc.org.tw

Dr Julia Hsiang-Wen HUANG  
Assistant Professor  
Institute of Marine Affairs and Resources Management,  
National Taiwan Ocean University  
No. 2 Pei-Ning Rd., Keelung 202, Taiwan  
Phone:+ 886 2 2462 2192 ext5608  
Fax:+ 886 2 2463 3986  
Email: julia@ntou.edu.tw

Ms Pai PENG  
Assistant  
Overseas Fisheries Development Council  
No.1 Yugang North 1st Road, Kaohsiung, Taiwan  
Phone:+ 886 7 823 9840  
Fax:+ 886 7 815 7078  
Email: pengpai@msl.f.a.gov.tw

Dr Huang-Chih CHIANG  
Professor of Law  
National Taiwan University  
No.1 Section 4, Roosevelt Rd. Taipei, Taiwan  
Phone:+ 886-2-3366-8919  
Fax:+ 886-2-3366-8904  
Email: hcchiang@ntu.edu.tw

Ms Ho-Hsin KUNG  
Assistant  
Overseas Fisheries Development Council  
No. 70-1, Sec. 1, Jinshan S. Rd., Taipei, Taiwan  
Phone:+ 886 2 3343 6093  
Fax:+ 886 2 3343 6128  
Email: hohsin@msl.f.a.gov.tw

Mr Chin-Chia TIEN  
Assistant  
National Taiwan University  
No.1 Section 4, Roosevelt Rd. Taipei, Taiwan  
Phone:+ 886-2-3366-8919  
Fax:+ 886-2-3366-8904  
Email: r97a21114@ntu.edu.tw

Mr Wen-Jung HSIEH  
Chairman  
Taiwan Tuna Association  
3F-2, NO.2, YU KANG MIDDLE 1ST RD,  
KAOHSIUNG, TAIWAN  
Phone:+ 886 7 831 2151  
Fax:+ 886 7 841 7519  
Email: wenjung@tuna.org.tw

Mr Yin-Her LIU  
Chairman  
Indian Ocean Fishing vessels Operational Committee  
of Taiwan Tuna Association  
3F-2, NO.2, YU KANG MIDDLE 1ST RD,  
KAOHSIUNG, TAIWAN  
Phone:+ 886 7841 9606  
Fax:+ 886 7 831 3304  
Email: woen.chang@msa.hinet.net

Mr. Andi SOESMONO  
Deputy Director for Multilateral Cooperation  
Ministry of Marine Affairs and Fisheries  
Jln. Medan Merdeka Timur No. 16, Gedung Mina  
Bahari I, Lantai 6  
Jakarta Pusat, 10110 Indonesia  
Phone: +62 21 3519070 ext. 7626  
Fax: +62 21 3864293  
Email: ansoes\_69@yahoo.co.id  
puskita\_dkp@yahoo.com

Mr Kuan-Ting LEE  
Secretary  
Taiwan Tuna Association  
3F-2, NO.2, YU KANG MIDDLE 1ST RD,  
KAOHSIUNG, TAIWAN  
Phone:+ 886 7841 9606  
Fax:+ 886 7 831 3304  
Email: simon@tuna.org.tw

Mr. Duto NUGROHO  
Fisheries Biologist  
Research Center for Fisheries Management and Fish  
Resource Conservation,  
Agency for Marine and Fisheries Research and  
Development, MOMAF  
Jl. Pasir Putih I, Ancol Timur, Jakarta 14430  
Phone:+ 62-21-6602044  
Fax: + 62-21-6405912  
Email: dutonugroho@gmail.com

## INDONESIA

Mr Agus A.BUDHIMAN  
Director, Fishery Resources Management  
Directorate General of Capture Fisheries  
Ministry of Marine Affairs and Fisheries  
Jln. Medan Merdeka Timur No. 16, GMB II,  
10<sup>th</sup> Floor, Central Jakarta 10110 Indonesia  
Phone: +62 21 3519070 ext. 1002  
FAX: +62 21 3453008  
Email: budhiman2004@yahoo.com  
budhiman@indosat.net.id

Mr. Ardiansyah  
Chief of Cooperation Program Sub Division,  
DG of Surveillance on Marine Resources and Fisheries  
Ministry of Marine Affairs and Fisheries  
Jln. Medan Merdeka Timur No. 16, Gedung Mina  
Bahari III, Lantai 15  
Jakarta Pusat, 10110 Indonesia  
Phone : +62 21 3523151  
Email : ardiansyah\_h@yahoo.com

Mr. Ansori ZAWAWI  
Secretary of Directorate General of Surveillance on  
Marine Resources and Fisheries  
DG of Surveillance on Marine Resources and Fisheries  
Ministry of Marine Affairs and Fisheries  
Jln. Medan Merdeka Timur No. 16, Gedung Mina  
Bahari III, Lantai 15  
Jakarta Pusat, 10110 Indonesia  
Phone: +62 21 3523151  
Email : ansori\_z04@yahoo.com

Mr. Mahrus  
Staff of Program Division for Secretariat Directorate  
General of Capture Fisheries  
Ministry of Marine Affairs and Fisheries  
Jln. Medan Merdeka Timur No. 16, Gedung Mina  
Bahari II, Lantai 12  
Jakarta Pusat, 10110 Indonesia  
Phone/fax : +62 21 3521781  
Email: mahrus\_mmaf@yahoo.com  
kln\_djpt@yahoo.com

Dr Purwanto  
Head of Research Center for Fisheries Management  
and Conservation  
Agency for Marine and Fisheries Reserch and  
Development, MOMAF  
Jl. Pasir Putih I, Ancol Timur, Jakarta 14430  
Phone:+ 62-21-64711940  
Fax: + 62-21-6402640  
Email: Purwanto.pp@gmail.com

Mr. Dwi Agus Siswa Putra  
Secretary General  
Indonesia Tuna Long-line Association (ATLI)  
Jln. Ikan Tuna Raya Timur Pelabuhan Benoa  
Phone: +62 361 727399  
Fax: +62 361 725099  
Email: atli.bali@gmail.com

## JAPAN

Mr Masanori MIYAHARA  
Chief Counselor  
Fisheries Agency of Japan  
1-2-1 Kasumigaseki, Chiyoda-ku  
Tokyo 100-8907  
Phone: +81 3 3591 2045  
Fax: +81 3 3502 0571  
Email: masanori\_miyahara1@nm.maff.go.jp

Mr Tetsuya KAWASHIMA  
Assistant Director  
International Affairs Division,  
Fisheries Agency of Japan  
1-2-1 Kasumigaseki, Chiyoda-ku  
Tokyo 100-8907  
Phone: +81 3 3502 8459  
Fax: +81 3 3502 0571  
Email: tetsuya\_kawashima@nm.maff.go.jp

Mr Yujiro AKATSUKA  
Far Seas Fisheries Division,  
Fisheries Agency of Japan  
1-2-1 Kasumigaseki, Chiyoda-ku  
Tokyo 100-8907  
JAPAN  
Phone: + 81 3 3591 6582  
Fax: +81 81 3 3595 7332  
Email: yuujirou\_akatsuka@nm.maff.go.jp

Mr Yuki SANO  
Assistant Director  
Agricultural and Marine Products Office, Trade and  
Economic Cooperation Bureau  
Ministry of Economy, Trade and Industry  
1-3-1 Kasumigaseki Chiyoda-ku, Tokyo 100-8901  
JAPAN  
Phone: + 81 3 3501 0532  
Fax: +81 3 3501 6006  
Email: sano-yuki@meti.go.jp

Mr Yasuo KITANO  
Fishery Division, Economic Affairs Bureau, Ministry  
of Foreign Affairs  
2-2-1 Kasumigaseki, Chiyoda-ku,  
Tokyo 100-8919  
Phone: + 81 3 5501 8000(ext. 3665)  
Fax: +81 3 5501 8332  
Email: yasuo.kitano@mofa.go.jp

Dr Tomoyuki ITOH  
National Research Institute of Far Seas Fisheries  
Fisheries Research Agency  
5-7-1 Orido, Shimizu-ku, Shizuoka-shi  
Shizuoka 424-8633  
JAPAN  
Phone: +81 54 336 6033  
Fax: +81 54 335 9642  
Email: itou@fra.affrc.go.jp

Mr Masahiro ISHIKAWA  
President  
Japan Tuna Fisheries Co-operative Association  
2-31-1 Eitai, Koto-ku  
Tokyo, 135-0034  
Phone: +81 3 5646 2382  
Fax: +81 3 5646 2652  
Email: gyogyo@japantuna.or.jp

Mr Hiroshi HANEDA  
Japan Tuna Fisheries Co-operative Association  
2-31-1 Eitai, Koto-ku  
Tokyo, 135-0034  
Phone: +81 3 5646 2382  
Fax: +81 3 5646 2652  
Email: gyogyo@japantuna.or.jp

Mr Noriyuki SUZUKI  
Japan Tuna Fisheries Co-operative Association  
2-31-1 Eitai, Koto-ku  
Tokyo, 135-0034  
Phone: +81 3 5646 2382  
Fax: +81 3 5646 2652  
Email: gyogyo@japantuna.or.jp

Mr Kimio NISHIKAWA  
Japan Tuna Fisheries Co-operative Association  
2-31-1 Eitai, Koto-ku  
Tokyo, 135-0034  
Phone: +81 3 5646 2382  
Fax: +81 3 5646 2652  
Email: gyogyo@japantuna.or.jp

Mr Nozomu MIURA  
Manager  
Japan Tuna Fisheries Co-operative Association  
2-31-1 Eitai, Koutou-ku  
Tokyo 135-0034  
Phone: +81 3 5646 2382  
Fax: +81 3 5646 2652  
Email: gyogyo@japantuna.or.jp

Ms Stephanie HILL  
Senior Fisheries Analyst  
Ministry of Fisheries  
P.O. Box 19747  
Auckland 1026,  
Phone: +64 9 820 7785  
Fax: +64 9 820 1980  
Email: stephanie.hill@fish.govt.nz

Mr Kojiro GEMBA  
Japan Tuna Fisheries Co-operative Association  
2-31-1 Eitai, Koutou-ku  
Tokyo 135-0034  
Phone: +81 3 5646 2382  
Fax: +81 3 5646 2652  
Email: gyojyo@japantuna.or.jp

Dr Kevin SULLIVAN  
Science Manager (Stock Assessment)  
Ministry of Fisheries  
P O Box 1020, ASB House, 101 The Terrace  
Wellington 6011  
NEW ZEALAND  
Phone: +64 4 8194264  
Fax: +64 4 819 4261  
Email: kevin.sullivan@fish.govt.nz

Mr Toshiaki KANAZAWA  
National Federation of Fisheries Co-operative  
Associations  
Coop Bldg 7F,  
1-1-12, Uchikanda, Chiyoda-ku  
Tokyo 101-8503  
Phone: +81 3 3294 9634  
Fax: +81 3 3294 9607

Ms Marisa Macpherson  
Legal Adviser  
Ministry of Foreign Affairs and Trade  
Private Bag 18-901, Wellington  
Phone: +64 4 439 8023  
Fax: +64 4 439 8103  
Email: marisa.macpherson@mfat.govt.nz

Mr Mitsunori MURATA  
National Federation of Fisheries Co-operative  
Associations  
Coop Bldg 7F,  
1-1-12, Uchikanda, Chiyoda-ku  
Tokyo 101-8503  
Phone: +81 3 3294 9634  
Fax: +81 3 3294 9607

Ms Tupe Solomon-Tanoa`i  
Section Head  
Economic and General Affairs Section  
Commerce and Industry Office  
Suite 2501, International Trade Building  
No.333 Keelung Road, Section 1,  
Taipei 11012, Taiwan  
Phone: +886 2 2757 6725 Ext 1212  
Fax: +886 2 2757 6973  
Email: tupe.solomon-tanoa`i@mfat.govt.nz

## NEW ZEALAND

Mr Arthur HORE  
Fisheries Manager Highly Migratory  
Species/Pelagic  
Ministry of Fisheries  
PO Box 19747  
Auckland 1026  
Phone: +64 9 820 7686  
Fax: +64 9 820 1980  
Email: arthur.hore@fish.govt

Mr Peter BALLANTYNE  
Solander Fisheries Ltd  
PO Box 5041, Port Nelson, New Zealand  
Phone: + 64 3 545 9652  
Fax: + 64 3 545 9651  
Email: pdb@solander.co.nz

## REPUBLIC OF KOREA

Mr Jang Woo SEO  
Director  
International Fisheries Organization Office  
Ministry for Food, Agriculture, Forestry  
and Fisheries  
Government Complexes. #2, Gwachun-si, Gyeonggi-do  
Phone: +82-2-500-2408  
Fax : +82-2-503-9174  
Email:seojw33169@yahoo.co.kr

Ms Hyun-Wook KWON  
Deputy Director  
International Fisheries Organization Office  
Ministry for Food, Agriculture, Forestry  
and Fisheries  
Government Complexes. #2, Gwachun-si, Gyeonggi-do  
Phone: +82-2-500-2414  
Fax : +82-2-503-9174  
Email:6103kwon@naver.com

Mr Ok Jin JANG  
Assistant Director  
Distant Water Fisheries Office  
Ministry for Food, Agriculture, Forestry  
and Fisheries  
Government Complexes. #2, Gwachun-si, Gyeonggi-do  
Phone: +82-2 500 2400  
Fax : +82-2 503 9173  
Email:

Mr Zang Geun KIM  
Senior Scientist  
National Fisheries Research & Development Institute  
San #1, Gijang-gun, Busan-si  
Phone: +82-51-720-2310  
Fax : +82-51-720-2337  
Email:zgkim@nfrdi.go.kr

Mr Ha Ok HWANG  
Fisheries Inspector  
National Fisheries Product Quality Inspection  
Service  
#1710 Jungsan-dong, Ilsandong-gu, Gyeonggi  
Phone: +82-31- 976-2755  
Fax : +82-31- 976- 2756  
Email:

Mr Min Young YANG  
Deputy General Manager  
Sajo Industries Co., Ltd  
No.157 Chungjeongro 2ga, seodaemun-gu  
Seoul, Korea  
Phone: +82-2-3277 1653  
Fax : 82-2-365 6079  
Email:bulefin@sajo.co.kr

Mr Hyo Sang KIM  
Manager  
Distant Water Fisheries Association  
6th fl, Samho center Bldg. A, 275-1 Yangjae-dong  
Seoul  
Phone: (822)589-1613  
Fax : (822)589-1630  
Email:

## COOPERATING NON-MEMBERS

### EUROPEAN UNION

Mr. Tamas MACZAK  
Deputy Head of Office  
European Economic and Trade Office in Taipei  
suite 1603, 16F, 333 Keelung Road, Section 1,  
Taipei 110, Taiwan  
Phone: +886 2 27 57 72 11  
Email: tamas.maczak@ec.europa.eu

Mr. Nicolas BAUDOUIN  
Policy Officer  
European Economic and Trade Office in Taipei  
suite 1603, 16F, 333 Keelung Road, Section 1,  
Taipei 110, Taiwan  
Phone: +886 2 27 57 72 11  
Email: nicolas.baudouin@ec.europa.eu

Mr. Jean Pierre BIDEgain  
Intern  
European Economic and Trade Office in Taipei  
suite 1603, 16F, 333 Keelung Road, Section 1,  
Taipei 110, Taiwan  
Phone: +886 2 27 57 72 11  
Email: jean-pierre.bidegain@ec.europa.eu

## **PHILIPPINES**

Mr Gil ADORA  
Asst. Director  
Bureau of Fisheries and Aquatic Resources  
3/F, PCA Building, Elliptical Rd. Quezon City  
Phone: +63 453-8457  
Fax: +63 455-9493  
Email: giladora.bfar@yahoo.com

Mr Richard SY  
President  
OPRT Philippines  
321 Dasmariñas St. Manila  
Phone: +63 2445565  
Fax: +63 2445566  
Email: syrichard@pltdsl.net

## **SOUTH AFRICA**

Mr Craig SMITH  
Deputy Director: Pelagics and High Seas Fisheries  
Management  
Department of Agriculture, Forestry & Fisheries  
P/Bag X2, Roggebaai, Cape Town 8012  
Phone: +27 21 402 3048  
Fax: +27 21 402 3622  
Email: craigs@daff.gov.za

Ms Suzen Leseke  
CD: MCS  
Department of Agriculture, Forestry & Fisheries  
P/Bag X2, Roggebaai, Cape Town 8012  
Phone: +27 21 402 3550  
Fax: +27 21 402 3623  
Email: morongoal@daff.gov.za

Mr Don LUCAS  
Chair  
South African Tuna Longline Association  
7 Neptune Street, Paarden Eiland, 7405, Cape Town  
Phone: +27 21 510 7924  
Fax: +27 21 510 1268  
Email: comfish@mweb.co.za

## **OBSERVERS**

### **HUMANE SOCIETY INTERNATIONAL**

Mr Nigel BROTHERS  
Consultant  
Marine Ecology and Technology  
178 South Arm Drive Wonga Beach Queensland  
Australia 4873  
Phone: +61 (0)7 40987662  
Email: brothersbone@yahoo.com.au

### **AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS**

Mr Warren Papworth  
Executive Secretary  
Secretariat for the Agreement on the Conservation of  
Albatrosses and Petrels (ACAP)  
27 Salamanca Square, Hobart 7000  
Tasmania, Australia  
Phone: +61 3 6233 3123  
Fax: +61 3 6233 5497  
Email: Warren.Papworth@acap.aq

### **TRAFFIC INTERNATIONAL**

Ms. Joyce Wu  
Programme Officer  
TRAFFIC, Taipei, Taiwan  
PO Box 7-476, Taipei 106 Taiwan  
Phone: +886 2 2362 9787  
fax: +886 2 2362 9799  
Email: ycjoycew@ms57.hinet.net



## **CCSBT SECRETARIAT**

PO Box 37, Deakin West ACT 2600  
AUSTRALIA  
Phone: +61 2 6282 8396  
Fax: +61 2 6282 8407

Mr Robert KENNEDY  
Executive Secretary  
Email: rkennedy@ccsbt.org

Mr Shinichi SUZUKI  
Deputy Executive Secretary  
Email: ssuzuki@ccsbt.org

Mr Simon MORGAN  
Database Manager  
Email: smorgan@ccsbt.org

## **INTERPRETERS**

Ms Saemi BABA

Ms Kumi KOIKE

Ms Yoko YAMAKAGE

**List of Documents**  
**The Extended Commission of the Seventeenth Annual Commission Meeting**

**(CCSBT-EC/1010/ )**

1. Provisional Agenda
2. List of Participants
3. Draft List of Documents
4. (Secretariat) Report from the Secretariat
5. (Secretariat) Revised 2010 Budget
6. (Secretariat) Draft 2011 Budget
7. (Secretariat) Review of SBT Fisheries
8. (Secretariat) Report from the Compliance Committee
9. (Secretariat) Report from the Strategy and Fisheries Management Working Group Meeting
10. (Secretariat) Report From The 2010 Joint Tuna RFMO Workshops
11. (Secretariat) Adoption and Implementation of the CCSBT Strategic Plan
12. (Secretariat) Report from the Extended Scientific Committee
13. (Secretariat) Adoption of a Management Procedure
14. (Secretariat) Total Allowable Catch and its Allocation
15. (Secretariat) Cooperating Non-members
16. (Secretariat) Relationship with Non-members
17. (Secretariat) Activities with Other Organisations
18. (Secretariat) Governance Arrangements – Role of Chair
19. (Secretariat) Confidentiality of Data and Documents
20. (SC Chair) Report of the Fifteenth Meeting of the Scientific Committee
21. (Australia) A guide for adopting a CCSBT Management Procedure: short-term and long-term considerations

**(CCSBT-EC/1010/BGD )**

**(CCSBT-EC/1010/Info )**

1. (Secretariat) Report of the Joint tuna RFMO meeting of experts to share best practices on the provision of scientific advice (Barcelona, May/ June, 2010)

2. (Secretariat) Report of the International workshop on tuna RFMO management of issues relating to bycatch (Brisbane, June 2010)
3. (Secretariat) Report of the International workshop on RFMO management of tuna fisheries (Brisbane, June/July 2010)

**(CCSBT-EC/1010/Rep )**

1. Report of the Fifteenth Meeting of the Scientific Committee (September 2010)
2. Report of the Third Operating Model and Management Procedure Technical Meeting (June 2010)
3. Report of the Second Meeting of the Strategy and Fisheries Management Working Group (April 2010)
4. Report of the Sixteenth Annual Meeting of the Commission (October 2009)
5. Report of the Fourth Meeting of the Compliance Committee (October 2009)
6. Report of the Fourteenth Meeting of the Scientific Committee (September 2009)
7. Report of the Eighth Meeting of the Ecologically Related Species Working Group (September 2009)
8. Report of the Strategy and Fisheries Management Working Group Meeting (April 2009)
9. Report of the Fifteenth Annual Meeting of the Commission (October 2008)
10. Report of the Third Meeting of the Compliance Committee (October 2008)
11. Report of the Independent Expert on the Performance Review (September 2008)
12. Report of the Performance Review Working Group (August 2008)

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**(Documents to be discussed from the Compliance Committee Meeting)<sup>1</sup>**

**(CCSBT-CC/1010/SBT Fisheries - )**

Australia	Australia's annual review of the Southern Bluefin Tuna Fishery
Indonesia	Annual Review of Indonesia SBT Fisheries for the Compliance Meetings and Annual Commission
Japan	Review of Japanese SBT Fisheries in the 2009 Fishing Season
Korea	Annual Review of National SBT Fisheries
New Zealand	Annual Review of National SBT Fisheries

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<sup>1</sup> Documents from CC meeting which Members might want to discuss at the Extended Commission (EC) meeting. These documents will not be renumbered.

Taiwan	Review of Taiwan's SBT Fishery of 2009/2010
European Union	European Union Report on 2009 SBT Fishery
South Africa	Annual Review of the South African SBT Fishery for the 17th Annual Meeting of the Commission
Philippines	National Report of the Philippines as a Cooperating Non-Member of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT)

**(CCSBT-CC/1010/Compliance Action Plan- )**

Australia	Australia's compliance action plan for the Commission for the Conservation of Southern Bluefin Tuna
Indonesia	Indonesia Compliance Action Plan
Japan	Japan Compliance Action Plan
Korea	Korea Compliance Action Plan
New Zealand	New Zealand Compliance Action Plan 2010
Taiwan	Taiwan Compliance Action Plan 2010
South Africa	South Africa's CCSBT Compliance Action Plan

**(CCSBT-CC/1010/)**

7. (Secretariat) CCSBT Data Confidentiality Rules and Arrangements
10. (Australia) Draft Resolution on the Provision of Fisheries-Dependent Data to Support the Scientific Assessment of Southern Bluefin Tuna and Ecologically Related Species

**(CCSBT-CC/1010/BGD )**

4. (Japan) Analysis of age composition of southern bluefin tuna used for farming in 2009 (Originally CCSBT-ESC/1009/21)
5. (Japan) Monitoring on Japanese domestic markets: 2010 update (Originally CCSBT-ESC/1009/32)

**(CCSBT-CC/1010/Info )**

1. (Secretariat) Report of the International Workshop on Improvement, Harmonisation and Compatibility of Monitoring, Control and Surveillance Measures, including Monitoring Catches from Catching Vessels to Markets (Barcelona, June 2010)

### Opening Statement by Australia

Nin hao and good morning.

First, let me thank the honorable Deputy Minister for his warm welcome to the city. For most of my delegation it is our first time to Taipei and we are looking forward to opportunities to explore the city.

As we begin our work this week it is important to reflect on the outcomes from our last meeting, on the beautiful island of Jeju. Most crucial of these outcomes was our collective commitment to sustained action to rebuild the southern bluefin tuna spawning stock to the interim target level of 20 per cent of its unfished biomass. For Australia, this was an extremely positive outcome and reflected members' recognition that the long-term profitability of our respective industries is dependent on the health of the southern bluefin tuna stock.

At our 2009 meeting, we committed in Resolution on the Total Allowable Catch and Future Management of Southern Bluefin Tuna to finalise and adopt a management procedure at our 2010 annual meeting. In Australia's view, this is the most important issue we have before us this week.

As we begin our work to finalise the management procedure, it may be useful for other members if I provide some initial indications of Australia's approach to these discussions and what will guide our views. First, for our domestic fisheries, Australia's *Commonwealth Fisheries Harvest Strategy Policy* requires a high degree of confidence that management measures for depleted fish stocks will enable those stocks to recover. For fish stocks that are severely depleted, such as southern bluefin tuna, we require management measures with a greater degree of precaution. With respect to the Extended Commission's consideration of the management procedure we wish to see a management procedure that is capable of responding quickly to positive signals on the status of the stock as well as ensuring that steps are taken to guard against further declines. Secondly, Australia has an important domestic fishery for southern bluefin tuna, based in the town of Port Lincoln. The industry is an important local employer and makes a significant contribution to the regional economy and the community. It is an industry that is dependent on southern bluefin tuna swimming through the Great Australian Bight; the industry is not mobile and cannot shift its effort onto bigeye tuna, yellowfin, albacore or other species. Of course, all of us have the needs of our industries to consider and Australia will seek to work with other members to explore ways in which these needs can be recognized in the design of the management procedure within our agreed objective of rebuilding the southern bluefin tuna stock.

Rebuilding the southern bluefin tuna spawning stock is a long-term commitment and will have important consequences for our industries. Because of this, it is crucial that all of us have a high level of confidence in the scientific processes that underpin our decisions on global total allowable catch levels. For this reason, Australia has tabled draft resolution on

the Provision of Fisheries-Dependent Data to Support the Scientific Assessment of Southern Bluefin Tuna and Ecologically Related Species. This resolution provides for the submission of fine-scale catch and effort data; data that will strengthen both the stock assessment process and the management procedure. Australia has also proposed the development of a Regional Observer Program; such a program will strengthen our confidence both in the catch and effort data and that all members are complying with their national allocations. We look forward to discussing the details of these proposals further with other members this week.

Chair, all of us are aware that there has been intense international scrutiny and criticism of the performance of RFMOs, particularly in taking effective measures to address overfished tuna stocks. This criticism will only continue and grow if we do not meet the challenge we have set ourselves of adopting a robust management procedure at our meeting this week.

Having said this, Australia is confident that the mutual goodwill and commitment to rebuilding southern bluefin tuna from our 2009 meeting will carry over to our discussions this week and that we will reach consensus on the management procedure. To do so would be a significant achievement for this Commission.

I look forward to working with other Commissioners, delegates and observers to advance our collective objectives and reach a successful conclusion to our meeting.

Xie xie and thank you.

**Opening Statement by the Fishing Entity of Taiwan**

Good Morning Mr. Chair, distinguished delegates, ladies and gentlemen,

First of all, I would like to welcome all of you to Taiwan and it is our great pleasure to host this meeting. I would also like to extend our thanks to the Executive Secretary, Mr. Robert Kennedy and the staffs of the Secretariat for their hard work in arranging this meeting.

At the 16<sup>th</sup> annual meeting of CCSBT, members agreed to finalize management procedure (MP) in this meeting and implemented in 2011 as the basis for setting global total allowable catch (TAC) for 2012 and beyond. In order to reach the interim rebuilding target of southern bluefin tuna (SBT) in the timeframe as the guideline set by the second Strategy and Fisheries Management Working Group Meeting, future TAC might need to be reduced in accordance with the candidate MP projection selected by the September 2010 meeting of the Extended Scientific Committee. For the need of adjustment and adaption for industries, the range for TAC reduction at the initial stage should be appropriately considered.

Besides, the implementation of monitoring, control and surveillance (MCS) measures, such as catch documentation scheme (CDS), vessel monitoring system (VMS), transshipment program and scientific observer program etc., is very critical for achieving the objective of the stock rebuilding. According to the Resolution on the Implementation of a CCSBT Catch Documentation Scheme, with the exception of surface fishery, all SBT shall be tagged, measured individual weight and length, recorded the fishing statistical area at the moment of catch, and monitored transshipment before landing. This will be a useful measure to combat and deter IUU fishing. However, there remains room for improvement in terms of implementation. We hope we can find solution in this regards during the meeting.

In addition, assisting developing countries with capacity building for compliance with the conservation and management measures adopted by the CCSBT is also very crucial to achieve the aim.

We look forward to having constructive discussion with all members and cooperating non-members over the next few days and producing fruitful results from the meeting.

Although the agenda is pretty tight for this meeting, I still hope you have opportunity to go around the city and enjoy the cuisine of Taiwan.

Thank you.

**Opening Statement by Indonesia**

Mr. Chairman, distinguished delegates, observers, ladies and gentlemen.

It is my great pleasure to be here to participate in the 17<sup>th</sup> Annual Meeting of the Extended Commission for the Conservation of Southern Bluefin Tuna and let me first extend my sincere appreciation and gratitude to the Fishing Entity of Taiwan for hosting the current session and to officers of the Secretariat who made enormous effort to hold this meeting

You may have observed that in this current session, it is the third occasion for Indonesia to participate in the important meeting as a member of the Commission since early of 2008. As a member, Indonesia has been taking a lot of efforts to ensure the sustainability management of SBT through complying with CCSBT resolutions. Even though there are a lot of obstacles among others due to the educational background of fishermen and wide range of vessels size that authorized to catch fish, but hand by hand with private sectors represented by Associations of Tuna Fishing Companies, we have shown our great concern and active participation in the management conservation and utilization of SBT resources.

In order to support the strengthening of SBT data collection, we have implemented fishing logbook which were in accordance with the results in collaborative workshop undertaken in Jakarta last year sponsored by the Ministry of Marine Affairs and Fisheries of the Republic of Indonesia and OFCF Japan, also supported by IOTC, WCPFC, CCSBT and our tuna long-line fishing industries. I herewith kindly also inform to this meeting that Indonesia has a new regulation on the implementation of fishing log-book program by Minister of Marine Affairs and Fisheries Regulation No. PER.18/MEN/2010. We do believe, through this regulation, Indonesia data collection will be greatly improved and will be able to strengthen the implementation of CCSBT-CDS system. In the better implementation of this regulation, we will apply the principle “No Log Book, No License”. We do hope that it is part of our commitment to comply with the RFMOs measures and resolutions to maintain our sustainable Tuna resources through fisheries management improvement.

However, current situation indicates that future of southern bluefin tuna fisheries seems not so bright and call for cooperative effort among members in controlling fishing effort that have been echoed in various meetings of the Commission.

Mr. Chairman, distinguished delegates, observers, ladies and gentlemen,

As a part of Indonesia commitment to support the Commission, we officially ready to become the host and chairman for the 18th CCSBT annual commission meeting in 2011 that will be held in Bali.

Finally, I would like to end this opening statement by wishing that we could join hands together to bring out fruitful and satisfaction for our future sustainable development of SBT fisheries management and sustainable utilization in consistency with CCRF.

Thank you.



**Opening Statement by Japan**

On behalf of the Japan delegation I would like to express our sincere gratitude to Taiwan for hosting the CCSBT meeting. I am happy to attend the Extended Commission of the Seventeenth Annual Meeting of the Commission.

I have engaged in the conservation and management of tuna stocks for a long time. My carrier in the Fisheries Agency is now reaching at the final stage, so I would like to take this opportunity to review the history of SBT fishery.

History of SBT fishery is long. Japanese fishers started catching SBT in 1960s. At that time, SBT was used as a material for processing cans and sausages, not for sashimi. In 1970s, development of ultra low temperature freezer let us possible to use SBT as sashimi.

In 1980s, Japan, New Zealand and Australia commenced the trilateral discussion as the stock seemed to decline. At that time one of the most important issues was to minimize a large amount of catches of juvenile SBT by Australian purse seine, as well as conservation and recovery of the stock. Although we kept negotiating seriously, it was very difficult to reach satisfied outcomes. Consequently, Australia proposed a moratorium of SBT fishery. Through the hard working process, we reached to the conclusion that conservation measures should be taken in order to utilize SBT sustainably. Then, CCSBT was established in 1993. Unfortunately, I was in charge of SBT issues at that time I was kept staying for seven weeks in Canberra to conclude the process.

Two years ago, I came back to the CCSBT world. I was surprised to see the level of SBT stock continued to be extremely low. Japan believes that it is greatly important to express the public our commitment to ensure rebuilding the SBT stock in the near future at the CCSBT 17. Apart from the CITES issues, I consider CCSBT are now facing a critical situation whether it can survive or not. I am afraid that this meeting might be the last chance to show that the CCSBT functions normally and has a good performance. In this context, Japanese delegation makes best effort at this meeting.

Japan has accepted 50% of deduction of its national allocation over last five years. It was not easy effort for us. Australian delegation mentioned yesterday that Australian SBT fishery is a costal fishery and doesn't have any alternatives. However, there is also no alternative fishing ground for Japanese fishing vessels. In fact, Japanese government has conducted reduction of 87 vessels over last several years, which caused significant

impact on the relevant local communities as well as on fishers. In spite of that, Japan strongly recognizes that rebuilding of the stock is the most important. At the last year's meeting in Jeju, we accepted further reduction of our allocation, even though it had been already decided. Therefore, once the global TAC increases, Japan should have due right to get the benefit on a priority basis, and strongly request such arrangements.

However, we well recognize that we should not insist each right now. All we have to do is to make sure to comply with management measures including TAC for the rebuilding of stock. In relation to this, I would like to touch upon two important issues.

The first is the measures for stock rebuilding. MP is indispensable. However, if the MP is not enough to make sure the rebuilding of the stock, we should take same further measures. If we detect that the stock is much lower level than we expect, a large amount of reduction, even suspension of fishery if necessary, should be considered. On the other hand, if the stock shows clearly any sign of rebuilding, deregulation of such measures should be taken immediately. For that purpose, we should detect the stock status in a timely manner, and should incorporate such data with the management systems.

The second is the compliance. In this context, I am largely disappointed at the result of the Compliance Committee form. In order to achieve the rebuilding of the stock, all Members should ensure to comply with same management measures at the same level. Unfortunately, at the Compliance Committed meeting, it was recognized that some members allowed its fishermen to catch SBT without sufficient compliance. Japan has no intention to overlook such a serious situation. In addition, as a market county, we will not import SBT caught by such Members. At the Extended Committee, we wish to discuss this issue extensively for the best solution.

I dared to these two issues at my opening statement as they are so important. Let me apologize for taking for a long time. Finally, we would like to try our best to get fruitful outcomes during this meeting in Taiwan.

Thank you.

**Translated by the Secretariat**

## Opening Statement by New Zealand

Tēnā koutou, tēnā koutou, tēnā koutou katoa. Nga mihi nui ki a koutou

*[Greetings, greetings, many greetings to you all]*

On behalf of the New Zealand delegation I would like to extend our greetings to the Chair, members of other delegations and to observers at this meeting.

Firstly I would like to thank the Chair for his welcome and to thank our hosts for the fine venue provided for our discussions this week. Chair, I will be brief because we have important matters to discuss.

New Zealand has been encouraged by the actions that this Extended Commission has taken in the last year to address the poor state of the southern bluefin tuna resource but there remains much to do. At this meeting we will be required to agree a management procedure so that it can begin to generate future global catch limits aimed at rebuilding this depleted stock. While some basic characteristics of the management procedure have been agreed there are choices regarding critical elements that will dictate the way this rebuilding occurs. New Zealand would like to express our thanks in advance to the members of the extended scientific committee for the work they have done to provide us information to allow those choices to be made.

At the outset I would like to signal New Zealand expectations for a management procedure. Firstly we will be looking for the adoption of a management procedure that rapidly moves the stock from its current very low level, and the high risk associated with that, to a more certain position in the short term. The management procedure will also be one that provides reasonable certainty that rebuilding will in fact occur and that reaches the interim rebuild target that we have agreed in the shortest of the rebuild timeframe options that will be put before us. I would like to emphasise that this is an interim target. Once we reach it further rebuilding will be required to reach a target that has international acceptability.

New Zealand considers that this Extended Commission must adopt a management procedure that is precautionary. While there are some positive indications from the stock we should not be fooled into thinking that all is now well. We must bear in mind that we have not only a mutual interest in achieving a successful stock rebuild but also an international obligation to do so. We perceive that the international community is losing patience with regional organisations that fail to meet their obligations.

Chair this is not the only issue of importance for decision at this meeting. We continue to need engagement on compliance issues and other matters relating to the administration of the fishery. I will not elaborate on these at this stage but would note that fisheries management is not an exact art and nor is fishing an exact science. While we must pursue rigorous controls to ensure compliance with measures we must also consider the need for some flexibility in the way our industries go about their business.

Chair in closing let me say that the New Zealand delegation is here to work cooperatively with other members to achieve positive outcomes for the southern bluefin tuna fishery and we look forward to a successful outcome from this meeting.

Thank you

**Opening Statement by Korea**

Mr. Chairman, distinguished delegates, observers, ladies and gentlemen, Good morning. On behalf of Korean delegation, I would like to thank the Government of Taiwan for hosting the 17th annual meeting of the Extended Commission for the Conservation of Southern Bluefin Tuna in this traditionally decorated antique beautiful building. And also my thanks go to Mr. Kennedy and the staff of secretariat who made every effort to prepare this meeting.

As you recall, in the last year's annual meeting held in Jeju, Korea, we were extremely keen of the stock status of the southern bluefin tuna and then spent overnight for taking conservation measure. Even though meaningful reduction of its global catch was taken as a measure, the situation has not been changed. But fortunately, our efforts have been made such as development of stock rebuilding strategy and enhancement of MCS measures in early this year. Furthermore, we have checked and found the loopholes and gaps from the implementation of these measures, so that we have come to know the way on which we are and to go during the meeting last weekend. I thank all the participants for these timely and appropriate efforts.

In early this September, the Scientific Committee has come to finalize and brought up options of the management procedure (MP) for adoption by this Extended Commission. As I know, it is the most up-to-date method for the conservation and management of wildlife inclusive of precautionary ecosystem approach. I have been reported that it was highly sophisticated and technical such that it took long time since 2000 for scientists to struggle with designing the models from the enormous elements and conditions of the SBT stock and its fishery and the robustness test of the model performance. For that, I would like to congratulate the Chair of the SC, Dr. Annala and all scientists for providing the excellent MP options.

Now, in this meeting, we are going to select one MP, the best to suit for addressing the situation that the SBT faces and to achieve our management goals mandated in the Convention. Once the MP selected, we ought to concentrate our every effort for effectively implementing it under the stringent MCS we have adopted and following the conservation and management strategy for stock rebuilding we have developed.

I sincerely hope that during this meeting, serious discussions would take place on these matters. In this respect, Korea, as a responsible fishing nation with a long long history of fisheries, is committed to exert its utmost effort to contribute to implementing all the measures for the sake of both the stock rebuilding, and the stable and sustainable fishery, while positively participating in finding the right direction of the Commission, and thus finally meeting the social and economic needs of the members.

Ending, I hope that the CCSBT can stand as the most successful RFMO and the most productive place for discussions regarding fisheries.

I wish we could have fruitful result through constructive discussions here.  
Thank you

**Opening Statement by European Union**

Mr Chairman, Distinguished Delegates, Ladies and Gentlemen,

It is a pleasure for the European Union to take part to the Annual Meeting of the Commission for the Conservation of Southern Bluefin Tuna, and we would like to thank Taiwan for hosting this meeting.

As you are aware, our interest in being here today is not economic: the EU fleet does not target Southern Bluefin Tuna and does not plan to do so in the future.

Our presence here is rather justified by our general approach to fisheries, which aims at making any effort to ensure coherent policies and management actions of tuna fisheries among the different Regional Fisheries Management Organisations. We come here to learn from your experience and to bring ours.

The task of this and other RFMOs is not easy. Still, we should acknowledge that we receive help by an increased interest and legitimacy for our action. Civil society and NGOs are becoming more and more aware of the interests at stake and we, the managers, are creating better tools to better reach our target. It is for this reason that the EU is a strong supporter of the Kobe process, through which, governance in tuna fisheries is progressively improving.

It is through the cooperation with other RFMOs, the exchange of best practices and the endorsement and implementation of the recommendations made in that forum, that we can give CCSBT and other Tuna RFMOs the tools to achieve their goals. As the Kobe meetings keeps showing us, many things have been done, but a lot still remains to do. And we are here this week also to progress on this path.

Still, our interest for a global approach does not diminish our commitment in the work of CCSBT. As you know, at the beginning of this year we have undertaken the first steps for becoming members of this Commission. It is the beginning of a long and energy-consuming process which will require the amendment of the existing Convention. We are motivated to undergo this path but, of course, we will need your help and support for doing so.

We look forward to participating in this meeting and hope it will be a productive and successful one.

Thank you

**Opening Statement by Philippines**

On behalf of the Philippine delegation I would like to express our greetings to the Chairman, and also would like to thank Taiwan for hosting this meeting.

Our presence here is in line with our commitment for the management and conservation of tunas in whatever oceans they are found as evidenced by our membership in the International Commission for the Conservation of Atlantic Tuna (ICCAT) , Indian Ocean Tuna Commission (IOTC), Western and Central Pacific Fisheries Commission ( WCPFC) and as cooperating non-member of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT). We would like to confirm our continued commitment to CCSBT for the sustainable management of the Southern Bluefin Tuna.

The Philippines does not target Southern Bluefin Tuna it is only a by-catch of our few longline vessels fishing in the CCSBT area. Pursuant to such commitment to comply with the CCSBT management measures, it requires all vessels registered under CCSBT to subscribe to the Philippines vessel monitoring system (VMS).

We look forward to participating in the discussion of the different agenda items and hope that the outcome of the meeting will be a productive one. Finally, it is respectfully requested to this Commission, that the Philippines be granted the cooperating non-member status in the year ahead.

**Opening Statement by South Africa**

South Africa wishes to congratulate Taiwan on its National Day anniversary and wishes to express our sincere gratitude to our colleagues from Taiwan for hosting the CCSBT meetings in such a prestigious venue as the Grand Hotel and hopes that this year's meeting would also be a landmark meeting in many respects. We also thank the secretariat staff for their tireless work in providing the necessary support to Members and Co-operating Non-Members of this organisation. South Africa is fully aware of the status of the southern bluefin tuna resources and is fully committed to assist CCSBT in rebuilding this valuable resource both as a flag state and a port state.

As a flag state, South Africa has implemented all the relevant management and conservation measures of CCSBT and exceeds many of the minimum management standards. For example South Africa monitors all landings, on board scientific observer coverage exceeds 10%, an Ecosystem Approach to Fisheries (EAF) has been implemented, and all trade documents are verified and validated. South Africa has also demonstrated responsibility in managing its quota, despite its insufficient size to develop a directed southern bluefin fishery within its EEZ.

As a port state, South Africa has made concerted efforts since 2007 in implementing port state measures to ensure that its ports are no longer used as "ports of convenience" by foreign flag fishing vessels. This is of particular importance to CCSBT as South African ports are adjacent to one of the important southern bluefin longline fishing grounds, and our ports are frequently utilized by many of the distant water fleets of the CCSBT Parties.

In further demonstrating our commitment to CCSBT South Africa has participated in the last three meetings of the Compliance Committee and the Extended Commission meetings, and is currently in the formal process of ratifying the CCSBT Agreement. It is hoped that South Africa's rights as a developing coastal and range state to develop a directed southern bluefin fishery would be recognized, and that considerations of future allocations would be considered in an equitable and transparent manner.

In closing we look forward to participating in this year's Extended Commission and we view the adoption of a strategy and management procedure to rebuild the stock, the criteria for TAC determination and allocation thereof, as landmarks in the history of this organisation.



**Opening Statement by Humane Society International**

HSI would first like to express its appreciation for being provided with the opportunity to participate in the obligatory efforts of the CCSBT to address management issues it faces.

Although this is a comparatively small TRFMO, these management issues are perhaps more serious and challenging than those confronting other TRMO's, and they require appropriate decisions to be made as a matter of urgency. However, irrespective of decisions made within this meeting of the Extended Commission, little may actually be achieved unless change can be assured at-sea where the problems exist. This is perhaps the greatest management challenge of all, yet despite the lack of progress in this area to date, HSI remains optimistic that this challenge is not insurmountable.

HSI does recognise the immediate priority that conservation of Southern Bluefin Tuna demands and urges members to reach agreement on ways to achieve this. This task must not impede progress to urgently address the serious issue of longline fishing impacts on other species. Clear options for such progress, particularly practical mitigation measures, actually exist. Surely the 17th Commission Meeting will not also fail to achieve significant progress in this area?

Considering that Southern Bluefin Tuna stocks are currently at the perilously low level of around 5% it is difficult for HSI to see an option other than a zero TAC of SBT to ensure that all members can benefit from stock recovery within an acceptable timeframe with high reliability. The implications of zero TAC do need to be carefully considered because there may still be potential for unresolved management issues to persist. HSI does recognise the various obstacles that members may face from such a drastic measure and wishes to thank them in advance for their efforts.

### Opening Statement by ACAP

On behalf of the Parties to the ACAP Agreement I would like to thank you Mr Chairman for the opportunity to address this meeting and to wish you well for the successful conclusion of the important items of business included in the agenda.

I would like to provide you with a brief update on the recent work of the Agreement and to outline the major challenges facing us in our work and the ways in which we hope to work with this Commission to address them.

Over the past year there has been a significant advancement in our understanding of the issues associated with the incidental mortality of albatrosses and petrels in pelagic longline fisheries. Key research undertaken by United States and Japanese researchers with the support of the South African Government has revealed that in some fisheries, albatrosses are taking baited hooks brought to the surface by diving petrels, who can access baited hooks beyond the area covered by tori lines. This research has highlighted the importance of achieving a fast sink rate of baited hooks, to take them beyond the reach of both albatrosses and petrels as quickly as possible.

Attaching weights to branch-lines is one method used to achieve a fast sink rate, however the use of weights can create safety hazards to fishermen, as a result of flybacks when the lines are cut suddenly close to the ship. Progress has been made on methods to address these risks, through the use of specially developed leads and through new techniques for attaching weights being developed by Japanese researchers and fishing masters.

However, developing effective mitigation measures is only one of the challenges facing us in addressing seabird bycatch. Knowing where to apply these measures is just as critical. Requiring fishers to apply mitigation measures when they are not required is unnecessary and inefficient. The WCPFC has recently completed a seabird ecological risk assessment (ERA) for its area of competence, and this exercise has been very useful in identifying areas where seabirds are most likely to be at threat from fishing operations. However, data is required from observer programmes to validate these ERA and to refine the area of application for mitigation measures.

There are two issues which this meeting will consider which are of relevance to this issue. The first is to decide what data should be collected and how it will be accessed. The second issue of relevance is the proposed memorandum of understanding between the CCSBT and ACAP, a primary focus of which is to formalise the process for the exchange of data between our two organisations.

ACAP looks forward to supporting the work of the CCSBT. We are making significant advances in our understanding of the issues associated with seabird bycatch, however it is only by working cooperatively with fisheries management organisation and most importantly with the fishing industry itself that many of these species will be saved from extinction.

I look forward to contributing to the work of this meeting in helping to achieve these outcomes.

My thanks to you Mr Chairman, and also to the participants of this meeting, for the opportunity to address you on this important issue. I look forward to working with you over the coming days.

**Opening Statement by TRAFFIC**

Thank you Mr Chairman.

TRAFFIC, the wildlife trade monitoring network, and WWF thank the Commission for the opportunity to participate as observers to meetings of the Commission and the Extended Commission. We look forward to contributing to these critical deliberations and to helping to implement subsequent decisions. We earnestly hope and expect that Members will make the necessary decisions with the necessary sense of urgency to effectively conserve the southern bluefin species of tuna and other ecologically related species, especially sharks, seabirds and turtles.

We are pleased with the progress of the most recent CCSBT meetings, particularly the reduction in the TAC in 2009 and the commitment by members to agree a management procedure at this commission meeting. At the opening of CCSBT 16 we called upon the members of CCSBT to implement a temporary TAC of zero based on the need to recover the stock. While there have been positive outcomes from the recent Commission meetings, we still have significant concerns surrounding the stock status which would be best served by a temporary TAC of zero which would afford the greatest probability of the stock recovering in the quickest period possible.

We are committed to working with the members of CCSBT through the current process of agreeing a Management Procedure at this meeting, but we must make one point very clear. Promises by RFMOs need to equate to real action and not simply keep us on a holding pattern while stocks further decline. This is how we will be judged after this week.

Focusing on the issues at hand for this Extended Commission meeting, the main decision will be surrounding the type of Management Procedure adopted and the extent to which it is precautionary and represents a speedy recovery to a level consistent with a spawning stock of 20% of virgin spawning stock levels.

We would like to see the decisions this week reflect:

- The adoption of the more reactive Management Procedure (MP\_1);
- The adoption of the more precautionary goal of 2035 as a rebuilding target. It will be critical to ensure that adequate progress is monitored to ensure the rebuilding target is met;

- The adoption of a probability of 90% for achieving the interim rebuilding target. The stock is at a historically low level and has been for a long period in the face of inadequate management action by CCSBT and a substantial over catch by one of its members;
- The adoption and implementation of an adequately independent regional observer programme that is well supported by the CCSBT catch document scheme;
- The requirement for tagged SBT in trade to extend beyond whole fish to all parts and derivatives, that is all products; and
- The adoption of binding measures requiring the provision of fine scale, shot by shot data.

TRAFFIC and WWF remain deeply concerned about the need for conservation of ecologically related species as well as SBT. We are particularly concerned at the lack of binding measures for shark conservation including shark catch reporting & identification and the tagging of product in trade, the retention of all sharks on board, and retention of fins naturally attached until landed.

We also feel that the Commission needs to take urgent and particular note of the implications for CCSBT of relevant global developments such as the Kobe II process and its workshops. At this time of particular note are the recommendations from these workshops:

1. “Develop publicly available authorised and active vessel lists for all gears. These lists will include small-scale fishing vessels that are capable of catching significant amounts of fish under the competency of tuna RFMOs.”; We consider authorised vessels must have and provide an IMO number as their unique vessel identifier as an eligibility criterion for being authorised and that it is explicit that the member is notifying that the vessel has been authorised to fish in that year, not just a standing list of possible vessels. This will assist in identifying IUU activity by any particular vessel in a year;
2. “Develop a consistent enforceable regime for sanctions and penalties, to be applied to RFMO members and non-members and their vessels that breach the rules and regulations developed and implemented by RFMOs.”;
3. The working group on bycatch specifically recommended adopting “binding” measures; and finally
4. “As a matter of priority, establish a joint Tuna RFMO bycatch technical working group to promote greater cooperation and coordination among RFMOs.

Finally, Mr Chairman, TRAFFIC and WWF support the development of the management procedure within CCSBT and urge its full implementation as a priority. Discussions must focus on promptly returning the SBT population to levels that can be considered biologically safe and consistent with the application of the precautionary principle.

Thank you, Mr Chairman.

### Report of the Finance and Administration Committee

1. Ms Trysh Stone (Australia) was agreed by Members to be the Chair of the Finance and Administration Committee (FAC). The Chair proposed a general agenda which was agreed by the FAC.
2. The FAC discussed the revised budget for 2010, and the proposed budget for 2011, including the Australian proposal for shared funding of the scientific aerial survey, the proposal to adequately resource compliance activity planned by the Extended Commission, other contingency items, an estimate of costs for a 2011 SFMWG meeting, capacity building for Indonesia and any ERSWG costs in 2011.
3. The FAC also discussed the development of the CCSBT website.

#### **Finance**

##### *The revised budget for 2010*

4. The Executive Secretary gave a summary of the 2010 revised budget, highlighting the 10 percent saving from the approved 2010 budget. The FAC thanked the Executive Secretary for the work done on the budget, particularly in terms of the savings.
5. The FAC **recommends** that the revised budget for 2010 (Annex A) be agreed by the Commission.

##### *The proposed budget for 2011*

6. The FAC considered the proposed budget for 2011.
7. The Executive Secretary explained the significance of exchange rates in the budget, and stated that a modified exchange rate was applied to ensure that budget figures were not understated by the prevailing strong Australian dollar.
8. The FAC noted that the cost of the ESC and EC in 2011 will increase by AU\$82,500 because of the extended time for the Compliance Committee, the inclusion of a rest day and increased hire of equipment costs which are a result of local hiring rates for those meetings.
9. The Chair of the ESC advised the FAC that one of the current Advisory Panel members has signaled an intention to retire. That Panel member has been asked by the SC/ESC to return for 2011 in light of the current workload and projected tasking. The Chair of the SC advised that it was desirable to have no less than three Panel members at this time.
10. The FAC **recommends** that the SC/ESC Advisory Panel is reviewed and requests the Chair of the ESC to prepare a paper that outlines the required roles for independent Panel members and consider moving to a three-person Panel that covers all required roles for consideration by the FAC in 2011.
11. The FAC **agreed** that funding for the ESC Chair participation at the Kobe 3 meeting is removed from the 2011 proposed budget. CCSBT will be represented by the Executive Secretary at Kobe 3.

12. The FAC **agreed** that the allocation for the operating model/management strategy development item is increased to AU\$20,000 in light of further work that may be required on the management procedure. This is offset by the removal of funding of the ESC Chair participation at Kobe 3.
13. The FAC **agreed** that AU\$6,000 funding be provided to support and training programs to enhance Indonesia's participation in the stock assessment/management procedure work.

*Shared funding of aerial survey*

14. The FAC discussed Australia's funding of the aerial survey. Members thanked Australia for its undertaking of the aerial survey of juvenile SBT, but were unable to support either partial or full shared funding of aerial survey at this time.

*Employment of a compliance officer*

15. The FAC noted that the Secretariat staff are fully utilised and have little capacity to take on extra functions. The FAC supported the provision of adequate compliance resources to the Commission. Some Members noted that their domestic regulations prevented them from being able to increase the Commission staff at this meeting. On that basis, the FAC agreed to include an amount of AU\$30,000 funding for consultants to assist in the development of the compliance plan and policies.
16. The FAC agreed that this matter should be further considered for 2012 and requested the Secretariat to include adequate compliance resources in the draft 2012 budget. The Chair urged all members to ensure that they were in a position that would allow them to consider the appointment of a compliance officer if that was the will of the Extended Commission.

*Other contingency items*

17. The Chair of the ESC advised that more time may need to be scheduled for those meetings in 2011, but this will depend on the work program issued by the Extended Commission. However, the FAC has not made allowance for this in the budget at this time.

*2011 SFMWG meeting*

18. The FAC agreed to include AU\$84,612, based on a three-day SFMWG meeting, in the budget which includes approximately AU\$10,000 to fund attendance of the Chair of the Compliance Committee.

*ERSWG meeting costs in 2011*

19. The FAC noted that there is no necessity to provide extra funding for this item in 2011.
20. The FAC **recommends** that the proposed budget for 2011 (Annex B) of AU\$1,775,312 be agreed by the Commission. The required financial contribution of each Member is shown in the income statement of the budget.



***Administrative matters***

***Redevelopment of the CCSBT website***

21. The Executive Secretary updated the FAC on the progress and plans for the CCSBT website in 2011. The FAC was pleased with plans to improve the website including providing additional security to the data sharing section of the website.

***Other matters***

22. The FAC discussed the funding of SBT tags and Members shared their respective experiences. The FAC noted that the costs of tags are in some cases met by government and in some cases recovered from industry, depending on the situation in each country.

## GENERAL BUDGET - 2010

INCOME	2010	2010	% Variation
	APPROVED BUDGET	REVISED BUDGET	
<b>Contributions from members</b>	<b>\$1,434,828</b>	<b>\$1,434,828</b>	<b>0%</b>
Japan	\$442,172	\$442,172	
Australia	\$442,172	\$442,172	
New Zealand	\$137,131	\$137,131	
Korea	\$146,285	\$146,285	
Fishing Entity of Taiwan	\$146,285	\$146,285	
Indonesia	\$120,783	\$120,783	
<b>Staff Assessment Levy</b>	<b>\$75,155</b>	<b>\$69,205</b>	<b>-8%</b>
<b>Carryover from previous year</b>	<b>\$216,468</b>	<b>\$216,468</b>	<b>0%</b>
<b>Interest on investments</b>	<b>\$29,500</b>	<b>\$57,242</b>	<b>94%</b>
<b>TOTAL GROSS INCOME</b>	<b>\$1,755,951</b>	<b>\$1,777,743</b>	<b>1%</b>

<b>EXPENDITURE</b>	<b>2010 APPROVED BUDGET</b>	<b>2010 REVISED BUDGET</b>	<b>% variation</b>
<b>ANNUAL MEETINGS - ( CCSBT17)(CC5)</b>	<b>249,200</b>	<b>195,432</b>	<b>-22%</b>
Independent chairs	47,800	39,621	-17%
Interpretation costs	54,400	45,589	-16%
Hire of venue	44,000	40,409	-8%
Hire of equipment	31,600	19,816	-37%
Catering	13,800	12,871	-7%
Translation/printing of meeting documents	19,400	7,755	-60%
Secretariat expenses	38,200	29,372	-23%
<b>15th SC</b>	<b>333,200</b>	<b>263,817</b>	<b>-21%</b>
Interpretation costs	56,000	50,971	-9%
Hire of venue	50,200	43,789	-13%
Hire of equipment	34,100	21,091	-38%
Hire of consultants - Chairs and Advisory Panel	128,800	114,822	-11%
Catering	9,700	7,837	-19%
Translation/printing of meeting documents	15,000	4,182	-72%
Secretariat expenses	39,400	21,125	-46%
<b>SUB-COMMITTEE MEETINGS</b>	<b>136,396</b>	<b>125,034</b>	<b>-8%</b>
Strategy & Fisheries Management WG Meeting	63,179	75,848	20%
Operating Model Technical Meeting	73,217	49,186	-33%
<b>SPECIAL PROJECTS</b>	<b>90,000</b>	<b>93,368</b>	<b>4%</b>
Operating Model/Management Strategy Development	34,700	23,815	-31%
Development of the CPUE series	1,300	1,300	0%
Tagging program coordination	54,000	53,911	0%
Participation at Kobe2 Science Workshop	0	14,343	*
<b>SECRETARIAT COSTS</b>	<b>831,955</b>	<b>786,684</b>	<b>-5%</b>
Secretariat staff costs	542,300	516,547	-5%
Staff assessment levy	75,155	69,205	-8%
Employer social security	96,400	89,568	-7%
Insurance -worker's comp/travel/contents	15,400	14,987	-3%
Travel/transport	34,000	25,072	-26%
Translation of meeting reports	15,800	19,235	22%
Training	2,000	2,000	0%
Home leave allowance	8,000	7,991	0%
Other employment expenses	2,300	1,480	-36%
Staff liability fund (accumulating)	40,600	40,600	0%
<b>OFFICE MANAGEMENT COSTS</b>	<b>115,200</b>	<b>112,389</b>	<b>-2%</b>
Office lease and storage	40,200	40,095	0%
Office costs	52,700	49,256	-7%
Provision for new/replacement assets	9,100	9,100	0%
Telephone/communications	13,200	13,937	6%
<b>TOTAL GROSS EXPENDITURE</b>	<b>\$1,755,951</b>	<b>\$1,576,725</b>	<b>-10%</b>

## APPROVED GENERAL BUDGET - 2011

<b>INCOME</b>	<b>2010 REVISED BUDGET</b>	<b>APPROVED 2011 BUDGET</b>	<b>% Variation</b>
<b>Contributions from members</b>	<b>\$1,434,828</b>	<b>\$1,457,894</b>	<b>\$23,066</b>
Japan	\$442,172	\$449,280	\$7,108
Australia	\$442,172	\$449,280	\$7,108
New Zealand	\$137,131	\$139,335	\$2,204
Korea	\$146,285	\$148,637	\$2,352
Fishing Entity of Taiwan	\$146,285	\$148,637	\$2,352
Indonesia	\$120,783	\$122,725	\$1,942
<b>Staff Assessment Levy</b>	<b>\$69,205</b>	<b>\$74,400</b>	<b>\$5,195</b>
<b>Carryover from previous year</b>	<b>\$216,468</b>	<b>\$201,018</b>	<b>-\$15,450</b>
<b>Interest on investments</b>	<b>\$57,242</b>	<b>\$42,000</b>	<b>-\$15,242</b>
<b>TOTAL GROSS INCOME</b>	<b>\$1,777,743</b>	<b>\$1,775,312</b>	<b>-\$2,431</b>

<b>EXPENDITURE</b>	<b>2010 REVISED BUDGET</b>	<b>APPROVED 2011 BUDGET</b>	<b>Variation</b>	<b>% Variation</b>
<b>ANNUAL MEETING - (CC/EC/CCSBT)</b>	<b>\$195,432</b>	<b>\$247,100</b>	<b>\$51,668</b>	<b>26%</b>
Independent chairs	\$39,621	\$44,600	\$4,979	13%
Interpretation costs	\$45,589	\$60,100	\$14,511	32%
Hire of venue and catering	\$53,280	\$51,400	-\$1,880	-4%
Hire of equipment	\$19,816	\$59,300	\$39,484	199%
Translation of meeting documents	\$7,755	\$10,000	\$2,245	29%
Secretariat expenses	\$29,372	\$21,700	-\$7,672	-26%
<b>SC/ESC Meeting</b>	<b>\$263,817</b>	<b>\$294,700</b>	<b>\$30,883</b>	<b>12%</b>
Interpretation costs	\$50,971	\$54,100	\$3,129	6%
Hire of venue and catering	\$51,626	\$32,800	-\$18,826	-36%
Hire of equipment	\$21,091	\$45,800	\$24,709	117%
Hire of consultants - Chairs and Advisory Panel	\$114,822	\$131,700	\$16,878	15%
Translation of meeting documents	\$4,182	\$10,000	\$5,818	139%
Secretariat expenses	\$21,125	\$20,300	-\$825	-4%
<b>SUB-COMMITTEE MEETINGS</b>	<b>\$125,034</b>	<b>\$148,212</b>	<b>\$23,178</b>	<b>19%</b>
Strategy & Fisheries Management WG Meeting	\$75,848	\$84,612	\$8,765	12%
Operating Model/Management Procedure Technical Meeting	\$49,186	\$63,600	\$14,414	29%
<b>SPECIAL PROJECTS</b>	<b>\$93,368</b>	<b>\$94,500</b>	<b>\$1,132</b>	<b>1%</b>
Operating Model/Management Strategy Development	\$23,815	\$20,000	-\$3,815	-16%
Development of the CPUE series	\$1,300	\$1,000	-\$300	-23%
Tagging program coordination	\$53,911	\$27,500	-\$26,411	-49%
ESC Chair participation at Kobe2 Science Workshop / Kobe3	\$14,343	\$0	-\$14,343	-100%
Intersessional Compliance Work	\$0	\$30,000	\$30,000	-
Assistance to Indonesia	\$0	\$6,000	\$6,000	-
Development of ERS education pamphlets	\$0	\$10,000	\$10,000	-
<b>SECRETARIAT COSTS</b>	<b>\$786,684</b>	<b>\$860,100</b>	<b>\$73,416</b>	<b>9%</b>
Secretariat staff costs	\$516,547	\$557,700	\$41,153	8%
Staff assessment levy	\$69,205	\$74,400	\$5,195	8%
Employer social security	\$89,568	\$98,000	\$8,432	9%
Insurance -worker's compensation/ travel/contents	\$14,987	\$16,300	\$1,313	9%
Travel/transport	\$25,072	\$27,500	\$2,428	10%
Translation of meeting reports	\$19,235	\$25,000	\$5,765	30%
Training	\$2,000	\$2,000	\$0	0%
Home leave allowance	\$7,991	\$5,000	-\$2,991	-37%
Other employment expense	\$1,480	\$2,200	\$720	49%
Staff liability fund (accumulating)	\$40,600	\$52,000	\$11,400	28%
<b>OFFICE MANAGEMENT COSTS</b>	<b>\$112,389</b>	<b>\$130,700</b>	<b>\$18,311</b>	<b>16%</b>
Office lease	\$40,095	\$51,400	\$11,305	28%
Office costs	\$49,256	\$52,000	\$2,744	6%
Provision for new/replacement assets	\$9,100	\$14,900	\$5,800	64%
Telephone/communications	\$13,937	\$12,400	-\$1,537	-11%
<b>TOTAL GROSS EXPENDITURE</b>	<b>\$1,576,725</b>	<b>\$1,775,312</b>	<b>\$198,587</b>	<b>13%</b>

Commission for the Conservation of  
Southern Bluefin Tuna



**みなみまぐろ保存委員会**

## **Report of the Fifth Meeting of the Compliance Committee**

**9-10 October 2010**

**Taipei, Taiwan**

Commission for the Conservation of  
Southern Bluefin Tuna



**みなみまぐろ保存委員会**

**Report of the Second Meeting of the  
Strategy and Fisheries Management  
Working Group Meeting**

**14 - 16 April 2010  
Tokyo, Japan**

## **Amended 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. Monitor, review and assess the quality of data (in terms of both accuracy and timeliness) submitted to the Extended Commission.
- C. 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.
- D. Report to the Extended Commission on the implementation of compliance measures by Members and Co-operating Non-Members.
- E. Make recommendations to the Extended Commission on new compliance measures, including measures to address non compliance and measures to ensure that accurate and timely data is obtained on all fisheries.
- F. 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.

**Amended Rules of Procedure**

**COMMISSION FOR THE CONSERVATION OF SOUTHERN BLUEFIN TUNA**

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

**RULE 1**

**REPRESENTATION**

1. Each Party to the Convention for the Conservation of Southern Bluefin Tuna (Convention) shall be a member (Member) of the Commission for the Conservation of Southern Bluefin Tuna (Commission) and shall be represented on the Commission by not more than three delegates who may be accompanied by experts and advisers. Each Member shall inform the Executive Secretary<sup>1</sup> of the names of its delegates to the Commission including identification of the head of 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 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.

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<sup>1</sup>

For the purposes of these Rules and pursuant to Article 10.2 of the Convention, references to the term Executive Secretary shall also refer to the official acting as Secretary until such time as a Secretariat is established.

## **RULE 2**

### **MEETINGS OF THE COMMISSION**

1. Until such time as a Secretariat is established and the location of the headquarters of the Commission is determined, the annual meetings of the Commission shall be held in one of the Member countries by rotation or as otherwise agreed.

### **ANNUAL MEETINGS**

2. (a) The Commission shall hold an annual meeting before 1 August each year or  
at such other time as the Commission may determine.
- (b) After a Secretariat has been established and the location of the headquarters  
of the Commission has been determined, each annual meeting of the Commission shall be held in one of the countries of the Members by rotation. In the event that a Member does not wish to host an annual meeting, that meeting shall be held at the headquarters of the Commission, unless otherwise decided by the Commission.
- (c) Notice of the convening of an annual meeting together with the draft provisional agenda for the meeting shall be dispatched by the Executive Secretary to all Members not less than 100 days before the date fixed for the opening of the meeting.

### **SPECIAL MEETINGS**

3. (a) Special meetings of the Commission shall be convened by the Chair at the  
request of a Member supported by at least two other Members.
- (b) The Chair shall after consulting with the Executive Secretary and such consultation with Members as may be feasible in the circumstances, determine the date and venue of special meetings.

- (c) Notice of the convening of a special meeting shall be dispatched by the Executive Secretary to all the Members not less than 30 days before the date fixed for the opening of the meeting.

## **QUORUM**

- 4. Two-thirds of the Members shall constitute a quorum.

## **RULE 3**

### **OBSERVERS**

- 1. In accordance with Article 14 of the Convention, the Executive Secretary may, with the approval of all the Members, invite the following States, entities or organisations to send observers to attend meetings of the Commission:

- (a) any State or entity not party to the Convention, whose nationals, residents  
or fishing vessels harvest southern bluefin tuna, and any coastal State through whose exclusive economic or fishery zone southern bluefin tuna migrates: and
- (b) any inter-governmental or, on request, non-governmental organisations having special competence concerning southern bluefin tuna or competent to contribute to the attainment of the objectives of the Convention.

- 2. Except as provided in Rules 3.3 and 3.5, the Commission shall determine which States, entities, inter-governmental organisations and, on request, non-governmental organisations referred to in Rule 3.1 shall be invited to send observers to attend the next meeting of the Commission at the meeting immediately preceding the one to which the invitation shall be extended.

3. The Commission may approve long-term observer status to specific States, entities, inter-governmental organisations and, on request, non-governmental organisations referred to in Rule 3.1. Approvals by the Commission for long-term observer status will specify the types of meetings to which the approvals apply and approvals will remain in-force until cancelled by the Commission. Any Member may request the cancellation of an approval for long term observer status in writing, together with the reasons for the request. The Executive Secretary will circulate the request, together with the accompanying reasons, for information, to Members of the Commission and the affected observer. The long term observer status will cease on receipt of the above request from any Member. Such a request may be made intersessionally but no later than 60 days before the next meeting of the Commission. The Executive Secretary shall maintain the list of all current approvals for long-term observer status granted by the Commission and shall issue invitations for observers with long-term observer status to attend the specified meetings in accordance with Rule 3.7.

4. Any non-governmental organisation which has expressed an interest in sending observers to attend a meeting of the Commission shall provide the Executive Secretary with information explaining the organisation's competence concerning southern bluefin tuna or the organisation's competence to contribute to the attainment of the objectives of the Convention.

5. Not less than 50 days before a meeting of the Commission, the Executive Secretary shall advise the Members of the names of States, entities and organisations that do not have long-term observer status in accordance with Rule 3.3 which have expressed an interest in sending observers to attend the next meeting of the Commission, and provide the Members with any information received from non-governmental organisations pursuant to Rule 3.4. The Executive Secretary may also suggest to Members the names of States, entities and inter-governmental organisations referred to in Rule 3.1 not otherwise invited to attend a meeting of the Commission whose attendance at that meeting may facilitate the work of the Commission.

6. The Commission shall take a decision to extend an invitation to observers on the Executive Secretary's advice or suggestion made under Rule 3.5 in accordance with Rule 6.5. If a Member objects to an invitation being extended to particular States, entities or organisations to send observers to proceedings of the Commission, that Member shall inform the Executive Secretary in writing of its objection together with the reasons for such objection. The Members shall be informed of any objection and

any reason given therefor by another Member to extending an invitation to particular observers and that objection shall be considered at an early point at the next meeting of the Commission. The Executive Secretary, upon receipt of the notification in writing of an objection, shall thereupon advise the State, entity or organisation against which the objection has been entered of the objection, by which Member it was lodged and the reasons provided therefor.

7. The Executive Secretary shall issue invitations with respect to observers to a meeting of the Commission not less than 28 days before the date of the opening of the meeting. Recipients of invitations shall be required to advise the Executive Secretary in writing at least 14 days before the opening of the meeting of acceptance of the invitation and of details of the observers who will attend the meeting.

8. Observers may be present at both public and private sessions of the Commission. If a Member of the Commission so requests, the Commission shall meet without observers present to decide whether the discussion of a particular agenda item shall be restricted to Members. Notwithstanding the foregoing, if a Member so requests, any session of the Commission concerning the invitation to non-governmental organisations to send observers to attend meetings of the Commission, shall be restricted to Members.

9. The Chairman may invite observers to address the Commission unless a Member objects. Observers shall not be entitled to participate in the taking of decisions by the Commission and shall not vote.

10. Observers may submit documents to the Executive Secretary for distribution to Members as information documents only. Such documents must be relevant to matters under consideration in the Commission. Unless any Member of the Commission requests otherwise such documents shall only be available in the language in which they are submitted.

11. The Commission may decide to consider documents submitted by observers.

## **RULE 3A**

### **CO-OPERATING NON-MEMBERS**

1. A State 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.

## **RULE 4**

### **CHAIR AND VICE-CHAIR**

1. At each annual meeting, the Commission shall elect from among the delegates a Chair and a Vice-Chair. The Chair and the Vice-Chair shall be elected from different Members and shall remain in office until the election of their successors at the next annual meeting. The Chair and Vice-Chair of the first meeting shall take office immediately on their election and shall remain in office until the election of their successors before the end of the first meeting. Subsequently, the Chair and Vice-Chair shall take office at the conclusion of the meeting at which they are elected.

2. The Chair shall participate in meetings of the Commission in that capacity and shall not at the same time exercise the rights of a delegate of a Member including the right to vote. A Member whose delegate has been elected as Chair may designate another person as delegate.

3. Until such time as a Secretariat is established, the Chair shall nominate from within his or her Government an official to act as Secretary to the Commission to perform the secretariat functions set out in Article 10.3 of the Convention for a term of one year. At each annual meeting of the Commission, the Chair shall advise the Member of the name and address of the Secretary.

4. In the absence of the Chair, the Vice-Chair shall exercise the functions of the Chair and in the event that the position of Chair or Vice Chair becomes vacant other than by expiration of the term of his or her office, the vacancy shall be filled for the remainder of such term by a representative to be selected by the same Member as the former occupant of such office, subject to the approval of the Commission.

5. The powers and duties of the Chair shall be:

- (a) to declare the opening and closing of the meeting of the Commission;
- (b) to direct discussions in the meeting;
- (c) to accord the right to speak and to limit the time allowed for speaking to speakers;
- (d) to rule on points of order, subject to the right of any delegate to request that  
any ruling by the Chair shall be submitted to the Commission for decision;
- (e) to determine if consensus exists and, if necessary, to call for votes and announce results;
- (f) to direct the meeting to articulate its rationale for decisions;
- (g) to sign, on behalf of the Commission, a report of the proceedings of each meeting of the Commission, for transmission to all the Members and to any State, entity, inter-governmental or non-governmental organisation which has attended the meeting;
- (h) to exercise other powers and responsibilities as provided in these Rules and  
make such decisions and give such directions to the Executive Secretary as will ensure that the business of the Commission is carried out effectively and in accordance with its decisions.

## **RULE 5**

### **AGENDA**

1. A draft provisional agenda for each annual meeting shall be drawn up by the Executive Secretary in consultation with the Chair and transmitted to Members together with the notice of the convening of an annual meeting referred to in Rule 2.
2. Members proposing supplementary items for the agenda of a meeting shall inform the Executive Secretary of such items not less than 70 days before the date fixed



for the opening of the meeting and shall accompany their proposal with an explanatory memorandum.

### **PROVISIONAL AGENDA**

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 dispatched by the Executive Secretary to all the Members, not less than 60 days before the date fixed 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.

4. A provisional agenda must be confirmed at the beginning of the meeting to which it relates and may be subject to further amendment during that meeting.

### **PROVISIONAL AGENDA FOR A SPECIAL MEETING**

5. A provisional agenda for a special meeting shall be drawn up by the Executive Secretary in consultation with the Chair on the basis of the items relating to the purpose for which the meeting is to be convened and shall be attached to the notice of the convening of the special meeting referred to in Rule 2.

### **AGENDA ITEMS ON CERTAIN MATTERS**

6. Agenda items concerning:

- (a) the decisions upon measures for the conservation, management or optimum utilisation of southern bluefin tuna under paragraph 3 of Article 8 of the Convention:

- (b) the decisions upon recommendations under paragraph 5 of Article 8 of the Convention:
- (c) the establishment of subsidiary bodies under paragraph 10 of Article 8 of the Convention:
- (d) the invitation of observers under Article 14 of the Convention: and
- (e) the amendments to the present Rules of Procedure, and the establishment and amendment of other internal administrative regulations under paragraph 8 of Article 6 of the Convention:

shall require the Executive Secretary to prepare explanatory documents to be dispatched to all the Members not less than 60 days before the date fixed for the opening of the meeting.

## **RULE 6**

### **VOTING**

1. Each Member shall have one vote in the Commission. Decisions of the Commission shall be taken by a unanimous vote of the Members present at the Commission meeting.
2. Following consultation with all Members present, the Chair may advise the meeting that in the Chair's view a consensus exists on any proposal and propose that it be adopted as a decision of the Commission. Unless any Member thereupon requests a vote on the proposal or that the proposal be deferred for later consideration, the Chair shall declare the proposal adopted as a decision of the Commission.
3. Votes at meetings of the Commission shall be taken by show of hands unless a Member requests that a vote be taken by a roll call or secret ballot.

4. Voting by roll call shall be conducted by the calling in English alphabetical order of the names of all the Members. The name of the first Member to be called shall be designated by lot drawn by the Chair.

5. Where necessary when the Commission is not in session, decisions of the Commission shall be taken by a unanimous vote of the Members effected by post or other means of textual communication including facsimile. In circumstances where the Chair is satisfied that a Member has received a proposal, and that Member has not responded within 21 days to the proposal, the Member shall be taken to have responded to that proposal in the affirmative.

## **RULE 7**

### **SUBSIDIARY BODIES**

1. The Commission may determine the composition and terms of reference of any subsidiary body it may establish. Insofar as they are applicable, these Rules of Procedure shall apply to all such bodies unless the Commission decides otherwise.

## **RULE 8**

### **CHAIR OF THE SCIENTIFIC COMMITTEE**

1. The Chair of the Scientific Committee may attend the meetings of the Commission, and such meetings of subsidiary bodies referred to in Rule 7 as may be determined by the Commission, without the right to vote and shall be entitled to present reports of the Scientific Committee to the Commission and to address the Commission with respect to such reports.

## **RULE 8 Bis**

### **SCIENTIFIC ADVICE**

1. The Scientific Committee shall incorporate advice consistent with the precautionary approach in its advice to the Commission

## **RULE 9**

### **SECRETARIAT**

1. The Commission may establish a Secretariat consisting of an Executive Secretary to serve the Commission and Scientific Committee according to such procedures and on such terms as the Commission may determine in accordance with the Convention. The Executive Secretary shall hold office for a period of three years from the date of appointment and shall be eligible for re-appointment by the Commission.
2. Until such time as a Secretariat is established, the official referred to in Rule 4.3 shall perform the Secretariat functions set out in Article 10.3 of the Convention for a term of one year.
3. The Commission shall authorise such staff establishment for the Secretariat as may be necessary and the Executive Secretary shall appoint, direct and supervise such staff according to such rules and procedures and on such terms as the Commission may determine.
4. The Secretariat shall perform such functions as are prescribed by the Commission including:
  - (a) receiving and transmitting the Commission's official communications;
  - (b) facilitating the collection of data necessary to accomplish the objective of the Convention;
  - (c) preparing administrative and other reports for the Commission and the Scientific Committee.
  - (d) preparing an annual report on the Secretariat's activities for the annual meeting of the Commission.

## **RULE 10**

### **REPORTS**

1. The Executive Secretary shall prepare a report of every annual and special meeting of the Commission. The report of an annual meeting shall include a summary of Commission activities since the previous annual meeting of the Commission. The Executive Secretary shall provide a draft report to the Commission for its adoption, subject to amendment prior to the end of the annual or special meeting.
2. The Commission shall articulate the rationale for its decisions, including where they differ from the science advice provided to the Commission, for inclusion in the report of every annual or special meeting prepared by the Executive Secretary.
3. Where an annual or special meeting is adjourned, the Executive Secretary may be requested by the Commission to prepare a report of the meeting prior to the adjournment. In this case, the Executive Secretary shall provide a draft report to the Commission for its adoption, subject to amendment, prior to the adjournment of the meeting. Rules applying to an annual or special meeting shall also apply to an adjourned meeting.
4. Every subsidiary or advisory body shall adopt a report prior to the close of its meeting and submit its report to the next Commission meeting.
5. Subject to this paragraph, the report of a meeting of the Commission shall become available for release outside the Commission when that report is adopted, unless a Member requests that the report, or a specified part of the report, of a meeting of the Commission not be made available for release. The request must be made before adoption of the report. In that event the Commission shall decide whether and to what extent to restrict its release.
6. A report to the Commission from a subsidiary or advisory body shall become available for release outside the Commission when the report of the meeting of the Commission to which the report of that subsidiary or advisory body was submitted, is adopted, unless a Member requests that the report, or a specified part of the report, of a subsidiary or advisory body not be made available for release. The request must be made before adoption of the report of the meeting of the Commission to which the report of the subsidiary or advisory body was submitted.

7. Subject to paragraphs 9 and 10, a document submitted to a meeting of the Commission shall become available for release outside of the Commission when the report of that meeting is adopted, unless either the author of that document, or the Member (if the author is a representative of a Member), makes a request to restrict its release. The request must be made before adoption of the report.

8. Subject to paragraphs 9 and 10, a document submitted to a meeting of a subsidiary or advisory body of the Commission shall become available for release outside the Commission when the report of the meeting of the Commission to which the report of that subsidiary or advisory body is submitted, is adopted, unless either the author of the document, or the Member (if the author is a representative of a Member), makes a request to restrict its release. The request must be made before adoption of the report.

9. If a document submitted to the Commission, or a subsidiary or advisory body of the Commission contains data from a previous document submitted to the Commission or a subsidiary or advisory body of the Commission, the release of which has been restricted, the author of the document, or the Member (if the author is a representative of a Member) must obtain the permission of the author or the Member (if the author is a representative of a Member) that requested the restriction of the previous document before granting permission for its release. The author or the Member (if the author is a representative of a Member) of the previous document may request to restrict the release of the relevant part(s) of that document.

10. If a document submitted to the Commission, or a subsidiary or advisory body of the Commission, contains data or product of data, the release of which has been restricted, the author of the document, or the Member (if the author is a representative of a Member), must obtain the permission of the Member from whom the data originated, for its release. The Member from whom the data originated may request to restrict the release of the relevant part(s) of that document.

11. Unless the Commission decides otherwise, a Member may circulate prior to a meeting of the Commission, copies of documents or reports of any subsidiary or advisory bodies that are to be considered at that meeting to individuals or organisations within the Member's country with whom a Member considers it necessary to consult. The Member shall obtain the necessary undertaking from such individuals or

organisations to treat the said documents or reports as confidential and not to release them to the public or to the media until such time as they become public documents.

12. Documents submitted to a meeting of the Commission or a subsidiary or advisory body and reports of a meeting of the Commission or a subsidiary or advisory body shall be distributed at no cost to Members and observers. Printed copies of public documents and reports shall be available to the public at a price determined by the Executive Secretary to recover the cost of printing and distribution. Electronic copies of Commission reports shall be made available on the Internet.

## **RULE 11**

### **OTHERS**

1. Unless the Commission decides otherwise, the opening plenary session of a meeting of the Commission shall be open to the public.
2. Subject to Rule 3.8. all other proceedings of meetings of the Commission shall be private and open only to Members and observers unless decided otherwise by the Commission.
3. The Commission may decide to restrict the proceedings of any meeting to Members.

Commission for the Conservation of  
Southern Bluefin Tuna



みなみまぐろ保存委員会

# **Report of the Extended Scientific Committee for the Fifteenth Meeting of the Scientific Committee**

**4 - 9 September 2010  
Taipei, Taiwan**



**Requests to ESC**

1. To present results of MP<sub>1</sub> and MP<sub>2</sub> runs under the condition that there is no limit on a range of TAC reduction in the first TAC period (2012-2014).
2. To present results of MP<sub>1</sub> and MP<sub>2</sub> runs under the following conditions.

Initial Reduction Period (IRP)	TAC in IRP	Start of MP application
2 years	3000MT, 5000MT	2014
3 years	3000MT, 5000MT	2015
4 years	3000MT, 5000MT	2016

3. In the results of 2 and 3 above, to present also periods required to realize SSB significantly (20%) larger than SSB<sub>2009</sub>.

**Statement by Australia in Regards to Fishing in the CCAMLR Area of Waters**

Australia requests that members should refrain from allowing their vessels to fish in the CAMLR Convention Area until such time as a co-operation agreement between CCAMLR and CCSBT can be agreed.

Australia notes that under the CCAMLR rules, vessels are not able to fish in the CCAMLR Area unless they are licensed to fish by the CCAMLR Commission. Additionally Conservation and Management Measures applicable to the CCAMLR Area place restrictions on gear types; species taken; detailed catch reporting; 100% observer coverage under an international scheme of observation; and a CCAMLR authorised VMS system.

Australia considers that fishing within the CAMLR Convention Area without being licensed under the CCAMLR system would be considered to be IUU fishing by CCAMLR. Australia requests that in order to support the cooperation between CCSBT and CCAMLR in establishing an MoU, that Members and CNMs refrain from fishing for SBT in the CCAMLR convention area until such time as the MoU is finalised.

**RULES AND PROCEDURES FOR THE PROTECTION, ACCESS TO,  
AND DISSEMINATION OF DATA COMPILED BY THE CCSBT**

**1. Basic principles relating to the dissemination of data by the CCSBT**

1. Data and information specified in Table 1 and held by the CCSBT or its Secretariat, and by service providers or contractors acting on their behalf, shall only be released in accordance with these Rules and Procedures.
2. Notwithstanding paragraph 1, data may be released if the Member (or Cooperating Non-Member) of the Extended Commission providing the data to the CCSBT authorises its release.
3. Persons duly authorised by the Executive Secretary within the CCSBT Secretariat<sup>1</sup> and service providers, who have read and signed the Commission's confidentiality protocol, shall have access to the data necessary to perform their CCSBT duties.
4. Officers of the Commission<sup>2</sup> and its subsidiary bodies, who have read and signed the Commission's confidentiality protocol, shall have access to the data necessary to perform their CCSBT duties.
5. Members and Cooperating Non-Members (CNM) of the Extended Commission shall have access to data to serve the purposes of the Convention, including data:
  - (a) covering vessels flying their flag that were authorised or engaged in fishing for, retaining on board, transshipping or landing southern bluefin tuna.
  - (b) covering any vessels fishing in waters under their jurisdiction for the time period during which such fishing occurred.
  - (c) [subject to paragraph 21, for the purpose of compliance activities on the high seas that are consistent with the Convention and Conservation and Management Measures and other relevant decisions adopted by the Commission]
  - (d) for the purpose of scientific and other research, if the Member or CNM of the Extended Commission that originally provided that data authorises the Extended Commission to release them or if the data have a "No risk" or "Low" confidentiality risk classification according to Table 1<sup>3</sup>. In cases where a Member or CNM of the Extended Commission elects to provide an ongoing authorisation for the release of such data, the Member or CNM may at any time cancel this authorisation by notifying the Secretariat that it has revised its earlier decision.
6. To the greatest extent practical, the CCSBT, its Secretariat and their service providers or contractors acting on their behalf, should release data in a timely manner.

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<sup>1</sup> Persons duly authorised by the Executive Secretary within the CCSBT Secretariat are Secretariat staff and contractors that are appointed by the Executive Secretary that are responsible to the Executive Secretary.

<sup>2</sup> Officers of the Commission are people appointed by the Commission (e.g. Independent Chairs, Scientific Advisory Panel) to perform a specific function for the Commission and are responsible to the Commission for this function.

<sup>3</sup> These data are typically made available to Members through the private area of the CCSBT web site or the CCSBT Data CD.

## **2. Risk classification and definition of confidentiality**

7. Data covered by these Rules and Procedures will be classified in accordance with the risk classification methodology included in **Table 1**, which reflects *inter alia* the damage that would be done to the operations or credibility of the Extended Commission as a consequence of the unauthorised disclosure of such information.
8. Data covered by these Rules and Procedures are determined to be either public domain or non-public domain data in accordance with the confidentiality risk classification established in **Table 1**.

## **3. Dissemination of Public Domain Data**

9. Except for data as described in Paragraph 10, the types of data listed in Table 1 with a “No risk” classification have been designated to be Public Domain data.
10. Data in the public domain shall not reveal the individual activities or identity of any vessel, entity or person. Catch and Effort data in the public domain shall be aggregated by flag, gear, year, month and 1°x1° grid (for surface fisheries) or 5°x5° grid (for longline fisheries) and, provided that the data contains information on the number of vessels in a strata, shall be made up of observations from a minimum of three vessels.
11. Public Domain data shall be available to any persons for (a) downloading from the Commission’s website and/or (b) release by the Commission on request.
12. The Commission’s website should contain a statement describing the conditions associated with the viewing or downloading of Public Domain data (for example, that the source of the data must be acknowledged), and should require the person requesting the data to “Accept” these conditions before viewing or downloading can begin.

## **4. Dissemination of Non-Public Domain Data**

### ***4.1 Definition of Non-Public Domain Data***

13. Subject to the decisions of the Extended Commission, all types of data not described in paragraph 9 shall be referred to as Non-Public Domain data.

### ***4.2 General rules for dissemination of, and access to, Non-Public Domain data***

14. All access to and dissemination of Non-Public Domain data shall only be authorised in accordance with these Rules and Procedures and shall be protected in accordance with the CCSBT Data Security Standards specified in **Attachment 1**.
15. The CCSBT Secretariat shall log and report to the Extended Commission all access and release of Non-Public Domain data with a “Medium” or High” risk classification including where applicable, the name and affiliation of the person, the type of data

accessed or released, the purpose for which the data were requested, the date when the data were requested, the date when the data were released and authorisations that were provided.

#### ***4.3 Access to Non-Public Domain data by the Staff of the Secretariat, the CCSBT Service Providers, and Officers of the Commission and its Subsidiary Bodies***

16. Pursuant to paragraphs 3 and 4, persons duly authorised by the Executive Secretary, within the CCSBT Secretariat and service providers, including the scientific advisory panel, shall have access to the data necessary to perform their CCSBT duties. Officers of the Commission and its subsidiary bodies shall have access to the data necessary to perform their CCSBT duties. All such persons shall sign a Confidentiality Agreement with the Executive Secretary and maintain the CCSBT Data Security Standards in respect of data to which they have access. The Executive Secretary shall maintain a Register of all such persons (including the purpose for which they require access to the data) and make the Register available to a Member or CNM of the Extended Commission on written request.

#### ***4.4 Access to Non-Public Domain data by Members and CNMs of the Extended Commission***

17. Members and CNMs of the Extended Commission shall have access to Non-Public Domain data to serve the purposes of the Convention, including data:
- (a) Covering vessels flying their flag that were authorised or engaged in fishing for, retaining on board, transshipping or landing southern bluefin tuna.
  - (b) Covering any vessels fishing in waters under their jurisdiction for the time period during which such fishing occurred.
  - (c) For the purpose of scientific and other research, if the Member or CNM of the Extended Commission that originally provided that data authorises the Extended Commission to release them or if the data have a “Low” confidentiality risk classification according to Table 1<sup>3</sup>. In cases where a Member or CNM of the Extended Commission elects to provide an ongoing authorisation for the release of such data, the Member or CNM may at any time cancel this authorisation by notifying the Secretariat that it has revised its earlier decision.
18. Members and CNMs of the Extended Commission shall notify the Secretariat of a small number of representatives (preferably only 2) authorised to submit requests<sup>4</sup> for access to Non-Public Domain data. Such notification will include name, affiliation, and contact information (e.g. telephone, facsimile, email address). The CCSBT Secretariat will maintain a list of such authorised representatives. Members and CNMs of the Extended Commission and the Secretariat shall ensure the list of Member and CNM representatives is kept up to date and made available.
19. The authorised representative(s) of the Members and CNMs of the Extended Commission are responsible for ensuring the confidentiality and security of the Non-Public Domain

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<sup>4</sup> The requests by the authorised representatives would usually be to grant access to data for other people (e.g. scientists), not for themselves. For data classified with a “low risk”, the only requests that need to be made are requests for access to relevant parts of the private area of the CCSBT web site. These requests can be handled by simple e-mail correspondence directly with the Secretariat. For data with a “medium” or “high” risk, the procedures in Attachment 2 must be followed.

data according to its risk classification and in a manner consistent with the CCSBT Data Security Standards.

21. [For the purpose of compliance activities on the high seas, the Extended Commission will adopt separate rules and procedures for the access and dissemination of Non-Public Domain data.]
22. [VMS data will be made available for scientific purposes, subject to the separate rules and procedures referred to in paragraph 21 above.]
23. Access to Non-Public Domain data by Members and CNMs of the Extended Commission shall be administered and authorised by the Executive Secretary on the basis of these Rules and Procedures in conjunction with the Procedures for Requesting the Release of Non-Public Domain data at **Attachment 2**.
25. A Member or CNM that has not fulfilled its obligations to provide data to the Extended Commission for two consecutive years shall not be granted access to Non-Public Domain data until all such obligations are met. A Member or CNM whose representative, authorised in accordance with paragraphs 18 and 19 above, failed to observe the rules stipulated in these Rules and Procedures shall not be granted access to Non-Public Domain data until appropriate actions have been taken.

#### ***4.5 Exchange of data with other regional fisheries management organisations***

27. If the Commission enters into agreements for the exchange of data with other regional fisheries management organisations (RFMOs) or other organisations, such agreements must include requirements that the other RFMO provides equivalent data on a reciprocal basis and maintains the data provided to them in a manner consistent with the CCSBT Data Security Standards. The data that may be exchanged are data with a risk classification of “no risk” or “low risk”. Data with higher risk classifications may only be considered for sharing after specific approval from the Extended Commission. At each annual session the Executive Secretary will provide copies of data exchange agreements that exist with other RFMOs and a summary of the data exchanges that occurred during the previous 12 months under such agreements.

#### ***4.5 Disseminations of Non-Public Domain data in other circumstances***

26. Non-Public Domain data will be made available by the Secretariat to any persons<sup>5</sup> if the Member or CNM of the Extended Commission that originally provided that data authorises the Extended Commission to release them. In cases where a Member or CNM of the Extended Commission elects to provide an ongoing authorisation for the release of such data, the Member or CNM may at any time cancel this authorisation by notifying the Secretariat that it has revised its earlier decision.
27. Conditions for access to Non-Public Domain data by each non-Member shall be determined on a case by case basis by the Member or CNM of the Extended Commission that originally provided the data. At the discretion of that Member or CNM, these conditions may or may not involve procedures similar to those specified at **Attachment 2**.

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<sup>5</sup> Including universities, researchers, NGOs, media, consultants, industry, federations, etc.

#### ***4.6 Force majeure***

28. The Executive Secretary may authorise the release of Non-Public Domain data to rescue agencies in cases of *force majeure* in which the safety of life at sea is at risk.

#### **5. Periodic Review**

29. The Extended Commission or its subsidiary bodies will periodically review these Rules and Procedures, and subsidiary documents, and the rules and procedures referred to in paragraphs 21 and 22 above, and amend these if necessary.
30. When considering the provision of data not specified in Table 1, the Extended Commission or its subsidiary bodies should consider an appropriate risk classification for that data for inclusion in Table 1.

#### **6. Final Clause**

31. These Rules and Procedures do not prevent a Member or CNM from authorising the release of any data it has provided to the CCSBT.

**Table 1: Types of information and confidentiality risk classification.**

Information types that have not received a risk classification within this table will not be managed within these confidentiality rules. However, this table may be updated by the Extended Commission from time to time, including through intercessional agreement between Members of the Extended Commission, as required.

With the exception of approved summaries of certain information types below, the following broad dissemination principles apply to the four confidentiality risk classifications<sup>6</sup>:

- “No risk”: Publicly available and may be placed on the public area of the CCSBT web site.
- “Low Risk”: Not publicly available. However, it is available to all Members and CNMs without specific approval and may be placed on the private area of the CCSBT web site and on the CCSBT Data CD.
- “Medium Risk”: Not publicly available. Requires specific authorisation to be released. May not be placed on the CCSBT Data CD or on the private area of the CCSBT web site (unless in a special part of the private area that is further restricted to specifically authorised people).
- “High Risk”: Not publicly available. Requires specific authorisation to be released. May not be placed on the CCSBT Data CD or on the private area of the CCSBT web site.

Information Type	Risk Classification
Annual catch estimates and number of vessels stratified by gear and flag	No risk
Annual number of active SBT vessels, by gear type and flag <sup>7</sup>	No risk
Aggregated catch and effort data stratified by gear/year/month, 5x5 (LL) or 1x1 (surface), and flag – and made up of observations from a minimum of three vessels in those cases where the data contains information on the number of vessels in a strata.	No risk
CCSBT Records of Authorised Fishing Vessels, Carrier Vessels & Farms	No risk
Aerial survey, SAPUE and troll indices	No risk
Biological data (catch at size and age data)	No risk <sup>8</sup> - Low
Biological data (gender, direct aging, otoliths, stomach contents, maturity, genetic data, isotopic N15/C14 collected by samples)	Low
Conventional Tagging data	No risk <sup>9</sup> - Low
Aggregated SBT catch and effort data stratified by gear/year/month, 5x5 (LL) or 1x1 (surface), and flag, with no minimum number of vessels	Low
Aggregated catch and effort data of other species stratified by gear/year/month, 5x5 (LL) or 1x1 (surface), and flag, with no minimum number of vessels	Medium
Other data and information specified by the Extended Scientific Committee (and subsequently approved by the Extended Commission) for the routine Scientific Data Exchange that have not been explicitly identified elsewhere in this table	Low
Monthly catch reporting by flag	Low
Authorised CDS Validators	Low <sup>10</sup>
Initial quota allocations and final catch by vessel/company	Medium

<sup>6</sup> The four risk classifications are also differentiated by the required level of security that applies to each classification as specified in the CCSBT Data Confidentiality Security Policy.

<sup>7</sup> This information does not currently exist, but will become available once the CDS has been in operation for 12 months.

<sup>8</sup> Catch at size and age data are considered to public after the annual Commission meeting each year. Other biological data are only considered public if adequate time has passed to allow the scientists that organised the collection of such data to publish a paper analysing it.

<sup>9</sup> Only data from the CCSBT operated tagging program are considered to be “No risk”.

<sup>10</sup> Also available to non-Members that are cooperating with the CCSBT CDS.



Information Type	Risk Classification
Aggregated catch and effort data for longline at a 1x1 resolution, with no minimum number of vessels <sup>11</sup>	Medium
Transshipment consignments	Medium
Certified transshipment observer personnel	Medium
Catch Documentation Scheme and Trade Information Scheme	Medium
Farming growth rates and tag seeding data	High
Individual SBT length data from stereo video observation of farm transfers	High
Operational level catch and/or effort data <sup>12</sup>	High
Aggregated Scientific observer data other than biological data specified above, including for seabirds, turtles and marine mammals	Medium
Operational level Scientific observer data other than biological data specified above	High

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<sup>11</sup> As part of the annual data exchange, the Secretariat provides aggregated catch effort data at this resolution for New Zealand from the operational level data New Zealand provides.

<sup>12</sup> Including target and/or non-target catch, this information is currently only provided by New Zealand.

**Table 2: Annotations on information types mentioned in Table 1.**

<b>Information Type</b>	<b>Annotations</b>
CCSBT Records of Vessels & Farms	Covers vessels & farms authorised to farm, fish and carry SBT.
Vessel and gear attributes from other open sources	Includes data collected by observers and port inspectors. Covers all vessels (i.e. includes vessels restricted to national jurisdiction–domestic fleets). Includes electronic equipment.
Oceanographic and meteorological data	“Oceanographic and meteorological data” in this context does not include information identifying the fishing vessel that collected the information, for example, which would otherwise alter its security classification.
Aerial survey, SAPUE and troll indices	Recruitment indices derived from aerial surveys (both scientific and commercial spotting – SAPUE stands for Surface Abundance Per Unit Effort) and scientific troll surveys.
Biological data	Biological data include catch at size and age data, data on gender and maturity, genetic data, direct aging and data on hard parts such as otoliths, stomach contents, and isotopic N15/C14 data collected by observers, port samplers and other sources. “Biological data” in this context does not include information identifying the fishing vessel, for example, which would otherwise alter its security classification.
Conventional Tagging data	Conventional Tagging data include release and recapture positions, lengths and dates. “No risk” Tagging data does not include information identifying the fishing vessel, company or individual that recaptured the tagged tuna (not even coded identifiers), for example, which would otherwise alter its security classification.
Other data and information specified by the Extended Scientific Committee (and subsequently approved by the Extended Commission) for the routine Scientific Data Exchange that have not been explicitly identified elsewhere in this table	Each year the Extended Scientific Committee (ESC) reviews the scientific Data Exchange Requirements for the following year and produces a table defining the types of data that are to be exchanged. The present information type relates to all information in that table produced by the ESC that are not explicitly classified elsewhere in Table 1 of these rules <sup>13</sup> . Any restrictions on the use of data specified in the Data Exchange requirements are to be observed in addition to following the procedures required for this data’s classification within Table 1 of these rules.
Monthly catch reporting by flag	CCSBT reporting system where monthly catches shall be reported by Members and CNMs one month after the month fishing.
Initial quota allocations and final catch by vessel/company	CCSBT reporting system where Members and CNMs report the quota initially allocated to each vessel/company and the final catch for the season of each vessel/company.
Catch Documentation Scheme and Trade Information Scheme	Data collected through the CCSBT Catch Documentation and Trade Information Schemes
Operational level Catch Effort data	Non-aggregated, set by set data collected on fishing vessel logbooks and by observers.
Electronic tagging data	Detailed electronic tagging data include detailed records from pop-up or archival tags such as date, time, depth, temperature, light intensity, etc.
Certified inspection personnel	If identified by individual then Risk Classification would be assigned to HIGH.
Violations and infringements, detailed	May cover Individual Violations and infringements pending investigation and/or prosecution. Includes compliance information collected by observers.
Economic & Social data	Insufficient information currently available to determine Risk Classification.

<sup>13</sup> For example, the following items usually appear in the scientific Data Exchange requirements but are not specifically listed within these rules: recreational catch estimates, SBT import statistics, mortality allowance usage, non-retained catches, CPUE indexes etc.

## **CCSBT Data Confidentiality Security Policy (DCSP)**

The purpose of this policy is to help ensure that non-public data (within this attachment only, non-public data is referred to as “Data”) is provided to and managed by Data receivers in a manner that maintains confidentiality. This policy is not intended to cover aspects of data security that are not related to protection of confidentiality, such as loss or damage to data (e.g. through fire, flood, accident, systems malfunction etc.).

Data receivers (including the CCSBT Secretariat) are required to manage the security of Data to at least the standards specified below. The standards below are intentionally brief in order to provide a clear overview of the scope of the requirements. Further information can be obtained on most items from ISO/IEC 27002:2005(e)<sup>14</sup>.

The Executive Secretary may impose additional security requirements before releasing specific Data. The receiver of the Data will be required to observe any such additional security requirements. The Executive Secretary may also waive specific security requirements if requested to do so by the provider of the Data.

### **1) Human Resources Security**

- For data with a risk classification of “medium” or “high”, only people approved by the Executive Secretary (herein referred to as “Approved People”) shall be allowed access to the Data by the receiving organisation (herein referred to as “The Organisation”). For data with a “low” risk classification, people approved by the receiving Member or CNM shall be allowed to access the data (also referred to herein as “Approved People”).;
- The Organisation shall have appropriate terms and conditions in its contract/arrangement with Approved People to state their responsibilities for information security and to enable disciplinary action for Approved People who commit a security breach.
- Approved People shall be provided, as appropriate, with information security awareness education and training by The Organisation.
- The Organisation shall have termination procedures in place for maintaining confidentiality from Approved People whose role or employment changes. This will include as a minimum, the return or secure disposal<sup>15</sup> of the Data, cancellation of access to the Data by such approved people, and for Approved People with approval for access to “medium” and High” risk data, notification to the Executive Secretary of the person’s changed status together with the action taken.

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<sup>14</sup> International Standard on “Information technology – Security techniques – Code of practise for information security management”.

<sup>15</sup> For data with a “medium” or “high” risk classification, “Secure Disposal” means that media containing the data should be disposed of through incineration or shredding of paper records and by physically destroying electronic media or deleting the information by overwriting the Data using techniques that make the original information non-retrievable rather than using standard delete or format functions. Secure Disposal of “medium” and “high” risk data requires all copies of the Data, including any backups, to be destroyed. For Data with a “low” risk classification, the disposal procedures required for higher risk Data can be adjusted to a more practical process providing that such processes maintain confidentiality. For example, instead of destroying backups containing low risk Data, it would be sufficient to keep those backups in a secure environment with procedures in place that prevented unauthorised access to the Data on those backups.

## 2) Physical and Environmental Security

- Any unencrypted Data and products of that Data shall be stored in a physically secure area which will at minimum consist of:
  - a robust security perimeter<sup>16</sup> and properly functioning entry controls (such as automatic locks with card controlled entry or manned reception desk) that prevent entry of unaccompanied non-approved people into the secure area; and
  - A properly functioning and monitored electronic intruder detection system that will detect an intrusion into the secure area.
- Data with a low to medium confidentiality classification and products of that Data that are encrypted as described in paragraph “5”, may be used in a non-public area outside the secure area described above. When not in use, the media containing these encrypted Data shall be carried in person, or stored in a locked private facility and secured or hidden out of sight.
- Equipment used for displaying the Data (such as monitors and printers) shall be located and positioned in such a manner as to prevent unauthorised viewing, recording or copying of the displayed information. Printouts of the Data or products of the Data shall be removed from printers immediately.
- The Data shall be Securely Disposed<sup>15</sup> of:
  - for “medium” and “high” risk data, when the purpose for which the data were requested has been completed;
  - for all data, when the data are no longer required by the Organisation to serve the purposes of the Convention;
  - from any media that are scheduled for maintenance by non-Approved People and from any media prior to its disposal.

## 3) Communication and Operations Management

- Precautions shall be in place to detect and prevent the introduction of malicious code (such as computer viruses, Trojan horses and logic bombs) and unauthorised mobile code. These precautions will at least include:
  - Installation and regular (daily or less) update of malicious code detection and repair software to scan computers, media and e-mails for malicious code; and
  - The Organisation shall conduct education awareness campaigns, as appropriate, on the dangers of malicious code and how to reduce the risk of infection by malicious code.
- Appropriate network controls shall be implemented to maintain security for any Data that is accessible through the network.
- Cabling carrying the Data shall be protected from interception.
- The Data shall not be transmitted on public networks (such as the internet) unless the Data has been appropriately encrypted.
- Unencrypted Data shall not be transmitted on wireless networks unless the network is a private encrypted network and the Data has a low confidentiality classification. A computer that is connected to a wireless network may not contain Data with a medium or high confidentiality classification unless the Data are encrypted and the encrypted volume is not mounted (not active) while the computer is connected to the wireless network.
- Any actual or suspected security incidents shall be investigated and reported to the Executive Secretary.

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<sup>16</sup> A ground floor office with windows would require additional protection for the windows, or physically secure internal enclosures for the security perimeter to be acceptable.

#### 4) Access Control

- Access to the Data shall require successful logon by an Approved Person, involving a User ID and Password<sup>17</sup>.
- The User ID shall be unique to the specific Approved Person.
- The Password must be kept confidential to the Approved Person only and should be subject to a suitable password management policy, including:
  - Provision of any temporary passwords in a secure manner and forcing passwords to be changed on first log on;
  - Forcing use of minimal length and complexity of passwords;
  - Prevent re-use of passwords;
  - Advising users to use quality passwords (easy to remember without writing down, not based on information that is easy to guess, not vulnerable to dictionary attacks, free of consecutive identical or sequential characters, contain both letters and numbers and have an acceptable minimum length) and changing passwords whenever there is an indication of possible password or system compromise, and at regular intervals;
  - Storing, transmitting and displaying passwords in protected (e.g. encrypted) form; and
  - Limiting the number of unsuccessful log-on attempts to only 3 and rejecting further attempts without specific authorisation.
- Accounts of Approved People shall be protected when unattended by use of a password protected screen saver<sup>18</sup> that activates after less than 10 minutes of inactivity.

#### 5) Cryptographic Control

- The Data shall be encrypted using robust encryption techniques whenever it is not in a physically secure area as described in paragraph “2” above.
- Provision or transmission of Data by the Secretariat to data receivers or to the private area of the CCSBT web site<sup>19</sup> shall use encryption techniques (encrypted files or encrypted transmission protocols).
- Encryption may use either secret key techniques or public key techniques where each user has a public and a private key. For both types of techniques, a wide variety of suitable file encryption software is available for purchase (such as PGP) or for free (such as TrueCrypt).
- Encrypted volumes shall be automatically dismounted when there has been no activity (reading/writing to the encrypted volume) for 60 minutes, after entering a power saving mode, and when the user logs off.
- Secret and private keys shall be protected from unauthorised disclosure and shall be distributed to intended users in a secure manner.

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<sup>17</sup> Other technologies for identification and authentication such as biometrics (e.g. finger-print verification) may be used.

<sup>18</sup> Or equivalent measure.

<sup>19</sup> Unless otherwise agreed by the provider of the Data, only Data with a medium confidentiality classification or less may be placed on the private area of the CCSBT web site. However, Data with a medium confidentiality classification must be placed in a further restricted part of the private area that can only be accessed by people specifically authorised to access that Data.

### Procedures for Requesting the Release of Non-Public Domain Data

1. Member's and CNM's of the Extended Commission that have provided Non-Public Domain data to the CCSBT shall notify the Secretariat regarding their representatives with the authority to authorise the release of Non-Public Domain data by the CCSBT. Decisions whether to authorise the release of such data shall be made in a timely manner.
2. The remaining procedures below are not required for CCSBT Members and CNMs to obtain access to data when:
  - The data are listed with a "Low" confidentiality risk classification in Table 1 of the Rules and Procedures for Protection, Access to, and Dissemination of, Data Compiled by the CCSBT; or
  - The data were provided by the Member or CNM seeking access to that data.
3. A written request for access to Non-Public Domain data shall be provided to the Executive Secretary<sup>20</sup>. In the case of a Member or CNM of the Extended Commission that is seeking access to serve the purpose of the Convention, the Member or CNM shall specify the purpose of the Convention by reference to the relevant article(s). The written request shall use the CCSBT Data Request Form (*Annex 1 to this Attachment*). In addition, the Member or CNM requesting access shall:
  - (a) undertake to only use such data for the purpose described in the written request;
  - (b) complete and sign the CCSBT Data Confidentiality Agreement (*Annex 2 to this Attachment*), and provide the signed agreement to the Executive Secretary; and
  - (c) maintain the requested data in a manner consistent with the CCSBT Data Security Standards specified in **Attachment 1**.
4. For Members or CNMs of the Extended Commission seeking access to data under paragraph 17(c), the Executive Secretary shall forward the completed Data Request Form and the signed confidentiality agreement to the Member or CNM of the Extended Commission that originally provided the data and seek authorisation from that Member or CNM for the CCSBT to release the data.
5. The Executive Secretary shall not authorise the release of more data than is necessary to achieve the purpose described in the written request.
6. The Executive Secretary may attach conditions appropriate for the access to such data (such as that the data be deleted upon achievement of the purpose for which it was released or by a pre-determined date, that a register of persons accessing the data be maintained and furnished to the Extended Commission upon request, etc.)
7. Requests may be made for a standing authorisation, such that Members and CNMs of the Extended Commission may have multiple accesses to the requested data for the same purpose as of the original written request.
8. Dissatisfaction with the Executive Secretary's decisions in regard to access to non-public domain data by Members and CNMs of the Extended Commission shall be resolved by the Chair of the Extended Commission.

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<sup>20</sup> Requests by Members should be provided only by the Authorised Representative as specified in section 4.4, paragraph 20.

## CCSBT Data Request Form

### 1. Data Requested

The specification of data being requested should refer to the type of data and any parameters relevant to the type of data, which may include, *inter alia*, the gear types, time periods, geographic areas and flags covered, and the level of stratification of each parameter.

[Insert the list of data sets here]

### 2. Purpose

If non-public domain data are being requested, the use of the data shall be authorised only for the purpose described below.

[If non-public domain data are being requested, insert the description of the purpose for which the data is requested]

### 3. Persons for whom access to the data is requested if non-public domain data are being requested, the name(s), job title(s) and affiliation(s) of the authorised representative(s) for whom access to the data is being requested shall be listed below; the use of the non-public domain data shall be authorised only for the person(s) listed below.

[Insert the list of persons here]

- Sign the Confidentiality Agreement.

### **CCSBT Data Confidentiality Agreement**

Confidentiality Agreement for the Dissemination of Non-Public Domain Data by the Commission for the Conservation of Southern Bluefin Tuna (CCSBT).

Applicants name(s) and full contact details and signatures

Full name Institution, address and

Contact details

Signature and Date

I/we agree to the following:

- To abide by any conditions attached to use of the data by the Executive Secretary;
- That the data shall be used only for the purpose for which the data are being requested, be accessed only by the individuals listed in Item 3 of the Data Request Form, and be securely destroyed<sup>15</sup> upon completion of the usage for which the data are being requested;
- To make no unauthorised copies of the data requested. If a copy of all, or part, of the data requested is made by the applicant, all copies, or part thereof, will be registered with the Executive Secretary and will be securely destroyed upon completion of purpose for which the data was requested;
- To abide by the CCSBT's Data Security Standards as specified in Attachment 1 of the Rules and Procedures for Protection, Access to, and Dissemination of, Data Compiled by the CCSBT;
- That prior to the publication of any report of an analysis for which the requested data will be used, the report shall be provided to, and cleared by, the Executive Secretary of the CCSBT, who shall ensure that no non-public domain data will be published;
- To provide copies of all published reports of the results of the work undertaken using the data released to the CCSBT Secretariat and to the relevant subsidiary body of CCSBT;
- Applicant(s) will not disclose, divulge, or transfer, either directly or indirectly, the confidential information to any third party without the written consent of the Executive Secretary;
- Applicant(s) shall promptly notify the Executive Secretary, in writing, of any unauthorised, negligent or inadvertent disclosure of confidential information of the CCSBT.
- Applicant(s) assume all liability, if any, in respect of a breach of this Confidentiality Agreement, once the data requested is released to the applicant(s).
- Pursuant to paragraph 25 of the Rules and Procedures for the Protection, Access to, and Dissemination of, Data Compiled by the CCSBT, Member(s) and CNM(s) of the Extended Commission shall not be granted access to non-public domain data until the appropriate actions have been taken to account for any disclosure in violation of the Agreement by the applicant or, *inter alia*, its affiliates, employees, attorneys, accountants, consultants, contractors, or other advisers or agents; and.
- That this Agreement may be terminated by the CCSBT giving written notice to the applicant.



**Australia's Proposed Draft Resolution on the Provision of Fisheries-Dependent Data to Support the Scientific Assessment of Southern Bluefin Tuna and Ecologically Related Species**

The Extended Commission for the Conservation of Southern Bluefin Tuna (CCSBT),

*Recalling* that, at its sixteenth annual meeting, the Extended Commission Members and Cooperating Non-Members agreed to measures to systematically verify catch data of southern bluefin tuna and ecologically related species by fishers (the Resolution on action plans to ensure compliance with Conservation and Management Measures);

*Mindful* of the risk that incomplete submission of fisheries-dependent scientific data poses to the scientific assessment of the southern bluefin tuna stock;

*Recognising* the recommendations of the 2010 Joint Tuna RFMO Workshop on the Provision of Scientific Advice on catch, effort and size data;

*Recognising* that the ability of the Extended Scientific Committee to provide good quality advice depends on its access to the most recent fine-scale fisheries-dependent data;

Agrees, in accordance with paragraph 3 of Article 5 and paragraph 1(a) of Article 8 of the Convention for the Conservation of Southern Bluefin Tuna, that:

1. The flag Members and Cooperating Non-Members of pelagic longline vessels shall annually provide shot-by-shot catch and effort data for the most recently completed fishing season to the Secretariat on the following basis:
  - a. The Secretariat shall maintain the data and make the data available to the Extended Scientific Committee for inclusion in stock assessments, the management procedure and other necessary scientific processes;
  - b. The data made available by the Secretariat to the Extended Scientific Committee shall not be aggregated by vessel, gear, fleet, month, year, latitude or longitude;
  - c. The shot-by-shot catch and effort data should include target species per shot, number of hooks, number of baskets, gear, fleet, day, month, year, latitude and longitude to two decimal places, weight and number of retained and discarded southern bluefin tuna, and number of ecologically related species including key species used in the standardisation of catch and effort series;
  - d. The Secretariat may obscure the distinguishing symbol of individual vessels with a unique identifier at the request of a Member or Cooperating Non-Member.
2. The Members and Cooperating Non-Members farming southern bluefin tuna shall annually provide shot-by-shot operational data for the most recently completed fishing season to the Secretariat on the following basis;

- a. The Secretariat shall maintain the data and make the data available to the Extended Scientific Committee for inclusion in stock assessments, the management procedure and other necessary scientific processes;
  - b. The data made available by the Secretariat to the Extended Scientific Committee shall not be aggregated by vessel, gear, fleet, month, year, latitude or longitude;
  - c. The shot-by-shot operational data should include target species per shot, gear, fleet, day, month, year, latitude and longitude to two decimal places, number of hours searched including with spotter aircraft, weight and number of retained and released southern bluefin tuna, and number of ecologically related species;
  - d. Report, in a timely manner, on methods to improve the quality of methods to estimate the total weight and size composition of southern bluefin tuna caught by purse seiners;
  - e. The Secretariat may obscure the distinguishing symbol of individual vessels with a unique identifier at the request of a Member or Cooperating Non-Member.
3. The Members and Cooperating Non-Members may directly exchange fisheries-dependent data and other information relevant to scientific assessment of southern bluefin tuna and ecologically related species when appropriate.
4. The provision of fisheries-dependent data by Members and Cooperating Non-Members to the Secretariat shall be in accordance with the 'Rules and Procedures for the Protection, Access to, and dissemination of Data Compiled by the Commission for the Conservation of Southern Bluefin Tuna'.
5. The Members and Cooperating Non-Members may provide alternative sources of data such as market and trade data to validate the information routinely reported by Members and Cooperating Non-Members and estimate catches from non-reporting flags.

## **Attachment 17**

### **Japan's Proposed Draft Resolution on Emergency Rules for TAC Adjustment**

The Extended Commission for the Conservation of Southern Bluefin Tuna decides that:

1. If the Extended Scientific Committee (ESC) detects that the SSB in a certain year is below the SSB<sub>2009</sub>, the Commission shall reduce the global TAC by 50% for the following year unless ESC recommends otherwise. ESC shall conduct full stock assessment of SBT as soon as possible and recommend further measures necessary to ensure rebuilding of the SSB above SSB<sub>2009</sub> in the shortest period of time.
2. If ESC finds that the SSB in a certain year after 2014 is above the level envisaged in the MP, the Commission may raise the global TAC during the remaining applicable three-year period by maximum of [1,000] MT.

**Japan's Proposed Draft Resolution on Reduction of Juvenile Mortality of  
Southern Bluefin Tuna**

The Extended Commission for the Conservation of Southern Bluefin Tuna decides that:

Members and CNMs shall endeavor to take appropriate possible measures to reduce juvenile mortality of SBT in their fisheries and annually report in national reports to the Commission the measures they have taken.