



**COMMISSION  
THIRTEENTH REGULAR SESSION**  
Denarau Island, Fiji  
5 – 9 December, 2016

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**REVISIONS TO CMM 2015-05 CONSERVATION AND MANAGEMENT MEASURE ON  
CHARTER NOTIFICATION SCHEME**

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**WCPFC13-2016-DP25  
11 November 2016**

**Proposal from Japan**

## Revisions to CMM 2015-05 Conservation and Management Measure on Charter Notification Scheme

### Proposal by Japan

#### **Explanatory Note:**

As acknowledged in preamble of the CMM 2015-05, the chartered vessels make an important contribution to sustainable fisheries development in the Western & Central Pacific Ocean.

On the other hand, as stipulated also in preamble of the CMM, WCPFC is concerned with ensuring that charter arrangements do not promote IUU fishing activities or undermine conservation and management measures.

In accordance with the Secretariat's annual report (WCPFC-TCC12-2016-RP05\_rev1, para. 6), it was observed in some instances, that CCMs are entering charter information on the RFV for vessels which are not formally notified as chartered by a chartering CCM under CMM 2015-05. In addition, some formally notified charters in accordance with CMM 2015-05 are yet to be updated on the RFV. As of 18 August 2016, 14 CCMs answered 'YES-CMM flagged' in the field 'Under Charter' to 203 vessels in the RFV. However, according to the Secretariat's record, there are currently only 5 CCMs with a total of 72 vessels notified to be chartered under CMM 2015-05.

Under these circumstances, Japan is concerned that the responsibility of management of chartered vessels, including its catch and effort, is often unclear; which undermines conservation and management measures, especially the tropical tuna measures.

For the purpose of improving the circumstances, Japan proposes to revise CMM 2015-05 to require a confirmation from the flag Member or Participating Territory of the charred vessel in conjunction with the notification from the chartering Member or Participating Territory to the Commission. The same provision has already been introduced in the other tuna RFMOs (paragraph 2). Japan considers that the proposed process will contribute to eliminate the inconsistency between charter information on the RFV and information notified under the CMM.

In addition to this, Japan proposes to add a new paragraph (paragraph 6) to prevent unreporting of catches by chartered vessels due to unclearness of its attribution under the current CMM.

Japan looks forward to constructive discussion on this proposal.

#### **Application of CMM2013-06:**

***a. Who is required to implement this proposed revised provisions of the CMM?***

Chartering Member or Participating Territory and the flag Member or Participating Territory of the chartered vessels

***b. Which CCMs would this proposal impact and in what way(s) and what proportion?***

Chartering Member or Participating Territory and the flag Member or Participating Territory of the chartered vessels; no new work is required toward chartering Member or Participating Territory

***c. Are there linkages with other proposals or instruments in other regional fisheries management organizations or international organizations that reduce the burden of implementation?***

None

***d. Does this proposal affect development opportunities for SIDS?***

By ensuring proper implementation of charter arrangements, this proposal affects favorably development opportunities for SIDS.

***e. Does this proposal affect SIDS domestic access to resources and development aspirations?***

This proposal will not affect SIDS domestic access to resources and development aspirations.

***f. What resources, including financial and human capacity, are needed by SIDS to implement the proposal?***

None

***g. What mitigation measures are included in the proposal?***

None; however, by ensuring proper implementation of charter arrangements, this proposal affects favorably development opportunities for SIDS

***h. What assistance mechanisms and associated timeframe, including training and financial support, are included in the proposal to avoid a disproportionate burden on SIDS?***

None



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~~THIRTEENTH~~<sup>TWELFTH</sup> REGULAR  
SESSION  
~~Nadi, FIJI~~<sup>Bali, INDONESIA</sup>  
~~5-9-13~~<sup>5-8</sup> December ~~2013~~<sup>2015</sup>

CHARTER NOTIFICATION SCHEME

Conservation and Management Measure ~~2016-XX~~<sup>2015-05</sup><sup>1</sup>

The Western and Central Pacific Fisheries Commission (WCPFC)

*ACKNOWLEDGING* the important contribution of chartered vessels to sustainable fisheries development in the Western & Central Pacific Ocean;

*CONCERNED* with ensuring that charter arrangements do not promote IUU fishing activities or undermine conservation and management measures;

*REALIZING* that there is a need for the WCPFC to establish procedures for charter arrangements;

Adopts, in accordance with Article 10 of the WCPF Convention that:

1. The provisions of this measure shall apply to Commission Members and Participating Territories that charter, lease or enter into other mechanisms with vessels eligible under Para.4 flagged to a another State or Fishing Entity for the purpose of conducting fishing operations in the Convention Area as an integral part of the domestic fleet of that chartering Member or Participating Territory.
2. (i) Within 15 days, or in any case within 72 hours before commencement of fishing activities under a charter arrangement, the ~~Each~~ chartering Member or Participating Territory shall notify the Executive Director ~~Commission~~ of any vessel to be identified as chartered in accordance with this measure by submitting electronically where possible to the Executive Director ~~by 1 July 2010~~ the following information with respect to each chartered vessel:
  - a) name of the fishing vessel;
  - b) WCPFC Identification Number (WIN);
  - c) name and address of owner(s);
  - d) name and address of the charterer;
  - e) the duration of the charter arrangement; and
  - f) the consent of flag ~~Member/Participating Territory~~<sup>state</sup> of the vessel.

<sup>1</sup> By adoption of this CMM (CMM-~~2016-XX~~<sup>2015-05</sup>) the Commission rescinds CMM-~~2015-05~~<sup>2012-05</sup> which has been revised and replaced.

Commented [農林水産省1]:

RECOMMENDATION BY ICCAT ON VESSEL CHARTERING 13-14

13.

- a) At the time the chartering arrangement is made, the chartering Contracting Party shall provide the following information to the Executive Secretary:
  - i. the name (in both native and Latin alphabets) and registration of the chartered vessel;
  - ii. the name and address of the owner(s) of the vessel;
  - iii. the description of the vessel, including the length, type of vessel and the type of fishing method(s);
  - iv. species of fish covered by the charter and quota allocated to the chartering Party;
  - v. the duration of the chartering arrangement;
  - vi. the consent of the flag Contracting Party or Cooperating non-Contracting Party, Entity or Fishing Entity; and
  - vii. the measures adopted to implement these provisions.
- b) At the time the chartering arrangement is made, the flag Contracting Party or Cooperating non-Contracting Party, Entity or Fishing Entity shall provide the following information to the Executive Secretary:
  - i. its consent to the chartering arrangement; and
  - ii. the measures adopted to implement these provisions.
  - iii. its agreement to comply with ICCAT conservation and management measures.
- c) Both the chartering Contracting Party and the flag Contracting Party or Cooperating non-Contracting Party, Entity or Fishing Entity shall inform the Executive Secretary of the termination of the charter;

d) The Executive Secretary of ICCAT shall circulate all the information without delay to all Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities.

~~Upon receipt of the information the Executive Director will immediately notify the flag State.~~

(ii) In case of change in the information referred to (i) with respect to any chartered vessel, the chartering Member or Participating Territory shall notify the Executive Director as well as the flag Member or Participating Territory, within 15 days, or in any case within 72 hours before commencement of fishing activities under a charter arrangement of the change.

(iii) Within 15 days, or in any case within 72 hours before commencement of fishing activities under a charter, the flag Member or Participating Territory shall provide the following information to the Executive Director.

- a) its consent to the chartering arrangement; and
- b) its agreement to comply with WCPFC conservation and management measures.

(iv) Both the chartering Member or Participating Territory and the flag Member or Participating Territory shall inform the Executive Director of the termination of the charter.

(v) The Executive Director shall circulate all the information without delay to all Members, Cooperating non-Members and Participating Territory.

~~3. After 1 July 2010, each chartering Member or Participating Territory shall notify the Executive Director as well as the flag State, within 15 days, or in any case within 72 hours before commencement of fishing activities under a charter arrangement of:~~

- ~~a) any additional chartered vessels along with the information set forth in paragraph 2;~~
- ~~b) any change in the information referred to in paragraph 2 with respect to any chartered vessel; and~~
- ~~c) termination of the charter of any vessel previously notified under paragraph 2.~~

~~4.3~~ Only vessels listed on the WCPFC Record of Fishing Vessels or the WCPFC Interim Register of Non-CCM Carriers and Bunkers, and not on the WCPFC IUU vessel list, or IUU List of another RFMO, are eligible for charter.

~~5.4~~ The Executive Director shall make the information required in paragraph 2 ~~and 3~~ available to all CCMs.

~~6.5~~ Each year the Executive Director shall present a summary of all notified chartered vessels to the Commission for review. If necessary, the Commission may review and revise this measure.

~~7.6~~ Unless specifically provided in other CCMs, catches and effort of vessels notified as charter under this CCM shall be attributed to the chartering Member or Participating Territory. Unless specifically provided in other CCMs, the chartering Member or Participating shall report annually to the Executive Director-Commission catches of chartering vessels previous year. The Commission will continue to work on the development of a broader framework for the management and control of chartered vessels. In particular, this work shall cover the issues of attribution of catch and effort by chartered vessels and the relationship between the flag State and the

~~chartering Member or Participating Territory on control of, and responsibilities towards, the chartered vessels.~~

~~8.7~~ This Measure shall expire on 31 December ~~2019~~~~2018~~ unless renewed by the Commission.

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RECOMMENDATION BY ICCAT ON VESSEL CHARTERING 13-14

5. Catches taken pursuant to the chartering arrangement of vessels that operate under these provisions shall be counted against the quota or fishing possibilities of the chartering Contracting Party.

6. The chartering Contracting Party shall report to ICCAT catches and other information required by SCRS.