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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 Fifth Annual Meeting First Part

**22 – 26 February 1999
Tokyo, Japan**

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The representatives of the Governments of Australia, Japan and New Zealand convened the Fifth Annual Meeting of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT5) from 22 to 26 February 1999.

Agenda Item 1: Opening of Meeting

1.1 Welcoming Address

The Chair welcomed delegates from Australia, Japan and New Zealand, and observers from the Republic of Korea, South Africa, Taiwan and the Indian Ocean Tuna Commission (IOTC). Mr Kagawa from Japan was identified as the observer from the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR). Mr Morishita from Japan was identified as the observer from the International Commission for the Conservation of Atlantic Tunas (ICCAT).

1.2 Adoption of Agenda

The agreed agenda and list of participants are at **Attachments 1** and **2** respectively.

1.3 Appointment of Rapporteurs

Rapporteurs were appointed as follows: for Australia, Ms Lack and Mr Serdy, for Japan, Mr Morishita and Mr Kagawa, and for New Zealand, Ms Geddis and Ms Robinson.

A list of documents tabled at the meeting is shown as **Attachment 3**.

1.4 Opening Statements

1.4.1 Members

Australia, Japan and New Zealand presented their opening statements (**Attachments 4, 5** and **6** respectively).

1.4.2 Other States and Entities

Statements provided by the Republic of Korea, South Africa and Taiwan are at **Attachments 7, 8** and **Attachment 9** respectively.

Agenda Item 2: Application by Greenpeace International to be Invited as an Observer at CCSBT Meetings

An application by Greenpeace International to attend CCSBT5 as an observer was

received by the Commission in advance of the meeting. Japan objected to the application. In accordance with Rule 3.5 of the Commission's Rules of Procedure, the Commission considered the objection at the meeting. New Zealand and Australia supported transparency in international organisations, which should include the provision of opportunities for representatives of non-government organisations to attend Commission meetings as observers. Japan maintained its objection to the application because of the views and past actions of Greenpeace which, in Japan's view, were inconsistent with the objective of the Convention. The Commission was unable to accept Greenpeace International's application to attend the meeting.

Agenda Item 3: Report from the Secretariat

The Executive Secretary presented a report that summarised the Secretariat's activities since the last Commission meeting (**Attachment 10**). The members thanked the Secretariat staff for its work.

Agenda Item 4: Report from the Finance and Administration Committee

Ms Hamaguchi (Japan), Chair of the Standing Committee for Finance and Administration, presented the report from the Committee (**Attachment 11**). The Commission adopted the 1999 budget as proposed in the report, noting that it may require further amendment when the work plan for 1999 was finalised at CCSBT5(2). The Commission also adopted a procedure for submission of documents to Commission meetings (**Annex B** of the report from the Finance and Administration Committee).

Agenda Item 5: Report from the Compliance Committee

The Commission decided that the Compliance Committee would convene at CCSBT5(2), at which time it would consider New Zealand's proposal for an outline for members' annual compliance reports to the Committee, and a draft agenda for the Committee's meeting at CCSBT6 (**Attachment 12**).

Agenda Item 6: Review of SBT Fisheries

The Commission considered the annual reports reviewing SBT fisheries, as prepared by Australia (**Attachment 13**), Japan (**Attachment 14**), New Zealand (**Attachment 15**), the Republic of Korea (**Attachment 16**), and Taiwan (**Attachment 17**).

Agenda Item 7: Relationship with Non-Members

7.1 The Republic of Korea, Indonesia and Taiwan

The Commission continued to be concerned with the level of SBT catch outside the Commission and recent significant increases of catch by some non-members. Such catch had, in the Commission's opinion, the potential to jeopardise the recovery of the stock and the viability of the SBT fishery. The Commission held the strong view that, in order to effectively manage SBT, all States and entities which fish for SBT should, as soon as possible, take steps to join or cooperate with the Commission.

The Commission reminded non-members of their responsibilities under international agreements and instruments including UNCLOS, UNIA and the FAO Code of Conduct in particular:

- the requirement to cooperate with appropriate regional fishery management organisations,
- the restriction of access to the relevant fishery to States and entities applying the measures established by such organisations, and
- the requirement that States and entities not applying those measures, not authorise vessels flying their flags to engage in fishing operations for the relevant stock.

The Commission developed letters to forward to Korea and Taiwan (**Attachments 18 and 19** respectively) requesting them to join or cooperate with the Commission and informing them of its readiness to discuss an appropriate quota with them at CCSBT5 (2). Australia undertook to prepare a proposal to facilitate Indonesia's accession for the Commission's consideration at CCSBT5(2).

7.2 Other Non Members

The Commission expressed grave concern about the increase of flag of convenience (FOC) fishing activities undertaken in an attempt to avoid compliance with the conservation and management efforts of regional fisheries management organisations. The Commission adopted a resolution directed at eliminating FOC fishing activities (**Attachment 20**). Japan tabled a list of FOC fishing vessels compiled using trade information. Taiwan stated that it would make every effort to repatriate FOC fishing vessels built in Taiwan.

The Commission welcomed Japan's decision to reduce its distant water tuna longline fleet by 20% and adopted a resolution (**Attachment 21**) requesting other distant water fishing nations and entities operating substantial longline fleets within the range of SBT to take concerted action to reduce their fleet capacity.

Agenda Item 8: Report from the Trade Information Scheme Workshop

The Commission accepted the report from the Trade Information Workshop (**CCSBT/9902/Rep.2**) and recognised the importance of a trade certification scheme to collect more accurate and comprehensive information on SBT fishing activities.

In order to consider and progress trade certification as a matter of urgency, members undertook to provide comments on the Australian proposal (**CCSBT/9902/11**), based on the ICCAT Trade Certification Scheme, by CCSBT5(2).

The Commission decided to convene a workshop in July for the purpose of considering and progressing a Trade Certification Scheme for SBT.

Australia and New Zealand reported that their SBT fishing industries had offered to participate in a voluntary trial Trade Certificate Scheme. Further discussion would take place with Japan on the storage and use of information provided under the voluntary scheme.

The Commission approved a letter to non-members to signal that the Commission is considering the establishment of a trade certification scheme (**Attachment 22**).

Agenda Item 9: Relationship with Other Organisations

9.1 Reports from Meetings of Relevant Fisheries Management Organisations

The Commission thanked the Secretariat for the reports it prepared following its attendance at recent meetings of CCAMLR (**Attachment 23**) and IOTC (**Attachment 24**) and suggested that future reports include a section highlighting potential implications for the Commission.

9.2 CITES

Japan reported the decision of COFI to review criteria for listing of marine species under the appendices to CITES and asked for Australia's view on the proposal from Australian environmental groups to list SBT on Appendix II to CITES. Australia replied that the matter was still under consideration by its Government under procedures required by Australian law, which would include consultation with relevant bodies. Australia's decision, expected in either May or September 1999, would be immediately advised to the Commission and its members.

9.3 Relevant Organisations and International Instruments

Members acknowledged the Secretariat's work in developing its paper (**CCSBT/9902/13**) and undertook to provide preliminary comments on the paper at CCSBT5(2).

9.4 Meeting of FAO and Non-FAO Regional Fishery Bodies

The Executive Secretary presented a paper summarising the key outcomes from the recent meeting of FAO and non-FAO Regional Fisheries Bodies (**CCSBT/9902/14**). In addition, he advised that a significant theme of the meeting relevant to the CCSBT was the collection and exchange of data. FAO representatives had advised the meeting that there were major gaps in global fisheries information and increased involvement of regional fishery bodies in collating and verifying data was seen as an important step in improving global data collection. Informal discussions among representatives of tuna commissions highlighted the need for close cooperation among those bodies. It was noted that IATTC would develop proposals to improve coordination among them. The Commission welcomed these developments as a positive initiative.

9.5 IGO's Attendance at the Scientific Committee Meetings

Japan undertook to provide comments on the draft procedure circulated by the Secretariat (**CCSBT/9902/15**).

Agenda Item 10: Scientific Committee

10.1 Report from the Scientific Committee

The Commission accepted the report from the Fourth Meeting of the Scientific Committee (**CCSBT/9902/Rep.4**) and thanked the Chair and delegations of that meeting for their efforts. Statements on the report were provided by Australia (**Attachment 25**), Japan (**Attachment 26**) and New Zealand (**Attachment 27**).

The Commission decided to give further consideration to the recommendations of the Scientific Committee at CCSBT5(2). Australia tabled a paper summarising the recommendations of the 1998 Scientific Committee report (**Attachment 28**) to be considered at CCSBT5(2).

Japan proposed that the Scientific Committee analyse the effect of increasing fishing mortality of juvenile SBT on recruitment to the parental biomass. Australia undertook to consider further this proposal and respond at CCSBT5(2).

10.2 Report from the Ecologically Related Species Working Group (ERSWG)

The Commission accepted the report from the third meeting of the ERSWG (**CCSBT/9902/Rep.1**) and thanked the Chair, and the delegations, of that meeting for their efforts. The Commission adopted a series of recommendations relating to ecologically related species (**Attachment 29**), guidelines for the design and implementation of tori lines (**Attachment 30**) and a draft agenda for the fourth meeting of the working group (**Attachment 31**).

The Commission requested that non-members adopt, as a matter of urgency, measures to reduce incidental take of seabirds. Those measures should be in accordance with the measures adopted by the CCSBT and the FAO International Plan of Action for Seabirds. The Commission also invited non-members to send scientists to participate in meetings of the ERSWG.

Japan tabled a document on the abundance of cetaceans and their estimated food consumption in the breeding ground of SBT. The Commission determined that the issue would be best considered by the ERSWG.

10.3 Rules of Procedure for the Scientific Committee

The Commission recognised the importance of finalising the Rules of Procedure for the Scientific Committee, and decided to include this matter in the review of the scientific process that would be undertaken by the Commission in response to the report from the Peer Review Panel.

Agenda Item 11: Peer Review of Scientific Committee's Stock Assessment Process

The Commission noted the report from the Peer Review Panel that reviewed the scientific process in 1998 (**CCSBT/9902/17**) and thanked the peer review scientists, Drs Maguire, Sullivan and Tanaka, for their efforts. The Commission acknowledged that the report contained many useful recommendations and decided to convene a working group to consider the recommendations from the review. Terms of Reference for the working group are at **Attachment 32**.

Agenda Item 12: Arrangements for Data Management

The Commission recognised the potential role of the Secretariat in managing a database, and decided to consider the issue further at CCSBT5(2), where Australia would provide a paper for discussion.

Agenda Item 13: Total Allowable Catch and its Allocation

Japan proposed increasing the TAC by 3 000 tonnes or more and referred to the high probability of stock recovery (more than 60%) using the Japanese VPA analysis with both the Japanese and Australian weightings. Japan reported that its TAC proposal was supported by the results of its 1998 EFP which indicated a 70% probability of recovery when the Japanese VPA analysis was used.

New Zealand stated its ongoing concern about the current status of the stock and urged the Commission to take steps to improve the probability of stock rebuild. New Zealand considered that this objective would not be achieved unless steps were taken to restrain and potentially reduce overall catch.

Australia considered that the strength of the Commission as the primary management organisation for SBT was derived ultimately from its ability to set a TAC as a management tool. The appropriate level for the TAC in 1998-99 should continue to be 11 750 tonnes, with national allocations unchanged from those most recently decided by the Commission.

New Zealand and Australia suggested that the Commission consider establishing a three-year cycle for setting the TAC, with an annual scientific programme. They considered that such an arrangement would enable the Commission to redirect resources to resolving both scientific and management issues.

The Commission decided to defer discussion on this matter until CCSBT5(2). The members noted that the report from the EFPWG would be a relevant consideration.

Agenda Item 14: Experimental Fishing Program

Japan provided a summary of the results from the experimental fishing programme it undertook in 1998 (**Attachment 33**). The Commission noted that a dispute settlement process over that programme had been initiated under Article 16.1 of the Convention.

The members stated that their legal positions remained unchanged from those presented in the December 1998 dispute settlement negotiations. The members noted that a Working Group to develop a joint EFP had been established.

Agenda Item 15: Future Quota Allocation Mechanism

The Commission did not reach consensus on Japan's proposal held over from CCSBT3.

Agenda Item 16: Confidentiality of Commission Documents

The Commission decided to defer further consideration of this matter to CCSBT6.

Agenda Item 17: Program of Work for 1998-99

The Commission developed a draft programme of work for 1999 (**Attachment 34**), that would be reviewed at CCSBT5(2).

Agenda Item 18: Other Business

The Executive Secretary reported that the Australian Government had advised, in accordance with Article 27(1) of the Commission's Headquarters Agreement with Australia, that it had completed all domestic requirements for entry into force of the Agreement (**CCSBT/9902/21-Attachment 1**). The Commission adopted a resolution (**Attachment 35**) authorising the Executive Secretary to complete the exchange of letters necessary to bring the Agreement into force.

Agenda Item 19: Close of the Meeting

It was decided to adjourn the meeting and reconvene on 10 May 1999.

Yasuo Takase
Chair
26/2/1999

List of Attachments

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	5	Opening Statement - Japan
	6	Opening Statement - New Zealand
	7	Opening Statement - Korea
	8	Opening Statement - South Africa
	9	Opening Statement - Taiwan
	10	Report from the Secretariat
	11	Report the Finance and Administration Committee
	12	Draft Standard Structure for Member's Annual Compliance Reports and Draft Agenda for the Meeting of the Compliance Committee (proposed by New Zealand)
	13	Annual Review of SBT Fishery - Australia
	14	Annual Review of SBT Fishery - Japan
	15	Annual Review of SBT Fishery - New Zealand
	16	Annual Review of SBT Fishery - Korea
	17	Annual Review of SBT Fishery - Taiwan
	18	Letter to Korea on Cooperation with CCSBT
	19	Letter to Taiwan on Cooperation with CCSBT
	20	Resolution on Catches of Southern Bluefin Tuna by Flag of Convenience Fishing Vessels
	21	Resolution on Management of Fishing Capacity of Distant Water Tuna Long-line Fishing Fleet
	22	Letter to Non-Members on the proposed Trade Certification Scheme
	23	Report of CCSBT Observer to CCAMLR
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	25	Statement on Scientific Committee Report - Australia
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	27	Statement on Scientific Committee Report - New Zealand
	28	Summary of Recommendations of the 1998 Scientific Committee Report (by Australia)
	29	Recommendations for Ecologically Related Species
	30	Guidelines for Design and Deployment of Tori Lines
	31	Draft Agenda for ERSWG4
	32	Terms of Reference for the Peer Review Working Group
	33	Summary of Japan's 1998 EFP
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 - 1.3 Appointment of Rapporteurs
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- 2 Application by Greenpeace International to be Invited as an Observer at CCSBT Meetings (CCSBT/9902/4)
- 3 Report from the Secretariat (CCSBT/9902/5, 6)
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- 5 Review of SBT Fisheries (CCSBT/9902/SBT Fisheries-)
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 - 6.1 Report from the Scientific Committee (CCSBT/9902/Rep.3, 4)
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- 7 Experimental Fishing Program (CCSBT/9902/Rep.5)
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- 11 Relationship with Other Organisations
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- 13 Total Allowable Catch and its Allocation
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- 15 Confidentiality of Commission Documents (CCSBT/9902/20)
- 16 Program of Work for 1998-99
- 17 Notification of Headquarters Agreement (CCSBT/9902/21)
- 18 Other Business
- 19 Close of the Meeting
 - 19.1 Election of Chair and Vice Chair for 1998-99
 - 19.2 Adoption of Report of Meeting
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Ms Akiko TOMITA
Ms Mika IWASAKI

List of Documents

CCSBT/9902/

- 1 Provisional Agenda
- 2 List of Participants
- 3 List of Documents
- 4 Application by Greenpeace International to be Invited as Observer at CCSBT Meetings
- 5 Report from the Secretariat
- 6 Status of Translation of Reports
- 7 Budget for 1999
- 8 Draft Rules for the Submission of Proposals and Documents
- 9 Import Statistics of SBT by Japan
- 10 Available Information on the SBT Fishing Activities of Non-Members
- 11 Australia's Provisional Ideas for a Trade Documentation Scheme for SBT
- 12 Report from CCSBT Observers to Other International Meetings
- 13 Relationship between the Convention for the Conservation of Southern Bluefin Tuna (SBT Convention) and the UN Agreement of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNIA)
- 14 Report of the Meeting of FAO and Non-FAO Regional Fishery Bodies
- 15 IGO's attendance at the SAG and Scientific Committee meetings
- 16 Draft Rules of Procedure for the Scientific Committee
- 17 Southern Bluefin Tuna 1998 Peer Review Panel
- 18 Arrangement for Data Management
- 19 Future Quota Allocation Mechanism
- 20 Confidentiality of Commission Documents
- 21 Entry into force of the Headquarters Agreement

CCSBT/9902/OS-

Australia
Japan
New Zealand
Korea
South Africa
Taiwan

CCSBT/9902/SBT Fisheries-

Australia
Japan
New Zealand
Korea
Taiwan

CCSBT/9902/Rep.

- 1 Report of the Third Meeting of the Ecologically Related Species Working Group
- 2 Report of the Trade Information Scheme Workshop
- 3 Report of the First Meeting of the Stock Assessment Group
- 4 Report of the Fourth Meeting of the Scientific Committee
- 5 First Joint Experimental Fishing Program Working Group Meeting - Record of Discussions and Work Plan
- 6 Report of the Finance and Administration Committee

CCSBT/9902/wp

- 1 Recommendations by the Peer Review Panel

**Australian Opening Statement - CCSBT5
22 February 1999, Tokyo**

Mr Chairman,

It is an honour for me to make this opening statement on behalf of the Australian delegation.

I have just taken responsibility, as Director General, for our Department's Fisheries and Forestry Industries Division.

I wanted to come to this meeting to support my colleague, Mr Hurry, who has principal day to day policy responsibility for fisheries and aquaculture, and my other colleagues on the delegation, to reinforce the fundamental commitment Australia has to the Commission for the Conservation of Southern Bluefin Tuna. We see this as the principal cooperative mechanism, through appropriate management, for the conservation and optimum utilisation of southern bluefin tuna.

It was with regret that Australia was not able to attend the meeting of the Commission scheduled for October 1998. The import of the issues dealt with by the Commission meant that we could not settle upon an Australian position for the meeting at that time, with the Australian Government in a caretaker mode and not making policy decisions in the lead up to the national election.

But we want to leave other Parties in no doubt about the Australian Government's intent. We want to build on the Commission's past successes and further invigorate it for the future. Through the course of this meeting we will be making practical suggestions and proposals on a number of issues to demonstrate this intent.

Australia senses a renewed, positive spirit of cooperation and we want to maintain and build on this momentum. As we see it, we all need to translate this positive spirit into significant, positive and concrete actions. They have to have practical effect. We will all need to be flexible, be prepared to move and amend our stances on some issues in order to achieve mutually acceptable outcomes which are in the long term interests of the conservation, management and optimum utilisation of southern bluefin tuna.

Nowhere will this be more important than in the efforts of the Experimental Fishing Program Working Group. You will recall, Mr Chairman, that we are in dispute over Japan's action in conducting a unilateral EFP in 1998. While the dispute per se is unresolved at this time, we have agreed on a course of action to move matters forward by looking to develop a future joint EFP. Australia is working in good faith to this end. In taking this crucial matter forward, Australia is strongly committed to ensuring a possible future joint EFP is scientifically rigorous and credible.

We do not, in any sense, want to see the EFP working group process fail to provide the Commission with an acceptable basis for conducting an agreed EFP in the future.

However, if the process did fail, and should that lead to a member of the Commission conducting a future EFP unilaterally, we would see that as contrary to international law and it would seriously exacerbate the present dispute.

Mr Chairman, there are a number of other key issues on the agenda for our deliberations, particularly our relationship with non-members of the Commission, a trade information scheme and the outcomes and implementation of the Peer Review process which are very important and, as a package, together with the progress we are seeking on a possible future EFP, are very much linked to the further building and invigoration of the Commission.

In summary, Australia is looking forward to building on what we believe is currently a positive spirit, to translate that into practical and tangible decisions and actions which advance our fundamental and mutually agreed objective, which is to ensure through appropriate management the conservation and optimum utilisation of southern bluefin tuna.

**Opening Statement by Japan
at the Fifth Annual Meeting of the Commission**

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 Fifth Annual Meeting of the Commission for the Conservation of Southern Bluefin Tuna.

The CCSBT was established in 1994 to ensure proper management and effective utilization of SBT stock. The CCSBT has conducted substantial discussions to date. However, it is disappointing that TAC and its national allocation have not been able to determined because of the different views on the stock assessment between the Parties as it was the same situation at the Forth Annual Meeting of the Commission.

However, this does not mean that the CCSBT has been inactive to date. On the contrary, we have made some headway in such areas as non-member catch issue, trade information scheme, and ecologically related species working group, thanks to cooperative spirit among the Parties. The effort has also been made to develop the joint EFP. It is unfortunate that the Parties did not reach consensus on joint EFP and Japan conducted EFP last year at its own responsibility. The outcome of the EFP was reported to other Parties and is on the agenda of the Fifth Annual Meeting of the Commission.

At the CCSBT5, we will discuss 1999 budget, non-member catches, trade information scheme, TAC and national allocations, EFP, relationship with other international bodies, work plan for 1998-99. Japan's position on each subject will be given under the appropriate item. For now, I will express the basic position of Japanese government toward the CCSBT. It is Japan's understanding that the CCSBT Parties are urgently required to build mutual trust and cooperation for rational conservation and management of SBT as well as its effective utilization based on scientific information. These are pointed out at the last year's Scientific Committee Peer Review Panel Report. I would like to take this opportunity to express Japan's appreciation to three external scientists, Dr Sullivan., Mr Maguire and Dr Tanaka for their excellent work.

This meeting has observers of Korea, Taiwan, Indonesia, and South Africa. They are the nations and entity we wish for their accession to or cooperation with the CCSBT as fishing and/or coastal states and entity. To do this, the CCSBT needs to fulfill its function as a regional fishery management organization and establish the credibility internationally. This will require mutual cooperation and trust so that the CCSBT will work constructively on specific issues.

When we met in December last year for the Article 16 negotiation, the Parties agreed to develop consensus on joint EFP and have it approved by the Commission by the end of April this year. The Parties also agreed to hold a workshop to consider implementation of the Peer Review Panel recommendations. In parallel to the Commission meeting, the

second EFP meeting will begin on 25 February. The parties are making the first step forward in building mutual trust and cooperation. Japan is looking forward to making further contribution to the CCSBT.

Finally, members of delegations, observers, CCSBT Secretariat staff, I would like to welcome you all again on behalf of the hosting nation and at the same time I look forward to many fruitful outcomes. This is the coldest time of the year in Japan, so please take care not to catch a cold and enjoy Japanese winter.

Thank you.

New Zealand Opening Statement - CCSBT 5

The New Zealand delegation is pleased to be in Tokyo to renew our working relationship with the Japanese and Australian delegations, and Secretariat staff. We also welcome the involvement representatives from Korea, Taiwan and South Africa. We look forward to meeting with the renewed spirit of cooperation an understanding we enjoyed in December.

The members are in Tokyo because of our joint commitment to the sustainable utilisation of southern bluefin tuna. New Zealand is firmly of the view this objective will only be achieved through the improved function of the Commission we jointly established. However, there are challenges before us. The New Zealand delegation is prepared to make every effort to resolve difficulties and play its part in building a consensus between the parties. We recognise this will involve efforts to understand all positions and a willingness to accommodate differing views in reaching acceptable outcomes.

We retain our concern for a stock with a parental biomass at historically low levels, evidence of declining recruitment in recent years, and increasing fishing pressure. NZ will advocate urgent steps to improve the probability of stock rebuild. This will not be achieved unless overall removals of SBT are constrained and potentially reduced. We believe the Commission's decisions on the TAC, non-members and trade certification are the keys to achieving this objective.

During the first four months of this year the Commission is proposing to discuss and make decisions on a number of issues crucial to the viability and function of the Commission. For NZ's part, we look forward to working cooperatively with other parties to develop a programme to make concurrent progress on all of these issues.

As recognised by all parties, restraint of non-members catch would clearly contribute to an improved potential for stock rebuild. It would also recognise the efforts already made by members of the Commission over the last two decades to develop a management framework and constrain their respective catch levels. CCSBT5 needs to hastily develop and agree on a process to achieve the accession or cooperation of non-members. We also expect to make progress on agreeing a programme for the early implementation of an SBT trade information scheme.

The peer review report provides a useful basis for considering how we might improve the current scientific process and has the potential to achieve a greater level of consensus in scientific advice. Such a consensus, along with a clear management framework developed by the Commission, would substantially improve the function and effectiveness of the Commission. It is our hope that CCSBT5 will identify and establish a process to implement those parts of the report we can quickly agree.

NZ is mindful of the current legal dispute between parties, but recognising the process agreed at the December meeting, we believe that the focus of this meeting should be to ensure that substantive progress is made on other issues. One of these issues is the development of an experimental fishing programme that will be considered by the EFPWG following CCSBT5. NZ looks forward to participating in the design of an EFP that will resolve current uncertainty in the assessment to the satisfaction of all parties, while not compromising rebuilding of the stock.

We have an ambitious agenda before us over the next five days, but given the current position of the Commission, only a few of those issues are of key importance. We would encourage the Chair to guide the meeting to outcomes on those substantive issues, while concluding expeditiously a number of more administrative issues.

Given good will and flexibility on all sides, we hope that we can make good progress on the key issues before us, and set a positive platform for the resumption of the EFPWG later in the week.

We look forward to, and undertake to play our part, in a positive and constructive atmosphere for this meeting to achieve outcomes that are acceptable to all parties.

Thank you

Opening Statement by Korea

On behalf of Korean government, I would like to express my sincere thanks to Mr. chairman and distinguished delegations of CCSBT member states, for inviting Korean delegation to this meaningful conference as observers. Also my delegation's special greetings go to every observers from non- member states and related international organizations.

Korean government believes that CCSBT, since its establishment in 1994, has played very significant role for effective utilization and conservation of Southern Bluefin Tuna. Especially, it appreciates very much CCSBT's effort for amicable and positive dialogue with non-members.

Nevertheless, Korea is seriously concerned about recent discord among member states over the function of the organization and about the dispute with other tuna organization on territorial jurisdiction. It is because that such instability of the organization might exert any influence upon Korea's consideration to accede to it.

However, what is hindering Korea's most above all is CCSBT's insufficient offer of quota for Korea which is far from the present fishing reality of Korean SBT industry. Korea has sought the way to be a member of CCSBT industry. Korea has sought the way to be a member of CCSBT in an earlier stage, but unfortunately it has not reached any affirmative conclusion yet in spite of number of rounds of inter ministerial meetings and government-industry consultations.

As explained through several channels, strong concerns are dominant in Korean SBT industry that it will be no longer able to continue its fishing activities with annual quota of 550MT which CCSBT offered to Korea on the condition of accession. Of course Korean government is not in the position to tell the relevant industries to totally suspend their businesses.

Therefore, I sincerely request that distinguished delegates of CCSBT here take account of the difficulties that Korean industry faces with, and reconsider to allocate more practical fishing quota for Korea, that is, at least twofold as much as recently CCSBT suggested, in view of current number of fishing vessels and catch results.

It is my government's basic policy that Korea, as a responsible fishing state, will continue to closely cooperate with CCSBT as ever even before it join the organization, for appropriate conservation and management of Southern Bluefin Tuna. In this context, I would like to say that Korea is willing to participate in the Experimental Fishing Program which will be implemented through the consensus of all member states.

Finally, I hope that this conference will be a forum for enhancing cooperation between member states and non-members producing a fruitful outcome.
Thank you.

Opening Statement by South Africa

On behalf of the South African Government I wish to thank the Commission for allowing me to attend the Fifth Annual Meeting in Tokyo. South Africa has a keen interest in the effective management and sustainable utilisation of Southern Bluefin Tuna, and with the establishment of a domestic large pelagic fishery, SBT may become a significant component of the catch.

The South African tuna fishery has consisted mainly of pole and line operations, directed at albacore *Thunnus alalunga*. There have been occasional landings of SBT in this fishery, but always less than one ton dressed weight per year for the last ten years.

In 1997, South Africa initiated a new experimental longline fishery for tuna, with 30 permits allocated, of which approximately half have been activated to date. Current records indicate that 756 kg of SBT was landed by the domestic longline fleet. The fleet is not targeting SBT, but other tuna and billfish.

Japan and Taiwan report catches of SBT from the South Africa EEZ. The mean reported catch from Japan is 34 ton for 1990-1998. Taiwan reported 14 ton for 1997 and 3 ton for the first six months of 1998.

South Africa is eager to participate in the discussions of the CCSBT, and would like to maintain our observer status at future meetings of the Commission. South Africa may however wish to change this status in the future.

Thank you.

Opening Statement from Taiwan

Mr. Chairman, thank you very much for giving us the floor. On behalf of my country, I would like to express our gratitude to the CCSBT Secretariat and contracting parties for inviting my government to be represented in this meeting.

We well understand that CCSBT has dedicated to managing southern bluefin tuna from the past. We appreciate its efforts very much. As a deep sea fishing nation, although we are not the member of CCSBT, we deeply believe it's our obligation to cooperate with CCSBT member countries for the purpose of making sustainable management on the resource. Therefore, we have stipulated the regulation to impose the catch self-restraint since 1996. I would like to take this opportunity to draw your attention to our such efforts, in particular, as compared to other non-members. In order to execute such catch restraint, boat owners fishing SBT were required to provide catch reports to fishery authorities on a weekly basis. Meanwhile, fishermen are encouraged to use friendly gear to reduce seabird captures in longline operations. Besides, we have dispatched our scientists to join the scientific activities of CCSBT and are willing to collaboratively provide catch and effort data to CCSBT for scientific purpose.

Mr. Chairman, obligation and right should be closely linked together. While performing obligation, we should have equal right as the same with other fishing nations. I would like to reiterate that Taiwan is very willing to cooperate with other countries for the conservation and management of marine living resources. Thus, we seek the accession to become a full member of CCSBT. We wish CCSBT to take this issue into consideration and put into action.

We look forward to having a productive week during which we can resolve substantial issues and reach fruitful results. Finally, we appreciate very much for the wonderful preparation and hospitality by the hosting country, Japan.

Thank you.

Report from the Secretariat

Purpose

1. To submit to the Commission a report on the activities of the Secretariat since the Fourth Annual Meeting in September 1997.

Summary Report of Secretariat Activities

2. The Secretariat has organised, and provided services for the following meetings and workshops:

Fourth Annual Meeting (2nd part)	19-22 January 1998
Fourth Annual Meeting (3rd part)	19-21 February 1998
Meeting to Discuss 1998 Stock Assessment Process	9-10 April 1998
3rd Meeting of ERSWG	9-12 June 1998
Trade Information Scheme Workshop	8-10 July 1998
Stock Assessment Group Meeting	23-31 July 1998
Scientific Committee Meeting	3-6 August 1998
EFPWG(1)	1-3 February 1999

3. Representatives from the member countries and the Executive Secretary met with representatives from the Republic of Korea and Taiwan in April 1998 in accordance with the Action Plan Concerning Promotion of Accession to and Cooperation with, CCSBT by Non-member States and Entities. Korean and Taiwanese representatives indicated a desire to cooperate in the conservation and management of SBT and undertook to consider matters proposed in the Action Plan. The meetings provided an opportunity for an open exchange of views on the SBT fishery and a firm basis for improving cooperation in the conservation and management of SBT. Discussions still need to be held with representatives from Indonesia at a mutually convenient time. Issues to be followed up from the meetings have been scheduled for further consideration at the Fifth Annual Meeting of the Commission.
4. The Headquarters Agreement between the Commission and the Government of Australia was signed and incorporated into the 1998 update of CCSBT Basic Documents and distributed to members. In addition, the Government of Australia provided the Commission a Note proposing an agreed interpretation of Article 20 relating to Australia's migration laws. The reply by the Executive Secretary agreeing to the proposed interpretation, was sent to the Australian Department of Foreign Affairs and Trade on 29 January 1998.
5. In accordance with the decision of the Fourth Annual Meeting (second part) of the Commission, the Secretariat facilitated the selection of the review panel and made the necessary administrative arrangements for the undertaking of a peer review of

the Scientific Assessment Process. Review panel members attended the meetings of the Stock Assessment Group and the Scientific Committee and submitted their report to the Secretariat following further discussions with participants at the Scientific Committee subsequent to the Scientific Committee meeting. The report has been circulated to members of the Commission for consideration at the Fifth Annual Meeting (CCSBT/9902/17).

6. The Secretariat has been undertaking the translation into Japanese and distribution to members for formal adoption, the reports of meetings of the Commission and its subsidiary bodies, in accordance with the decision of the Fourth Annual Meeting of the Commission (first part). The status of the translations is set out in CCSBT/9902/6.
7. In accordance with advice received from members, the Secretariat informed the Fisheries Department FAO in March 1998 that the CCSBT supported in principle the co-sponsoring of an Expert Consultation on Implications of the Precautionary Approach for Tuna Biological and Technological Research, however no commitment was given at that time to any financial contribution to the program. The CCSBT is represented on the Steering Committee established to oversight the consultancy together with representatives from other international organisations with responsibilities for managing migratory tuna stocks. The Secretariat is currently the point of contact for the work of the Steering Committee. The Secretariat liaises with the scientific representatives of members to develop any CCSBT input to the Steering Committee.
8. The Executive Secretary attended the Meeting of FAO and Non-FAO Regional Fishery Bodies held in Rome on 11 and 12 February 1999 sponsored by FAO (CCSBT/9902/14).
9. As requested by the Fourth Annual Meeting (First Part), the Secretariat prepared a paper on the comparison of the relevant provisions of the Convention for the Conservation of Southern Bluefin Tuna and the UN Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks and distributed to members for comments in preparation for further discussion at the Fifth Annual meeting of the Commission (CCSBT/9902/13). A number of areas was identified where several options for action are available.
10. Financial Statements for 1997 were cleared by the Auditor and Audit recommendations implemented. Copies of the audited statements were circulated to members in May 1998.
11. As agreed at the Fourth Annual Meeting (second part), a letter seeking membership of the FAO Coordinating Working Party on Fishery Statistics (CWP) was sent on 28 February 1998. On 14 July 1998, the advice was received that the CCSBT had been accepted as a member of the CWP and a CCSBT representative has been invited to the next meeting of the CWP from 6-9 July 1999 in Luxembourg.
12. In October 1997 Amendments were made to the Australian International

Organisations (Privileges and Immunities) Act 1963, to provide for an exemption from sales tax for prescribed international organisations and for the refund of sales tax already paid. Regulations have been made for this purpose for the CCSBT and the amount of \$7,511.91 was refunded to the CCSBT by the Australian Taxation Office in 1998.

Prepared by the Secretariat

**Report of the Finance and Administration Committee
22 to 26 February 1999
Tokyo, Japan**

- 1. Opening**
- 2. Election of Chair**
- 3. Appointment of Rapporteur**

Ms Naoko Hamaguchi (Japan) was nominated by Japan and agreed by the Committee as the Chair of the meeting.

- 4. Adoption of Agenda**

The adopted Agenda is at **Annex A**.

- 5. Report from the Secretary**

Australia asked clarification about actual expenditures by the Commission in 1998 and in particular details of the level of reserve funds. In response, the Secretariat advised that reserves were in the order of \$A 400,000. Detailed financial statements had recently been sent to Auditor for final approval and will be distributed to members as soon as it becomes available.

- 6. Status of Translation of Reports**

The Secretariat advised the status of translation of reports and asked that members,

- 1) to check the status of reports prepared before the establishment of the Secretariat; and
- 2) to make comments, if any, on drafts which have been sent for final adoption as soon as possible.

- 7. Budget for 1999**

The Executive Secretary explained that the budget for 1999 has been approved through correspondence and noted that the cost for EFPWG will be met by primarily by the Reserve Fund after any surplus from this year's budget had been used to meet this cost. The Executive Secretary advised that the proposed work program, other than the EFPWG, can be met within the draft budget approved out of session, including preliminary work on the development of a central data base.

The Committee noted the explanations and recommended that the Commission may wish to amend the budget pending finalisation of the work program.

The Committee noted that the Executive Secretary will provide, if necessary, a revised budget later this year based on the actual expenditure.

8. Procedures for submitting Documents

The Committee agreed to the procedures at **Annex B**.

9. IGO Attendance at Scientific Committee Meetings

Japan advised that the matter was still under consideration and requested that the matter be reconsidered at the reconvened meeting of CCSBT5.

10. Confidentiality of Commission Documents

The Committee discussed a number of issues however the Committee was not able to reach agreement. It was proposed that the matter be referred for consideration at CCSBT6.

11. Amendment of Financial Regulations

The Executive Secretary advised that consideration was being given to technical amendments of provisions of the Financial Regulations relating to investment of surplus funds, in accordance with comments from the Auditor. Proposals were still being developed and should be submitted for consideration at CCSBT6.

Agenda for Finance and Administration Committee

1. Opening
2. Election of Chair
3. Appointment of Rapporteur
4. Adoption of Agenda
5. Report from the Secretary (CCSBT/9902/5)
6. Status of Translation of Reports (CCSBT/9902/6)
7. Budget for 1999 (CCSBT/9902/7)
8. Draft Rules for the Submission of Proposals and Documents (CCSBT/9902/8)
9. IGO Attendance at the Scientific Committee Meetings (CCSBT/9902/15)
10. Confidentiality of Commission Documents (CCSBT/9902/20)
11. Amendment of Financial Regulations
12. Other matters
13. Adoption of Report
14. Closing

Procedures for the Submission of Proposals and Documents

Submission of proposals and documents for the meetings of the Commission, the Scientific Committee and subsidiary bodies shall be in accordance with the following rules.

1. Time Limit for the submission of documents

Documents prepared for the meeting should be received by the Secretariat or the host country (in cases where the meeting is held outside Canberra) two weeks preceding the start of the meeting. All documents will be provided to the Secretariat in an electronic form. If not received by that time, necessary numbers of copies of documents shall be prepared by the persons who submit the documents. (Copying machine provided for the meeting can be used.)

In any case, all documents prepared for the meeting shall be available before the end of discussion of the Agenda Item "Opening of the Meeting". Submission of documents after that Agenda shall not be accepted unless the meeting agrees to do so. However, documents developed through the discussion of the meeting or written statements such as opening statement will be accepted.

2. Languages to be used in Documents

Any submission of documents shall be written in either official language of the Commission. Scientific papers to be submitted to the meetings of the Scientific Committee should have summary, which shall be available in all official languages of the Commission.

3. Document Identification

No document shall be the subject of discussion at the meetings unless it has document number allocated by the Secretariat on it. In addition, all documents developed during a meeting shall be allocated a document number by the Secretariat before distribution to other delegations and be identified by the originating delegation, date and time of preparation and version number. Electronic copies of final versions are to be provided to the Secretariat before the end of the meeting.

4. Discussion of the Proposal

New papers for consideration at a meeting are to be submitted and circulated to members at least half a day before discussion is scheduled by the meeting.

**New Zealand Proposal
Compliance Committee**

**DRAFT STANDARD STRUCTURE FOR
MEMBER'S ANNUAL COMPLIANCE REPORTS**

1. Catch against national allocation
2. Mechanisms to monitor overall catch
3. Domestic monitoring (observer) systems
4. Legislative and administrative arrangements, and penalties
5. Enforcement activities (including outcomes of judicial and administrative proceedings)
6. Update information on non-member activities
7. Update activities relating to Article 15

Proposed Draft Agenda
Meeting of the Compliance Committee, CCSBT6

1. Opening of the meeting
 - 1.1 Introductions
 - 1.2 Adoption of agenda
 - 1.3 Appointment of rapporteurs
2. Members' Compliance Reports
3. International obligations in relation to monitoring and compliance
4. Trade information scheme
5. Flag of Convenience vessels
6. FAO international plan of action on management of fishing capacity
7. Educational and promotional activities
8. Report to the Commission

Annual Review of Australia's Southern Bluefin Tuna Fishery

1. Introduction

The Australian domestic SBT preliminary catch during the 1997/98 season was 5087 tonnes. The season commenced on 1 December 1997 and ceased on 30 November 1998. There were no bilateral-licensed Japanese vessels fishing in the Australian Fishing Zone during the 1997/98 season.

2. Operational Constraints on Effort

Regulatory Measures

Domestic operators are managed through individual transferable quotas (ITQs) granted as Statutory Fishing Rights (SFRs) under the *Southern Bluefin Tuna Fishery Management Plan 1995*.

Although the global total allowable catch (TAC) was not determined by the Commission for the 1997/98 season, Australia agreed to maintain its national catch limit at 5265 tonnes, which has remained unchanged since 1989/90.

3. Catch and Effort

Preliminary SBT landings for the 1997/98 season were:

South Australia	4402 tonnes
(and Western Australia)	(3487 t purse-seined and placed in farm cages and 915 t poled or longlined and fresh chilled)
Tasmania	297 tonnes (294 t longlined and 3 t trolled)
New South Wales	388 tonnes (354 t longlined and 34 t poled and purse seined).

SBT caught for fish farms in South Australia, using primarily purse seine vessels with assistance from poling vessels, continue to account for a large proportion (around 70%) of the Australian catch. The domestic longlining component rose from 10% in 1996/97 to 13% in 1997/98, while the pole and purse seine catches for the fresh chilled market fell from 40% to 18.5%.

4. Historical Catch and Effort

Major restructuring occurred in Australia's SBT fisheries following reductions in the global TAC and national catch allocations in the late 1980s.

Attachment A summarises the catch taken by each sector of the Australian industry since 1988/89.

5. Annual Fleet Size and Distribution

Fishing for SBT in South Australia, both in the fresh-chilled and the farm components, commenced in December 1997 and continued until around April 1998. Eleven vessels, mainly pole and purse seine, operated during this period.

Longline fishing off New South Wales commenced in June 1998 and continued until September. Fifty-four longline vessels reported taking SBT catches from these waters. There were some purse-seine sets made in June and July 1998, however, catches were

low.

Ten longline and four troll vessels operated off Tasmania during the 1997/98 season. Late in the season two domestic longliners targeted SBT in waters off Western Australia.

6. Historical Fleet Size and Distribution

Australians began fishing for SBT in the early 1950s off New South Wales, South Australia then later (1970), Western Australia. The Australian catch peaked at 21,500 tonnes in 1982. Historically, the bulk of the Australian catch had been used for canning. The introduction of an ITQ based management plan in 1984 based on an Australian TAC of 14,500 tonnes resulted in the redistribution of quota ownership. Progressively over the mid to late 1980s, the Australian catch focussed on supplying the Japanese sashimi market, with an increasing amount of the catch being transhipped to Japanese freezer vessels in the Great Australian Bight.

In the late 1980s the Australian quota reductions to 5265 tonnes led to further restructuring. From 1990 to 1994 approximately half the Australian quota was taken by Australia-Japan joint venture longliners. With the termination of the joint venture arrangement in 1995 Australian catches again focused on the surface fishery with pole operations supplying the fresh chilled sashimi market and an increasing farm component.

There has been a progressive increase since 1992 in the quantity of SBT taken for farming operations. In the 1998/99 season, the farm component is expected to be in the order of 4450 tonnes or 84% of the Australian catch.

7. Fisheries Monitoring

As a result of a review of the monitoring arrangements, significant changes have been implemented to improve the effectiveness and efficiency of the SBT monitoring program. These include the creation of new catch disposal records; one specifically designed to cater for farm operations.

Farm Monitoring Procedures were reviewed and several requirements were put into legislation to improve their effectiveness. Boat inspections while in port and the monitoring of all transfers of fish to farm cages continued in 1997/98.

8. Other factors

Import/Export Statistics

Australia is currently looking to upgrade its recording of SBT exports to enable comparisons with Japanese import statistics.

Markets

More than 95% of Australia's SBT catch is exported to Japan.

Mitigation

To reduce the incidental take of seabirds, Australian regulations require that all longline vessels operating in the Australian Fishing Zone south of 30° S use tori-poles. A Threat Abatement Plan on the "incidental catch (or bycatch) of seabirds during oceanic longline fishing operations" was released by the Minister for the Environment in August 1998. Regulations for the implementation of mitigation measures are being developed. A pilot observer program is being designed as a measure to monitor seabird bycatch rates in the domestic longline fishery.

ATTACHMENT A

Domestic southern bluefin tuna catch by Australian state, gear and quota year, 1988-89 to 1997-98.
(Prior to 1988-89 there was virtually no domestic longlining for SBT and no joint-venture arrangement.)

*Quota year	Western Australia			South Australia			New South Wales			Tasmania			Large longliners			Australia total				RTMP	Total all gears
	Albany pole	Esperance pole	total	pole & purse seine	farm cages	long-line	total	pole & purse seine	long-line	total	troll	long-line	total	Aust. charter	joint-venture	total	domestic surface	domestic long-line	total long-line		
1988-89	204	221	425	4872	0	0	4872	0	1	1	2	0	2	0	684	684	5299	1	685	0	5984
1989-90	133	97	230	4199	0	0	4199	0	6	6	14	0	14	0	400	400	4443	6	406	0	4849
1990-91	175	45	220	2588	0	0	2588	0	15	15	57	0	57	255	881	1136	2865	15	1151	#300	4316
1991-92	17	0	17	1629	138	14	1781	34	90	124	36	20	56	59	2057	2116	1854	124	2240	800	4894
1992-93	0	0	0	716	722	68	1506	16	238	254	23	44	67	0	2735	2735	1477	350	3085	650	5212
1993-94	0	0	0	621	1294	55	1970	0	286	286	7	105	112	0	2299	2299	1922	446	2745	270	4937
1994-95	0	0	0	908	1954	2	2864	0	157	157	4	109	113	0	1295	1295	2866	268	1563	650	5080
1995-96	0	0	0	1447	3362	0	4809	28	89	117	0	262	262	0	0	0	4837	351	351	0	5188
1996-97	0	0	0	2000	2498	0	4498	7	229	236	2	242	244	0	0	0	4507	471	471	0	4978
1997-98	0	0	^0	915	3487	^0	4402	34	354	388	3	294	297	0	0	0	4439	648	648	0	5087

1997-98 catches are preliminary.

*1 October to 30 September for 1988-89 to 1990-91; 1 October 1991 to 31 October 1992 for 1991-92; 1 November to 31 October for 1992-93 and 1993-94;

1 November 1994 to 15 December 1995 for 1994-95; 16 December 1995 to 15 December 1996 for 1995-96; and 16 December 1996 to 30 November 1997 for 1996-97;

1 December 1997 to 30 November 1998 for 1997-98.

^Note that a further 700t of Australian quota was 'frozen' (not allocated) in 1990-91.

^ Product caught by Western Australian and South Australian longliners are included in South Australian pole and purse seine catch.

**Review of Southern Bluefin Tuna (SBT) Fisheries in Japan
(1998/97 season)**

1. Outline

(1) The Government of Japan (GOJ) (a) establishes annual total catch limit, (b) establishes the operation period respectively for three divided fishing area, (c) requires fishing vessels to report on their catches and vessel position to the government, and (d) takes measures necessary for controlling and regulating fisheries, including dispatching of patrol boats, boarding of observers on fishing vessels, in order to ensure responsible fishing operation.

(2) Under the control of GOJ, catch limit, number of fishing vessels operating, and the starting date of fishing are established on an area-to-area through arrangements by the fisheries industry.

2. Catch control

In the 1997 and 1998 fishing seasons, the following catch control measures were taken:

(1) Governmental control

GOJ establishes closed season for each fishing ground through government notice for the purpose of protecting spawning and juvenile fishes. Further, GOJ requires fishing vessels operating in the SBT fishing ground, through government notice, to report the day of entry in, and departure from, fishing ground within 3 days of entry or departure, and report on catches at an interval of 10 days. GOJ also requires fishing vessels, through administrative guidance, to report on daily catch data (RTMP), including biological data (e.g. fish size) and oceanographic data, as well as on vessels position by means of VMS on a daily basis. GOJ controls catch limit on the basis of these data, and calculate the date on which catch limit are attained on an area-to-area basis, and, through government notice, prohibits operation after the closing date.

(2) Control by industry organizations

Fisheries industry made area-to-area arrangements on planned catch limit, starting date of fishing operation and selected fishing vessels which can be engaged in fisheries.

3. Catch quantities and fishing effort(See Appendix 1)

4. Past catch quantities and fishing effort(See Appendix 1)

1) 1997 fishing season

In 1996, 40 vessels engaging in fishing in violation of the domestic regulation in the high seas in southern Indian Ocean were found. As a result, in the 1997 fishing season, it placed under its control a total of 5,757 tons of SBT (i.e. 6,065 tons minus 308 tons(excessive catch in 1996)) as catch limit.

Distant-water tuna longline fishing vessels targeting at SBT in that year numbered

257. Of them, 217 actually operated, with the catch of 5,588 tons.

2) 1998 fishing season

GOJ took a voluntary measure to manage 6,065 tons as catch limit, in the absence of an decision on national allocation at the Commission on the Conservation of Southern Bluefin Tuna (CCSBT).

Distant-water tuna longline fishing vessels targeting at SBT numbered 257 in 1998. Of them, 221 actually operated, with the catch of 6,038 tons.

In the 1998 fishing season, experimental fishing was conducted as in the following, in addition to ordinary commercial catch.

- fishing ground: high seas in southern Indian Ocean
- operation period: July 10-August 31
- number of fishing vessels operating: 65
- planned catch quantities: 1,400 tons
- actual catch: 1,464 tons

5. Total annual scale of fishing vessels and distribution of vessel types

6. Past fishing vessels scale and distribution of vessel types

As shown in Appendix 2, the vessel scale of Japanese SBT fishing vessels are distributed extensively, ranging from 199-ton type to 499-ton type. Gross vessel scale stayed at 78,856 tons (1998 fishing season), and the major type of fishing vessels was 379-ton type. In recent years, there have been no substantial changes in the range of distribution, gross scale of fishing vessels and the type of major fishing vessels.

7. Monitoring

(1) Dispatching of enforcement vessels

In 1997 (March 1.1997-February 28.1998), Japan dispatched 5 enforcement vessels for a total of 453 days to the three areas of off Tasmania, southern Indian Ocean and the area off Cape Town.

In the 1998 (March 1, 1998-February 28, 1998), Japan dispatched 5 enforcement vessels for a total of 589 days to the three areas of off Tasmania, southern Indian Ocean and off Cape Town.

(2) Boarding of observers

(i) In the 1997 fishing season, observers boarded a total of 15 vessels for a total of 1,050 days: 3 vessels in the high seas off Tasmania/Sydney, 4 vessels in the high seas off Cape Town, and 8 vessels in the high seas in southern Indian Ocean. While the number of vessels boarded was unchanged from the previous year, the number of boarding days increased slightly (869 days in 1996).

(ii) In the 1998 fishing season, observers boarded a total of 10 vessels for a total of 704 days: 2 vessels in the high seas off Tasmania/Sydney, 4 vessels in the high seas off Cape Town, and 4 vessels in the high seas in southern Indian Ocean. The total number of boarding days decreased because several observers boarded experimented fishing vessels in stead of commercial vessels.

(iii) In the experimental fishing conducted in the 1998 fishing season, 15 observers, including 3 foreign (U.S.) observers, boarded for a total of 829 days on 15 out of the 65 vessels participating in the experimental fishing.

8. Others

(1) Exports and imports

(i) Imports

As shown in Appendix 3, the import of SBT to Japan in 1997 aggregated 8,059 tons, which was an increase of 38% over the preceding year. Major exporters were Australia, Taiwan and the Republic of Korea (ROK) (the three combined accounting for 91% of the total volume). Imports from Australia increased drastically by 3,000 tons (92%) from the previous year, while those from Taiwan dropped by 880 tons (63%).

Imports in 1998 totaled 10,204 tons, an increase of 27% over 1997, exceeding the 10,000-ton mark for the first time. Major exporters were Australia, Taiwan and the ROK (the three combined accounting for 92% of the total volume). Imports from the ROK jumped by 980 tons (146%), and those from Taiwan also expanded by 970 tons (187%). There was a conspicuous increase in imports from countries accommodating flag-of-convenience fishing vessels, such as Belize, Honduras and Equatorial Guinea.

Imports of SBT continued an upward trend from 1993--the year when import statistics was first introduced in Japan--through 1998.

(ii) Exports

No exports of SBT from Japan has been confirmed.

(2) Market trend

1) 1997

In the entire sashimi tuna market in Japan, the supply of all tunas in 1997 totaled 463,000 tons, with 240,000 tons coming from domestic production and 223,000 tons from imports. On the other hand, domestic demand was 425,000 tons, while exports stood at 26,000 tons. Inventories rose by 12,000 tons over the previous year. With regard to SBT, the average fish price at wholesale marked at producing site was 2,584 yen/kg(Yaizu) and it fell by 214 yen (8%) as compared with 1996, as was the case for other species of tuna.

2) 1998

In 1998 (provisional figure), in the entire sashimi tuna market, total supply of all tunas came to 503,000 tons, up by 78,000 tons (18%) from the previous year, due to brisk imports. Of which 235,000 tons were from domestic production and 268,000 tons from imports. By development of new market, the average SBT price at wholesale marked at producing site was 2,727 yen/kg(Yaizu) and it rose by 143 yen (6%) as compared with the previous year.

(3) Mitigation measures

The Government of Japan obligated all SBT fishing vessels to install Tori poles and Tori lines in order to avoid incidental catch of seabirds.

Appendix 1**Trend in catches and fishing effort in SBT fisheries by Japan**

	1997				1998			
	planned catches	actual catches	fishing period	selected vessels	planned catches	actual catches	fishing period	selected vessels
all areas	5,757	5,588	-	257 (217)	6,065	6,038	-	257 (217)
high seas off Tasmania/Sydney	1,229	1,216	4/21-7/8	82	1,350	1,313	4/21-7/31	82
high seas off Cape Town	2,850	2,831	5/1-7/31	110	2,600	2,759	5/1-8/10	110
high seas in southern Indian Ocean	1,278	1,288	9/1-12/14	65	2,115	1,893	9/5-12/5	65
EEZ in Tasman area	200	204	6/4-*1	(8) *2	-	-	-	(-)
EEZ off East Australian coast	(200) *3	13	-	-	-	-	-	(-)

*1: date of completion of quota for each fishing vessel

*2: number of selected vessels is included in total for high seas

*3: incidental catch quota

Appendix 2

Distribution of Japanese SBT fishing vessel types
(actuarlly operated)

	120-169 ton	170-199	200-229	230-259	260-289	290-319	320-349	350-379	380-409	410-439	440-469	470-499	Total
1998	0	3	3	3	15	25	16	105	39	6	3	3	221
1997	0	3	4	3	12	24	17	106	38	6	2	2	217

Appendix 3**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	1996 kg	1997 kg	1998 kg	% against 1997
Australia	3,195,903	6,125,027	6,256,201	102
Korea	562,573	671,497	1,649,851	246
Taiwan	1,396,915	516,055	1,481,378	287
Indonesia	317,687	368,634	282,265	77
Honduras	179,918	55,286	144,138	261
EQ. Guinea			130,846	
New Zealand	128,249	88,640	120,176	136
Belize	9,534	278	91,849	33,039
Singapore	43,835	17,199	18,936	110
Cambodia			17,301	
Philippines	182		4,415	
Guam	680	454	3,673	809
USA			2,062	
Malaysia			271	
Fiji		386	181	47
Panama		212,632		
Uruguay	102	1,028		
Croatia		729		
Palau	569	690		
Thailand	333	376		
F.S. of Micronesia		195		
Maldives		163		
New Caledonia		119		
Portugal		93		
Vanuatu	17,855			
France	2,995			
Chile	334			
Cook Islands	140			
Total	5,857,804	8,059,491	10,203,543	127

Annual Review of New Zealand SBT Fisheries

1. Introduction

Longlining was the predominant method used to take SBT in the New Zealand Exclusive Economic Zone, although domestic owned and operated vessels spent a limited time trolling and handlining for SBT. Domestic SBT fishing was conducted from March to mid-August 1997 with total catches of tonnes.

Nominal CPUE for the domestic fishery declined in the 1995-96 fishing year relative to the 1994-95 year (to about 50%). Domestic nominal CPUE increased a little in 1996-97 to about 70% of the 1994-95 value.

2. Operational constraints on effort

Voluntary measures

Regulatory measures

Regulations specify an annual catch limit for SBT and make it an offence to take SBT once the catch limit has been reached. The New Zealand fishing year extends from 1 October 1997 to 30 September of the following year. The SBT catch limit for the 1997-98 fishing year was 420 tonnes.

3. Catch and Effort

Domestic fishing effort showed an increasing trend from 1991-92 to 1994-95 with a subsequent drop in 1995-96 attributed to very poor catch rates and low fish quality together with the absence of the charter fleet in that year. Fishing effort in 1996-97 has returned only to the levels of 1991-92, and this has been attributed to economic constraints on the domestic fishery.

4. Annual fleet size and distribution

Whereas New Zealand domestic catches of SBT prior to the advent of longlining were largely restricted to June to August, the domestic season now extends from March to August or September. SBT fishing is still largely a winter fishery, despite some fish being caught throughout the year, with over 90% of all domestic landings being made from June to August. The domestic fishing pattern contrasts with that of Japanese foreign licensed vessels, which no longer fish in the EEZ, whose New Zealand fishing season continually contracted during the 1980s and 1990s.

Since the early 1990s nearly all fishing for SBT (> 99%) has been conducted either off the West Coast of the South Island or off East Cape (east coast North Island).

5. Historical fleet size and distribution

The New Zealand domestic fishery (Charter and domestic owned and operated vessels) continues to be dynamic, exhibiting substantial changes each year. In 1996-97 vessel numbers declined substantially, reportedly because of economic constraints, despite the reactivation of charter arrangements between New Zealand and Japanese companies.

About 40 domestic vessels fished for SBT in 1996-97 compared with 50 vessels in 1995-96. Vessel numbers in 1997-98 were about the same as in 1996-97. No foreign licensed longliners fished in the EEZ in 1996-97 or 1997-98.

6. Fisheries Monitoring

Observer coverage in 1996-97 was over 60% with 424 longline sets observed on chartered and domestic owned and operated vessels. This is a substantial increase over the previous two years (less than 30% in both years) observer coverage of the domestic fishery. Observer coverage in 1997-98 was similar to that in 1996-97.

Biological information is collected by the Ministry of Fisheries Observer Programme. Since 1988-89 samples have been collected for genetic reference material to distinguish southern bluefin from northern bluefin tuna. In 1996-97, genetic samples were also collected from swordfish for a Japanese research project to delineate stock structure. Observers also facilitated the recovery of tags from CSIRO and SPC tagging programmes, and in 1997-98, otoliths were collected for a CSIRO direct ageing experiment.

The New Zealand SBT fishery is managed by a competitive catch limit. The Ministry of Fisheries uses two sources to monitor the SBT catch limit. The first is a programme which requires licensed fish receivers and larger vessels which freeze their catch to submit weekly reports of catch to the Ministry. Catch reported by this system is verified by the Ministry's catch and effort system.

7. Other factors

Import/export statistics

Markets

Mitigation

New Zealand regulations specify that all tuna longline vessels are required to use seabird-scaring devices. The minimum standard for the bird scaring devices that specified by CCAMLR for tori lines. The New Zealand fishing industry have a voluntary code of practice advocating that tuna longline gear is set at night.

*Prepared by New Zealand for the
Fifth Annual Meeting of the CCSBT
February 1999*

Annual Review of Korean Southern Bluefin Tuna Fisheries

The Republic of Korea began to catch southern bluefin tuna in the Indian Ocean in 1991. In the early stage from 1991 to 1993, the production of southern bluefin tuna by Korean fishing vessels made very slow progress, i.e., 214 M/T in 1991, 36 M/T in 1992 and only 80 M/T 1993. However since 1996, the amount of harvest has increased rapidly. In 1996 and 1997, the catch of southern bluefin tuna reached, 1,179 M/T and 1,325 M/T respectively, and total catch in 1998 is estimated 1,562 M/T.

The number of Korean fishing vessels for southern bluefin tuna has also shown sharp increase tend with 8 in 1996, 14 in 1997 and 19 vessels in 1998. It is expected that the Korean SBT fishing fleet will be further expanded in following years.

Species composition of logline catch indicated that although the percentage of Southern Bluefin Tuna varied over the years, it made up of the major part of the total catch and the remaining 13.2% constituted bigeye, albacore, yellowfin and other species. The catch per unit effort (CPUE), expressed as the number of fish caught per 1,000 hooks, has shown an increasing trend from 1.8 in 1992 to 4.1 in 1997.

As the importance of southern bluefin tuna fisheries is getting grow, Korea has a strong interest in ensuring proper conservation and effective utilization of southern bluefin tuna and in how to cooperate with related bodies and states.

Catch and CPUE of Southern Bluefin Tuna by the Korean Longline Fisheries

Year	Vessels	Catch (M/T)	CPUE (number per 1000 Hooks)
1991	3	214	19.0
1992	1	36	1.8
1993	1	80	3.7
1994	1	119	8.4
1995	3	317	5.7
1996	8	1,179	3.9
1997	14	1,325	4.1
1998 (Estimated)	19	1,562	* To be calculated

Annual Review of Taiwan SBT Fisheries, 1998

1. INTRODUCTION

Southern bluefin tuna (SBT) was caught mainly by deep-sea longline fishery in Taiwan and was considered as a by-catch of the fishery's targets, with relatively small quantity in the total tuna catch (less than 1% in weight). Only few longliners equipped with super cold freezers targeted on the species in some seasons in the waters around 30°S for its high commercial value. SBT catch of 1997 was 823 mt and preliminary 1998 catch was 1,439 mt, about 600 mt increased from 1997. The increase was mainly due to commercial factors, which have resulted in the target shifting of many longliners to albacore and subsequently made a notable amount of SBT by-catch. It was also attributed to the increase of seasonal-targeting longliners.

2. OPERATIONAL CONSTRAINTS ON EFFORT

Taiwan has imposed a voluntary catch limit of 1,450 mt in 1996. The catch of the years following will be maintained to this level, unless the stock has recovered or for other reasons Taiwan deems appropriate. The catch limit has been applied for the year of 1998.

From 1996 onward, based on the official announcement made early 1996, every vessel that has caught SBT was required to report their catches in weight and fishing location to fishery authorities.

3. CATCH AND EFFORT

SBT is mainly a by-catch of Taiwan tuna fishery and hence the catches and fishing efforts were usually influenced significantly by the fleet activities and economical situation. Annual catches of SBT were smaller than 250 mt during early 1980s, but became higher than 500 mt thereafter due to the increase of operating longliners. From 1989 onward, the SBT catches were increased to a tonnage of more than 1,000 mt, where drift net fishery accounted for about 1/4 of the catches in 1989 and 1990. Catch of 1997 has been notably decreased to less than 1,000 mt but increased again to be 1,439 mt in 1998.

4. CURRENT FLEET SIZE AND DISTRIBUTION

SBT was caught only by longline fishery after 1993 in the three oceans with majority in the Indian Ocean. There was about 140 longliners reported SBT catch in 1998. Preliminary, about 36 of them have caught more than 10 tons, 14 increased from 1997. Main SBT fishing grounds of these longliners were mainly distributed in the area of 20°S-40°S, which is a little bit northward than the traditionally known fishing ground.

5. HISTORICAL FLEET SIZE AND DISTRIBUTION

There were 35 vessels in 1994, 42-47 in 1995-1996 and 22 in 1997 landed more than 10 tons of SBT, compared to 121 vessels in 1994, 145-189 in 1995-1996 and 80 in 1997 which have ever caught SBT. During these years, there were about 600 longliners operating the three oceans, with more than 55% operating in the Indian Ocean.

6. FISHERIES MONITORING

A project for the development of vessel monitoring system incorporated with the function of logbook transmission was established in 1994. OFDC was commissioned to carry out the investigation, development, and promotion of the system in 1996. The system was designed not only for monitoring purpose but also for transmitting catch information (logbook) through friendly and easy touch-monitor with Chinese interface. The development of the system was completed and experiments were carried out on 12 vessels operating in the high seas. Except for one vessel failing to send back its data due to hardware breakdown, the remaining 11 vessel successfully transmitted the real-time location information and daily catch/effort data through Inmarsat-C to the monitoring center located in OFDC.

As from July 1997, the system has been extended to tuna and squid fisheries. Up to now, about 110 (including squid jiggers, purse seiners and longliners) vessels operating in the three Oceans have set up the system.

7. OTHER FACTORS

Mitigation on seabirds issue

Taiwan is willing to cooperate with CCSBT through information exchange to improve understanding of the interaction between fishing operation and seabirds, and to achieve a significant reduction in incidental mortality of seabirds. The data collecting seabirds has been incorporated in the vessel monitoring system which will be installed in the deep sea longliners.

To reduce incidental seabirds mortality, fishermen were encouraged to use tori lines when operating in south of 30°S. Education program was also made through Tuna Association to increase the understanding of the problem among fishers.

Mr Jae-Young Park
Director General for International Cooperation
Ministry of Maritime Affairs and Fisheries
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Kangnam-gu, 135-080
Seoul
Republic of Korea

Dear Mr Park

I refer to the earlier representations made by the Commission for the Conservation of Southern Bluefin Tuna ("the Commission") seeking the Republic of Korea's cooperation in the conservation and management of southern bluefin tuna ("SBT") and possible accession to the Convention for the Conservation of Southern Bluefin Tuna.

Considering the low level of SBT parental biomass and the Commission's agreed objective of rebuilding the SBT stock to 1980 levels by 2020, the Commission remains seriously concerned with the increasing SBT catch of the Republic of Korea and the lack of comprehensive data recording catches of SBT by the Republic of Korea. Unrestrained catch outside the Convention arrangements seriously undermines the management measures adopted by the Commission members since the late 1980s and thereby poses a serious risk to the sustainability of the SBT stock. Further, the lack of comprehensive data on SBT from non-members also makes it difficult to appropriately manage the stock. Accordingly, the Commission is giving serious consideration to a trade certification scheme, similar to the ICCAT model.

The Commission therefore renews its call on the Republic of Korea to recognise the obligation of States under international law, including the United Nations Convention on the Law of the Sea and the United Nations Fish Stocks Agreement, to cooperate through regional fishery management organisations and to apply the conservation and management measures imposed by such organisations.

Having considered the low level of parental biomass and the Commission's agreed objective of rebuilding the SBT stock to 1980 levels by 2020, but acknowledging that a reasonable but limited allowance should be made for non-members fishing for SBT, the Commission has determined that it is prepared to negotiate an acceptable level of quota to be made available to non-members which accede to the Convention.

In order to facilitate the Republic of Korea's accession to the Commission, so that it would be able to be a participant at the next annual meeting of the Commission, the Commission has determined the following plan of action:

- Commission members will make bilateral approaches to the Republic of Korea following the conclusion of the first part of the Commission's Fifth Annual

Meeting; and

- The Commission invites the Republic of Korea to undertake formal negotiations to accede to the Convention. These negotiations would be held in conjunction with the resumed fifth meeting of the Commission. The Republic of Korea is invited to send a delegation to that meeting that is empowered to negotiate accession with the Commission.

During those negotiations, the Commission will acquaint the Republic of Korea with the responsibilities of existing and new parties to the Convention. These responsibilities include:

- Provision of SBT trade information;
- Provision of catch and effort data (5 degree X 5 degree "grid" by month for long line operations);
- Confirmation of a satisfactory catch monitoring system;
- Potential contribution to, and participation in, any future agreed joint experimental fishing programme;
- Financial contribution to the budget of the Commission;
- Action to address issues relating to fishing by flag of convenience vessels;
- Participation in the research programme and the work plans of the Commission;
- and
- Implementation of the FAO International Plans of Action in respect of sharks, seabirds, and fishing capacity.

The Commission requests that the Republic of Korea formally advise the Executive Secretary of its acceptance of the Commission's invitation to attend formal negotiations to discuss accession to the Convention in conjunction with the resumed fifth annual meeting of the Commission. This meeting is currently scheduled to be held in Tokyo, 10-12 May 1999.

Yours faithfully

Campbell McGregor
Executive Secretary

cc. Mr Ji-Bong Song
First Secretary
Embassy of the Republic of Korea
113 Empire Circuit
Yarralumla ACT 2600

Mr Sing-Hwa HU
Administrator
Fisheries Administration
F17, No 9 Hsiang-Yang Rd
Taipei
TAIWAN

Dear Mr HU

I refer to the earlier representations made by the Commission for the Conservation of Southern Bluefin Tuna ("the Commission") seeking your cooperation with the Commission and its conservation and management measures.

The Commission recognises the voluntary restraint you have exercised on catch in recent years. However, considering the low level of southern bluefin tuna (SBT) parental biomass and the Commission's agreed objective of rebuilding the stock to 1980 levels by 2020, the Commission remains seriously concerned that catch outside the Commission seriously undermines the management measures adopted by Commission members since the late 1980s. Such a level of catch poses a serious risk to the potential recovery of the SBT stock. Further, the lack of comprehensive data on SBT also makes it difficult to appropriately manage the stock. Accordingly, the Commission is giving serious consideration to the implementation of a trade certification scheme, similar to the ICCAT model.

Having considered the low level of parental biomass and the Commission's agreed objective of rebuilding the stock to 1980 levels by 2020, but acknowledging that a reasonable but limited allowance should be made for non-members fishing for SBT, the Commission has determined that it is prepared to discuss an acceptable level of quota to be made available to non-members which cooperate with the Commission's conservation and management measures.

In order to facilitate cooperation, and with a view to enabling participation at the next annual meeting of the Commission, the Commission proposes the following plan of action:

- Commission members will make approaches following the conclusion of the first part of the Fifth Annual Meeting of the Commission ; and
- The Commission invites you to send representatives empowered to hold discussions on cooperation with the Commission. These discussions will be held in conjunction with the resumed fifth meeting of the Commission.

At that time, the Commission will outline the elements that you would be expected to take on as part of cooperation with the Commission. These elements include:

- Provision of trade information;
- Provision of catch and effort data (5 degree X 5 degree grid by month for long line operations);
- Confirmation of a satisfactory catch monitoring system;
- Potential contribution to, and participation in, any future Commission joint experimental fishing programme;
- Financial contribution to the operation of the Commission;
- Action to address issues surrounding flag of convenience vessels;
- Participation in the research programme and the work plans of the Commission; and
- Implementation of the FAO International Plans of Action in respect of sharks, seabirds, and capacity.

The Commission requests that you formally advise the Executive Secretary of your acceptance of the Commission's invitation to attend discussions on cooperation with the Commission in conjunction with the resumed fifth annual meeting of the Commission. This meeting is currently scheduled to be held in Tokyo, from 10-12 May 1999.

Yours faithfully

Campbell McGregor
Executive Secretary

cc. Mr William Liu
Acting Director
Economic Division
Taipei Economic and Cultural Office
Unit 8, Tourism House
40 Blackall Street
Barton ACT 2600

Catches of Southern Bluefin Tuna by Flag Of Convenience Fishing Vessels

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

Concerned at the reflagging of fishing vessels by nationals and companies of Parties to the Convention on the Conservation of Southern Bluefin Tuna (the Convention) in order to avoid compliance with international fisheries conservation and management measures, and aware of numerous instances of vessel registration being transferred to flag of convenience (FOC) States,

Further concerned by the threat to the effective conservation and management of southern bluefin tuna (SBT) from increasing catches of SBT by such FOC vessels,

Concerned also at the commercial disadvantage resulting therefrom for fishers who fish responsibly through adherence to international fisheries conservation and management measures,

Committed to promoting and enhancing the widest possible compliance with international agreements and instruments which seek to ensure more effective and responsible conservation and management of important fisheries resources, including

- the United Nations Convention on the Law of the Sea, 1982, particularly Article 64 and Part VII, Section 2;
- Chapter 17, programme area C, of Agenda 21 of the United Nations Conference on Environment and Development, 1992;
- the Convention for the Conservation of Southern Bluefin Tuna, 1993, particularly Article 15;
- the United Nations FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, 1993;
- the Agreement for the Implementation of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, 1995;
- the United Nations Food and Agriculture Organisation Code of Conduct for Responsible Fisheries, 1995;
- the Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large Scale Longline Vessels in the Convention Area - International Commission for the Conservation of Atlantic Tunas, 1998
- the Recommendation on the Registration and Exchange of Information on Vessels Fishing for Tropical Tunas in the IOTC Area of Competence - Indian Ocean Tuna Commission, 1998; and
- the FAO International Plan of Action for the Management of Fishing Capacity, 1999,

strongly urges its Members to take measures, in accordance with their domestic laws and international law, to ensure that their nationals and companies do not engage in

FOC fishing activities in an attempt to avoid compliance with internationally agreed management measures including those under the Convention, including:

- (a) monitoring and promoting, through the Commission, other regional fisheries management organisations and the FAO, the exchange of information on FOC fishing activities and on ownership of and investment in FOC vessels;
- (b) preventing the transfer of vessels registered under their flags to the registers of countries which are not members of a regional fisheries management organisation and regulating the export of fishing vessels catching the stocks concerned;
- (c) urging the flag States of FOC vessels to withdraw the registration of those vessels owned by nationals and companies of States to the Convention for the Conservation of Southern Bluefin Tuna;
- (d) calling upon States and other fishing entities in which owners of FOC vessels reside or are incorporated, to repatriate those vessels (that is, to return them to their own registers);
- (e) exploring effective vessel scrapping programs to ensure that fishing vessels surplus to their fishing requirements cannot become FOC vessels;
- (f) controlling, regulating or preventing transshipment of catch from FOC vessels, including refusing to such vessels, where possible, entry into their ports;
- (g) discouraging and prohibiting their nationals engaging in fishing activities on FOC vessels; and
- (h) monitoring and discouraging commercial activities, including trade and transshipment, in respect of SBT caught by FOC vessels.

Management of Fishing Capacity of Distant Water Tuna Long-line Fishing Fleets

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

Recognizing that excess fishing capacity is a significant concern in many fisheries world-wide, as it can lead to unsustainable catch levels, fish stock depletion and, ultimately, declining catches of important commercial species, with consequent adverse economic, social and marine environmental impacts;

Having regard to the United Nations Convention on the Law of the Sea and the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, which inter alia seek to address inadequacies in management of high seas fisheries and overutilisation of their resources through, among other things, excessive fleet size,

Recalling that the Code of Conduct for Responsible Fisheries of the FAO (1995) and the Kyoto Declaration and Plan of Action (1995) each note the need for managing fishing capacity, and call for the reduction of excessive fishing capacity to that end,

Also recalling the International Plan of Action for the Management of Fishing Capacity adopted by the FAO Committee on Fisheries (COFI) in February 1999 and that the COFI's expression of satisfaction that the fishing capacity of tuna long-liners was being reduced by the major fishing nations, including Japan, and its encouragement of other States to make similar reductions as appropriate;

Recognizing that the management measures of the Commission were successful in reducing catches of southern bluefin tuna (SBT) by 1990, but that non-Member catches have shown a strongly increasing trend since then, which threatens the conservation and management of SBT;

1. Welcomes Japan's announcement in 1998 of a planned reduction of twenty percent (namely 130 vessels) in the number of its distant water long-line tuna fishing vessels in the 1998 fiscal year ending on 31 March 1999 and notes progress in its implementation .
2. Call on other distant water fishing nations and fishing entities operating substantial long-line tuna fleets in areas within the global range of SBT, particularly the other leading Asian distant water tuna long-line fleets to,
 - (a) take concerted action to reduce their fleet capacity by implementing their own fleet capacity reduction plans as a matter of urgency;
 - (b) implement immediately the FAO International Plan of Action for the Management of Fishing Capacity,
 - (c) take all relevant measures to eliminate the operation of flag of convenience fishing vessels.
 - (d) Cooperating with and deciding to apply the conservation and management measures adopted by the commission.

Elements for Letter to Non Members

Trade Certification Scheme

The Commission for the Conservation of Southern Bluefin Tuna was formally established by Australia, Japan and New Zealand in May 1994. However, the current members of the Commission collaborated for many years prior to the establishment of the Commission to manage the southern bluefin tuna (SBT) fishery with the Commission's agreed objective of rebuilding the SBT stock to 1980s levels by 2020. In order to achieve this objective, catch restraints have been observed by the members of the Commission since 1986. The total catch limit was 32 000 tonnes in 1987. This was reduced to 15 500 tonnes in 1988. Commission members reduced their total allowable catch to 11 750 tonnes in 1989, which has been maintained since that time.

Commission members are concerned about recent significant increases in catches by non-members, which have the potential to jeopardise the recovery programme and could, if maintained, lead to the eventual economic collapse of the fishery for all fishing fleets.

Further, Commission members believe that their ability to conserve and manage SBT under the Convention has been compromised by the lack of provision of comprehensive scientific data on the SBT stock. This lack of data, including catch and effort data from non-members, makes it difficult to conduct accurate assessments of the status of the SBT stock.

In these circumstances, the Commission is considering the establishment of a scheme to collect more accurate and comprehensive data on SBT fishing, by monitoring SBT trade. To this end, the Commission held a Trade Information Scheme Workshop in July 1998, in Tokyo. The report from this meeting is attached for your information and reference. Further consideration is being given to a certification system for trade in SBT, using the ICCAT system as a model.

Once the Commission has decided to adopt a trade certification scheme, it will immediately inform States and entities that possibly export SBT, or whose vessels are known to catch SBT, of the details of the scheme's application and implementation. The Commission anticipates the understanding of non-members in the application of a trade certification scheme and their cooperation in its implementation.

Report of the CCSBT Observer to the Seventeenth Meeting of CCAMLR

Akihiro Mae
Deputy Executive Secretary

The Seventeenth Meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) was held in Hobart, Australia from 26 October to 6 November 1998.

All twenty three Members of the Commission were represented. Netherlands, one of six States Parties to the Convention but not Member of the Commission was attended as an observer. Mauritius and Namibia, non-Contracting Parties, were represented as observers in response to the invitation by the Commission. CCSBT, FAO (Food and Agriculture Organisation of the United Nations), IWC (International Whaling Commission) and SCAR (Scientific Committee on Antarctic Research) were represented as observers from intergovernmental organisations. From non-governmental organisations, ASOC (Antarctic and Southern Ocean Coalition) and IUCN (World Conservation Union) were attended.

Trawl fishery targeting krill, and longline and trawl fisheries for *Dissostichus eleginoides* (Patagonian tooth fish) are major fishing activities in the CCAMLR Convention Area in recent years. Reported catches for 1997/98 fishing season were 80,802 tonnes for krill and 11,419 tonnes for finfish. Major part (11,168 tonnes) of finfish caught was *Dissostichus eleginoides*, and the total reported catch of this species including both from CCAMLR waters and EEZs outside the CCAMLR Convention Area was 27,908 tonnes. In addition to this amount, the estimated unreported catch of *D. eleginoides* was 22,415 tonnes.

At the meeting, extensive discussions including "Scientific Committee", "Illegal, Unregulated and Unreported Fishing in the Convention Area", "Assessment and Avoidance of Incidental Mortality of Antarctic Marine Living resources", and "Observation and Inspection" were made especially in relation to the fisheries targeting Patagonian tooth fish.

Based on the discussions, the Commission adopted a series of conservation measures, and the followings are outlines of major conservation measures except measures setting catch limits:

Automated Satellite-Linked Vessel Monitoring System (VMS)

An VMS shall be established for the fishing vessels, which operate in the Convention Area not later than 1 March 1998. Any Contracting Party unable to establish VMS within this date shall notify its intended timetable of implementation, but in any event shall implement not later than 31 December 2000. The implementation of VMS on vessels while participating only in a krill fishery is not currently required. Contracting Parties shall report before the start of annual meeting of the Commission in 1999, on the

VMS which has been introduced.

Marking of Fishing Vessels and Fishing Gear

Fishing vessels operating in the Convention Area shall be marked in accordance with internationally recognised standard, and such floating objects as marker buoys to locate fishing gear shall be clearly marked with letter(s) and/or numbers of the vessels to which they belong.

Cooperation between Contracting Parties to Ensure Compliance with CCAMLR Conservation Measures with Regard to their Vessels

When a fishing vessel of a Contracting Party operated in the Convention Area approaches to the port of another Contracting Party, the Flag State shall notify the Port States, which shall then undertake inspection of the vessel. In the event that there is evidence that the vessel has fished in contravention of the CCAMLR Conservation Measures, the Port States shall notify the Flag State and both states shall then take such appropriate cooperative action as is required by the Flag State to enable it to undertake appropriate actions in accordance with its national legislation.

Scheme to Promote Compliance by the Non-Contracting Party Vessel with CCAMLR Conservation Measures

A non-Contracting Party vessel, which was sighted engaging in fishing activities in the Convention Area, or any vessel, which was sighted engaged in transshipment activities with a sighted non-Contracting Party vessel is presumed to be undermining the effectiveness of CCAMLR Conservation Measures. When a non-Contracting Party vessel mentioned above enters a port of any Contracting Party, it shall not allow the vessels to land or transship any fish until inspection by the Port States has taken place. Landing and transshipments of all fish from a non-Contracting Party vessel which has been inspected shall be prohibited in all Contracting Party ports if such inspection reveals that the vessel has on board species subject to CCAMLR Conservation Measures, unless the vessel establishes that the fish were caught outside the Convention Area or in compliance with all relevant CCAMLR Conservation Measures. Contracting Parties shall ensure that their vessels do not receive transshipment of fish from a non-Contracting Party vessel which has been presumed as having undermining the effectiveness of CCAMLR Conservation Measures. The license or its copy shall also be displayed on board the vessel.

In addition to these measures, trade related measures were also considered but no conclusion was reached. A working group to discuss this issue was established and will meet in April next year.

It is decided to hold the next Meeting of the Commission in Hobart, Australia from 25 October to 5 November 1999 and CCSBT will be invited as an observer. The Commission decided that Japan and Australia would attend CCSBT5 and CCSBT6 as observers from CCAMLR, respectively.

**Observer Report of the First Meeting of the Scientific Committee and
the Third Meeting of IOTC - 7 to 12 December 1998**

I attended the above meetings as an observer representing the CCSBT.

The main issues considered at first meeting of the Scientific Committee, relevant to the CCSBT, included:

1. A report from the Seventh Expert Consultation on Indian Ocean Tunas,
the Committee noted that the projection results for recovery of SBT, by
the three members of CCSBT, did not coincide. Japan summarised the
outcome of their experimental fishing program and Australia
presented its serious concern about the validity of the results.
2. A proposal that the Commission consider re-interpreting its current mandate to
include the collection of data on catches of non-target species, associated and
dependent species.
3. Guidelines for submission of data to IOTC and data confidentiality, and
4. The establishment of permanent Working Parties on Data Collection and
Statistics, and Tropical Tunas; It was agreed that the WP on Tropical Tunas
should give its first priority to bigeye tuna,
5. Options for arrangements for addressing neritic tunas, temperate tunas and billfish
were developed for consideration by the Commission.

The following main issues, relevant to the CCSBT, were considered at the Third
meeting of the IOTC:

1. The Commission endorsed the recommendations of the Scientific Committee
relating to collection of data on non-target species, associated and dependent
species, data submission and confidentiality, and the establishment of a
Working Groups on Data Collection and Statistics, and Tropical Tunas.
2. The Commission also agreed to establish Working Parties for Neritic Tunas,
and Billfish.
3. In regard to SBT, the Commission agreed to review, at its Fourth meeting, the
progress made in overcoming existing difficulties among CCSBT members
and if necessary, to decide whether a Working Party on SBT or on temperate
tunas should be established to advance the effective conservation and optimum
utilisation of that species.

4. It was agreed that every effort should be made to encourage Non-contracting parties whose fleets take species covered by the Agreement, to become members of IOTC or cooperate with the Commission through provision of data.
5. The Commission welcomed Japan's decision to reduce the capacity of its long line fleet by 20% and the voluntary moratorium applied by the EU purse seine fleets on FAD fishing over part of the year in the Western Indian Ocean and the Multi-Annual Guidance Project which, since 1983, establishes binding objectives for the reduction of the EU fleet.

The official report of the meeting will be forwarded to the CCSBT when it is finalised by the Secretariat.

Attendance at the meeting provided a valuable opportunity to establish a good working relationship with the Secretariat of the IOTC and establish a point of contact for the future exchange of information and data.

Campbell McGregor
Executive Secretary

Australia's Statements on the Scientific Committee Report

There were substantial improvements in the Scientific Committee and stock assessment processes in 1998 over the previous few years. Three factors greatly contributed to this:

1. The implementation of the procedures developed at the Scientific Process Workshop;
2. Having the technical stock assessment functions performed by the Stock Assessment Group (SAG) for the first time so that the Scientific Committee could concentrate on its review and advisory roles; and
3. The April meeting in Shimizu to discuss the 1998 Stock assessment process which resulted in a shared understanding and agreements about many of the technical details (e.g. data, models weighting procedures) that would be utilized in assessments well in advance of the meeting (i.e. there were no technical surprises).

While these three factors greatly improved the Scientific Committee process, the substantial delays that occurred in the completion of the data exchange meant that the amount of time available for performing the analyses and for preparing documents was reduced to less than half of the agreed minimum time needed for these activities. This greatly impaired the ability of the SAG and SC to complete their work. In particular this resulted in incomplete analyses, problems with the software verification, documents being tabled during the meeting and scientists having to finish papers at the meeting instead of focussing on the content of the assessments. It is important that the delay that occurred in the data exchange process be overcome in the future in order to prevent such impacts in the future. Finally, problems were also encountered because commitments undertaken to perform specific tasks prior to the meeting were not completed (particular with respect to lack of fit and software implementation).

In spite of these difficulties, the 1998 SAG and Scientific Committee were able to complete a large amount of work and achieve substantial consensus on the current status of the stock. In particular,

- All VPAs suggested recruitment has markedly declined from the late 1960s
- The available information for most recent cohorts (1993-1995) suggests that recruitment over this period was low.
- All VPA results suggests that parental biomass is notably lower than the 1980's level. Weighted mean estimates of the current biomass relative to 1980 ranged from 27 to 34%.
- The estimated most recent trends in parental biomass are partially dependent upon the estimate used for the age of maturity, for which uncertainty exists. If age 8 is used some VPA's show an upturn since 1994 while others continue to show a decline. If age 10 or 12 is used for the age of maturity, all VPAs suggest that parental biomass has continued to decline.
- Parental biomass is considerably less than the pre-exploitation levels.

It is also important to recognize that, for those VPA models which indicated an increase in the parental biomass, this increase was driven by a large increase in the estimated number of 8-11 year old fish. Such an increase is not consistent with the recent trends in the CPUE series for these ages. Similar, inconsistencies were seen in all the traditional VPA model results. This suggests that the recent parental biomass trends estimated in these VPAs may be upwardly biased (e.g. overly optimistic). Only the results from the alternative Japanese VPA model provided a consistent fit to recent CPUE trends and in this case the results did not indicate an increase in the parental biomass in recent years.

While there was substantial agreement on the current status of the stock, projection results yielded a wide range of estimates for the probability of recovery to the 1980 level by 2020 under constant current catches. Most of the differences arise from the different weightings assigned by each delegation to the different hypotheses used to account for uncertainties in the assessments and projections.

As noted by Australia at the meeting, the range of estimates for the probability of recovery among the delegations are substantially reduced if the adequacy of the data to fit the different VPA models is taken into account. This is because some models are inconsistent with the basic input data and these models tend to yield high estimates for the probability of recovery. The high weighting given to these models by one delegation is a major factor in the disparate estimates among the national delegations.

At the 1998 Scientific Committee Meeting, there was no agreement on how to account for this lack of fit in the estimates of current stock status or the projection estimates. However, a commitment was made, as documented in the Scientific Committee Report, that the scientists would seek an appropriate way to incorporate a procedure to account for lack of fit before the next SAG. This is a positive development that should provide for improved assessments.

With respect to the projection results, it is also important to recognize that retrospective analyses indicate that the probability of recovery decreases when the consistently performed analyses are updated with an additional year's catch and effort data. In addition, projections produced by the Scientific Committee between 1982 and 1993 have been shown to be consistently biased upwards and hence have been overly optimistic.

Because of these problems with the projections, the Scientific Committee agreed on the following important conclusion: that "the use of a single reference point (ie the probability of recovery to the 1980 level by 2020) might not be appropriate and the reference to shorter-term projections and current stock status were suggested".

It was significant, based on the analyses before it, the Scientific Committee was able to agree that the results had four important management implications that should be considered by the Commission (see page 7 of the paper).

In addition to these, there were four additional management implications that Australia and New Zealand agreed should be considered by the Commission:

- The SBT stock has substantially declined since 1988 when the members imposed the current TAC. This TAC represented a reduction of over 50% compared to the previous year.
- Projections of recovery in the past have been shown to be overly optimistic and should be interpreted cautiously.
- The overall assessment, the second and third agreed management implications, and the low probability of recovery from the projections all indicate that current catch levels, particularly with increasing non-member catches are unlikely to be sustainable.
- To provide a more reliable framework for management decisions than those based on long term recovery projections, greater weight should be given to current stock status and to demonstrated evidence of stock re-building. The Scientific Committee would be better able to interpret the implications for management of current stock assessments within the context of a well defined management strategy with clear decision rules developed by the Commission.

Finally, it is important to recognize that the SC report contains a number of tasks that were agreed to be completed before the next SAG meeting (e.g. page 6 and 7), a list of matters referred to the SAG (page 9) and recommendations on research needs (page 9-10). It is important that these are matters are followed through on by Scientific Committee and the Commission.

Statement by Japan

1. It was regrettable that, at the last Scientific Committee meeting, difference between views of scientists of member countries was not reduced, an agreed stock assessment was not obtained and that it was rather expanded as of past years, although the technical process concerning the stock assessment of the Scientific Committee meeting last year was separated as the Stock Assessment Group.
2. The reason which results in this situation is existence of uncertainties, and it is our understanding that the scientists of all members share the common view that uncertainties concerning CPUE and plus group treatment have major influence on this. Therefore, we expect the utmost effort by the people concerned to complete planning work for joint EFP, which is under consideration, in due time, and to enable the collection of new data to narrow the range of uncertainties through the implementation of EFP.
3. The urgent mandate imposed to the Scientific Committee is to improve its process to produce an agreed stock assessment which will constitute a base for recommendations concerning the conservation and management measures of SBT.
4. The report of the peer review recommended that no update of the stock assessment will be conducted in 1999. We, therefore, consider that scientific works in the Scientific Committee this year should concentrate on the basic works of the stock assessment such as verification of VPA models and exchange of data.

New Zealand Comments on the Report from the Scientific Committee

The following four points were agreed by the SC:

1. non-member catches have shown an increasing trend over the 1990s, contributing to the erosion of benefits from management action taken by Member States over this period;
2. continued low abundance of the SBT parental biomass is cause for serious biological concern catches on the spawning grounds, associated with a growing Indonesian longline fishery, have increased since 1989;
3. recent increases in fishing mortality rates on juvenile fish (age 5 yr and younger) will lead to lower recruitment from these cohorts to the parental biomass; and
4. there are indications that recruitment has declined in the last few years

NZ also considered that there was sufficient information presented by the SAG to support the following additional points in respect of implications for management:

1. In considering the results of assessments, especially future projections, the Commission should note that previous projections of recovery have been shown to be overly optimistic and should be interpreted with care. It is our view that long term projections should be down-weighted relative to information on current stock status.
2. Continuing low parental biomass plus increases in fishing mortality on juvenile SBT (< 5 yr olds) plus the low probability of recovery in many projections plus increasing non-member catches all suggest that current catches are unlikely to be sustainable; and
3. In future, the Commission should give greater weight to information on current stock status and demonstrated evidence of stock-rebuilding in considering management decisions. To improve the utility of the scientific advice in support of these decisions we consider that the Commission also needs to develop a management strategy with clear decision rules within which scientists can frame the results of their work.

New Zealand also noted the confirmation by the Scientific Committee of the report from the Ecologically Related Species Working Group. The Scientific Committee particularly noted the need to address data collection and exchange issues that have been outstanding for the previous two meetings.

**Scientific Committee of the Commission for the Conservation of Southern Bluefin
Tuna
(by Australia)**

The Commission received the "Report of the Fourth Meeting of the Scientific Committee" (CCSBT/9902/Rep.3,4), 3-6 August 1998 in Tokyo, together with the Secretariat paper "IGO's Attendance at the SAG and Scientific Committee Meetings", CCSBT/9902/15.

2. The Commission endorsed the recommendations contained in the report, particularly those identified under Section 9. - Advice and recommendations - Matters to be referred to the SAG and Research needs. They invited the SC to further report on these matters in its next report to the Commission. The Commission included the work required in these areas in its work plan and budget of the Commission for 1999, (as set out in this record), noting that further discussion and prioritization may be necessary in CCSBT5(2). The views of the SC on Data Provision and Management and Rules of Procedure were noted and dealt with under other agenda items.
3. The Commission also endorsed the format for presenting country fishery reviews, as set out in Appendix 2 of the Report of the Fourth Meeting of the Scientific Committee.
4. The Commission noted the Scientific Committee (SC) assessment of the status of the SBT stock and the implications for management in the Report of the Fourth Meeting of the Scientific Committee, particularly as they relate to recruitment and parental biomass. The Commission decided to further consider these matters in due course in the light of its consideration of the Report of the SBT 1998 Peer Review Panel and of the report of the EFP Working Group. To this end, the Commission requested the EFP Working Group and the working group considering the Report of the SBT 1998 Peer Review Panel, in undertaking their work, to take appropriate account of the Report of the Fourth Meeting of the Scientific Committee.
5. The Commission noted the specific areas of research recognised by the SC as requiring collaboration between member and non-member scientists, involving otolith archiving, recruitment monitoring, port sampling in Indonesia and Taiwan, and fine scale CPUE analyses. The Commission requested continuation and further development of this collaborative research and invited the SC to further report on these matters in its next report to the Commission.
6. The Commission noted that participation of member scientists in the work of the EFP Working Group and the nature of some recommendations in the Report of the SBT 1998 Peer Review Panel may require an adjustment to the nature and timing of the work and meetings of the SC in 1999 and beyond. It invited the Parties to consider and agree interessionally to any necessary adjustments concerning this matter, as soon as possible. The work program and budget is included in this report, but may require further

discussion and refinement at CCSBT5(2).

7. The Commission recognised that consultation and cooperation with scientists representing other relevant intergovernmental organisations (IGOs) may assist the SC to carry out its role under Article 9(2) of the Convention and contribute, with respect to obtaining relevant scientific information, to the further attainment of the objective of the Convention. Taking into account the Secretariat paper CCSBT/9902/15, the Commission requested the Secretariat, in consultation intersessionally with the Parties to the Convention and the current Chair of the SC, to develop and implement by [30 June 1999] procedures to

- (a) identify, and as necessary update, the names of the particular IGOs best able to so assist the SC and, as appropriate, its Stock Assessment Group (SAG);
- (b) compile, and as necessary update, a list of the scientists who can represent these particular IGOs;
- (c) provide to the Parties, well in advance of each future meeting of the SC, copies of relevant new reports and papers from these particular IGOs in order to facilitate effective consultation and cooperation with their representative scientists;
- (d) invite the attendance at each future meeting of the SC or its SAG, as appropriate, of relevant scientists to represent each particular IGO identified in sub-paragraph (a) above, such attendance to be at no cost to the Commission's budget, and to involve scientists on the list compiled in accordance with sub-paragraph (b) above who, as far as possible, will also be members of a delegation to the particular SC or SAG meeting from a Party to the Convention.

Recommendations for Ecologically Related Species

The Commission:

Adopts the report from ERSWG3

Notes the decision by ERSWG members to provide annual reports of incidental take, mitigation measures and education according to the "Outline of Member's Annual Report to the ERSWG (attachment 4 in the Report from ERSWG3)"

Notes the ERSWG draft table "ERSWG Research Priorities for Mitigation Measures" and the need to update the table, review the table and amend as appropriate

Encourages members to cooperate in developing and undertaking research on mitigation measures,

Adopts the guidelines for design and deployment of tori poles for tuna longline fisheries for use and distribution by members (**Attachment 30**)

Requests non-members to note efforts by Commission members to reduce incidental take of seabirds in their SBT longline fisheries

Requests non-members to urgently adopt mandatory use of tori poles in all longline SBT fisheries below 30° South using the guidelines for the design and deployment of tori poles for tuna longline fisheries, as adopted at this meeting

Invites non-members to send appropriate scientists to participate in ERSWG4, and to provide information on seabird captures and other ERS related information, including shark captures, in advance of that meeting

Requests ERSWG4 consider issues associated with a collaborative research process and data collection/exchange as outlined in draft technical papers 7 and 8 in the report from ERSWG1.

Endorses the framework for future operation of the ERSWG, while noting that the framework will need to be reviewed and amended as appropriate at each meeting of ERSWG

Approves the holding of ERSWG4 in late 1999 and adopts the draft agenda (**Attachment 31**) for ERSWG4

Requests the ERSWG4 to provide specific advice about how the CCSBT might fulfil the FAO call for regional fisheries management bodies to cooperate in the implementation of the international plans of action on seabirds and sharks, and

Requests the ERSWG4 to consider the issue of SBT predator and prey relationships.

Guidelines for Design and Deployment of Tori Lines

Preamble

These guidelines are designed to assist in preparation and implementation of tori line regulations for long-line vessels.

While these guidelines are relatively explicit, they are not intended to inhibit improvement in tori line effectiveness through experimentation. The guidelines have taken into account environmental and operational variables such as weather conditions, setting speed and ship size, all of which influence tori line performance and design in protecting baits from birds. Tori line design and use may change to take account of these variables provided that line performance is not compromised. The working group envisages ongoing improvement in tori line design and consequently review of these guidelines should be undertaken in the future.

Tori Line Design

1. It is recommended that a tori line 150 m in length be used. The diameter of the section of the line in the water may be greater than that of the line above water. This increases drag and hence reduces the need for greater line length and takes account of setting speeds and length of time taken for baits to sink. The section above water should be a strong fine line (e.g. about 3 mm diameter) of a conspicuous colour such as red or orange.
2. The above water section of the line should be sufficiently light that its movement is unpredictable to avoid habituation by birds and sufficiently heavy to avoid deflection of the line by wind.
3. The line is best attached to the vessel with a robust barrel swivel to reduce tangling of the line.
4. The streamers should be made of material that is conspicuous and produces an unpredictable lively action (e.g. strong fine line sheathed in red polyurethane tubing) suspended from a robust three-way swivel (that again reduces tangles) attached to the tori line, and should hang just clear of the water.
5. There should be a maximum of 5-7 m between each streamer. Ideally each streamer should be paired.
6. Each streamer pair should be detachable by means of a clip so that line stowage is more efficient.
7. The number of streamers should be adjusted for the setting speed of the vessel, with more streamers necessary at slower setting speeds. Three pairs are appropriate for a setting speed of 10 knots.

Deployment of Tori Lines

1. The line should be suspended from a pole affixed to the vessel. The tori pole should be set as high as possible so that the line protects bait a good distance astern of the

vessel and won't tangle with fishing gear. Greater pole height provides greater bait protection. For example, a height of around 6 m above the water line can give about 100 m of bait protection.

2. The tori line should be set so that streamers pass over baited hooks in the water.
3. Deployment of multiple tori lines is encouraged to provide even greater protection of baits from birds.
4. Because there is the potential for line breakage and tangling, spare tori lines should be carried onboard to replace damaged lines and to ensure fishing operations can continue uninterrupted.
5. When fishers use a bait casting machine (BCM) they must ensure coordination of tori line and machine by:
 - a) ensuring the BCM throws directly under the tori line protection and
 - b) when using a BCM that allows throwing to port and starboard, ensure that two tori lines are used.
6. Fishers are encouraged to install manual, electric or hydraulic winches to improve ease of deployment and retrieval of tori lines.

A standard design is detailed in various educational material available to fishers eg. *Longline fishing dollars and sense*, *Catch fish not birds*, and *Fish the seas not the sky*.

DRAFT AGENDA FOR ERSWG4

1. Opening of the meeting
 - a) Election of the chair
 - b) Introduction
 - c) Appointment of rapporteurs
 - d) Arrangements for the meeting
 - e) Adoption of the agenda
2. Members' annual reports
3. Assessment of ERS interactions with SBT fisheries
 - a) Review estimates of incidental seabird captures
 - b) Factors influencing seabird captures
4. Development and assessment of effectiveness of mitigation measures
 - a) Tori line design and deployment
5. Education and public relations
 - a) Pamphlet development
6. Proposals for future research activities
7. ERS interactions with SBT - including the issue of prey and predator
8. Technical Papers 7 and 8 from ERSWG2
9. FAO international plans of action for seabirds and sharks
10. Update of 'Research Priorities for Mitigation Research' (ERSWG3 Attachment 5)
11. Update of 'ERSWG Operational Framework' (ERSWG3 Attachment 11)
12. Future work programme
 - a) Draft agenda for next ERSWG meeting
13. Other business
14. Conclusion
 - a) Adoption of meeting report
 - b) Close of the meeting

Terms of Reference for the Peer Review Working Group

1. Participants: Scientists, Manager (2 or 3 person from each member)
Peer Review Scientist when possible
2. Meeting date: to be decided (for 2 days)
Basically one meeting (two meetings if necessary)
3. Main task of the WG:
 - (1) To categorize the recommendations from the Peer Review
 - Technical issues
 - Management issues
 - Process issues
 - (2) To discuss and agree on the feasibility of implementation on each items
 - (3) To discuss the implementation procedure for the items which can be dealt with easily
 - (4) To discuss the way to resolve the difficulties and the possible timing for implementation of these items which were identified as rather difficult item in (2) above
4. Action Plan
 - (1) A categorized table should be provided by items in the following manner:
 - (a) Categorization of items (Technical / Management / Substantial) process
 - (b) Feasibility to implement
 - 1: Easy
 - 2: Possible
 - 3: Could be possible
 - 4: Difficult
 - 5: Impossible
 - (c) To provide the reasons and the way of improvement on those items categorized 3,4, and 5 above.
 - (2) Submit the above mentioned table to other members by 2 weeks before the Working Group starts.
 - (3) To discuss and agree on the priority of those items to implement.
 - (4) To discuss the way to apply the outcome of this excise to the activities of SAG and SC.

Summary of the results of the EFP conducted in 1998

1. There have been considerable differences of views between the scientists in the Scientific Committee concerning the current status and future projections of the Southern Bluefin Tuna stock. The Scientific Committee meeting in 1998 identified two major sources of uncertainties in the SBT stock assessment, which caused the differences of view, i.e. the methods to incorporate the plus group into analysis and the interpretations of abundance indices based on CPUE. The EFP conducted last year was planned and implemented to address the latter issue of the difference of views on the interpretations of CPUE.
2. The EFP was conducted from 10 July to 31 August 1998 in the Statistical Area 8 with the participation of 65 tuna longliners.
3. The difference in the interpretations of CPUE has been caused because of the periods and areas with no recent data of commercial operations, and many hypotheses have been presented to offer different views on the CPUE in these periods and areas. Under the current framework, weightings for each hypothesis in the stock assessment are decided based on the subjective beliefs of the scientists. The main purpose of the EFP is to move from the subjective weightings to the objective weightings based on the figures obtained by the direct sampling. The research methods are described in detail in the EFP 98 Plan (CCSBT-SC/9807/30).
4. In the operation, research vessels are divided into two groups, one for the investigation of the distribution of SBT in the whole research area and the other for the identification of presumed distribution of commercial vessels in the research period. Then, the ratio of CPUE between "no recent commercial operation" area and the area where the commercial operation is concentrated (R) were obtained based on the results of the EFP.
5. The result shows that the average estimates of the CPUE ratio between the presumed commercial operation area and the "no recent commercial operation" area are 0.56-0.95 for July and 0.39-0.80 for August. The lower limits show the estimates when the density of fish in the area where no research data is available is assumed as zero, while the upper limits are for the estimates obtained using only the research data with, thus, no assumptions. Further, although the research was conducted in the off commercial fishing season, CPUE of 0.58 ton/operation, which is similar to the normal commercial operation, was obtained.
6. The abundance index was recalculated based on the lower limit of the ratio of CPUEs (R) to have a conservative side of the estimate and then the stock assessment and projection were conducted. The agreed methods at the Scientific Committee meeting in 1997 were used for the calculation. The difference between the three countries in the estimation of the recovery probabilities of the spawning stock biomass to achieve the 1980 level by 2020, which is the agreed management objective, was reduced substantially from previously calculated 55% to 27%, when weights on the hypotheses

for the interpretation of CPUE calculated from the results of the research is used. Furthermore, the overall recovery probability as the average of the views of the three countries increased from 31% to 81-83%, when the results of the research was incorporated. This means that the analyses based on the result of the research narrowed down the range of the uncertainties and proved the past assessment to have been pessimistic.

7. Further, the EFP catch had very little impact on the SBT stock, since the catch of 1,500 ton per year has proved to have almost no effect on the recovery probability.

8. Although the data obtained supported the Japanese view that the variable square hypothesis is unrealistic, it is necessary to further improve the stock assessment by CCSBT by accumulating scientific data through research. It is important for CCSBT to agree on a joint EFP based on the detailed analyses of the EFP conducted last year.

9. Japan has been proposing to increase the TAC by at least 3,000 ton since CCSBT3. It was proved to increase the TAC as Japan proposed will have little effect on the SBT stock based on the results obtained from the research last year. The recovery probability under the increased TAC by 3,000 ton will be 70-80% when the Japanese weightings are used within the agreed framework of the Scientific Committee meeting in 1997.

CCSBT Draft Work Plan for 1999

ITEM	DATE/TIMING	PLACE
EFPWG(3)	March	Australia
EFPWG(4)	April	New Zealand
CCSBT5(2)	May 10-12 (3days)	Japan
Peer Review Working Group	July or August (2-3 days)	Australia
Scientific Committee	July or August (one week)	Australia
Trade Information Scheme WG	July (2days)	Japan
ERS WG	Late 99 (3days)	Australia
99 EFP Review Workshop	2-3 days	Japan
CCSBT6	(To be determined)	Australia

International Meetings for CCSBT representation

ORGANIZATION	DATE/TIMING	PLACE
CWP	5-9 July	Luxembourg
IOTC	December	Japan
ICCAT	November	Brazil
IATTC		
CCAMLR	October	Hobart

Resolution of the Commission for the Conservation of Southern Bluefin Tuna

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

Wishing to bring into force the Headquarters Agreement between the Commission and the Government of Australia, done at Canberra on 20 January 1998 ("the Agreement"); and

Noting that the Government of Australia has advised by letter dated 10 November 1998 that Australia has completed all domestic requirements for the entry into force of the Agreement in Australia;

Resolves as follows:

That all internal requirements necessary for the entry into force of the Agreement have been completed by the Commission; and

That the Executive Secretary to the Commission is authorised to respond to the letter from the Government Australia, in terms consistent with the attached draft letter.

For Japan

For New Zealand

For Australia

Dated this day of 1999

Suggested text to reply

[date]

Mr Richard Rowe
Legal Adviser
Department of Foreign Affairs and Trade
R.G. Casey Building
BARTON ACT

Sir

I have the honour to acknowledge receipt of your letter of 10 November 1998 which reads as follows:

"I have the honour to refer to the Headquarters Agreement between the Government of Australia and the Commission for the Conservation of Southern Bluefin Tuna, done at Canberra on 20 January 1998, and to advise the Government of Australia has completed all domestic requirements for the entry into force of the Agreement in Australia. In accordance with paragraph 1 of Article 27 of the Agreement, the Agreement will thus enter into force on the date of your reply to this letter."

I have the honour to advise that the Commission has also completed all its internal requirements for the entry into force of the Agreement. Accordingly, the Agreement is in force as between the Commission and the Government of Australia as from the date of this letter.

Please accept, Sir, the assurance of my highest consideration.

Campbell McGregor
Executive Secretary