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Commission for the Conservation of
Southern Bluefin Tuna



みなまぐろ保存委員会

Report of the Fourth Annual Meeting Second Part

**19 – 22 January 1998
Canberra, Australia**

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The representatives of the Governments of Australia, Japan and New Zealand reconvened the Fourth Annual Meeting of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT4(2)) from 19 to 22 January 1998.

Agenda Item 1: Opening of Meeting

1.1 Welcoming Address

The Chair, Mr Royce Elliott of New Zealand, welcomed delegates from Australia, Japan and New Zealand, and observers from the Republic of Indonesia, the Republic of Korea and Taiwan, and from the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) and the International Commission for the Conservation of Atlantic Tunas (ICCAT).

The Chair also welcomed Mr Shuji Ishida who had replaced Mr Minoru Morimoto as the Head of the Japanese delegation.

Japan's opening statement is included as **Attachment A**.

Australia's opening statement is included as **Attachment B**.

New Zealand's opening statement is included as **Attachment C**.

The Chair noted that given the time constraints of the meeting, the observers had agreed to forgo opening statements. However, he invited the observers to make comments on particular issues as they arose during the agenda.

1.2 Adoption of the Agenda

The agreed agenda and list of participants are at **Attachments D** and **E**.

1.3 Appointment of Rapporteurs

Rapporteurs were appointed as follows: for Australia, Mr Barrington and Ms Wallace, for Japan, Mr Komatsu and Mr Morishita, and for New Zealand, Ms Futschek and Ms Robinson.

Agenda Item 2: Relationship with Non Members

The Commission adopted the Action Plan at (**Attachment F**) and provided copies to representatives of Korea, Indonesia and Taiwan. The Commission also approved a Program for approaches to non-members (**Attachment G**).

The Chair noted that the Negotiation Brief that had been agreed to by the Commission and distributed to members would remain a confidential document and would not be included in the record of the meeting.

The Commission noted the need for an instrument to formalise cooperation between the CCSBT and Taiwan regarding Taiwan's adherence to the Commission's management and conservation measures. Australia and New Zealand confirmed their preference for a memorandum of understanding.

Japan stated that due to the sensitive nature of its relationship with Taiwan, it needed

further time to decide on the appropriate form of an instrument. The position of the Japanese Government was to consider the above approach on its merits, incorporating political and legal concerns. It expressed its support for the Commission seeking cooperation with Taiwan, and undertook to provide general comments on the Commission's proposed approach, and the most appropriate type of instrument to use. New Zealand sought to confirm the timing for the visit by the Commission delegation to non-members in March or April 1998. Japan advised that it was unable to commit to a specific date, due to the possibility of having to attend other meetings at that time, but it would provide definite availability dates via diplomatic channels as soon as possible. New Zealand sought comments from Japan on the paper it had distributed at the May workshop concerning possible arrangements for cooperation with Taiwan. Japan suggested that the first step would be to seek a strong commitment from Taiwan that it would cooperate with the Commission. Following that the Japanese Government would make a final decision on the most appropriate framework. New Zealand noted that at the first meeting with representatives from Taiwan, the delegation would urge catch restraint and seek the provision of accurate catch data. The delegation would also outline, in general, the obligations and rights that Taiwan would have in cooperating with CCSBT. Subsequently the Commission could make a final decision on the nature of the arrangement with Taiwan.

- ***Implementation of Article 15 of the Convention***

New Zealand noted that under Article 15 of the Convention, members were obliged to take active steps to deter fishing activities for SBT by non members where such activities could adversely affect the attainment of the objective of the Commission.

New Zealand sought comment from Japan on reports that Japanese interests had chartered bunkering vessels which were also used by non members, that it provided a market for non member SBT catch, and that there was considerable investment by Japanese interests in non-member SBT fishing operations.

New Zealand was confident that it was meeting its Article 15 obligations and advised that it had procedures in place to prevent New Zealand fishing interests from entering into charter or joint fishing arrangements for SBT with non-members. It was not aware of any bunkering of non-member vessels fishing for SBT or any investment by New Zealand nationals in non-member SBT fishing operations.

Australia advised that it had similar restrictions in place to prevent joint ventures with and port access to vessels from states which fished for SBT outside the CCSBT regime.

Japan advised that it understood that some of its nationals were working as crew on board non-member SBT fishing vessels. A directive (albeit voluntary) had been issued to its nationals to not operate on such vessels, however, there are constitutional problems in restricting selection of jobs by its nationals. Japan agreed to provide a copy of the directive to the other members, out-of-session.

Japan reported that a Panamanian-flagged vessel had been chartered to provide bunker services to Japanese fishing vessels only. It was aware that after the contract had expired the company had the discretion to be engaged in other operations, but it had not been involved in providing fuel to any non-member SBT fishing vessels.

Japan said it had a free trade marketplace for SBT and therefore, no trade restriction is in place for SBT. Japan has a system to regulate investment by Japanese in non-member SBT fishing operations, and it suggested that this could be discussed at a later meeting. New Zealand sought a copy of Japan's regulations and noted its view that there was an obligation to discourage non member fishing activities that sought a market for SBT in

Japan.

Agenda Item 3: Relationship with IOTC

Japan stated that although the CCSBT had been established to manage the SBT stock, it had, in Japan's view, failed to agree on management measures for SBT based on scientific evidence. Japan recognised that the Commission had set a global TAC and national allocations each year, but considered these to be based on political considerations. Japan was of the view that, although in organisations such as ICCAT and IATTC, of which Japan is also a member, the tuna stocks were managed on the basis of scientific evidence and TACs set accordingly, the CCSBT had not fulfilled this basic task. Japan observed that the IOTC could be able to perform the tasks when the scientists of its members were brought together.

New Zealand disagreed with Japan's assessment of CCSBT's performance. New Zealand believed Japan's statements to the effect that Japan's continued cooperation in the CCSBT was dependant on an increase in quota was inappropriate and unacceptable. New Zealand saw Japan's seeking to transfer allegiance to the IOTC as being undertaken in pursuit of an increase in SBT catch.

New Zealand and Australia noted that Japan's position contradicted the previous consensus position about the relationship between IOTC and CCSBT as agreed by the CCSBT. They further noted that the IOTC has formally recognised CCSBT's mandate to manage SBT and that IOTC has neither the organisational or infrastructural capacity to manage SBT, or a scientific process that is capable of resolving the stock assessment difficulties facing CCSBT.

Australia stated that the annual management decisions CCSBT had made were in fact based on scientific considerations and were no different in character from the decision-making processes adopted in other international tuna bodies. New Zealand noted that, significantly, the IOTC had shown no intent to manage SBT despite Japan's recent, unsuccessful attempts have IOTC form an SBT sub-commission.

Australia distributed a paper which summarised its view of the relationship between the CCSBT and the IOTC. It recommended that the Commission agree to prepare a draft Memorandum of Understanding (MOU) between the two organisations for presentation to the IOTC at its Third annual meeting in 1998. The MOU would set out the respective roles of two bodies and their responsibilities in relation to SBT, and identify areas where they will cooperate.

Japan provided comments on the Australian paper and subsequent discussion revealed that there would be substantial work involved in reaching an agreed position on the contents of such an MOU and the matter was deferred for consideration at the next Annual Meeting of CCSBT.

Japan stated that as the IOTC was a new body, it had little meaning to compare the IOTC with the CCSBT. The question is not what the two organisations had achieved but what they can achieve in the future. As Japan believed CCSBT had produced no progress since its establishment, it was only logical to utilise the IOTC which had the capacity to manage SBT. Japan advised that it intended to propose, at IOTC3, management steps for SBT under Article 9 of the Indian Ocean Tuna Commission Agreement, indicating that the steps would be similar to those Japan had sought at CCSBT.

Given Japan's obligations under the CCSBT, New Zealand considered it quite

inappropriate for Japan to initiate and progress consideration of management measures for SBT in the IOTC. Given that Japan had clear responsibilities to collaborate with members of the CCSBT on SBT management issues, Japan was obliged to provide details of the proposal it intended to submit to IOTC. New Zealand said that arguments that Japan used to justify their proposal to transfer management to IOTC were an attempt to degrade the role and responsibility of CCSBT.

Australia considered that Japan appeared to be misrepresenting the respective capacities and past actions of the CCSBT and IOTC in relation to SBT conservation and management. To undermine the Commission in this way was contrary to the obligations and responsibilities of a CCSBT member. Australia was also concerned that Japan's proposed actions may unnecessarily expose the member countries and their respective industries to action in other international fora.

Australia asked Japan whether it sought to withdraw from the CCSBT. Japan replied that it did not have any intention of giving up its obligations and rights as a member of the CCSBT. However, after considering what had been achieved so far by the Commission, whereby there was no agreement on the SBT stock status, or any resolution of uncertainty in the current models, Japan considered that there was little room for future progress in the Commission and hence it saw value in moving the functions of the CCSBT to the IOTC.

Australia reaffirmed its view that the CCSBT had full competency and capacity to manage SBT on a global basis and that all communications to date from the Commission to IOTC supported this position. Japan reported that in the second annual IOTC meeting, it had stated that the relationship between the IOTC and other inter-governmental organisations, such as the CCSBT, should be reviewed and renewed at an appropriate time taking into account the activities and functions of those other organisations.

Japan advised that it would be circulating through diplomatic channels a proposal to make amendments to the CCSBT Convention, in accordance with Article 21.

Australia outlined its view of the relative capacities of the two bodies to conduct scientific research and management of SBT and argued that CCSBT was already recognised as the regional fisheries management body with primary responsibility for management of SBT.

Japan's views differed on some of the matters raised by Australia.

Australia and New Zealand considered that the Commission could take tangible steps to address key issues of dissatisfaction with the scientific process raised by Japan, as well as on questions of non-member accession/cooperation.

Australia noted that there was basic agreement by the scientists from all member countries on the current stock status, and their differences of view related to stock projection in the future. In response to Japan's concerns regarding the scientific process, Australia proposed that the Commission agree to undertake a peer review of the scientific process by a panel of external experts. The Commission decided that the review should proceed, with basic parameters as outlined at **Attachment H**, and further decided that costs for the 'peer review' would be covered by funds from the Commission's reserve fund.

Agenda Item 4: Certification of trade in southern bluefin tuna

The Commission considered the paper *Possible Certification System of Trade in*

Southern Bluefin Tuna (CCSBT/9801/5).

Australia thanked the Secretariat for preparing the paper and considered that such a system was necessary to effectively monitor the trade of SBT. It sought an update from Japan on its consideration of this issue since CCSBT4(1).

Japan endorsed the establishment of a working group on this issue as is provided for in the action plan for non-members and proposed that the workshop be held in Japan, so as to provide for the participation of all the Japanese agencies concerned. Although unable to commit to specific dates at this time, Japan suggested that the workshop be held prior to the 1998 Scientific Committee, in either June or July 1998. Japan noted that it had doubts on the necessity of a trade information collection scheme because SBT is a single stock species (ie. with a single management area there is no need to collect trade data by area) and some of the catch by non members is not traded internationally. Japan stated that a trade information collection scheme is not a panacea for the non-member issues.

New Zealand considered that a trade certification scheme for SBT was a necessary measure to encourage accession/cooperation by non members, and supported, in principle, the development of such a scheme. New Zealand supported the proposal to convene a workshop on the issue, but remained concerned at the lack of terms of reference for the workshop and the lack of a clear statement by Japan that it supported, even in principle, a SBT trade certification scheme. New Zealand considered trade certification was part of the wider issue of action in relation to non-members and was consistent with obligations under Article 15 of the Convention requiring members to discourage SBT fishing activities of non-members. A lack of support by Japan for trade certification led to New Zealand questioning Japan's commitment to efforts to discourage non-members from taking SBT.

Australia noted that the uncertainty inherent in the SBT import statistics provided by Japan (**Attachment I**) further confirmed the need for a more accurate collection of data on SBT trade. Japan explained its interpretation and observation of possible confusion in the import statistics from Taiwan and Australia.

Agenda Item 5: Consideration of an Experimental Fishing Program

The Chair noted that this item followed on from EFP proposals tabled at previous meetings which initiated the scientific work on Steps 1 and 2 to evaluate the risks and benefits of an EFP.

Japan commented that the 1997 Scientific Committee's discussions on Steps 1 & 2 took place to evaluate the effect of additional catch, but could not be completed because of differences of views over the hypotheses surrounding the stock assessment. Japan drew the attention to Attachment T of the Summary Record of CCSBT4(1) which concluded that there was little prospect of completing Steps 1 & 2 before the next Scientific Committee.

Japan expressed its deep regrets regarding this situation in view of its efforts to implement the steps for the implementation of EFP. Japan considered that it was essential to implement EFP to resolve these uncertainties in the SBT stock assessment and that to delay commencement of the EFP any further would reflect badly on the CCSBT as a responsible fisheries body.

New Zealand recognised that an appropriately designed and implemented EFP could potentially resolve some uncertainty in the stock assessment. However, it noted that the

CPUE interpretation is only one of the many areas of uncertainty in the stock assessment. New Zealand considered that other sources of uncertainty had greater influence on the output of the stock assessment and, therefore, were more important to resolve. Both Australia and New Zealand considered that additional catch would be likely to pose an unacceptable additional risk to the stock. The Commission had committed to a program of work to evaluate the benefits and risks associated with EFP. New Zealand and Australia remain committed to resolving the issues that would allow Steps 1 and 2 to be completed.

Japan reported that it was considering implementing an EFP outside of the Japanese national SBT quota allocation, because results of the EFP would be available and beneficial to all members. Japan advised that it did not intend to undertake an EFP unilaterally, but would invite New Zealand and Australia to participate.

New Zealand was extremely concerned with Japan's proposal to unilaterally undertake an EFP and stated that action by Japan to undertake an EFP in the absence of a consensus decision by the Commission, using catch in addition to the level of Japan's national allocation for 1996/97, equated to predetermined over fishing which is a violation of Japan's obligations under Article 8 of the Convention.

Australia observed that the peer review of the Scientific Committee's stock assessment process would provide an alternative means to resolve the current impasse concerning the stock assessment. Australia also referred to Attachment T of CCSBT4(1) which outlined the three basic problems in stock assessment. Australia noted that the proposed "peer review" of the Scientific Committee's process was directed at addressing these problems, whereas an EFP would not necessarily be as effective.

Japan reminded the meeting of the view that the most serious problem in the stock assessment is the weighting of different assumptions of uncertainties which was based on the personal interpretations of scientists. Japan believes that no resolution of this problem would be achieved unless new data and information becomes available, and saw no logical reason to expect a peer review to solve this problem.

New Zealand considered there were three priority areas in the stock assessment that required further resolution: (a) resolution of the differences between the implementation of the VPA and related models used by Australia and Japan; (b) characterisation of the non-member catch by Taiwan and the Republic of Korea with respect to seasons and areas of catch and effort, as well as size composition; and (c) development of an alternative approach to the projection methodology.

New Zealand suggested that the completion of EFP evaluation Steps 1 & 2 would contribute greatly to efforts to harmonise VPA approaches within the Scientific Committee. It considered that development of port sampling programs, similar to that operated in the Republic of Indonesia, combined with some 'at sea' collaborative work with Taiwan and the Republic of Korea, could address the uncertainty related to non-member catches, while consideration of alternatives to stock projections could result from the 'peer review' of the Scientific Committee as proposed by Australia. Australia considered that there had been substantial progress towards a common understanding of stock status for SBT over the years and the current areas in the stock assessment where differences existed lent themselves to 'peer review'. This would enable the Commission and the individual members to move forward in enhancing the scientific processes of the Commission. Australia considered that the 'peer review' needed to be an independent and impartial assessment of the stock assessment processes of the CCSBT, with members agreeing to accept the outputs of the review.

Australia called on Japan to give an assurance that it would not undertake a unilateral EFP outside of the framework of the Commission.

Agenda Item 6: Total Allowable Catch and Quota Allocations

6.1 Total Allowable Catch

Japan proposed an increase in TAC of 3,000 t, noting that this was in addition to any quota offer to non members. Japan's proposal was based on the projections made by Japanese scientists of future stock size which showed a high probability that the parental stock would recover to 1980 levels by 2020.

Australia stated that given the severely depleted stock status, it was vital that the precautionary approach be taken in relation to the TAC and national allocations. It expressed its frustration at the increases in the catch of SBT being taken by those fishing outside the Convention arrangement. This rapid increase in non-member catch necessitated additional caution in the Commission's setting of a TAC. Australian scientists' assessments showed that the SBT stock was likely to remain in a depleted state for many years.

Australia's preliminary analysis of the Japanese RTMP data indicated that CPUE in the South East Indian Ocean was only 63% of the 1996 and 53% of the 1995 level; CPUE off Tasmania was 77% of the 1996 and 68% of the 1995 level; and off South Africa CPUE was 112% of the 1996 and 85% of the 1995 level. These trends did not give an optimistic picture of stock status. Australia noted that the scientists from all of the Commission members agreed that the stock is currently at less than 10% of the 1960 level of parental biomass. Between 1987 and 1993 juvenile catch rates increased, but these had recently declined again. In the last few years juveniles had been heavily exploited to the extent that any increase in recruitment that may have occurred is unlikely to contribute to rebuilding the parental stock.

Japan suggested that any changes between the 1996 and 1997 CPUE statistics could be attributed to the El Nino effect. It noted that CPUE had increased for Japanese vessels over the last year in the fishing ground off South Africa which represented 60% of the Japanese SBT fishery. Japan's view was that the overall CPUE for SBT for 1997 is similar to that of 1996, in contrast to the Australian interpretation of the RTMP data. New Zealand stated its concern over the depleted stock status as evidenced by the consensus decision in the 1996 Scientific report that the SBT stock was at 5-8% of the 1960 level of parental biomass and 25-38% of 1980 level of parental biomass. Both New Zealand and Australian scientists estimated that the probability was less than 30% that the stock would recover to the 1980 level of parental biomass by 2020. Several other factors concerned New Zealand, including the high exploitation rate of juveniles; the sharp increase in non-member catch; and the optimistic bias of projections taken to date. New Zealand stated that the only responsible action the Commission could take was to restrain overall catch. This action was consistent with the precautionary approach which all parties had committed to in other international fora. Overall catch restraint could be achieved through reducing the catch of either non members or Commission members. However, advancement of non member accession/cooperation had been stalled by Japan's refusal to take action based on linking of dialogue with non members to catch increases for current members. Therefore, given the lack of any progress towards restraining the catch of non members, New Zealand proposed to reduce the TAC by 3,000 t. This would be a substantial step toward achieving the objective of

stock recovery to the 1980 level of parental biomass by 2020.

New Zealand noted Japan had suggested that New Zealand consider unilateral catch reductions. However, New Zealand firmly believed that it was the Commission's responsibility to address the serious status of the SBT stock. Unilateral catch reductions would disadvantage New Zealand's strategic position in the Commission; it would disadvantage NZ industry; and it would not have an appreciable impact on overall removals as New Zealand's proportion of the total SBT catch was less than 3% of total removals. New Zealand urged parties to seriously consider how catch restraint could be achieved at this meeting.

Japan responded that it could not accept New Zealand's proposal for a 3,000 t reduction, as it believed the stock could sustain a 3,000 t increase. Japan noted that while the precautionary approach was included in the UNIA, that Agreement is not yet in force. In addition, Japan's view was that the precautionary approach has a wide range of interpretation and was, therefore, ambiguous. It was the view of Japan that taking an extreme precautionary approach, such as stopping fishing, did not reflect Japan's interpretation of stock status. As there were scientific uncertainties regarding SBT stock status, in Japan's view, it was necessary to work on research programs which would resolve one of the major uncertainties.

New Zealand responded by pointing out that the precautionary approach, as expressed in the UNIA, was not ambiguous - the absence of scientific data did not provide a rationale for failing to take conservation and management measures. In New Zealand's view, Japan was suggesting that uncertainty in the stock assessment meant that a catch increase was an acceptable action. However a catch increase was clearly inconsistent with the precautionary approach expressed in UNIA and was irresponsible, given the current stock status.

Australia considered that the actual SBT stock status should be the basis for setting the TAC. Australia noted that the precautionary approach was clearly defined in both UNIA and the FAO Code of Conduct on Responsible Fishing and was widely used in fisheries, and thus directly relevant to matters before the Commission.

6.2 National Allocations

Australia advised that it would stand by the Commission's previous decision on SBT TAC and national allocations until agreement on quotas can be reached for 1997/98. New Zealand stated that in the event that as no consensus decision had been made on a TAC and national allocations for 1997/98, for its part, New Zealand would restrain its catch to the national allocation (420 t) set by the Commission for 1996/97. This was the last time a decision on TAC was made by the Commission. New Zealand believed this was the only responsible action to take and that it would be appropriate for the other parties to state a similar undertaking in the absence of a Commission decision.

New Zealand registered its serious concern at Japan's refusal to commit to restricting catch. Of greater concern was Japan's suggestion it might unilaterally increase catch beyond 6,065 t based on their view of the stock assessment. Such a step, in New Zealand's view, amounted to predetermined overfishing.

Japan stated that there was sufficient scientific evidence to increase the TAC by 3,000 t. Japan then stated that it was necessary for the Commission to conduct EFP in order to fully function as a responsible regional fisheries management organisation. Therefore, Japan expressed serious regrets on the situation that Japan's requests for TAC increase and EFP had not been accepted. It was also necessary to consider to amend the

Convention in order to have the CCSBT function appropriately and to fulfil the objective of the Convention to secure the conservation and optimum utilisation of SBT through appropriate management. In addition, it was necessary to consider introducing measures in the IOTC relating to SBT conservation, management and optimal use. Considering Japan's scientific evidence and views, and the situation that Australia and New Zealand had been conducting their fishing operations by unilateral declarations before the Commission's consensus on TAC and national allocations, Japan believed that it was becoming unavoidable that it had to consider methods to break the impasse in the CCSBT. Japan said those methods would include the possibility of implementing, by a unilateral declaration, an EFP, in addition to the fishing for the former Japanese national allocation. Japan would be making this declaration soon and it would be communicating amendments to the Convention through diplomatic channels at a later date.

In the absence of a decision on a TAC for 1997/98, the Commission could not set national allocations.

Agenda Item 7: Program of Work for 1997-98

The Commission approved its work program for 1997/98 as presented at **Attachment J**.

Agenda Item 8: Finance and Administration

8.1 Data Management

The Chair introduced the paper *Data Management* (CCSBT/9801/7) and recalled that members had agreed at CCSBT4(1) that there was a role for the Secretariat in the collection, collation and distribution of data, but that further consideration was needed on the scope of the data to be held by the Secretariat. The Secretariat, in cooperation with Japan, had prepared the draft paper for consideration by members out-of session, however, no comments had been received in the interim period.

New Zealand expressed concerns about potential duplication with the Scientific Committee and contention arising from the interpretation of CPUE data by the Secretariat.

The Commission reaffirmed its decision that there was a role for the Secretariat to maintain data for the purposes of information exchange with other organisations and to provide information to the public.

In discussion, delegates agreed that the database be comprised of a summary dataset provided by the Scientific Committee and interpretation of these data would be subject to the overview of the Scientific Committee. Data would be aggregated at the Statistical Area level and limited to data that were available in the public domain. Australia noted there was a need to clarify a number of technical details in the specifications of the database.

New Zealand and Australia undertook to prepare and circulate a revised paper containing their suggested changes and incorporating the agreed amendments to members for consideration prior to the next meeting.

8.2 Costs of Meetings Outside Canberra

The Commission considered the Secretariat paper *Costs of meeting outside of Canberra* (CCSBT/9801/8).

New Zealand referred to the Commission's policy from 1994 concerning costs for meetings held outside of Canberra. The Commission had agreed that the host country for meetings held away from headquarters will ensure that the Commission will incur no additional costs as a result of the meeting being held away from headquarters. Accordingly, New Zealand advocated that the costs of travel for the Secretariat staff to meetings held outside of Canberra should not be funded by the Commission. New Zealand also stated that the Secretariat had an essential role in the facilitation of meetings by the Commission and its subsidiary bodies, as set out in Rule 10 of the Rules of Procedure.

Australia also recalled the previous position, but considered the Secretariat's proposal to be acceptable.

The Commission acknowledged that it was desirable to provide consistent administrative support wherever Commission meetings, resumed meetings and subsidiary meetings were held.

Japan identified two potential negative effects arising from the approach proposed by New Zealand: (a) because of the costs of the Secretariat attending a meeting the host might not wish to bring the Secretariat to that meeting; and (b) because of the additional costs to be born by the host, an important meeting might simply not be held. Japan recommended that all Commission meetings be considered equal, as that would ultimately benefit the Commission.

Australia proposed that the costs for the Secretariat to attend the annual Commission meetings, resumed annual meeting and the Scientific Committee meetings when held away from Canberra be met by the Commission, with other meetings handled on a case-by-case basis as to whether the Commission would meet the Secretariat's costs. Japan supported this proposal and observed that the 1994 consensus probably did not consider the ramifications of the decision, that Japan had alluded to above.

A 1998 budget was adopted which would enable the minimum Secretariat staff to attend all the Commission meetings without increasing the current level of the member contributions.

The Commission agreed that for meetings set out in the work program agreed for 1997/98, the costs of meetings outside Canberra in excess of those that would normally be incurred for a Canberra meeting, excepting Secretariat travel costs, would be covered by the host country.

The Commission agreed that for 1998, the Secretariat's travel costs associated with attending annual meetings of the Commission and Scientific Committee which are held away from Canberra would be met by the Commission.

New Zealand gave its endorsement for this proposal for 1998 only, noting that it had concerns on this matter and wished to revisit this item in the context of the Commission's budget for 1999. The Commission confirmed that the decision for 1998 did not alter the policy of the Commission on this issue, as determined in 1994.

Japan indicated that it had problems with the 1994 policy, and notified the possibility of a proposal to amend this policy in the future.

8.3 Budget for 1998

The Commission adopted the budget for 1998 as presented in **Attachment K**.

Australia circulated a brief paper outlining the parameters for the peer review of the Scientific Committee's assessment process. Members agreed that the parameters would form the basis of planning and implementing the peer review, with details on the precise

level of funds to be allocated for conducting the review to be confirmed by the members by correspondence out-of-session. The Commission also agreed that it would fund the review from the Commission's reserve fund.

Agenda Item 9: Other Business

9.1 Selection of the CCSBT Documents to be Confidential

The Commission noted it did not have a policy on the confidentiality of Commission documents. The Commission deferred discussion on a proposed policy on this matter to its next annual meeting.

9.2 Greenpeace Protest Campaign

The Executive Secretary of the Commission reported that Greenpeace Germany had initiated a campaign requesting Greenpeace members to send letters to the CCSBT Secretariat demanding that fishing for SBT cease. To date, an estimated 110,000 letters and cards had been received by the Secretariat. The Commission members undertook to provide comments on the draft letter from the Secretariat responding to the correspondence. Because a substantial proportion of the correspondence did not include return addresses, the Commission agreed that responses to the campaign would include: a direct response to Greenpeace Germany, a statement on the CCSBT web site; utilisation of media releases; and, single responses to groups of individuals (such as schools).

9.3 FAO Coordinating Working Party on Fishery Statistics

The Secretariat informed the meeting it had prepared a paper Coordinating Working Party on Fishery Statistics (CCSBT/9801/11), that outlined further details on, and the obligations arising from the CCSBT seeking membership to the CWP. It noted that it usually took several years for membership of CWP to be resolved through the FAO, and the CWP membership.

The Commission agreed to seek membership to the CWP, but undertook to consider the nature and extent of obligations and budgetary cost implications of involvement in the CWP at a later stage.

9.4 Headquarters Agreement

The Headquarters Agreement was signed by the Chairman on behalf of the Commission and Ms Harwood on behalf of the Australian Government.

Australia provided the Commission a Note proposing an agreed interpretation of Article 20 relating to Australia's migration laws. The Commission authorised the Executive Secretary to reply to the Australian Note in positive terms (**Attachment L**).

Agenda Item 10: Close of the Meeting

10.1 Election of Chair and Vice Chair for 1998

The meeting did not close, therefore elections did not occur.

10.2 Adoption of the Report of the Meeting

The meeting approved and adopted the report of the meeting.

10.3 Closure of the Meeting

The Commission acknowledged the excellent work of the Chair during the course of the meeting. All delegations acknowledged the interpreters and the Secretariat for their hard work.

Australia advised that it objected strongly to Japan's expressed intention to consider embarking on a unilateral experimental fishing program (EFP) involving catches beyond the level of its most recent national SBT allocation of 6,065 t.

Australia stated that it considered any action by Japan to initiate such an EFP in the absence of the Commission's endorsement to be: (a) incompatible with Japan's obligations as a party to the Convention; and (b) prejudicial to the Commission's ability to discharge its duty under Article 8 (3) (c) to set a responsible SBT total allowable catch (TAC) for 1997-98, and, as such, was a matter that went to the heart of the implementation of the Convention.

Australia shared the disappointment of other members that the Commission had been unable to complete its business at the meeting. Australia remained committed to working with other members to resolve outstanding differences and to completing the program of work set out in the work plan.

Australia reiterated its support of the CCSBT in achieving its mandate and conservation and management of the global SBT stock and expected other members to do so as well. Australia considered that the Commission should reconvene as soon as possible to resolve outstanding matters relating to the TAC and EFP.

Australia was pleased to see that the Commission had commenced meaningful work on the non-member issue as well as having agreed on a peer review to help achieve a greater degree of consensus in the CCSBT stock assessment process.

Australia acknowledged the patience and good direction of the Chair, the cooperation of all delegations, the strong support from the Secretariat, and the unfailing good humour and excellence of the interpreters.

In making its concluding remarks, New Zealand voiced its disappointment at the stance Japan had taken on a number of issues during the meeting.

1. Japan had caused significant delays in allowing a consensus to enable the Commission to take steps to achieve the accession/cooperation of non-members.
2. Japan had stated an intention to consider overfishing through EFP outside the last agreed quota allocation to Japan of 6,065 t and without a consensus decision of the Commission.
3. Japan had refused to state its intentions with regard to whether, in the absence of a decision on TAC, it would restrain its fishing to within the last agreed quota allocation to Japan of 6,065 t.
4. Japan indicated, on a number of occasions during the meeting, a lack of commitment to CCSBT as a management regime and its intention to transfer allegiance to the IOTC despite their obligations to CCSBT and IOTC's lack of any infrastructure or scientific process to support the management of SBT. In addition, Japan refused to divulge the exact nature of the management proposal they intended to take to IOTC.
5. New Zealand believed SBT trade certification to be a critical element in achieving the accession or cooperation of non parties. Whilst Japan had agreed to the Commission holding a trade information scheme workshop, this workshop has no terms of reference and Japan would make no commitment to proceed to certification in the future. These approaches by Japan, coupled with their stated lack of commitment to the

Commission, provided New Zealand with very grave concerns for the ongoing function of the Commission and for the future for SBT.

New Zealand noted that significant issues that were the responsibility of the Commission remained unresolved. New Zealand reaffirmed its commitment to active negotiating in good faith to resolve these issues. As no decision had been made to close the meeting, New Zealand looked forward the resumption of the adjourned meeting as soon as possible to resolve the outstanding issues.

Japan made the following closing remarks:

'This meeting has achieved much progress including the adoption of the Action Plan for non-members and a series of workshops on many subjects. On the other hand, Japan considers it extremely regrettable to have no agreement on TAC and EFP, which are of vital importance for Japan and the Commission. Because the management of the SBT stocks, especially establishment of TAC, is one of the most essential functions of the CCSBT, the failure to agree on the issues of TAC and EFP demonstrates that there are problems in the basic functions of the CCSBT.

Japan is committed to exercising its utmost efforts to revive the original or intended functions of the CCSBT.

With the absence of agreements on TAC and national allocations, it is unavoidable that Japan will have to take responsibility for its own fishing activities, taking account of the past achievements and developments at the CCSBT.

As we all have been spending our utmost efforts, even meeting till midnight, it is appropriate to close the CCSBT4 at this stage. However, Japan is always willing to meet and consult with other members in order to discuss the important issues of TAC and EFP.

Many representatives from the Japanese fishing industry, all the way from Japan, have been present at this meeting. We would like to revive the CCSBT's original and intended functions, so that they can think it was worth coming to this meeting.

This is my first CCSBT meeting and I cannot help feeling that this organisation is very strange as we are still meeting at 2:30 am. I have heard that this situation is much better than last year's meeting.

Finally, I would like to thank the Chairman, Secretariat, and interpreters who have been very patient and able.

Thank you.'

Royce Elliott
Chair
22 January 1998

List of Attachments

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Attachment G	Program for Approaches to Non-Parties
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Japan's Opening Statement

Mr Chairman, Delegates of Member Countries, observers.

On behalf of the Japanese delegation, I would like to say a few words at the outset of the Resumed Fourth Annual Meeting of the Commission for the Conservation of Southern Bluefin Tuna.

First, if I may introduce myself, my name is Ishida, Councillor of the Fisheries Agency of Japan. As Mr Morimoto's successor, I will be leading the Japanese delegation at this meeting. Mr Morimoto has been promoted to the position of Deputy Director-General last October when personnel changes took place in the Fisheries Agency. In his new position, he is overseeing all aspects of Japan's fisheries administration. Mr Morimoto told me that meetings of CCSBT are quite strenuous and demanding. I will be grateful if you can share with me the same understanding and co-operation you have extended to my predecessor.

At the Annual Meeting held in September last year, after difficult negotiations, the Draft Action Plan concerning Non-Members was developed and tentatively agreed to.

However, conflicting views over this Commission's primary task, that is the setting of the level of Total Allowable Catch for member countries, as well as the Experimental Fishing Program, which is to facilitate stock assessment work, which in turn provides the basis of all conservation management measures, forced us to adjourn the meeting.

At the informal meeting held last December, there was no substantive progress, however I am informed that the parties were able to confirm the difference of views quite clearly.

The impasse of CCSBT is an indication of CCSBT not functioning very well at this point in time, and this is a regrettable situation. In order to resolve the situation, all contracting parties must face the issues of TAC and EFP with a realistic and responsible approach, and by showing the spirit of co-operation, we would like to see an agreement. At the same time from a broader perspective of conservation and effective utilisation of SBT stock, we are recognising the need to manage the stock through other appropriate international frameworks.

As we are limited with time at this meeting, while we are willing to have detailed discussions regarding our views under each agenda item, as we have seen in the case of Greenpeace supporters mainly from Germany sending protest post cards since the end of last year, the activities of CCSBT are receiving attention from various environmental groups, and in that sense, it is very much our responsibility to swiftly consolidate the co-operative framework within CCSBT and to secure conservation and effective utilisation of the SBT stock, which is the primary function of this Commission.

I wish to conclude my remarks by expressing my hope to have constructive discussions in a co-operative manner over the next 3 days and to show that CCSBT is functioning effectively as a regional fisheries management organisation.

Thank you.

AUSTRALIA'S OPENING STATEMENT

It is my pleasure to welcome the delegations from Japan and New Zealand and observers to Canberra for this resumed session of the CCSBT. I also extend a personal welcome to Mr Ishida as the new Head of the Japanese delegation.

This is a crucial meeting for CCSBT.

We are aware of frustrations on all sides that we have not been able to reach consensus to date, but we are convinced that this can be achieved at this meeting.

There is a strong international spotlight on the Commission, and the members' approaches to meeting their obligations under the enabling Convention. As founding parties, we all have a clear duty to ensure that the Commission puts in place responsible management measures at this meeting for 1997/98.

Australia is extremely concerned that the hard work done so far by members of the Commission towards securing recovery of the SBT stock is being placed in serious jeopardy by catches made by countries operating outside the CCSBT regime.

This meeting must decide upon and announce, clear and tangible action for bring these countries within the regime. A closely related issue is the vital need for a much better information base concerning trade in SBT.

Quotas, certification and action on non-member accession are the top priorities for this meeting.

Australia remains committed to seeing the Commission operate responsibly and effectively, and fulfil its charter to achieve conservation and sustainable management of the global SBT fishery.

OPENING STATEMENT - NEW ZEALAND

- The New Zealand delegation welcomed the opportunity to meet and work with the delegations from Australia and Japan, the staff of the Secretariat, and in particular, Mr Ishida, the Head of the Japanese delegations. In addition, we welcome representatives from Indonesia, the Republic of Korea and Taiwan.
- In recent years, meetings of the Commission have been difficult and protracted affairs as the parties sought to reconcile differences in approach. To resolve these issues, the Commission parties will need to listen carefully to the perspective of the other parties, have an open mind and commit to co-operative work at this meeting.
- The hope of the New Zealand delegation is that all parties will build on the working relationship and understanding developed in recent meetings to constructively progress a number of matters within the Commission. We have strong obligations to work with the Commission framework rather than letting it fail by default and transference of allegiance to an alternative management regime.
- A key issue before the Commission is the securing of the accession or cooperation of non-parties. New Zealand remains extremely concerned about increasing SBT catch by Indonesia and the Republic of Korea. Non-party catches and their involvement in the Commission must be a high priority. The integrity and function of the Commission is compromised by the current situation. However, there are clear steps which the Commission can co-operatively take to address this situation. That is:
 1. finalise the communique which was developed at CCSBT4(1) and pass it to non-party representatives at this meeting;
 2. develop and commit to a plan for Commission representatives to undertake direct approaches to non-parties about accession or cooperation; and,
 3. finalise the negotiation brief or talking points which the Commission representatives will use in those direct approaches with non-parties.
- New Zealand has the negotiation mandate to take all of these steps at this meeting. CERTIFICATION MANDATE?? In this respect, New Zealand is concerned that Japan has linked, inappropriately in our view, its cooperation in progressing of crucial non-party steps with New Zealand and Australia agreeing to an increase in catch available to Japan. Consequently, non-party actions agreed in principle at CCSBT4(1) have not progressed.
- Our primary management objective must be an improved stock status. The scientists have agreed that the SBT parental biomass is severely depleted and there are risks to the security of future harvests. New Zealand is particularly concerned about prospects for stock recovery given that the observed incremental increase in juveniles is unlikely to contribute to the parental stock as a result of the high exploitation rate. We strongly advocate that the Commission critically examine both its ability and obligations to respond to the scientific differences that exist and the resulting uncertainty in the assessment.
- Given the current status of the stock, New Zealand strongly advocates that the Commission take management action to ensure stock recovery. This can only be achieved through a reduction to overall SBT removals. That is, a reduction to catch

by either non-parties or Commission parties. Given the lack of progress on non-party issues to date, at this meeting, New Zealand will advocate that the Commission's TAC of 11 750 tonnes be reduce by 3 000 tonnes to 8 750 tonnes. New Zealand accepts that fishery assessments will always have a degree of uncertainty. The Commission needs to take management decisions in the face of uncertainty and the lack of consensus in the Scientific Committee. New Zealand strongly advocates that the Commission apply the precautionary approach in the consideration of setting a TAC. That is, the absence of adequate scientific information should not be used as a reason for postponing or failing to take conservation and management measures.

- In recent years, the Commission has given consideration to experimental fishing. This consideration is dependent on output of collaborative scientific work to evaluate the risks and benefits associated with experimental fishing. A decision to whether to proceed with experimental fishing would be based on the outcome of that assessment. New Zealand fully supports the Scientific Committee continuing its work to address uncertainty in the assessment and more closely align the scientific approaches taken by respective parties. In principle, New Zealand remains open to an appropriately planned, designed and implemented experimental fishing programme.
- The New Zealand delegation hopes to build on the working relations between the parties to resolve the matters before the Commission at this meeting. All parties have a strong obligation to work within the CCSBT rather than shifting allegiances to alternative management arrangements.

Thank you.

AGENDA

1. Opening of Meeting
 - 1.1 Welcoming Address
 - 1.2 Adoption of Agenda
 - 1.3 Appointment of Rapporteurs
 - 1.4 Meeting Arrangements
2. Relationship with Non Members
 - Implementation of Article 15 of the Convention
3. Relationship with IOTC
4. Certification of Trade in Southern Bluefin Tuna
5. Consideration of an Experimental Fishing Program
6. Total Allowable Catch and Quota Allocation
 - 6.1 Total Allowable Catch
 - 6.2 National Allocations
7. Program of Work for 1997-98
8. Finance and Administration
 - 8.1 Data Management
 - 8.2 Costs of Meetings Outside Canberra
 - 8.3 Budget for 1998
9. Other Business
 - 9.1 Selection of the CCSBT Documents to be Confidential
 - 9.2 Greenpeace Protest Campaign
 - 9.3 FAO Coordinating Working Party on Fishery Statistics
 - 9.4 Headquarters Agreement
10. Close of the Meeting
 - 10.1 Election of Chair and Vice Chair for 1998
 - 10.2 Adoption of the Report of the Meeting
 - 10.3 Closure of the Meeting

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Attachment F

ACTION PLAN CONCERNING PROMOTION OF ACCESSION TO, AND COOPERATION WITH, CCSBT BY NON-MEMBER STATES AND ENTITIES

The Commission for the Conservation of Southern Bluefin Tuna (hereinafter referred to as the Commission),

RECALLING Article 64 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) which provides that the coastal State and other States whose nationals fish in the region for the highly migratory species shall cooperate directly or through appropriate international organisations with a view to ensuring the conservation and promoting the objective of optimum utilisation of such species throughout the region, both within and beyond the exclusive economic zone;

ALSO RECALLING Article 8 of the United Nations Agreement for the Implementation of the Provisions of the UNCLOS of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNIA), which provides that, in circumstances where a subregional or regional fisheries management organisation or arrangement has the competence to establish conservation and management measures for particular straddling fish stocks or highly migratory fish stocks, only those States which are members of such an organisation or participants in such an arrangement, or which agree to apply the conservation and management measures established by such organisation or arrangement, shall have access to the fishery resources to which those measures apply;

FURTHER RECALLING Article 17 of the UNIA which provides that a State which is not a member of such an organisation or participant in such an arrangement and which does not otherwise agree to apply the conservation and management measures established by such an organisation or arrangement shall not authorise vessels flying its flag to engage in fishing operations for the specific straddling fish stocks or highly migratory fish stocks which are subject to the conservation and management measures established by such organisation or arrangement;

MINDFUL of Article 5 of the Convention for the Conservation of Southern Bluefin Tuna (hereafter referred to as the Convention), which provides that Each Party of the Convention shall take all actions necessary to ensure the compliance with the binding measures for the conservation and management of southern bluefin tuna (SBT);

NOTING the necessity of efforts by the Parties to encourage Non-members to also constrain their catch and to reduce their fishing pressure on the SBT stock;

ACKNOWLEDGING the past and present efforts of the Parties to rebuild the SBT stock by substantially reducing quota levels since 1989 up to the present, resulting in hardship for their nationals in adapting their operations to the reduced catch levels;

ALSO ACKNOWLEDGING the intention by the Parties to address problems of over

capacity in the SBT fishery;

CONCERNED that the catch of SBT by nationals, residents or vessels of some States or entities not party to the CCSBT (hereinafter referred to as Non-members) has been significantly and rapidly increasing in recent years, undermining the attainment of the objective of the Convention;

RECALLING Article 15 of the Convention which prescribes a series of actions to be taken by the Parties to discourage fishing activities for SBT by nationals, residents or vessels of Non-members;

AWARE that no substantive progress has been made in the issue of Non-member fishing activities despite the Parties' repeated requests to Non-members which are currently fishing for SBT to restrain their catches, respect the objectives of the Convention and to accede the Convention or to decide to apply its conservation and management measures;

HAS DECIDED UPON the following Action Plan

1. The Commission renews its calls on Non-members fishing for SBT to honour their international obligations to cooperate in the conservation and management of SBT, to respect the competence of the Commission, and to
 - a) accede to the Convention or decide to apply the conservation and management measures currently adopted by the Commission with regard to southern bluefin tuna; and
 - b) collect more comprehensive and accurate data concerning the fisheries for southern bluefin tuna by their nationals, residents and vessels, to verify such data and to provide them to the Commission.
2. Having considered the low level of parental biomass and the need to rebuild the SBT stock, but acknowledging that a reasonable but limited allowance should be made for Non-members fishing for SBT, the Commission has determined that no more than 2550 mt of SBT should be taken in total by Non-members which accede to the Convention or decide to apply the Commission's conservation and management measures. The Commission notes the strong obligation for Non-members to accede immediately, but until such time as they accede to the Convention or decide to apply its conservation and management measures, the Commission considers that the only responsible action for Non-members to take is to substantially reduce their catch of SBT to ensure that their cumulative catches of SBT do not exceed 2550 mt and to implement voluntarily other conservation and management measures decided upon or recommended by the Commission.
3. The Commission will consider a scheme to collect more accurate and comprehensive information on SBT fishing through trade, with a view to evaluating and designing such a scheme. A special working group for this purpose will be established.

4. The Commission will periodically review the effectiveness of conservation and management measures of the Commission, based on catch data compiled by the CCSBT, national statistics, trade information and other relevant information obtained at ports and at the fishing grounds. If the effectiveness of CCSBT conservation and management measures is being undermined by the fishing activities of particular Non-members, the Commission will immediately take appropriate further measures in accordance with international law, to ensure the effectiveness of conservation and management measures of the CCSBT.

5. The parties will adopt appropriate measures in accordance with Article 15.2 and Article 15.3 of the Convention within the limit of their authority. These measures will include, but are not limited to, measures to discourage their nationals from engaging in or cooperating with Non-member fishing activities for SBT, ie on board fishing vessels registered in Non-members, as fishing master, vessel operation supervisor, or crew.

Attachment G**Programme for Approaches to Non-Parties**

ACTION	DATES
Complete communique and distribute to non-parties at CCSBT4(2)	CCSBT4(2)
Schedule dates for direct approaches by Commission representatives to non-parties.	CCSBT4(2)
Develop and agree to talking points for direct approaches including elements such as the international obligations of non-parties and quota allocation for non-parties	CCSBT4(2)
Finalise and send letters to non-parties from the Chair of the Commission. These will include a copy of the communique, and will advise that the Commission has developed a programme for direct approaches to non-parties to discuss non-party accession or cooperation and advise that a further letter will be forwarded to confirm dates for a visit by Commission representatives.	CCSBT4(2)
Japan and Australia to respond to New Zealand's paper suggesting the use of an "Arrangement" or Memorandum of Understanding as the instrument to formalise cooperation with Chinese Taipei.	10 February 1998
Commission to confirm the form of the instrument it wishes to use to cooperate with Chinese Taipei.	During 1998
Commission delegation, comprising at least one senior representative from each of the three Commission parties, to visit Seoul, Taipei and Jakarta to discuss non-party accession or cooperation	March-April 1998 (?) (Japan to confirm availability ASAP)
Commission to consider, either intersessionally, or by way of member representatives, the responses of non-parties to the first approach by the Commission delegation.	Following direct Approaches

21 January 1998

Peer Review of Scientific Committee's Stock Assessment Process

Proposal

The Scientific Committee's advice is based on valid, high quality scientific analyses taking into account all available data. However, at recent Scientific Committee meetings, there has been a lack of consensus on the estimates of the probability of recovery of the SBT stock. The Commission is concerned about this and decided to undertake a peer review of the scientific stock assessment process by a panel of experts. This should be done as a matter of urgency given the current difficulties.

The need for such peer review was recognised at the Scientific Process Workshop where it was agreed that "there will be a quality assurance program for the scientific process, including periodic external review".

Parameters for the Review

The following parameters will form the basis for planning and implementation of a review of the Scientific Committee's assessment process:

- 1) The terms of references are:
 - A. To provide a review on:
 - existing data used in stock assessment;
 - availability and necessity of data to be used in the stock assessment;
 - hypotheses and structure of assessment model;
 - quality and appropriateness of tuning indices;
 - method and hypotheses to standardise indices;
 - biological parameters used in assessment;
 - sets of weightings assigned to uncertainties;
 - hypotheses and structure of models used in projection;
 - methods treating uncertainties in models;
 - process to evaluate calculation and computer codes;
 - process to incorporate new techniques and/or new information;
 - process to review newly incorporated information; and
 - quality and format of the Report to the Commission.
 - B. To advise the Commission and Scientific Committee on improvements that could be made to the scientific analyses and stock assessment processes.
- 2) The review is to be carried out by 3 scientists, chosen by consensus, with extensive experience in stock assessments and population dynamics on fisheries resources, no less than two of whom have had no prior involvement in the CCSBT Scientific Committee process. One of the scientists can have been involved in the

CCSBT Scientific Committee Process.

- 3) The review is to be conducted over a four week period coinciding with the Stock Assessment Group and Scientific Committee meetings, including time for preparing and writing their report.
- 4) The review panel will attend the Stock Assessment Group and Scientific Committee meetings.
- 5) The review panel should provide a report to the Secretariat for distribution to the parties by August 17, 1998.

The review should provide an independent report to the Commission on assessing the quality of the scientific analyses and methods being used by the SC. It is critical that any such review be independent. It is not meant to provide a stock assessment but a way forward to achieve a greater level of consensus. No one individual scientist can act as an external expert to the Stock Assessment Group or the Scientific Committee and take part in the peer review panel in 1998.

Attachment I

Import Statistics of SBT by Japan

Japanese Import of SBT by Country/Area (Fresh, Chilled and Frozen)
Source: Japan Trade Statistics, Ministry of Finance

Country/ Area	1995 kg	1996 kg	1997 Jan-Nov kg	% against 1996 Jan-Nov
Australia	3,272,990	3,195,903	6,104,489	209.2
Taiwan	1,276,474	1,396,915	401,254	32.1
Korea	75,836	562,573	458,305	207.8
Indonesia	207,758	317,687	288,849	104.0
Honduras	146,574	179,918	54,499	116.6
New Zealand	202,636	128,249	87,425	68.4
Singapore	1,968	43,835	13,945	35.5
Vanuatu		17,855		
France		2,995		
Belize	3,380	9,534		
Palau		569	315	55.4
Guam		680	304	44.7
Philippines		182		
Cook Islands		140		
Chile		334		
Uruguay	342	102	1,028	1,007.8
Thailand		333		
USA	1,320			
China	9,183			
Spain	11,061			
Tunisia	124			
Fiji	445		96	
Tonga	138			
Portugal			93	
New Caledonia			119	
Maldives			163	
Panama			212,632	
F.S. of Micronesia			195	
Total	5,210,229	5,857,804	7,623,711	155.8

**CCSBT
WORK PROGRAM FOR 1997/98**

ITEM	DATE/TIMING	PLACE
Target date for resolution of implementation and computational differences wrt Step 1 and Step 2.	1 March 1998	
Scientists' meeting to discuss 1998 stock assessment process	2 days in April 1998	Japan
Exchange of catch effort & size data	28 April 1998	NA
Exchange catch-at-age and non-parties catch and age composition	5 May 1998	NA
Management Strategy Workshop	3-5 June 1998	Australia
ERS Working Group Third Meeting	9-12 or 10-13 Jun 1998 to be confirmed by Japan	Japan
Exchange standardised CPUE	9 June 1998	NA
Trade Information Scheme Workshop	June/July 1998 (30 June-2 July 1998)	Japan
Stock Assessment Group meeting	23-31 July 1998	Japan
CCSBT Scientific Committee	3-6 August 1998	Japan
Peer Review of Scientific Assessment Process	July - August 1998 Report by 17 August 1998	
Compliance Committee	14 September 1998	Japan
CCSBT Fifth Annual Meeting	14-18 September 1998	Japan

**COMMISSION FOR THE CONSERVATION OF SOUTHERN BLUEFIN TUNA
BUDGET - 1998**

<u>1997</u>	INCOME	<u>1998</u>
	Carry over from Previous Year	45,000
	Contributions from members	
247,314	Japan	247,314
221,763	Australia	221,763
67,023	New Zealand	<u>67,023</u>
		536,100
25,000	Reserve funds from 1996	N/A
13,000	Staff Assessment Levy	35,000
15,000	Interest on investments	12,200
		47,200
<u>589,100</u>	TOTAL GROSS INCOME	628,300
	EXPENDITURE	
N/A	Resumed Fourth Annual Meeting	28,000
	<u>ANNUAL COMMISSION MEETING - (Meeting CCSBT 5 1998)</u>	
13,000	Interpretation Costs	19,000
3,000	Hire of venue	5,000
3,000	Hire of Equipment	4,000
1,000	Miscellaneous Costs	1,000
<u>8,000</u>	Publication and Translation	<u>8,000</u>
<u>28,000</u>		37,000
	<u>SPECIAL COMMISSION MEETINGS</u>	
32,000	Hire of venue, interpretation and other support	34,000
23,000	Additional Sub committees / workshops	35,000
	<u>SCIENTIFIC COMMITTEE</u>	
22,000	Interpretation Costs	21,000
5,500	Hire of venue	5,500
5,300	Hire of equipment	4,000
18,000	Hire of Consultants	15,000
2,100	Miscellaneous Costs	1,000
<u>1,200</u>	Publication and translation	<u>5,000</u>
<u>54,100</u>		51,500
	<u>SECRETARIAT COSTS</u>	
185,000	Secretariat Staff Costs	220,000
35,000	Staff Assessment Levy	45,000
20,000	Temporary Staff or Consultants	N/A
35,000	Employer Super/Social security	36,000
6,000	Worker's Compensation/ travel/contents Insurance	5,000
10,000	Travel/transport - O/seas and domestic	38,000
10,000	Miscellaneous Translation of Commission and Committee	15,000
1,000	Training	2,000
	Annual provision for overseas appointee - home leave allowance, repatriation grant and removal costs	<u>5,000</u>
<u>28,000</u>		
<u>330,000</u>		366,000
	<u>OFFICE MANAGEMENT COSTS</u>	
30,000	Office lease	31,000
16,000	Office running costs	16,800
15,000	Provision for new/replacement assets	10,000
6,000	Telephone/communications	7,000
<u>10,000</u>	Miscellaneous	<u>12,000</u>
<u>77,000</u>		76,800
45,000	Carry forward to following year	
<u>589,100</u>	GROSS EXPENDITURE	628,300

Suggested text of reply

The Commission for the Conservation of Southern Bluefin Tuna presents its compliments to the Department of Foreign Affairs and Trade and has the honour to acknowledge the Department's Note N° ALA 97/1087 of 20 January 1998 which reads as follows:

"The Department of Foreign Affairs and Trade presents its compliments to the Commission for the Conservation of Southern Bluefin Tuna and has the honour to refer to the Headquarters Agreement between the Government of Australia and the Commission, done at Canberra on 20 January 1998.

The Department draws the Commission's attention to Article 20 of the above Agreement, in both paragraphs of which reference is made to the Migration Act 1958 and the Migration Regulations 1994. As Acts of Parliament and more particularly regulations made pursuant to such Acts are by their nature subject to repeal and replacement by new legislation at unpredictable intervals, the Department has the further honour to propose that the parties to the Agreement interpret the references in Article 20 to the Migration Act 1958 and the Migration Regulations 1994 as references to Australia's migration laws as in force from time to time.

In the event of this proposal being acceptable to the Commission, this Note together with the Commission's Note accepting the proposal will constitute an understanding between the Government of Australia and the Commission as to the interpretation of Article 20 of the Agreement, with effect from the date of the Commission's Note."

The Commission has the honour to confirm that the proposal outlined in the Department's Note is acceptable to the Commission and agrees with the suggestion that the Department's Note and this present reply should be regarded as constituting an understanding between the Government of Australia and the Commission as to the interpretation of Article 20 of the Agreement, with effect from the date of this reply.

The Commission for the Conservation of Southern Bluefin Tuna avails itself of this opportunity to renew to the Department of Foreign Affairs and Trade the assurances of its highest consideration.

Campbell McGregor
Executive Secretary