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## ANNUAL REPORT OF THE EXECUTIVE DIRECTOR

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WCPFC2-2005/10  
15 November 2005

### Introduction

1. The Secretariat became operational in late-September when the Chairman, in consultation with a small group, appointed Andrew Wright to the post of Executive Director. He commenced duties with a short visit to the Chairman's office at the Australian Department of Agriculture, Fisheries and Forestry in Canberra. At the conclusion of that visit, on October 10<sup>th</sup>, he took up residency in Pohnpei. Between the First Session of the Commission in December 2004 and October 2005 secretariat services had been provided through the office of the Chairman.

2. Prior to formally assuming the responsibilities of Executive Director, Mr Wright participated in the last week of the Scientific Committee meeting at Noumea in August, the Informal Consultations Leading to the Second Annual Session and the Informal Consultation for the Northern Committee, both of which were convened in Tokyo in mid-September.

3. While awaiting the completion of the new headquarters building in Kolonia Town on land provided by the Pohnpei State government the Secretariat is occupying a temporary office provided by the Federated States of Micronesia's National Oceanic Resources Management Administration. The new headquarters building is being constructed with the generous assistance of the Government of the People's Republic of China.

### Administrative and establishment matters

4. The establishment of bank accounts, telecommunication services and research on matters including local insurance and accommodation options were undertaken during a 4-day visit to Pohnpei in late August. A representative from the Chairman's office accompanied the Executive Director during the visit.

5. Issues associated with the host government agreement for the headquarters of the Commission were also advanced during the visit. This Agreement has now been finalised. A copy is available from the Secretariat on request.

6. Several issues suggested by Working Group I as requiring the attention of the Executive Director early in their term was advanced during the year. This included the preparation of draft Staff Regulations, to be considered by WCPFC2, and duty statements for key staff.

7. The Executive Director, in consultation with the Chairman, and with the assistance of members of the Council of Regional Organisations of the Pacific (CROP), drafted duty statements for key staff posts. The positions of Finance and Administration Officer, Compliance Manager and Science Manager were advertised in early September. On the invitation of the Executive Director a small group of Members agreed to participate in the selection process for these positions. It is planned to complete the selection process by the end of 2005 and for the successful candidates to take up their posts in early 2006.

8. SPC's Oceanic Fisheries Programme served in the role of webmaster for the Commission throughout 2005. Once the capacity is established at the Commission's headquarters, this responsibility will be transferred to the Commission. The Commission has applied to change the WCPFC web domain from an ".org" to an ".int" extension. Generally .int domain names are reserved for organisations established by international treaty. The .int domain is commonly used by other agencies in the Convention Area such as the Forum Fisheries Agency, the Secretariat of the Pacific Community as well as other Regional Fisheries Management Organisations.

9. Preliminary work to develop the Commission's corporate data management systems, document management, finance management systems and information management and communication services has been undertaken. Further development of these components of the Commission's corporate functions will be advanced with the recruitment of professional staff in 2006.

10. Outstanding administrative and establishment matters requiring attention in 2006 include insurance, furnishing of the new office, recruitment of staff and staff accommodation.

### **Science Committee**

11. The Scientific Committee met at the headquarters of the Secretariat of the Pacific Community in Noumea, New Caledonia 8-19 August 2005. It was chaired by Dr SungKwon Soh from Korea. Twenty three members and cooperating non-members and three international agencies presented fishery reports to the Committee.

12. The Committee adopted the terms of reference for six Specialist Working Groups, which subsequently reviewed available information, principal gaps, research priorities and convenor arrangements for 2007. As requested by WCPFC1, the Scientific Committee reviewed stock status assessments, albeit with caveats associated with uncertainty, for bigeye, yellowfin and South Pacific albacore, and management implications of the assessments. These assessments were used to formulate advice to the Commission. The Scientific Committee also reviewed sustainable catch and effort levels for bigeye, yellowfin and South Pacific albacore, and a series of medium-term projections, as requested by the Commission at WCPFC1. Effects on stocks to mitigate the catch of juvenile bigeye and yellowfin, estimates of the mortality of non-target species, data matters, including observer data, cooperation with the Technical and Compliance Committee, research priorities, planning and coordination, the requirements of developing States and the proposed review of the scientific structure of the Commission were among the other main items considered.

13. The report, including advice, recommendations and proposed work programme and budget of the Scientific Committee will be considered during WCPFC2.

## **Technical and Compliance Committee**

14. The Technical and Compliance Committee met at Pohnpei, Federated States of Micronesia 5-9 December 2005. It was chaired by Mr Apolosi Turaganivalu from Fiji.

15. At the time of the preparation of this report, no Member or Cooperating Non-member had indicated they would not be represented at the Committee. In addition to considering monitoring and reporting on compliance with conservation and management measures, the first meeting of the Technical and Compliance Committee will advance issues outstanding from Working Group III that convened during the Preparatory Conference. Issues include the regional observer programme, the vessel monitoring programme, high seas boarding and inspection, port State measures, transshipment and requirements of developing States. The Committee will also consider requests from WCPFC1 for advice on conservation and management measures.

16. The report, including advice and recommendations and proposed work plan of the Technical and Compliance Committee will be considered during WCPFC2.

## **Northern Committee**

17. The Government of Japan hosted an informal consultation from 12-13 September 2005 in Tokyo to consider the formal establishment of the Northern Committee, logistical and funding options to support its operations, conservation and management priorities and relations with other bodies. Participants agreed to convene a session of the Northern Committee as soon as possible after its formal establishment by the Commission. It was planned that this would occur so that a report of the outcomes of its deliberations could be presented to the Second Session of the Commission.

## **Cooperation with other organisations**

18. Good working relations were informally maintained with the Pacific Islands Forum Fisheries Agency (FFA) and the Secretariat of the Pacific Community (SPC), particularly the Oceanic Fisheries Programme (OFP), during the year. Late in the year a series of exchanges with the SPC-OFP resulted in a Memorandum of Understanding that will serve as a head agreement for relations between the two institutions. It is planned that this arrangement remains in place until the scheduled review of the science functions of the Commission that has been proposed for mid-2007.

19. The Secretariat opened discussions with several other regional fishery management organisations identified in Article 22 of the Convention during the last quarter of 2005. Productive exchanges occurred with the Pacific Islands Forum Secretariat, Commission for the Conservation of Antarctic Marine Living Resources, the Commission for the Conservation of Southern Bluefin Tuna and the Inter-American Tropical Tuna Commission.

20. These relations, and relations with other like-minded organisations, will be advanced during 2006. A formal agreement for collaboration will be proposed for those organisations sharing an active interest in western and central Pacific highly migratory fish stocks. The priorities in this respect will be the relationship between the Commission and IATTC – a matter identified by the Scientific Committee and during informal discussions in Japan in

mid-September as requiring the early attention of the Secretariat - and the relationship between the Commission and the FFA secretariat.

### **Emerging issues**

21. The Second Session of the Commission in December 2005 provides an opportunity to review the work undertaken during the Preparatory Conference. More importantly, it is an opportunity to prioritize the work that remains to bring full effect to the Convention, to engage Members fully in its implementation and to identify tasks, particularly those associated with addressing conservation and management concerns, in 2006.

22. The advice and recommendations received from the Commission's subsidiary bodies plus the outcomes of important agenda items before the Second Session, particularly in respect of conservation and management measures for yellowfin and bigeye tuna, will assist in deciding Commission priorities for 2006. The paper prepared by the Secretariat reviewing issues arising from the Multilateral High Level Conference, the Preparatory Conference and the First Annual Session serves as a starting point for this.

23. In addition, appended to this Report is a summary of action taken to date to operationalize the functions of the Commission. Members might like to consider this a first step in a longer term process to adopt measures that demonstrate a high level of accountability in terms of meeting Convention obligations and measuring the performance of the Commission.

24. Strengthening the capacity of the Secretariat to service Members' needs in relation to implementation of the Convention, and progressing the decisions of the Commission will be priority activities during 2006. In addition, the following activities will require attention and Secretariat resources:

- Implement the decisions of the Second Session of the Commission in relation to conservation and management measures;
- Establish the Commission's Record of Fishing Vessels and Authorizations to Fish;
- Develop a MoU with IATTC and FFA;
- Formalise relationships with other RFMOs with a focus on those responsible for tunas;
- Address IUU fishing in the Convention Area, particularly in relation to national plans to combat IUU fishing and support for efforts that address the unreported and unregulated components of IUU fishing, not solely the illegal components;
- Monitor initiatives to establish high seas marine protected areas;
- Monitor initiatives to establish an international convention for straddling fish stocks in the southern Pacific Ocean;
- Support efforts to improve data collection and research associated with tuna fisheries and the WCPO ecosystem including, as resources permit, initiatives to scale up tuna tagging programmes;
- Support efforts to promote an ecosystems approach to fisheries (EAF) and its application in the WCPO;

- Support initiatives to evaluate management options for WCPO tuna resources including, if required by Members, preparatory work to consider the matter of allocation;
- Support for Members' engagement in the May 2006 meeting to review the 1995 UN Fish Stocks Agreement;
- Monitor and engage with global efforts to address tuna fishing capacity concerns; and
- Monitor developments in the tuna industry. Issues likely to impact 2006 WCPO tuna fisheries and markets include oil prices and bird flu.

## **Acknowledgements**

25. The Secretariat, on behalf of the Commission, extends appreciation to the following governments, organisations and individual for the support provided to the Commission during 2005:

- The Government of the Federated States of Micronesia for the support provided during 2005. This included advancing funds, through the National Oceanic Resources Management Administration, to assist with the establishment of the Commission's bank accounts in Pohnpei. The staff of the FSM Attorney-General's Office were also highly professional and efficient during work to conclude the Headquarters Agreement;
- The Government of the People's Republic of China for the impressive headquarters building that is rapidly approaching completion;
- The Government of Australia, particularly the Department of Agriculture, Fisheries and Forestry and the office of the Chairman for administrative support to the Commission throughout 2005;
- The Oceanic Fisheries Programme at the Secretariat of the Pacific Community for the scientific advice, logistical and technical support provided leading up to, and during, the first meeting of the Scientific Committee, maintenance of the Commission website and assistance with the analysis of data for the assessment of contributions for 2006
- The Government of New Zealand for supporting a scientific adviser, Neville Smith, during the preparations for, and conduct of, the first meeting of the Scientific Committee;
- The Government of New Caledonia for financial assistance provided to the Scientific Committee meeting;
- The Pacific Islands Form Fisheries Agency for providing a loan to support the participation of representatives from small island developing States and participating territories at the first meeting of the Scientific Committee. The advance has since been repaid;
- The Government of Japan for supporting the participation of representatives from small island developing States and the Executive Director at the informal consultations in Japan in mid-September;
- The Government of the United States of America for support during preparations for, and the conduct of, the first meeting of the Technical and Compliance Committee;
- The Secretariat of the Pacific Community, the Secretariat of the Pacific Regional Environment Programme and the Pacific Islands Forum Fisheries Agency for advice and assistance with numerous administrative matters throughout the year;

- The Governments of Federated States of Micronesia and Japan for support provided, through the Overseas Fishery Cooperation Foundation, for office equipment for the Secretariat;
- Respectively to the Governments of Korea and Fiji for releasing staff to chair the subsidiary bodies of the Commission – Dr SungKwon Soh from Korea in respect of the Scientific Committee and Mr Apolosi Turaganivalu from Fiji in respect of the Technical and Compliance Committee; and
- The Government of New Zealand and France in relation to contributions to the Indonesia Philippine Data Collection Project.

**An initial assessment of progress operationalizing the Functions of the Commission during 2005 by the Secretariat** (refer to Article 10 of the Convention for the full text)

Reference	Function	Secretariat's assessment of progress to date
10(1)	Without prejudice to the sovereign rights of coastal States....	
10(1)(a)	determine total allowable catch and total level of fishing effort.....and adopt other conservation and management measures.....to ensure long term sustainability.	Numerous MHLG and PrepCon resolutions have sought to address this matter in respect of yellowfin and bigeye tuna. As opposed to earlier Resolutions that encouraged voluntary action rather than set targets, the Resolution adopted at WCPFC1 seeks specific advice from the Scientific Committee in relation to sustainable catch and effort levels for bigeye, yellowfin and South Pacific albacore. In addition to the report, advice and recommendations of the Scientific Committee to be considered during WCPFC2, both the Technical and Compliance Committee and WCPFC2 will have an opportunity to consider this function further under agenda reserved for discussion on conservation and management measures.
10(1)(b)	promote cooperation and coordination.....and compatibility.	Although some FFA members are moving towards the adoption of effort and catch controls for their EEZs, and all FFA members have demonstrated a long history of successful harmonisation of administrative arrangements for fisheries among themselves, cooperation and coordination among all Members to achieve compatibility for areas under national jurisdiction and the same stocks on the high seas yet to be operationalized.
10(1)(c)	adopt, where necessary, conservation and management measures and make recommendations for non-target species and species dependent on or associated with target stocks.....	The Resolution adopted at WCPFC1 seeks specific advice from the Scientific Committee in relation to mortality estimates for non-target species with an initial focus on sharks, sea birds and turtles. In addition to the report, advice and recommendations of the Scientific Committee to be considered during WCPFC2, both the Technical and Compliance Committee and WCPFC2 will have an opportunity to consider this function further under agenda reserved for discussion on conservation and management. The Scientific Committee considered the data available should only be considered preliminary and that there was a need for a representative observer programme if more precise estimates of catch and mortality of non-target species are to be obtained. This may be a pre-requisite if the Commission is to consider conservation and management measures for non-target,

		dependent or species associated with target stocks.
10(1)(d)	adopt standards for collection, verification and for the timely exchange and reporting of data .....in accordance with Annex I....	The Statistics Working Group, which convened during the Scientific Committee meeting in August, developed a recommendation relating to Standards for the Provision of Operational Level Catch and Effort Data to the Commission (see paragraph 6.2 and Annex VII, Report of the First Regular Session of the Scientific Committee). The Scientific Committee adopted the recommendation for transmission to the Commission.
10(1)(e)	compile and disseminate accurate and complete statistical data .....while maintaining confidentiality.....	The Statistics Working Group which convened during the Scientific Committee meeting in August developed a recommendation relating to Scientific Data to be Provided to the Commission (see paragraph 6.1 and Annex VII, Report of the First Regular Session of the Scientific Committee). The Scientific Committee adopted the recommendation for transmission to the Commission. The extent to which the statistical data is complete concerned Standing Committee on Tuna and Billfish and Scientific Committee participants alike. While there have been recent improvements in the quality of available information from the Philippines and Vietnam, and coverage for operational level catch and effort data has trended up since the late 1970's to the point where 51% coverage was achieved in 2004, coverage for other sources of data are low. 2003 estimates for port sampling data was 5.1% coverage, for observer data it was 4.8% with slightly higher coverage in 2004 (5.1%).
10(1)(f)	obtain and evaluate scientific advice, review the status of stocks, promote and conduct relevant scientific research and disseminate results....	The information available to scientists at the First Regular Session of the Scientific Committee in August 2005, and the outcomes of the meeting, demonstrates the Commission is effectively implementing this function. A proposed review of the scientific structure of the Commission in 2007 should lead to further improvements.
10(1)(g)	develop.....criteria for the allocation of total allowable catch or the total level of fishing effort....	This has not been attempted.
10(1)(h)	adopt....minimum standards for the responsible conduct of fishing operations.	Although guidance is available through Annex I of the Agreement and Annex III of the Convention, the Commission is yet to formally adopt standards for the responsible conduct of fishing operations.
10(1)(i)	establish.....effective monitoring, control, surveillance and enforcement, including a vessel	These matters are before the First meeting of the Technical and Compliance Committee which meets 5-9 December at Pohnpei.



	monitoring system.	
10(1)(j)	obtain and evaluate economic and other fisheries-related data....	The Commission currently does not have the capacity to service this function.
10(1)(k)	agree on means by which the fishing interests of any new member .....may be evaluated.	Refer to procedures recommended by WG III and adopted by the Commission (Annex II of WCPFC/PrepCon/46).
10(1)(l)	adopt ...rules of procedure and financial regulations and other internal administrative regulations....	Rules of Procedure and Financial Regulations have been developed and adopted. Other internal administrative arrangements, such as Staff Regulations, will be considered by WCPFC2.
10(1)(m)	consider and approve the proposed budget.....	A standing agenda item for each annual session of the Commission.
10(1)(n)	promote the peaceful settlement of disputes....	The provisions of Article 20 (Decision-making) and Annex II (Review Panel) provide a good foundation for the peaceful settlement of disputes.
10(1)(o)	.....discuss.....and adopt any measures or recommendations necessary to achieve the objective of the Commission.	Through the MHLC and Preparatory Conference Resolutions Members have adopted recommendations considered necessary to achieve the objective of the Convention. No measures have yet been adopted to evaluate the effectiveness of the recommendations in terms of achieving the desired objective.
10(2)	...may adopt measures relating to, <i>inter alia</i> :	
10(2)(a)	..the quantity of any species or stocks..	The Commission has not adopted any measures relating to the quantity of any species that may be caught.
10(2)(b)	...level of fishing effort;	The Commission has not adopted any measures relating to the level of fishing effort.
10(2)(c)	limitations of fishing capacity, including measures relating to fishing vessel numbers, types and sizes;	The Commission has not adopted any measures relating to limitations on fishing capacity, including measures relating to vessel numbers, types and sizes. There is a need to agree to measures of capacity for vessels fishing in the Convention Area
10(2)(d)	..areas and periods in which fishing may occur;	The Commission has not adopted any measures relating to the areas and periods in which fishing may occur although time-area closures were investigated by the Scientific Committee, at the request of the Commission, and will be considered by the Technical and Compliance Committee.
10(2)(e)	the size of fish of any species....	The Commission has not adopted any measures relating to the sizes of any fish species.

10(2)(f)	the fishing gear and technology.....	The Commission has not adopted any measures relating to the fishing gear and technology which may be used.
10(2)(g)	Particular sub-regions or regions.	The Commission has not adopted any measures relating to particular regions or sub-regions although time-area closures were investigated by the Scientific Committee, at the request of the Commission, and will be considered by the Technical and Compliance Committee.
10(4)	The Commission may adopt decisions relating to the allocation of the total allowable catch or the total level of fishing effort.....by consensus.	The Commission has not adopted any measures relating to the allocation of total allowable catch or the total level of fishing effort
10(5)	....take into account the reports and any recommendations of the Scientific Committee and the Technical and Compliance Committee.....	The reports and recommendations of the Scientific Committee and the Technical and Compliance Committee will be considered by WCPFC2.
10(6)	.....promptly notify ....and give due publicity to the conservation and management measures.....	All Preparatory Conference meeting material, including Resolutions, has been made publicly available on the interim secretariat's (now the Commission's) website.