

Surveillance Report

PNA Western & Central Pacific Skipjack Tuna (*Katsuwonus pelamis*) Unassociated Purse Seine Fishery

Certificate No.: MML-F-112

December 2012

Authors:

**Antony Lewis
Ian Scott**

Intertek Moody Marine

Merlin House
Stanier Way
Wyvern Business Park
Derby. DE21 6BF
UK
Tel: +44 (0) 1332 544663
Fax: +44 (0) 1332 675020

CONTENTS

1. GENERAL INFORMATION	1
2. INTRODUCTION	1
3. TIMETABLE.....	3
4. RESULTS, CONCLUSIONS AND RECOMMENDATIONS	4
ITEM 1: STOCK STATUS AND CATCH DATA.....	4
ITEM 2: CONDITION OF CERTIFICATION 1: PI 1.1.2 REFERENCE POINTS: LIMIT AND TARGET REFERENCE POINTS ARE APPROPRIATE FOR THE STOCK.	5
ITEM 3: CONDITION OF CERTIFICATION 2: PI 1.2.2 HARVEST CONTROL RULES AND TOOLS: THERE ARE WELL DEFINED AND EFFECTIVE HARVEST CONTROL RULES IN PLACE	9
ITEM 4: CONDITION OF CERTIFICATION 3: PI 2.2.2 - MANAGEMENT STRATEGY: THERE IS A STRATEGY IN PLACE FOR MANAGING BYCATCH THAT IS DESIGNED TO ENSURE THE FISHERY DOES NOT POSE A RISK OF SERIOUS OR IRREVERSIBLE HARM TO BYCATCH POPULATIONS.	13
ITEM 5: CONDITION OF CERTIFICATION 4: PI 2.3.1 STATUS: THE FISHERY MEETS NATIONAL AND INTERNATIONAL REQUIREMENTS FOR PROTECTION OF ETP SPECIES. THE FISHERY DOES NOT POSE A RISK OF SERIOUS OR IRREVERSIBLE HARM TO ETP SPECIES AND DOES NOT HINDER RECOVERY OF ETP SPECIES	18
ITEM 6: CONDITION OF CERTIFICATION 5: PI 3.2.2 DECISION-MAKING PROCESSES: THE FISHERY-SPECIFIC MANAGEMENT SYSTEM INCLUDES EFFECTIVE DECISION-MAKING PROCESSES THAT RESULT IN MEASURES AND STRATEGIES TO ACHIEVE THE OBJECTIVES	23
ITEM 7: CONDITION OF CERTIFICATION 6: PI 3.2.1 FISHERY- SPECIFIC OBJECTIVES: THE FISHERY HAS CLEAR, SPECIFIC OBJECTIVES DESIGNED TO ACHIEVE THE OUTCOMES EXPRESSED BY MSC’S PRINCIPLES 1 AND 2	27
ITEM 8: ANY COMPLAINTS AGAINST THE CERTIFIED OPERATION; RECORDED, REVIEWED AND ACTIONED.....	30
ITEM 9: ANY RELEVANT CHANGES TO LEGISLATION OR REGULATION	30
ITEM 10: ANY RELEVANT CHANGES TO MANAGEMENT REGIME.	30
ITEM 11: PERSONNEL CHANGES IN SCIENCE, MANAGEMENT OR INDUSTRY TO EVALUATE IMPACT ON THE MANAGEMENT OF THE FISHERY	30
ITEM 12: DESTRUCTIVE PRACTICES & CONTROVERSIAL UNILATERAL EXEMPTION TO AN INTERNATIONAL AGREEMENT	30
ITEM 13: RECOMMENDATIONS IN THE CERTIFICATION REPORT.....	31
ITEM 14: FINDINGS & CONCLUSIONS	34
ITEM 16: REFERENCES.....	35
ITEM 17: STANDARDS AND GUIDELINES USED	35
APPENDIX 1: WRITTEN STAKEHOLDER SUBMISSIONS TO THE SURVEILLANCE AUDIT & IMM RESPONSES TO POINTS RAISED.	36
APPENDIX 2: NOTIFICATION OF SURVEILLANCE AUDIT	49
APPENDIX 3: DETERMINATION OF SURVEILLANCE LEVEL	53
APPENDIX 4: EXTRACT FROM PA17/WP2.....	54
APPENDIX 5: SCORING TABLE PI 2.2.2	56

1. GENERAL INFORMATION

Scope against which the surveillance is undertaken: MSC Principles and Criteria for Sustainable Fishing as applied to the PNA Western and Central Pacific Skipjack Tuna (*Katsuwonus pelamis*) unassociated purse seine fishery

Species: Skipjack Tuna (*Katsuwonus pelamis*)

Area: Western and Central Pacific covering the EEZs of the PNA parties

Method of capture: Unassociated¹ Purse seine

Date of Surveillance Visit:	November 12 – 15, 2012			
Initial Certification	Date: December 21, 2011	Certificate Ref: MML-F-112		
Surveillance stage	1st	2nd	3rd	4th
Surveillance team:	Lead Assessor: Ian Scott Assessor: Antony Lewis			
Company Name: Address:	Parties to the Nauru Agreement PNA Office - P.O. Box 3992 Majuro, Marshall Islands (MH) 96960			
Contact	Maurice Brownjohn O.B.E., Commercial Manager			
Tel No: Fax No: E-mail address:	(692) 625-7626/7627 (692) 625-7628 maurice@pnatuna.com			

2. INTRODUCTION

This report contains the findings of the first annual surveillance report on the PNA Western and Central Pacific Skipjack Tuna (*Katsuwonus pelamis*) unassociated purse seine fishery. The surveillance audit methodology, as defined in the current version of the MSC Certification Requirements (CR) (version 1.2 January 10 012) was followed in this audit. Annex CG of the CR requires the Certification Assessment Body (CAB) to prepare a report that covers the following:

- Confirming the status of the Certification. If, on review, the CAB identifies any issue (e.g.: potential or actual changes in the management system; changes or additions / deletions to regulations; personnel changes in science, management or industry and the impact of these changes on the management of the fishery; and changes to the scientific base of information, including stock assessments) that affects the sustainability of the fishery in relation to each of the three Principles then it must re-score the affected PI(s) and, as required, define new conditions to certification with associated milestones and a related client action plan (CAP). If, as a result of the rescoring of a PI or PIs, the weighted average score for the Principle goes below 80 then the certification must be suspended until such time as an audit indicates that the PI(s) may be rescored and the average weighted score for a Principal is increased to ≥ 80 .

¹ An unassociated set is defined as fishing on a free school, which may include a free school feeding on bait fish. There are no associations with objects (natural or manmade), with set distances from such objects of 1 nautical mile or greater.

- The status of previously raised conditions. The CAB documents whether progress in satisfying is “on target”, “ahead of target” or “behind target”, as well as the rationale for the conclusion. (i) If progress is judged to be behind target, the CAB defines remedial action with associated milestones that are required to bring the process back on track by the next surveillance audit to meet the condition. In the event that the CAB determines that progress against conditions is inadequate and /or a condition is not back “on target” within 12 months of falling “behind target”, the CAB must conclude that progress has been inadequate and this will lead to the suspension or withdrawal of the certificate. (ii) If the condition or part of a condition has been met and the required outcome(s) have been achieved, the CAB re-scores the relevant PI and if the score is raised to ≥ 80 the condition is closed out with the appropriate written justification.
- The CAB must justify any change in the requirements of a condition.
- The CAB must include in the surveillance report all written submissions made by stakeholders, together with the explicit responses of the team that identify: specifically what (if any) changes to scoring, rationales, or conditions have been made as a result of the information submitted; where the need for changes is suggested but no change is made, a substantiated justification.

The fishery was certified on December 21, 2011 following an assessment process that started in on April 27, 2010. Prior to the certification of the fishery, there was an objection process to the original determination of certification (August 8, 2011 - December 14, 2011). The information on the whole process can be found at: <http://www.msc.org/track-a-fishery/fisheries-search/pna-western-and-central-pacific-skipjack-tuna/@assessments>.

For the fishery, the scoring of the three MSC Principles (P) was: P1 = 83.8; P2 = 86.3; P3 = 84.5. Six performance indicators (PIs) failed to achieve a score of 80:

- PI 1.1.2 (Component: Outcome – Reference Points): Limit and target reference points are appropriate for the stock. Score – 75.
- PI 1.2.2 (Component: Harvest Strategy - Harvest control rules and tools): There are well defined and effective harvest control rules in place. Score - 60
- PI 2.2.2 (By catch species - Management strategy): There is a strategy in place for managing bycatch that is designed to ensure the fishery does not pose a risk of serious or irreversible harm to bycatch populations – Score - 75.
- PI 2.3.1 (ETP Species – Outcome): The fishery meets national and international requirements for protection of ETP species. The fishery does not pose a risk of serious or irreversible harm to ETP species and does not hinder recovery of ETP species. Score – 70.
- PI 3.2.1 (Fishery Specific Management System – Fishery Specific Objectives): The fishery has clear, specific objectives designed to achieve the outcomes expressed by MSC’s Principles 1 and 2. Score – 70.
- PI 3.2.2 (Fishery Specific Management System – Decision making processes): Score – 70. The fishery specific management system includes effective decision-making processes that result in measures and strategies to achieve the objectives. Score - 70

This led to the setting of six conditions to the certification; the client’s response to which was set out in the CAP. The progress made during the first year of the certification in meeting the defined conditions in accordance with the related milestones and the CAP has been evaluated by the Intertek Moody Marine (IMM) Audit Team and is set out below in items 2 to 7 as “Observations” and “Conclusion”. Items 1 (stock status), and 8 to 13 confirm the situation in relation to parameters that may affect consideration of the sustainability of the fishery, including the response to the recommendations made by the main assessment team. Findings and conclusions are shown in item 14. Annex 1 covers the written submission received from two stakeholders – the Pew Environmental Group and WWF. Annex 2 includes the announcement posted on the MSC web site advising the site visit and copy of the e-mail sent to stakeholders to advise them of the planned surveillance audit. Annex 3 determines the level at which subsequent surveillance of the fishery shall be undertaken (see CR Para 27.22.1).

The audit approach included a review of the written submissions and the documentary evidence received from the client on November 6, and the oral submission made by the client at the meeting with the auditors to review: (i) any changes that may affect the status of the fishery certification; (ii) the progress being made to in meeting the conditions to certification; and (iii) the actions taken by the client on the non-binding recommendations made by the audit team that completed the main assessment.

Two stakeholders responded to the invitation to make submissions – the Pew Environmental Group (written) and WWF (Skype conference call and written).

3. TIMETABLE

Date	Action																				
18 September	Variation Response: Change to surveillance audit destination																				
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28 September	E mail to identified stakeholders (Annex 2)																				
9 October	MSC web page - Surveillance Audit Announcement http://www.msc.org/track-a-fishery/fisheries-search/pna-western-and-central-pacific-skipjack-tuna/files/536e9fcbbd138e5b3dcdd690d2859c5aa6b243ae/@@display-file/file_data																				
6 November	Written submissions received by IMM from client on progress made on meeting conditions to certification together with documentary evidence.																				
12 November	Client meeting: Port Douglas, Queensland. Revision of status of fishery and progress towards meeting conditions to certification. 08.00 – 14.30																				
	<table> <tr> <th>Person</th><th>Affiliation</th></tr> <tr> <td>Ian Scott</td><td>Intertek Moody LA/P3</td></tr> <tr> <td>Antony Lewis</td><td>Intertek Moody P1/P2</td></tr> <tr> <td>Sangaa Clark</td><td>PNAO</td></tr> <tr> <td>Les Clark</td><td>PNAO</td></tr> <tr> <td>Patricia Jack-Jossien</td><td>PNAO</td></tr> <tr> <td>Ludwig Kumoru</td><td>NFA – PNG</td></tr> <tr> <td>Richard Banks</td><td>PNAO</td></tr> <tr> <td>Bill Holden</td><td>MSC</td></tr> <tr> <td>Maurice Brownjohn</td><td>PNAO</td></tr> </table>	Person	Affiliation	Ian Scott	Intertek Moody LA/P3	Antony Lewis	Intertek Moody P1/P2	Sangaa Clark	PNAO	Les Clark	PNAO	Patricia Jack-Jossien	PNAO	Ludwig Kumoru	NFA – PNG	Richard Banks	PNAO	Bill Holden	MSC	Maurice Brownjohn	PNAO
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13 November	Written submission received from The Pew Environmental Group (see annex 2)																				
12 November	Client meeting: Port Douglas, Queensland. Revision of progress towards responding to recommendations. 09.00 – 11.00.																				
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13 November	Skype conference call: IMM / WWF (minute – see Annex 2) 13.00																				
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13 – 19 Nov	Report preparation																				
19 Nov	Written submission received from WWF																				
20 Nov	Formal responses sent to the Pew Environment Group and WWF																				
20 Nov	Draft Report sent to client																				
6 December	Final Report approved by client for posting on the MSC web site																				
7 December	Report up-loaded to MSC e-cert for subsequent review and posting.																				

4. RESULTS, CONCLUSIONS AND RECOMMENDATIONS

Item 1: Stock status and Catch Data	
Update on Stock Status	The most recent skipjack assessment was completed in 2011. It showed little change from the 2010 assessment which was audited in the PNA Main Certification i.e. the stock is currently moderately exploited ($F_{\text{current}}/F_{\text{MSY}} = 0.37$); fishing mortality levels are sustainable; and biomass levels are well above B_{MSY} ($B_{\text{current}}/B_{\text{MSY}} = 2.68$). However, there is concern that high catches in the equatorial region could result in range contractions of the stock, thus reducing skipjack availability to higher latitudes. More recent projections (SPC-OFP 2012) indicate that skipjack is likely to remain exploited at a moderate level under either 2009 or 2010 fishing patterns; assuming recruitment remains constant at average 2000-2009 levels. The next full skipjack assessment is scheduled for 2014 but is not seen a high priority, unless there are significant changes in the fishery.
Total Allowable Catch (TAC) in most recent fishing year	A TAC has not been established for WCPO skipjack, although it is expected that a Conservation and Management Measure (CMM) including skipjack for the first time will be adopted at WCPFC 9 (see draft CMM2011-01, rev. 1) to replace CMM 2008-01. The Convention Area catch of 1,706, 166 t of skipjack in 2010, mostly by purse seine, was the second highest catch on record. In 2011, the catch declined to 1,540,189 t, representing the 5 th highest on record. Purse seine effort in 2011 was at record levels.
Unit of Certification share of TAC	The PNA catch of free school (unassociated) skipjack in 2011 was 422,921 mt, a significant decrease from the 2010 catch of 662,062 mt. This was due to greater fishing activity on associated sets in 2011 rather than stock depletion.
Client share of TAC	The PNA UoC share of the total skipjack catch (1,540,189 t) declined to 27.4% in 2011 compared to 38.8 % in the previous year.
Green Weight² of skipjack catch taken by client group	Most recent calendar year (Y): 422,921 t. Previous year (Y-1): 662,062 t.

² The weight of a catch prior to processing

Item 2: <u>Condition of Certification 1: PI 1.1.2 Reference Points: Limit and target reference points are appropriate for the stock.</u>	
SG 60	<u>Generic</u> limit and target reference points are based on justifiable and reasonable practice appropriate for the species category.
SG 80	<p>Reference points are appropriate for the stock and can be estimated.</p> <p>The limit reference point is set above the level at which there is an appreciable risk of impairing reproductive capacity.</p> <p>The target reference point is such that the stock is maintained at a level consistent with B_{MSY} or some measure or surrogate with similar intent or outcome.</p> <p>For low trophic level species, the target reference point takes into account the ecological role of the stock.</p>
SG 100	<p>The limit reference point is set above the level at which there is an appreciable risk of impairing reproductive capacity following consideration of relevant <u>precautionary issues</u>.</p> <p>The target reference point is such that the stock is maintained at a level consistent with B_{MSY} or some measure or surrogate with similar intent or outcome, <u>or a higher level</u>, and takes into account relevant precautionary issues such as the ecological role of the stock with a high degree of certainty.</p>
Activity assessed	<p><u>The first condition of certification defined by the assessment team in the certification report for this fishery related to:</u></p> <ul style="list-style-type: none"> The second issue at SG80 for PI 1.1.2 requires that: <i>“The limit reference point is set above the level at which there is an appreciable risk of impairing reproductive capacity”</i>. <p><u>The assessment team found that:</u></p> <ul style="list-style-type: none"> Article 6 of the Convention requires that the Commission apply the guidelines of Annex II of the United Nations Fish Stocks Agreement (Guidelines for the Application of Precautionary Reference Points in Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks) including determination of stock-specific limit reference points (LRPs) and target reference points (TRPs). The current assessment provides estimates of a range of indicators that can be used appropriately as LRPs and TRPs, although management advice is provided solely with respect to MSY-based TRPs. Generic MSY-related reference points are used by the WCPFC Scientific Committee to assess stock status, consistent with the WCPFC Convention, UNFSA and current practice in other tuna RFMOs - management advice and implications of this advice are regularly provided in these terms to the Commission, and are used to determine whether conservation and management measures need to be adopted, but this advice has consistently indicated that measures to conserve skipjack have not been required thus far, although it was recognized that measures adopted (and reviewed) for other species will have collateral benefit for skipjack conservation and management. Explicitly determined limit and target Reference Points for management of skipjack tuna have not yet been adopted by PNA or the WCPFC. In practice, the stock is managed with B_{msy} or above as a default TRP. The general observed strategy of the WCPFC and PNA managing regional tuna stocks is to reduce the exploitation rate when F exceeds F_{MSY}, which should ensure for skipjack that the exploitation rate is reduced as the level associated with an appreciable risk of recruitment being impaired is approached – in this sense there is an implied LRP above the level at which there is an appreciable risk of impairing reproductive capacity (FAM 6.2.22). Condition 2 (PI 1.2.2) requires a management by PNA of the stock (within PNA waters, but as outlined above, this is sufficient proportion of the stock to enable effective stock management) in accordance with the default reference points based on B_{msy}.

	<ul style="list-style-type: none"> Skipjack tuna is not considered a low trophic level species. Precautionary issues such as the ecological role of the stock have been considered but have not been taken into account in setting the TRP. <p><u>The assessment team concluded that:</u></p> <ul style="list-style-type: none"> There is an implied limit reference point above the level at which there is an appreciable risk of impairing reproductive capacity, but these are not explicit, nor set by management nor implemented as part of the management plan. (60) <p><u>The assessment team scored PI 1.1.2</u></p> <ul style="list-style-type: none"> 75 <p><u>This led the team to require the following action:</u></p> <ul style="list-style-type: none"> Within 5 years of certification, PNA and/or WCPFC must be in a position to demonstrate that the following SG80 requirements have been met: The limit reference point is set above the level at which there is an appreciable risk of impairing reproductive capacity; and the target reference point is such that the stock is maintained at a level consistent with B_{MSY} or some measure or surrogate with similar intent or outcome. <p><u>To achieve this outcome, the team recommended that:</u></p> <ol style="list-style-type: none"> PNA and/or WCPFC shall establish and adopt explicit and appropriate target and limit reference points for skipjack; PNA vigorously pursue the adoption of reference points in the WCPFC. <p><u>The team set the timescale to satisfy this condition as:</u></p> <ul style="list-style-type: none"> Year 1: identification and development of appropriate reference points initiated by PNA Year 2: explicit and appropriate target and limit reference points for skipjack adopted by PNA, and adoption of appropriate target and limit reference points for skipjack promoted by PNA within WCPFC
Client Action Plan	<p><u>In relation to fulfil this condition the client action plan responded:</u></p> <p>Notwithstanding that WCPFC may introduce reference points independently of PNA action, PNA has the option of meeting Conditions 1 and 2 independently; or through the option to call on WCPFC to develop compatible measures; or PNA may propose these are set through WCPFC</p> <p>PNA has commissioned work to clarify the actions necessary by PNA to meet these conditions in the setting of target and limit reference points through current contracts with SPC and CLS. [Appendix 1]</p> <p>PNA has demonstrated previously that it is prepared to take a disproportionate burden for conservation of bigeye as a bycatch in the skipjack purse seine fishery [3IA, and actions under CMM 2008-01- FAD and high seas closures],</p> <p>PNA also confirms that PNA would be prepared to take the burden of accounting for skipjack catches outside of PNA waters in setting reference points, which are currently reflected in the SPC scientific advice being considered in PNA management decisions (refers to Decision para. 31)</p> <p>Depending on the results of this work, PNA may proceed independently or through influencing WCPFC. This decision would be taken within the first year of certification, on receipt of results from SPC and CLS</p> <p>This will set the basis for adopting a harvest control strategy linking the exploitation rate to the LRPs.</p>
Year 1	<p>PNA has pursued the identification and ultimate adoption of appropriate limit and target reference points, independently at PNA level and also through WCPFC.</p> <p>In 2011, SC7 adopted the following recommendations relevant to the development of LRPs and TRPs.</p> <ul style="list-style-type: none"> That SPC-OFP, using the most recent stock assessment models for South Pacific

	<p>albacore, bigeye, skipjack, and yellowfin tunas undertake further analyses to evaluate the consequences of: i) different levels of SPR, $X\%SPR_0$ (where X is in the range 20–50% in 10% increments) to be associated with the adopted fishing mortality-based LRP; ii) using either a $X\%SB_0$ or a $X\%SB_{current,F=0}$ biomass-based LRP (range of X of 10–40%); and iii) adopting an SPR-based LRP for key target species other than yellowfin and bigeye tunas</p> <ul style="list-style-type: none"> That SPC-OFP prepare a paper for the Management Objectives Workshop to identify and evaluate candidate target reference points for skipjack, including empirical reference points such as those based on CPUE as well as possible target reference points derived from stock assessment models <p>Modelling and analytical work to advise the PNA (on the development of a management framework for the purse seine fishery, including the specification of limit and target reference points, and harvest control rules that will guide decisions on total allowable purse seine effort for the Vessel Days Scheme) was commissioned in accordance with SC7 recommendations. The funding for this activity was the World Bank programme Global Partnership for Oceans.</p> <p>Work was undertaken for PNA by SPC to evaluate stock status against potential LRPs (Harley <i>et al.</i> 2008) and consideration of appropriate TRPs for skipjack (Pilling <i>et al.</i>, 2008). Immediately prior to SC8, PNA convened a Reference Points Meeting at which these studies were presented (PNA, 2012). PNA members subsequently agreed to adopt an LRP of 20% SB_0 (unfished spawning biomass) for skipjack in the WCPO, with a provisional risk level of falling below the LRP of a precautionary 5%. An F-based LRP was not considered appropriate.</p> <p>A working TRP in the range 40%SB_0 - 60% SB_0 was also adopted, subject to evaluation by SPC of a possible range of TRPs and associated HCRs, and also analysis by SPC on a range of HCRs to be applied as the adopted LRP is approached. Consideration of these analyses was expected at the Management Options Workshop in October 2012, with possible reporting on progress to WCPFC 9 in December 2012.</p> <p>In addition to the above work, PNA commissioned the French company CLS to undertake a study modelling the abundance of skipjack tuna in the WCPO and EEZs of PNA members. Having noted the Independent Adjudicator's view in response to the objections raised about the determination to certify the unassociated fishery that "<i>PNA's ability to fulfill its management role across the whole stock under this PI is unsupported by scientific analysis</i>", the objective of this work was to confirm PNA's leverage in managing the skipjack stock across its range. The CLS study confirmed that "<i>in the WCPFC convention area, 60% of the annual catch of skipjack for the mean period 2004-2008 came from the EEZs of PNA members that control one third of the annual production of the stock and slightly above 20 % of spawning biomass</i>". It was also commented that these figures probably represented an underestimate. The leverage assumption is thus justified and supported by the scientific analysis.</p>
<p>Conclusion</p>	<p>To an extent the defined condition is misleading in that it requires "<i>within 5 years of certification, PNA and/or WCPFC must be in a position to demonstrate that the following SG80 requirements have been met</i>", before going on to define milestones that establish that the condition must be met by the second annual audit. The team in the first annual surveillance considers that the milestone sets the requirement and indeed it is clear that this has been the interpretation of the client.</p> <p>In addition, the condition relates to the setting of LTPs <u>and</u> TRPs; however in relation to the third scoring issue at SG80 ("The target reference point is such that the stock is maintained at a level consistent with B_{MSY} or some measure or surrogate with similar intent or outcome"), the main assessment team concluded, "<i>the default target reference point is consistent with maintaining the stock at B_{MSY} (80)</i>". The role of a condition is to ensure that the score of a PI is raised to 80 or above within a define time limit. Para CC2.4.5.3 of the MSC CR states "<i>If a condition is triggered when assessing a PI using the PSA, CABs should make sure that the</i></p>

client action plan proposed by the fishery is capable of raising the score to 80 without causing additional associated problems". On that basis the team for the first annual audit concludes that TRPs should not be subject to condition. At the same time, it acknowledges that the work being undertaken on TRPs is important in strengthening the management of skipjack by ensuring that the defined TRP is appropriate for the stock, thus reducing the risk to the stock from applying a management strategy based on HCRs in relation to the status of the stock against the TRP.

Finally, it would appear that in scoring PI 1.1.2, the main assessment team took account of the fourth scoring issue (low trophic level species). In the opinion of the team in the annual surveillance audit, this should not have been taken into consideration in the scoring of the PI. While it made little difference in the main assessment scoring, should it be the case that this PI is rescored in the future, the fourth issue at PI 80 should not be considered. At SG100, key low trophic species are not mentioned; rather TRPs should take *"into account relevant precautionary issues such as the ecological role of the stock with a high degree of certainty"*.

Notwithstanding these observations, the team in the first annual surveillance audit concludes that PNA has been pro-active in identifying and adopting appropriate LRPs and TRPs for skipjack, while it has lead the way by vigorously promoting the adoption of reference points in the WCPFC. The client has shown that in the event that WCPFC does not adopt appropriate LRPs and TRPs, actions in the fishing areas under the authority of the PNA parties will be sufficient to ensure that PNA LRPs and TRPs are appropriate for the stock.

At the very least the client is "on target" in relation to meeting Condition 1 in the context of the defined mile stones.

Item 3: Condition of Certification 2: PI 1.2.2 Harvest control rules and tools: There are well defined and effective harvest control rules in place

SG 60	<p>Generally understood harvest control rules are in place that are consistent with the harvest strategy and which act to reduce the exploitation rate as limit reference points are approached.</p> <p>There is some evidence that tools used to implement harvest control rules are appropriate and effective in controlling exploitation.</p>
SG 80	<p>Well defined harvest control rules are in place that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached.</p> <p>The selection of the harvest control rules takes into account the main uncertainties.</p> <p>Available evidence indicates that the tools in use are appropriate and effective in achieving the exploitation levels required under the harvest control rules</p>
SG 100	<p>Well defined harvest control rules are in place that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached.</p> <p>The design of the harvest control rules take into account a wide range of uncertainties.</p> <p>Evidence clearly shows that the tools in use are effective in achieving the exploitation levels required under the harvest control rules.</p>
Activity assessed	<p>The second condition of certification defined by the assessment team in the certification report for this fishery related to:</p> <ul style="list-style-type: none"> • The first issue at SG80 requires that: “Well defined harvest control rules are in place that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached”. • The second issue at SG80 requires that: “The selection of the harvest control rules takes into account the main uncertainties”. • The third issue at SG80 requires that: “Available evidence indicates that the tools in use are appropriate and effective in achieving the exploitation levels required under the harvest control rules.” <p>The assessment team found that:</p> <ul style="list-style-type: none"> • There is a general understanding that actions would be taken to reduce the exploitation rate on skipjack if necessary to achieve management objectives, including adoption of measures by the WCPFC in accordance with the Convention provision and the application of the precautionary approach and, PNA adjustments to the total allowable effort (TAE) under the VDS. However there are no well-defined rules in place for the skipjack stock that ensure that the exploitation rate is reduced as limit reference points are approached. • The level of effort in PNA EEZs, by vessels covered under the VDS, has not increased since it was introduced in 2008. There are appropriate mechanisms to adjust for effort creep and apply effort limits at national level. These together provide some evidence that harvest control approaches are appropriate and effective in controlling exploitation. But the VDS is in the early stages of implementation, and therefore has not been fully tested, and does not address the transfer of effort to archipelagic waters, nor how to balance and assess the VDS TAEs against the increasing effort by the USMLT. <p>The assessment team concluded that:</p> <ul style="list-style-type: none"> • Through the nature of the WCPFC Convention and the VDS, there are generally understood harvest control rules in place which are consistent with the harvest strategy and which could act to reduce the exploitation rate of skipjack as limit reference points are approached (60). • There is some evidence that the VDS and other tools (e.g. WCPFC limits on other fleets) used to implement harvest control rules are appropriate and effective in controlling

exploitation (60).

The assessment team scored PI 1.2.2

- 60

This led the team to require the following action:

- Within 5 years of certification, PNA and/or WCPFC must be in a position demonstrate that the SG80 requirements have been met: Well defined harvest control rules shall be in place that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached; The selection of the harvest control rules shall take into account the main uncertainties; and Evidence shall be available that indicates that tools in use are appropriate and effective in achieving the exploitation levels required under the harvest control rules

To achieve this outcome, the team recommended that:

- PNA (and/or WCPFC) may consider the following: Adopt defined harvest control rules for the exploitation of skipjack tuna in their waters that are consistent with the harvest strategy and act to reduce the exploitation rate, as limit reference points are approached).
- Assessment of the main uncertainties should include the fishing mortality in archipelagic waters and territorial waters in order to ensure that the exploitation rate is appropriately reduced as limit reference points are approached.
- In demonstrating that the tools in use are appropriate and effective in achieving the exploitation levels required under the harvest control rules, PNA (and/or WCPFC) should consider demonstrating that effort is effectively limited within overall PAE levels established in accordance with the VDS text, Implementing Arrangements and appropriate WCPFC conservation and management measures. In the event that these tools were to substantially change, then their effectiveness should be re-evaluated.

The team set the timescale to satisfy this condition as:

- Plans for the development and adoption of appropriate HCRs for skipjack, including scientific analysis to assess the scope for SG80 requirements applying to the whole stock to be met by PNA actions and consideration of the main uncertainties, should be in place by the first surveillance audit.
- If the analysis to be undertaken in Year 1 demonstrates that adoption of appropriate HCRs for the WCPO skipjack stock by PNA will be effective, proposals for adoption of appropriate HCRs by PNA should be prepared and under consideration by PNA by the second annual surveillance audit. PNA should also promote the adoption of appropriate HCRs for skipjack by the WCPFC.
- By the third surveillance audit, PNA should either adopt appropriate HCRs for the WCPO skipjack stock or support specific proposals for adoption of appropriate HCRs by the WCPFC.
- HCRs within PNA (and/or WCPFC) should be in place by the fourth surveillance audit.

<p>Client Action Plan</p>	<p><u>In relation to fulfil this condition the client action plan responded:</u></p> <p>The PNA is a very significant player in the Western and Central Pacific and has demonstrated its capacity to drive management interventions in the wider regional context. PNA have already commissioned work towards the development of limit and target reference points for skipjack tuna (Condition 1). This will set the basis for adopting a harvest control strategy linking the exploitation rate to the LRPs, taking note of our commitment to account for catches outside PNA waters. The VDS is PNA's main tool for regulating fishing for skipjack and will therefore be central in responses to any approach to a limit reference point. However additional management measures are under continual evaluation and may also be relevant in the future to compliment the governance.</p> <p>PNA have established a formal VDS Committee under the Palau Arrangement to consider the various information available and to provide advice on <i>inter alia</i> the setting of the annual TAE. The harvest control rules, and information on the status of the fishery against the reference points will become a key consideration of the VDSC when making recommendation to the formal meeting of the Parties in this regard.</p> <p>In terms of accounting for external influences in the design of the harvest control rules, PNA notes that while the majority of catch and effort occurs in PNA EEZs, there are significant levels of fishing mortality in other areas, including archipelagic waters, and waters outside of PNA. As custodians of the resource, and in compliance with international law, PNA remain committed to ensuring sustainable management of the stock as a whole, but recognizes that in the areas beyond the control of PNA, it is the Commission and respective non PNA states that need act. PNA will continue to support the WCPFC in this and will implement as necessary our commitment to account for catches outside PNA waters.</p> <p>In order to ensure that the management of fisheries in PNA EEZs can adequately detect and respond to changes regardless of their origin, it is anticipated that the overall harvest strategy will rely on both empirical and model based reference points. This will be coupled with regular reporting against those reference points to guide management deliberations. Clearly there are numerous factors to be considered in this significant undertaking, but PNA remain committed to meeting the requirements and timeframes in the Condition.</p> <p>Decisions on governance in PNA EEZ will take account of the exploitation rates achieved in Archipelagic waters and territorial waters, and will make its best endeavours to ensure that equivalent compatible measures are adopted under the framework of WCPFC. PNA Parties will collectively press WCPFC through its annual meetings to set Harvest Control Rules which should be extended to all skipjack related fisheries in the Western and Central Pacific.</p> <p>The PNA Parties also commit to commissioning an independent review of the Harvest Control Rules set to ensure that the rules and tools applied are effective and more specifically are consistent with the VDS text, and that parties comply with the PAE restriction set. This will include an evaluation of the effectiveness of the tools applied to skipjack (as well as to yellowfin and bigeye). This may include an assessment of appropriate support tools such as a restriction on vessel capacity. This commitment represents part of a continuous and on-going review of management systems within the PNA, in which experts are engaged at regular intervals to explore all aspects of tuna fisheries management. In the event that there are changes to the harvest control tools, PNA will also engage experts to evaluate the effectiveness of any changes made.</p>
<p>Year 1</p>	<p>Actions related to the first and second conditions are clearly linked; progress on the first condition (reference points) is a prerequisite to establishing HCRs, particularly as the LRP is approached.</p> <p>As with condition 1, following recommendations from SC7 and funding obtained from the World Bank Global Partnership for Oceans, an SPC study providing an introduction to HCRs (Berger <i>et al.</i>, 2012) was undertaken and presented to the Reference Points Meeting that was held prior to SC8.</p> <p>A working TRP in the range 40%SB₀ - 60% SB₀ was adopted at SC8, subject to evaluation by</p>

	<p>SPC of a possible range of TRPS and associated HCRs, and also an analysis by SPC on a range of HCRs to be applied as the adopted LRP is approached. Consideration of these analyses was expected at the Management Options Workshop in October, 2012 with a report on progress made at WCPFC 9.</p>
Conclusion	<p>In the opinion of the team undertaking the first annual audit, the requirement for the first annual audit is somewhat weak as it defines that “<i>Plans for the development and adoption of appropriate HCRs for skipjack ...should be in place by the first surveillance audit</i>”. The word <i>plan</i> is open to interpretation.</p> <p>At the same time, the client action plan is nebulous and it does not appear to respond specifically to the defined milestones. Para 27.11.2 of the MSC CR requires “the CAB shall require the client to prepare a “<i>client action plan that includes: 27.11.2.1 How the conditions and milestones will be addressed. 27.11.2.2 Who will address the conditions. 27.11.2.3 The specified time period within which the conditions and milestones will be addressed 27.11.2.4 How the action(s) is expected to improve the performance of the fishery. 27.11.2.5 How the CAB will assess outcomes and milestones in each subsequent surveillance or assessment</i>”.</p> <p>The second part of PI 1.2.2 is “<i>Evidence clearly shows that the tools in use are effective in achieving the exploitation levels required under the harvest control rules</i>”. The milestones established do not refer to the need to provide evidence of effectiveness; rather they require that HCRs are in place by the fourth annual audit. This requires a change in the condition to:</p> <ul style="list-style-type: none"> • By the fourth annual audit the client will present the CAB with evidence to show that the HCRs adopted have been effective in achieving the exploitation rate required. <p>It is recommended that by the second annual audit, the client has redefined the action plan and taken this requirement into account. It is also recommended that the client action plan is reviewed to provide a specific response to the condition and the defined milestones.</p> <p>It should be emphasised that these changes are not made on the basis of any lack of action by the client, or the clear commitment of PNA to implement the changes and improvements required; rather it is to ensure that problems do not arise in the future in determining that the client is successful or not in meeting the condition, thus reducing the scope for interpretation.</p> <p>Notwithstanding these comments that indicate the problems faced by an annual surveillance audit team of assessing the progress made against the defined milestones and associated client action plan, the audit team considers that the <u>intent</u> of the first year milestone has been met. An interim TRP has been adopted and progress has been made in defining LRPs; both are pre-requisites to ensuring that “<i>there are well defined and effective harvest control rules in place</i>”. There are concrete proposals (i.e. not plans) to evaluate a possible range of TRPs and associated HCRs, and the effectiveness of a range of HCRs at low stock levels. The report by CRS indicates that HCRs applied within the PNA fishing areas could be effective in achieving the exploitation rate required, although there is a clear preference for HCRs applying to WCPFC. It is assumed that the future assessments of the main uncertainties will include the fishing mortality in archipelagic waters and territorial waters. Accordingly, the conclusion reached is that the client is “<i>on target</i>”.</p>

Item 4: Condition of Certification 3: PI 2.2.2 - Management strategy: There is a strategy in place for managing bycatch that is designed to ensure the fishery does not pose a risk of serious or irreversible harm to bycatch populations.

SG 60	<p>There are measures in place, if necessary, which are expected to maintain main bycatch species at levels which are highly likely to be within biologically based limits or to ensure that the fishery does not hinder their recovery.</p> <p>The measures are considered likely to work, based on plausible argument (e.g. general experience, theory or comparison with similar fisheries/species).</p>
SG 80	<p>There is a partial strategy in place, if necessary, for managing bycatch that is expected to maintain main bycatch species at levels which are highly likely to be within biologically based limits or to ensure that the fishery does not hinder their recovery.</p> <p>There is some objective basis for confidence that the partial strategy will work, based on some information directly about the fishery and/or the species involved.</p> <p>There is some evidence that the partial strategy is being implemented successfully.</p>
SG 100	<p>There is a strategy in place for managing and minimising bycatch.</p> <p>The strategy is mainly based on information directly about the fishery and/or species involved, and testing supports high confidence that the strategy will work.</p> <p>There is some evidence that the strategy is achieving its objective.</p> <p>There is clear evidence that the strategy is being implemented successfully, and intended changes are occurring.</p>
Activity assessed	<p><u>The third condition of certification defined by the assessment team in the certification report for this fishery related to:</u></p> <ul style="list-style-type: none"> The second issue at SG 80 requires that “<i>There is some objective basis for confidence that the partial strategy will work, based on some information directly about the fishery and/or the species involved</i>”. <p><u>The assessment team found that:</u></p> <p>Blue marlin and silky shark could be considered as main bycatch species:</p> <ul style="list-style-type: none"> Blue marlin: the key non-shark species being discarded by the fisheries under assessment is the blue marlin (0.03% of total catch for both fisheries). Silky shark: CMM 2006-05 (amended in 2008 (CMM 2008-06), in 2009 (CMM 2009-04) and 2010 2010-07)) is specific to shark bycatch management. It requires that CCMs take measures to (i) implement the FAO International Plan of Action for the Conservation and Management of Sharks (non-binding); (ii) define key shark species / shark catch & discard reporting requirements (non-binding); (iii) support research and development of strategies for the avoidance of unwanted shark captures (non-binding); (iv) fully utilize any retained catches of sharks (including restrictions on finning (binding); (v) prohibit their fishing vessels from retaining, trans-shipping, landing, or trading any fins (binding) and (vi) encourage the release of live sharks (binding). Proposals for a shark research plan in the WCFPO will be tabled at the August 2010 WCPFC SC meeting. If implemented, this may lead to further, more targeted actions focused on key sharks species considered vulnerable to fishing in this ocean area. The PNA has also raised the issue of finning through WP9 – Application of Management Arrangements for Sharks, submitted to the PNA 29th Special Meeting in February 2010 (PNA, 2010). At this meeting it was agreed to discuss the issue of shark finning at their Annual Meeting. It was suggested in WP9 that a prohibition on shark finning should be considered in a package of management arrangements for a fourth implementing

arrangement. This is considered the appropriate place for these arrangements as they will be applied consistently across the waters of all PNA members, which will result in all DWFNs being subject to the same arrangements.

The assessment team concluded:

- **Blue Marlin:** At present this species is not considered to be outside biologically based limits and thus, considering the low levels of bycatch from these two fisheries, no bycatch strategy is currently considered necessary; accordingly, the species was not taken into consideration in scoring.
- **Silky Shark:** In the condition the following is noted: *“there is a precautionary partial strategy in response to the potential vulnerability of the species is expected to maintain main bycatch species at levels which are highly likely to be within biologically based limits (80). However, even though there is inadequate and conflicting information on whether the partial strategy will work. There is some basis for confidence that the partial strategy is working with the implementation of 100% observer coverage, but the objective evidence is not yet available (60)”*. In the scoring table is the following **“Silky Shark:** *there is a precautionary partial strategy in response to the potential vulnerability of the species is expected to maintain main bycatch species at levels which are highly likely to be within biologically based limits (80) However, while there is inadequate and conflicting information the assessment on whether the partial strategy will work, the assessment team consider it likely to work given monitoring by observers, and flag state controls (60), There is some evidence that the partial strategy is being implemented based on 100% observer coverage (80)”*.

The assessment team scored PI 2.2.2

- 70

This led the team to require the following action:

Within 5 years of certification, PNA must be in a position to demonstrate that the SG80 requirements (second and third scoring issues) have been met:

- There is some objective basis for confidence that the partial strategy will work, based on some information directly about the fishery and/or the species involved.
- There is some evidence that the partial strategy is being implemented successfully.

To achieve this outcome, the team recommended that:

- Elements of of the Pacific Islands RPOA for sharks may be instigated include (i) the release of all live sharks, (ii) that sharks to be landed with fins naturally attached, allowing for fins to be partially severed and folded back against the carcass for storage; and (iii) the prohibition of dumping carcasses after landing.

The team set the timescale to satisfy this condition as:

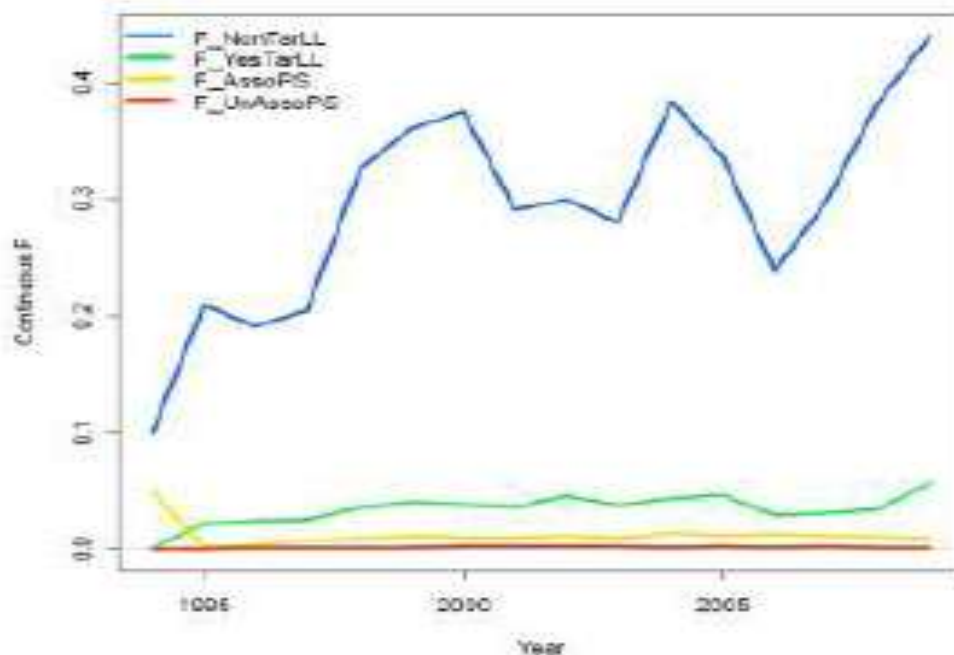
- By the first annual surveillance audit, PNA should review available data (e.g. observer, logsheet) to provide the necessary level of confidence that the current management measure (CMM 2010-07) for sharks will work. The review should be initiated by the first annual surveillance audit, with a specific focus on silky sharks.
- The review of available information should be completed by the second annual audit.
- If the above should indicate that this fishery has a significant impact on shark populations, then implementation of those elements of the Pacific Islands RPOA for sharks that have *“a high likelihood, in aggregate, of delivering improved conservation outcomes for sharks”* should be instigated by the third surveillance audit, and completed by the fourth.

Client Action Plan	<p><u>In relation to fulfilling this condition the client action plan responded:</u></p> <ul style="list-style-type: none"> • PNA Parties will support a review of all available data (observer and logsheet), and to determine whether the strategy to properly manage sharks is effective. The review should be completed within two years of certification. • The Pacific Islands RPOA for sharks was prepared by three regional agencies to act as a guide for PICs to implement sustainable shark management. It is worth noting that PNA Parties did not have direct input into the development of the RPOA and therefore did not conduct any in depth review of the practicality or effectiveness of its recommendations at the time of its development. Nevertheless, PNA Parties commit to the implementation of an aggregate package of appropriate measures, consistent with the Condition in the event that the Review indicates that the fishery has a significant impact. • Recommendation 3 is closely related to this Condition. PNA fully supports all efforts towards stock assessment. PNA have always supported the work on ecological risk assessment in the WCPFC and were strongly supportive of the shark stock assessment programme that was adopted by WCPFC7. PNA will continue to support all such undertakings and look to contribute where possible.
Year 1	<p>In its report SPC (SPC 2012) describes the specific analysis performed by SPC OFP to identify the total estimated catches of silky shark taken by purse seine unassociated (free school) sets in PNA waters specifically, excluding US vessels. The report also covered oceanic white tip which is not subject to the condition. The PNA Unit of Certification-specific estimate is expressed in absolute terms and as a proportion of the total purse seine and total all-gear catches of silky shark in the WCPO and identifies the risk of the MSC Certified free school fishery operating in PNA waters having a significant impact on the population of silky shark. The approach used to complete the work was based on that used to estimate catch rates and catches of key shark species, as submitted to the WCPFC SC7 (Lawson 2011) and SC8 (Rice 2012) with additional analysis of the SPC data for silky sharks caught in the area covered by the PNA Unit of Certification. The estimate is compared to the overall catch estimate for the WCPO for the period 1995-2009.</p> <p>Overall catch is estimated based upon the intuitive assumption that $Catch = Effort \times CPUE$ (Lawson, 2011 and Rice, 2012). CPUE datasets from the observer programme for the two shark species were standardized using generalized linear models (McCullagh & Nelder, 1989) using the software package R (www.r-project.org). The unit of effort for the purse seine fisheries was number of sets. A surface of overall annual effort (sets by set type) based on the SPC OFP effort records (Williams & Terawasi 2011) was then created by proportioning the effort to 5°x5° square based according to the reported latitude and longitude. Catch estimates for Silky shark were calculated by multiplying the CPUE surface by the effort surface with respect to space (latitude and longitude) and time. This produced an annual catch surface, which was summed to provide an annual catch estimate for the WCPO as a whole. To calculate the catch of the PNA Certified fishery, the annual purse seine effort (unassociated sets only, excluding US flagged vessels) within PNA EEZs, as approximated by those 5°x5° squares, was used.</p> <p>Table 1 presents the estimated silky shark catch ('000 sharks) by each fishery type as defined within the stock assessment. The final three columns of the table present the annual estimated catch of silky shark within the PNA Unit of Certification, and as a proportion of both the total WCPO purse seine fishery catch and the catch by all fisheries within the WCPO.</p> <p>A draft stock assessment for silky shark was presented to WCPFC SC8 in Busan, Korea in August 2012 (Rice & Harley, 2012a, b). Further analysis was requested for the assessment of silky sharks (http://www.wcpfc.int/doc/SA-WP-07/Stock-Assessment-Silky-Sharks-Western-and-Central-Pacific-Ocean). The estimated fishing mortality time series attributable to each gear within the assessment are in Figure 1. Note that the plot for silky shark is preliminary.</p>

Table 1. Estimated catch (1000's of sharks) of silky shark in the WCPO by fishery

Year	Longline		Purse Seine		Caught in PNA waters excluding US Vessels		
	Bycatch	Target	Associated	Unassociated	PS - Unassociated	% of ps	% of all gear
1995	255.37	16.60	29.40	5.08	2.91	8.4%	0.9%
1996	92.26	277.08	37.22	4.74	2.07	4.9%	0.5%
1997	96.46	22.05	69.35	3.81	1.81	2.5%	0.9%
1998	79.68	24.84	48.66	5.81	2.67	4.9%	1.7%
1999	214.95	22.21	56.16	3.36	1.58	2.7%	0.5%
2000	174.19	17.66	60.78	6.51	3.90	5.8%	1.5%
2001	219.92	22.00	44.36	6.51	3.45	6.8%	1.2%
2002	160.74	39.84	57.46	5.29	2.95	4.7%	1.1%
2003	138.00	45.57	90.11	5.99	3.62	3.8%	1.3%
2004	150.51	31.37	131.04	4.63	2.80	2.1%	0.9%
2005	105.04	29.34	76.49	7.35	4.78	5.7%	2.2%
2006	175.80	33.77	83.26	6.49	4.47	5.0%	1.5%
2007	291.57	46.83	80.52	8.47	5.68	6.4%	1.3%
2008	304.31	22.00	86.63	10.22	5.45	5.6%	1.3%
2009	189.21	200.31	90.11	8.98	4.69	4.7%	1.0%

Figure 1. Estimated fishing mortality by fleet for the reference case stock assessment model over time for Silky shark



Note: The red line represents the total WCPO unassociated purse seine fishing mortality.

Conclusion

The component covered by PI 2.2.2 is “*Management strategy: There is a strategy in place for managing bycatch that is designed to ensure the fishery does not pose a risk of serious or irreversible harm to bycatch populations*”. There are some issues in the drafting of the condition. Firstly, at SG60 and SG80, the qualifier is main bycatch species i.e. those that represent more than 5% of the total catch in the fishery, or may be considered vulnerable and / or valuable. Silky shark is included as due to its biological nature it is considered vulnerable (although it comprises just 0.06 % of the catch in the unassociated sets (IMM 2011)). Thus where the condition refers to the “generic” sharks, this is taken to mean silky sharks. Secondly, the condition as defined does not fully reflect the scoring rational, with confusion between issues 2 and 3 at SG80. The need for a condition clearly relates to the need to meet the second issue at SG80 of PI 2.2.2 “*There is some objective basis for confidence that the partial strategy will work, based on some information directly about the fishery and/or the species involved*”. These issues are reflected in the related client action plan which is open to

interpretation as it barely relates to the established milestones.

The MSC guidance to the CR Para GCB3.2.5 states “*the components of P2 may be subject to human impact from sources other than the assessed fishery. For example, retained or bycatch species may be target species in other fisheries..... The SGs in P2 are structured to first address the status of the component. a. If the status is low, for whatever reason, then the operative P2 assessment issue is then if the fishery is hindering recovery. This is different to the treatment of target species in P1, where low status would preclude certification irrespective of the cause of that low status. For example if a retained or bycatch species in the assessed fishery is depleted as a result of targeting in other fisheries then the P2 assessment would be based on the impact of the assessed fishery on recovery of the depleted species, even if no effort was being made to recover the species in the other fisheries .b. The assessment is based on the marginal contribution that this fishery makes to the status or recovery of the component under consideration. This could be determined in a practical way by examining likely population trajectories if all the other fisheries reduced their catches to zero (i.e., the only catches were being taken by the fishery under assessment). If the fishery is not the root cause of human impacts on the component then actions of the fishery cannot redress the situation. However in any event the fishery is required not to hinder recovery or rebuilding*”.

The data contained in table 1 and figure 1 clearly show that fishing mortality on silky shark from the UoC is extremely low and is insignificant compared to the levels due to activity by long liners and associated purse seine. The certification report highlights that there is a partial strategy related to management of shark by-catch in the total tuna fishery (CMM 2006-05 (amended in 2008 (CMM 2008-06), in 2009 (CMM 2009-04) and 2010 (CMM 2010-07)). As a result of the recent findings, to this can be added the aim of maintaining the *status quo* i.e. that the fishery would not be the root cause of human impacts on the silky shark population and actions in the fishery would not redress the situation.

As noted above, the condition relates to the need for “*some objective basis for confidence that the partial strategy will work, based on some information directly about the fishery and/or the species involved*”. On the basis of the information available from the quoted reports, it may be concluded that PNA has data that: (i) are conclusive in showing that the certified fishery does not have a significant impact on the population of silky shark, and (ii) there is an objective basis for confidence that the partial strategy will work, and the historic low level of catch of silky shark in the UoC is the evidence that a partial strategy is being implemented successfully. Accordingly, the client has met the milestones established for the first and second annual audits. As the evidence shows there the fishery does not have a significant impact on the population of silky shark, then the milestones for the third and fourth surveillance audits are not applicable. Accordingly, the condition has been met, the PI has been rescored (Appendix 5) and Condition 3 is closed.

Item 5: Condition of Certification 4: PI 2.3.1 Status: The fishery meets national and international requirements for protection of ETP species. The fishery does not pose a risk of serious or irreversible harm to ETP species and does not hinder recovery of ETP species

SG 60	<p>Known effects of the fishery are likely to be within limits of national and international requirements for protection of ETP species.</p> <p>Known direct effects are unlikely to create unacceptable impacts to ETP species.</p>
SG 80	<p>The effects of the fishery are known and are highly likely to be within limits of national and international requirements for protection of ETP species.</p> <p>Direct effects are highly unlikely to create unacceptable impacts to ETP species.</p> <p>Indirect effects have been considered and are thought to be unlikely to create unacceptable impacts.</p>
SG 100	<p>There is a high degree of certainty that the effects of the fishery are within limits of national and international requirements for protection of ETP species.</p> <p>There is a high degree of confidence that there are no significant detrimental effects (direct and indirect) of the fishery on ETP species.</p>
Activity assessed	<p><u>The fourth condition of certification defined by the assessment team in the certification report for this fishery related to:</u></p> <ul style="list-style-type: none"> • The first issue at SG 80 requires that the effects of the fishery are known and are highly likely to be within limits of national and international requirements for protection of ETP species. • The second issue at SG 80 requires that direct effects are highly unlikely to create unacceptable impacts to ETP species. • The third issue at SG 80 requires that indirect effects have been considered and are thought to be unlikely to create unacceptable impacts. <p><u>The assessment team found that:</u></p> <ul style="list-style-type: none"> • False killer whale: this CITES listed species associates with schools of tuna and other large pelagic species that form its prey. It is not caught with log associated sets, may represent the focus of misreported animal sets within the observer-recorded unassociated purse seine fishery. However the incidence is very low and with over 90% recorded survival from 100% discarding, the actual mortality caused to this species by the unassociated unit of certification is very low, possibly limited to 2-3 animals annually. As a result, it is not considered that either fishery causes unacceptable impacts to this species. • Whilst whale shark mortality is well known from the comprehensive observer programme and has been considered in various research and management activities, it cannot be said that it is highly likely that whale shark mortality is within limits or that the fishery is highly unlikely to create unacceptable impacts to whale shark populations. <p><u>The assessment team concluded that:</u></p> <ul style="list-style-type: none"> • False killer whales: given the very low interactions (c. 0.01% of catch volume) there is a high degree of certainty that the effects of the fishery are within limits of national and international requirements for protection of false killer whales (100). Given the observed live condition of released false killer whales of 90%, there is a high degree of confidence that there are no significant detrimental effects (direct and indirect) of the fishery on ETP species (100). • Whale sharks: the mortality of whale sharks in this fishery is well known from observer programmes (80) and likely to be within limits of the protection of this species (60). The known direct effects have been considered (80) and are unlikely to create unacceptable impacts to this species (60). • Whilst whale shark mortality is well known from the comprehensive observer programme and has been considered in various research and management activities, it cannot be said that it is highly likely that whale shark mortality is within limits or that the fishery is highly unlikely to create unacceptable impacts to whale shark populations. <p><u>The assessment team scored PI 2.3.1</u></p> <ul style="list-style-type: none"> • 70

	<p><u>This led the team to require the following action:</u></p> <ul style="list-style-type: none"> • Within 5 years of certification, PNA must be in a position to demonstrate that the SG80 requirements have been met for whale sharks: The effects of the fishery are known and are highly likely to be within limits of national and international requirements for protection of ETP species; Direct effects are highly unlikely to create unacceptable impacts to ETP species; and indirect effects have been considered and are thought to be unlikely to create unacceptable impacts. <p><u>To achieve this outcome, the team recommended that:</u></p> <ul style="list-style-type: none"> • PNA should adopt both the RPOA for Shark's recommended prohibition on schools associated with whale sharks as well as the subsequent PNA decision to prohibit sets on whale sharks. <p><u>The team set the timescale to satisfy this condition as:</u></p> <ul style="list-style-type: none"> • The recommendation above should be validated by written and agreed rules to implement it by the first annual surveillance audit. • Reviews of the level of whale shark interactions should be begun by the second annual surveillance audit and published by the third annual audit. • Any necessary actions in response to the above should be initiated by the fourth surveillance audit
Client Action Plan	<p><u>In relation to fulfilling this condition the client action plan responded:</u></p> <p>PNA has already advanced the measure to ban sets on whale sharks. This has now been introduced as an amendment to the Third Implementing Arrangement.</p> <p>PNA will review the existing measure to ensure that the activities listed are consistent with best practice.</p> <p>It is also worth noting that FFA members tabled a proposal to WCPFC7 to implement compatible measures in the high seas and non-PNA EEZs. This was based solely on the PNA rules. PNA was disappointed that other WCPFC members did not support the measure. PNA remains committed to implementing these requirements on a regional basis.</p>
Year 1	<p>The audit team notes:</p> <ul style="list-style-type: none"> • The CAP does not relate to the milestones. • On the basis of the comments in the scoring table, there is lack of clarity in the scoring rational and how the score for PI2.3.1 was derived. (i) While the UoC's interaction with false killer whales meets the two issues at SG100, no rationale is provided for the third issue at SG80 (Indirect effects have been considered and are thought to be unlikely to create unacceptable impacts) and it is unclear how the second issue at SG100 is met. (ii) For whale sharks, the scoring of 80 and 60 in relation to individual issues serves to confuse. The conclusion appears to be that the fishery meets the two scoring issues at SG60 but not the first two issues at SG80; however the third issue at SG80 is not explicitly covered hence it must be assumed that the condition and CAP must explicitly require consideration of indirect effects. • In the opinion of the annual surveillance audit team, to be more precise in the requirement the term "<i>ETP species</i>" should read "<i>whale sharks</i>". <p>PNA implemented a prohibition on whale sharks and introduced as an amendment to the Third Implementing Arrangement on 11 September 2010 (PNA 2010). Para 2A states: "<i>Prohibition of Sets Associated with Whale Sharks. No purse seine vessel shall engage in fishing or related activity in order to catch tuna associated with whale sharks (Rhincodon typus).</i>"</p> <p>In the 8 th. Regular Session of the WCPFC (WCPFC 2012b) paras 363 – 367 note</p> <p><i>"363. WPCFC8 adopted a Conservation and Management Measure to address the impact of purse seine fishing activity on cetaceans.</i></p>

364. Japan stated that it could not support the measure for whale sharks without further consideration.
365. Some CCMs expressed their disappointment that the measure for whale sharks was not adopted.
366. The Humane Society and Shark Advocates International stated their support for both the whale shark measure and the best practice safe release guidelines, noting mortalities to 75 whale sharks in two years, and the estimate that whale shark tourism generates \$50 million annually. They urged inter-sessional work toward adopting a measure at WCPFC9.
367. In considering the draft measure on protecting whale sharks from purse seine fishing operations, WCPFC8 noted ongoing work, through the Scientific Committee, on the development of best practice guidelines for release of encircled whale sharks. Based on the current draft measure, the Commission agreed to finalize the measure at WCPFC9”.
- PNA continues to exert pressure through the General Session and Scientific Committee to implement the measure as a WCPFC CMM.
- SPC have reported annually on the interaction of whale shark measures. The last review was tabled at the WCPFC General Meeting (WCPFC 2012a). Findings of relevance to the certified fishery are:
- The data used comprise operational-level logsheet and observer data for the period 2007-2010 for purse seiners operating in the tropical (20°N-20°S) purse seine fishery. The domestic fisheries of Indonesia and the Philippines are excluded as key data are not available. It is assumed in the analyses that the currently processed observer data, representing 16% coverage of fishing days over the 2007-2009 period, and 45% coverage of fishing days in 2010, are representative of overall purse seine fishing operations during these periods.
 - Sets are classified as “whale shark” by the purse seine operator and likewise by the observer if the tuna aggregation being set upon is considered to have been associated with this animal at the time that the aggregation was located. The classification is not dependent on whether or not the associated animals are ultimately encircled by the set.
 - The term “interaction” is used in this paper to describe situations where an animal interacts with the fishing gear. In the purse seine fishery, an interaction is understood to be an observation that an animal is fully or partially encircled in the net, even if it escapes before the net is completely closed. An interaction is therefore distinct to “a sighting” which is an observation of an animal that is not encircled or directly affected by the purse seine net.
 - Observers recorded 211 whale shark interactions in 168 sets from throughout the fishery in 2007-2009 and 186 interactions from 137 sets in 2010. The available information on interactions by set type suggests that the proportion of whale-shark associated sets should be higher than that reported by observers. This is because more than two-thirds (73% in both 2007-2009 and 2010) of the sets where whale sharks were encountered in the net (i.e. “interactions”) were not recorded as a “whale shark-associated” set type. One of the main reasons for this is that the whale shark may be not visible at the time of setting and so the set is recorded as another set type (e.g. “unassociated, feeding on baitfish”). Subsequently, the observer discovers the animal in the net during the brailing process, and records it as an interaction.
 - Typically, whale shark interactions were of solitary animals, although several cases of multiple whale sharks in single sets are recorded in the observer data. Whale sharks are relatively slow-moving animals and rarely escape unassisted before the net is closed and typically require crew intervention to be released. The mortality rate of interactions was estimated (based on observer data) at 12% for 2007-2009 but was considerably lower at 5% in 2010. The observed interaction and mortality rates imply a total whale shark mortality in the purse seine fishery of approximately 56 animals in 2009 and 19 animals in 2010.
 - It is clear that purse seine sets on whale sharks are a combination of both targeted sets and inadvertent capture.
 - According to log sheets, in 2010, there were 64 “whale shark” sets compared to 31,289 unassociated sets; while respective figures for observer data were 84 and 15,211.
 - In 2010, 59 % of whale shark interactions were in 80 “unassociated” sets and 27 % in 32

	<p>“whale shark” associated sets; it may be concluded that the proportion of total sets involving whale shark interactions is small.</p> <p>Discussions are in process within WCPFC to produce guidelines for the release of whale sharks that are inadvertently circled in sets.</p>
Conclusion	<p>The client has met the first milestone of the condition with the amendment to the Third Implementing Arrangement. Progress is “<i>on target</i>”.</p> <p>While there is work being done to measure whale shark interactions with the purse seine fishery, the auditors have not seen any evidence that the certified fishery meets any of the three issues at SG80 i.e.</p> <ul style="list-style-type: none"> • The effects of the fishery are known and are highly likely to be within limits of national and international requirements for protection of whale shark. <u>Comment.</u> (i) Available data is not directly related to the PNA fishery; (ii) there is no reference to what may be considered to be national and international requirements; (iii) there appears to be lack of clarity and consensus on national and international requirements for the protection of whale sharks. • Direct effects are highly unlikely to create unacceptable impacts to whale shark. <u>Comment.</u> (i) What would be the level of unacceptable impacts? • Indirect effects have been considered and are thought to be unlikely to create unacceptable impacts. <u>Comment.</u> Have indirect impacts been considered? <p>The auditors refer the client to the milestones for the second and third years of certification. It is recommended that at the second annual audit the client provide evidence to show that indirect effects of the PNA unassociated purse seine fishery on ETP species have been considered and are thought to be unlikely to create unacceptable impacts.</p>

Item 6: Condition of Certification 5: PI 3.2.2 Decision-making processes: The fishery-specific management system includes effective decision-making processes that result in measures and strategies to achieve the objectives

<p>SG 60</p>	<p>There are informal decision-making processes that result in measures and strategies to achieve the fishery-specific objectives.</p> <p>Decision-making processes respond to serious issues identified in relevant research, monitoring, evaluation and consultation, in a transparent, timely and adaptive manner and take some account of the wider implications of decisions.</p>
<p>SG 80</p>	<p>There are established decision-making processes that result in measures and strategies to achieve the fishery-specific objectives.</p> <p>Decision-making processes respond to serious and other important issues identified in relevant research, monitoring, evaluation and consultation, in a transparent, timely and adaptive manner and take account of the wider implications of decisions.</p> <p>Decision-making processes use the precautionary approach and are based on best available information.</p> <p>Explanations are provided for any actions or lack of action associated with findings and relevant recommendations emerging from research, monitoring, evaluation and review activity.</p>
<p>SG 100</p>	<p>There are established decision-making processes that result in measures and strategies to achieve the fishery-specific objectives.</p> <p>Decision-making processes respond to all issues identified in relevant research, monitoring, evaluation and consultation, in a transparent, timely and adaptive manner and take account of the wider implications of decisions.</p> <p>Decision-making processes use the precautionary approach and are based on best available information.</p> <p>Formal reporting to all interested stakeholders describes how the management system responded to findings and relevant recommendations emerging from research, monitoring, evaluation and review activity.</p>
<p>Activity assessed</p>	<p><u>The fifth condition of certification defined by the assessment team in the certification report for this fishery related to:</u></p> <ul style="list-style-type: none"> • The third issue at SG100 requires that decision-making processes use the precautionary approach and are based on best available information. • The fourth issue at SG80 requires that explanations are provided for any actions or lack of action associated with findings and relevant recommendations emerging from research, monitoring, evaluation and review activity. <p><u>The assessment team found that:</u></p> <ul style="list-style-type: none"> • Whilst there is clear evidence of proactive PNA decision-making over a long period there are shortfalls in the extent to which decisions are clearly seen to be based on best available information, and the extent to which explanations are provided for decisions that are taken. The link between the VDS TAEs, WCPFC requirements and the scientific advice needs to be clearly established by the PNA. These discussions need to be formally reported at PNA level. Discussions, and reports must also embrace evaluation of VDS operations and monitoring and plans to improve the system, thus highlight PNAs commitment to an effective management system. <p><u>The assessment team concluded that:</u></p>

- At the WCPFC level it is clear that the precautionary approach is used, and decisions are based on the best available information.
- At the PNA level it is clear that the best available information is used for decision-making but there is a lack of clarity in the links between decisions on the VDS and the requirements of WCPFC CMM 2008-01 and the best available scientific information (75)
- Explanations are provided at the WCPFC level but not always at the PNA level for actions, or lack of action associated with relevant findings and recommendations (75).

The assessment team scored PI 3.2.2

- 75

This led the team to require the following action:

- Within 5 years of certification, PNA must be in a position to demonstrate that the SG80 requirements (third and fourth scoring issues) have been met: Decision-making processes use the precautionary approach and are based on best available information; and explanations are provided for any actions or lack of action associated with findings and relevant recommendations emerging from research, monitoring, evaluation and review activity

To achieve this outcome, the team recommended that:

In meeting this condition, PNA may consider the following:

- The link between the VDS TAEs and WCPFC requirements and the scientific advice should be clearly established by the PNA. Records of meetings should demonstrate discussion on VDS TAEs, that scientific advice is incorporated into the decision making process, and that PNA actions are being agreed upon and implemented.
- Explanation of decisions by PNA, particularly relating to the operation, monitoring and reporting of the VDS should be improved. An administrator's report could be prepared annually beginning by the first annual surveillance audit (as opposed to on an *ad hoc* basis) summarising the uptake of VDS across the sectors, the PAE shares and transfers and developments and concerns. The document should be at a level consistent with the existing PNAO report (2010) but also including details of PAE transfers.

The team set the timescale to satisfy this condition as:

1. By first annual surveillance audit, provide a description of decision making processes and their relation to scientific advice
2. Subsequent meeting output should then explain decision making processes in relation to scientific information.

Client Action Plan	<p><u>In relation to fulfil this condition the client action plan responded:</u></p> <p>As described above, the harvest control rules (Condition 2) and reference points (Condition 1) will form a fundamental basis of the deliberation of TAEs in the future.</p> <p>Decisions taken on adjustment to the VDS scheme shall be based on best available information. This will be derived largely from SPC scientific advice, SPC logsheet data, information compiled by the PNA Office and FFA as well as any additional work commissioned through PNA or other management organisation. Explanations on recommendations made and decisions taken, or lack of action, will be clearly documented by the PNA Office, through minutes of meetings. These minutes will be publically available on the PNA Office website.</p> <p>At the same time, the WCPFC Convention itself requires that the Commission and its members also account for a range of socio-economic factors when deciding conservation and management measures. These factors are of high importance to PNA as small island developing states and will continue to be considered in line with the provisions of the Convention and UNCLOS.</p>
Year 1	<p>The PNA decision-making processes are set out in the Rules of Procedure with the decision-making processes applying separately for the Parties to the Nauru Agreement and the Palau and FSM Arrangements.</p> <p>Regarding decision-making with respect to the VDS, such decisions are made under the Palau Arrangement within the framework of: (i) all PNA Members are parties to the UN Fish Stocks Agreement that is based on the precautionary approach and other principles related to sustainable highly migratory species fisheries which are embedded in Parties' national laws and management plans; (ii) similar principles in the WCPFC Convention that apply to areas under national jurisdiction as well as in the high seas; (iii) the provisions of the Palau Arrangement which cover the precautionary approach in the context of an eco-system based approach; (iv) the objectives of the VDS which include <i>promoting optimal utilization and conservation of tuna resources; and (v) the requirements in Article 13.2 of the VDS text regarding the setting of total allowable effort (TAE).</i>³</p> <p>The Parties to the Palau Arrangement are advised on the issue by the VDS Committee that was established under the Scheme. Until 2012, the VDS TAE was set as described in PA17/WP2 (see Attached extract from this paper) i.e. <i>the TAE was calculated by adopting a limit for total Parties Allowable Effort(PAE) consistent with WCPFC CMM 2008-01 and adding nominal allocations for UST and FSMA effort. This made the TAE only a notional limit.</i></p> <p>It should be noted that reflecting scientific advice, CMM 2008-01 addressed the conservation of bigeye and yellowfin, and not skipjack explicitly which was considered to be moderately exploited with a need to monitor any changes in effort.</p> <p>The advice on TAEs of the 11th VDS Committee meeting was that <i>“the TAE setting process should be to firstly set the TAE and then for sub-limits to be set for the Adjusted TAE, the FSMA and the UST; which would take into consideration the outcomes of the on-going USMLT negotiation, the current FSMA review, WCPFC new measures, if any, and PNA initiatives such as the MSC process and associated science work on reference points and harvest control rules”.</i></p> <p>In response, the PNAO provided advice on the TAE to the 17th Meeting of the Palau Arrangement Parties in PA17/WP2 (Appendix 4) including: the requirements of MSC Condition 5; reference to the updated scientific advice on skipjack which advised that <i>“The Commission should consider developing limits on fishing for skipjack to limit the declines in</i></p>

³ (i) the best available scientific, economic, management and other relevant advice and information; (ii) the provisions of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean; (iii) the objectives of the Vessel Day Scheme; and (iv) any submission on this issue from any party, individual or organisation.

catch rate associated with further declines in biomass"; reference to the WCPFC recognition of the 2010 effort base level for the VDS TAE; and the recommendation that the Parties set the TAE for 2013 at 44,703 days based on the 2010 effort level in PNA EEZs

At PA17, the Parties adopted the recommendation that the TAE for 2013 be set at 44,703 VDS days. The number of days (44,703) is based on: estimated logsheet effort of 43,257 days;⁴ and allowance for the effect of the length adjustments in the VDS where: (i) vessels less than 50 metres Length Overall (LOA) are accounted at 0.5 VDS days per VMS days; and (ii) vessels between 50 metres and 80 metres LOA are accounted at 1.0 VDS days per VMS days; and (iii) vessels greater than 80 metres in LOA are accounted at 1.5 VDS days per VMS days. As shown in the table, the estimated difference between VMS days without length adjustment and length adjusted VDS days was 8.31 % for US vessels, 0.82 % for FSMA vessels and 2.52 % for other vessels.

Table 2: **Conversion of logsheet days to VDS days**

	2011 VMS days	2011 No length VDS days	Conversion factors	2010 logsheet days	VDS days from logsheet
FSMA	5,699	5,652	0.00823	4,968	5,008
USML					
T	7,600	7,017	0.08312	7,622	8,256
Other	38,379	37,437	0.02515	30,668	31,439
				43,257	44,703

At PA17, the parties also adopted a new harmonised arrangement for non-fishing days, based on the recommendation of VDSC11, which *corresponded closely to how SPC applies the fishing and non-fishing codes used in the PS logsheets*, as noted in the PA17 Record.

Conclusion

There is a lack of clarity in the condition and imprecision in the client action plan and how the annual surveillance audit may measure the progress being made to meet the condition. However, this lack of precision has not been reflected by the various actions completed by the client in satisfying the condition; going beyond the defined milestone by not only provided a description of the decision making process, but also developing the approach to improved operation of the VDS.

At the same time the fourth issue at SG80 requires *“that explanations are provided for any actions or lack of action associated with findings and relevant recommendations emerging from research, monitoring, evaluation and review activity”*.

From the evidence presented, the auditors in the first annual surveillance are unclear as to how the explanations that have been provided to them are made known to stakeholders. While SG80 does not require formal reporting and it is accepted that some of the information may be regarded as of commercial value and thus confidential, it is recommended that at the second annual audit the client provides an explanation as to how the decision making process has been made more transparent to the benefit of stakeholders, together with appropriate examples.

As an insight we refer to MSC CR Guidance *“GCB4.8.5 Key considerations in assessing how well established the system is, include the extent to which the system is recognised by stakeholders in the fishery and the durability or permanency of the decision-making process.”*

The conclusion reached is that the client is “ahead of target” in meeting condition 5.

⁴ Advised to PNAO by SPC on 30/01/12. This estimate is revised by SPC as additional logsheet information becomes available. The latest estimate is 43,818 days (from WCPFC-TCC8-2012/IP04 AttB_rev1)

Item 7: Condition of Certification 6: PI 3.2.1 Fishery- specific objectives: The fishery has clear, specific objectives designed to achieve the outcomes expressed by MSC's Principles 1 and 2	
SG 60	Objectives, which are broadly consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are implicit within the fishery's management system.
SG 80	Short and long term objectives, which are consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are explicit within the fishery's management system.
SG 100	Well defined and measurable short and long term objectives, which are demonstrably consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are explicit within the fishery's management system.
Activity assessed	<p><u>The sixth condition of certification defined by the assessment team in the certification report for this fishery related to:</u></p> <ul style="list-style-type: none"> The single issue at SG80 requires that short and long term objectives are explicit within the fishery's management system. <p><u>The assessment team found that:</u></p> <ul style="list-style-type: none"> The original score for this PI was 80. However, under objection, this was reviewed following a remand by the Independent Adjudicator. On review, it was decided to reduce the score for this PI to 70. The objectors consider that the short term objectives do not meet the SG80 requirements, that '<i>short term objectives which are consistent with achieving the outcomes expressed by MSC's Principles 1 and 2 are <u>explicit</u> within the fishery's management system</i>'. The Adjudicator's Decision was that the score awarded is considered arbitrary or unreasonable. Factors contributing to this finding include: CMM 2008-01 is not expressly concerned with skipjack tuna; the Final Report casts doubt on the linkage between the VDS Scheme and the scientific advice (noting also that there is a lack of openness with regard to the decision making processes in this regard); and the lack of mention in the Palau Agreement, taken to be the "VDS text", of objectives consistent with the outcomes required under Principles 1 & 2 of the MSC Standard. There is some misunderstanding on this issue in that the Palau Arrangement is not the VDS Text, (which is a separate document). The VDS Text does include more specific objectives in Article 2 than the Palau Arrangement. However these objectives in the VDS Text are also more general and longer term, contributing to meeting the requirement of SG80 in respect of explicit long term objectives, but not short term objectives. Regarding the reference to para 30 of CMM 2008-01 in para 111 of the decision, WCPFC documentation (see WCPFC6-2009/IP06 (Rev.1), page 7) reports that this applies only to Australia. <p><u>The assessment team concluded that:</u></p> <ul style="list-style-type: none"> Accepting the IAs decision in this matter, we consider that the rationale provided in the Final Report meets the SG60 requirement for this PI, that appropriate objectives are implicit within the fishery's management system and go some way to meeting the SG80 requirement for appropriate explicit short and long term objectives in that long term objectives are explicit but short term objectives are not. We therefore consider a score of 70 to be appropriate. <p><u>The assessment team scored PI 3.2.1</u></p> <ul style="list-style-type: none"> 70 <p><u>This led the team to require the following action:</u></p> <p>Within 5 years of certification, PNA and/or WCPFC must be in a position to</p>

	<p>demonstrate that the SG80 requirements (third and fourth scoring issues) (<i>sic</i>) have been met:</p> <ul style="list-style-type: none"> Short and long term objectives, which are consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are explicit within the fishery's management system. <p><u>To achieve this outcome, the team recommended that:</u></p> <ul style="list-style-type: none"> No recommendations were made. <p><u>The team set the timescale to satisfy this condition as:</u></p> <ul style="list-style-type: none"> Year 1. PNA should show identification of appropriate management vehicles (within PNA and/or WCPFC) where such objectives would be appropriate, and provide draft text for objectives. Year 2. PNA should show tabling of proposed objectives at relevant meetings and consideration of their adoption. Year 3. Short and long term objectives, which are consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, should be included within the management framework of PNA and/or WCPFC
Client Action Plan	<p><u>In relation to fulfil this condition the client action plan responded:</u></p> <ul style="list-style-type: none"> PNA will formerly incorporate into the Palau Arrangement, and VDS text, Short and long term objectives, which are specific to the management of the skipjack stocks. These objectives will incorporate elements of Condition 1 and 2; through the adoption of fishery specific reference points and a harvest strategy that also take account of catches outside PNA waters, and interactions with other retained species. As a result, management measures that reflect principles 1 and 2 will be explicitly incorporated the fishery's management system.
Year 1	<p>PNAO reviewed PNA and WCPFC management vehicles to identify where explicit short term objectives would be appropriate. It was concluded that within the PNA structure, instruments such as the Palau Arrangement and the VDS are long term and not appropriate for short term objectives. Accordingly, PNAO recommended to the Parties the adoption of the short term objective of limiting purse seine effort in PNA EEZs to the 2010 level. The background to this recommendation is set out in PA17/WP.2 Rev1 (see Appendix 4). The Parties adopted this recommendation as recorded in paras 21-23 of the PA17 Meeting Record: <i>"21. The Parties discussed the use of effort or catch data for setting an objective, noting the uncertainty associated with the PS species composition and the difficulty of monitoring catch by area. 22. The Parties agreed to adopt the objective of limiting PS effort in PNA EEZs to the 2010 level. This objective responds to the scientific advice for skipjack and takes into account relevant factors such as the resultant social and economic benefits to the Parties. 23. The Parties agreed to set the TAE for 2013 at 44,703 VDS days, based on the 2010 effort level in PNA EEZs of 43,257 logsheet days"</i>.</p> <p>Within the WCPFC structure, the PNA has encouraged the WCPFC to include an explicit objective for skipjack within the CMM being prepared to replace CMM 2008-01 noting that CMM 2008-01 was not expressly concerned with skipjack tuna. The current draft for the new CMM (see WCPFC-TCC8-2012/27, Available at http://www.wcpfc.int/doc/WCPFC-TCC8-2012-27/CMM-Bigeye-Yellowfin-and-Skipjack-Tuna-%28replacement-CMM-08-01-and-CMM-11-01%29) includes an explicit short term objective for skipjack though this is still under consideration by Commission Members. This underlines the explicit PNA Objective already in place in PA 17.</p>

	PNAO will seek to press for measures that are explicit within the amendment to WCPFC 2008-01.
Conclusion	<p>As identified by the client at the surveillance audit meeting, there is some imprecision in the wording of Condition 6 as it refers to both short term and long term objectives. On that basis, no action is required in relation to fishery-specific long term objectives which the main assessment found to be explicit within the VDS text.</p> <p>While the condition notes the need for inclusion of short term objectives within the management framework of PNA and/or WCPFC , given that it relates to a fishery specific objective i.e. the PNA unassociated purse seine fishery for skipjack, the auditors in the first annual audit conclude that there is no requirement for these to be included in the WCPFC framework.</p> <p>At the same time, the single issue at SG80 refers to both P1 and P2 issues. Presumably in relation to the latter, the analysis in the scoring rational for PI 3.2.1 in the main report remains valid i.e. <i>“Outcomes are set out in various WCPFC CMMs, especially 2008-01 (bigeye and yellowfin), and CMMs relating to shark and sea turtle turtles as well as national plans, the Palau Arrangement and the VDS. These include short and long term objectives, but the objectives are not all well-defined and measurable, especially for the CMMs related to P2 outcomes”</i>. However, the IA’s findings relate equally to P2 as well as P1 and thus it is relevant that <i>“CMM 2008-01 is not expressly concerned with skipjack tuna”</i>. On that basis it must be concluded that as short term objectives for P2 have not been identified and no draft text is available for objectives, the client is <i>“behind target”</i> and by the second annual audit the situation must be corrected.</p> <p>It should be clarified that the auditors in the first annual surveillance do not believe that this will require a substantial amount of work, and there may be every confidence that the client will be back on track by the second annual audit and indeed if the same progress is made as with P1 then there is a high probability that this condition may be closed out after the next surveillance.</p>

Item 8: Any complaints against the certified operation; recorded, reviewed and actioned

No complaints have been made to Intertek Moody Marine about the certified operation.

Item 9: Any relevant changes to legislation or regulation

There have been no changes to relevant legislation and regulations.

Item 10: Any relevant changes to management regime.

The key issue at WCPFC level is the failure to adopt a revised CMM, including skipjack, at WCPFC 8. It is hoped this will occur at WCPFC 9, even if in diluted form.

Six CMMs were adopted at WCPFC 8, but none were directly relevant to the certification (Extension of CMM 2008-01, Commission VMS, Impact of p/s activity on cetaceans, oceanic white tip sharks, charter notification scheme & Compliance Monitoring Scheme).

The major change at the PNA was the use of 2010 as the baseline reference point for limiting fishing effort instead of 2004, and the change in calculation of the VDS (see above). 11-01 rec intention of PNA to 2010 level.

Item 11: Personnel changes in science, management or industry to evaluate impact on the management of the fishery

No changes have been recorded.

Item 12: Destructive Practices & Controversial unilateral exemption to an international agreement

It is confirmed that these issues are not relevant in the fishery

Item 13: Recommendations in the certification report

A number of recommendations were made by the auditors engaged on the main assessment. While these are non-binding on the client, the auditors believe it appropriate to consider if any progress has been achieved in responding to them.

Recommendation 1: Harvest Control Strategy (1.2.1)

1. PNA to draw up a management strategy for PNA which integrates existing elements to apply specifically to the skipjack harvest and is linked to limit and target reference points established as per Condition 1; and
2. PNA vigorously pursues the adoption of a management strategy for WCPO skipjack in WCPFC.

PNA Response

PNA will conduct an annual internal review on the monitoring, management and implementation of the VDS scheme, encompassing the performance of the PNAO and the Parties implementation performances. This process will be strengthened through the application of internal and external reviews. The latter to be held within **3 years** of Certification and may cover a range of factors and issues that are important to PNA in addition to those listed above.

Current Situation (November 2012)

The PNA Office will be recommending to the parties at the next annual session, the preparation of a management strategy for skipjack for the PNA, covering: monitoring, stock assessment, harvest control rules and management actions. This will bring together the work that PNA is doing on monitoring fishing effort and developing reference points and harvest control rules which are linked to the assessments.

The internal and external reviews referred to in the PNA response to recommendation 1 in the CAP are discussed below under recommendation 7.

Recommendation 2: Information (1.2.3)

Encouragement of, and support through the WCPFC to, Indonesia, Philippines and Vietnam to further develop their fisheries information systems, largely within the framework of on-going initiatives.

PNA Response

PNA will also encourage, and support through the WCPFC to, Indonesia, Philippines and Vietnam to further develop their fisheries information systems, largely within the framework of on-going initiatives.

Current Situation (November 2012)

PNA has actively supported the GEF funded Western Pacific East Asia Oceanic Fisheries Management Project (WPEA) and the Indonesia/Philippines Data Collection Project (IPDCP) which includes fostering cooperation between Indonesia, Philippines and Vietnam and other WCPFC members including PNA, through participation in SPC stock assessment and data workshops.

Recommendation 3: Management Strategy (2.1.2)

PNA provide documented evidence that the partial strategy continues to be implemented successfully for bigeye and yellowfin tuna.

PNA Response

PNA continually assesses the interaction with retained species to ensure that the levels of bycatch are maintained to a level that does not contribute to the decline stock status, and to report on the implementation of the technical conditions (CMM 2009-02) associated with the FAD closure.

Current Situation (November 2012)

The SPC papers to SC relating to the status of the bigeye and yellowfin stock and the assessment of the effectiveness of the management measures applied within CMM 2008-01, including the FAD closure, are taken to represent the documented evidence required

Recommendation 4: Stock assessment (2.2.3)

Stock assessments of both silky shark (IATTC, under way) and blue marlin (ISC, 2012) will provide greater understanding of the status of these stocks as will planned shark assessments for WCPFC. Results of these should be reviewed and if necessary appropriate mitigation measures taken to reduce mortalities of these species. Mitigation action would have to be implemented in 2013, if required.

PNA Response

Following the ISC stock assessment of silky shark and blue marlin, the PNA will also seek to implement the recommendations relating to the monitoring and management for blue marlin in 2012 and will further support WCPFC in the implementation of a management strategy for this species if required.

Current Situation (November 2012)

In respect to silky sharks, this recommendation is covered by the PNA response to Condition 3. The blue marlin assessment will be undertaken in 2013.

Recommendation 5: Long Term Objectives (3.1.3)

The PNAO will also review the Nauru agreement and related instruments to ensure that the appropriate principles including the precautionary approach are required to be applied.

PNA Response:

The PNAO will also review the Nauru agreement and related instruments to ensure that the appropriate principles, including the precautionary approach, are required to be applied

Current Situation (November 2012)

No action has been taken on this recommendation, noting that as parties to the UN Fish Stocks Agreement and the WCPFC Convention, PNA members are already required to apply appropriate principles including the precautionary approach to fisheries management.

Recommendation 6: Compliance (3.2.3)

A biennial review of MCS arrangements in the purse seine fishery should be undertaken, using the MRAG national/regional study as a benchmark.

PNA Response

PNA is a proactive participant in the review of MCS arrangements, and a supporter of the Strategy for strengthening MCS support within the region. FFA has initiated a support programme which will seek to implement MCS strengthening needs.

Current Situation (November 2012)

Compliance with major elements of the MCS arrangements in the purse seine fishery such as VMS, observer deployment, vessel markings, transshipment regulations, operational catch and effort data recording is now reviewed annually at the WCPFC TCC.

Recommendation 7: Performance Review process

The PNA should establish a system of regular internal and external reviews monitoring and evaluating the VDS (focusing on monitoring & management); the performance of the PNA Office relating to the VDS and management of the purse seine fishery more generally; and national implementation of the VDS and other PNA processes related to the purse seine fishery. The Internal review should comprise an annual administrator's report prepared **annually** (as opposed to on an ad hoc basis) summarising the uptake of VDS across the sectors, the PAE shares and transfers and developments and concerns. The document must be at a level consistent with the existing PNAO report (2010) but also including details of PAE transfers and lessons learned. The external review should be undertaken within **3 years** of Certification.

PNA Response

PNA has already initiated a process of regular monitoring of VDS reporting, uptake and exchanges between the Parties. Two reports have been prepared and presented for 2009 and 2010 and regular reviews will be made for an external review.

Current Situation (November 2012)

The VDS administrator's report is prepared annually including transfers and other information relating to PAEs.

Item 14: Findings & Conclusions

The annual surveillance audit reviewed progress being made to meet the six conditions set on certification and confirm the status of the stocks. The following are the main findings.

Stock status	The most recent skipjack assessment was completed in 2011. It showed little change from the 2010 assessment which was audited in the PNA Main Certification i.e. the stock is currently moderately exploited ($F_{\text{current}}/F_{\text{MSY}} = 0.37$); fishing mortality levels are sustainable; and biomass levels are well above B_{MSY} ($B_{\text{current}}/B_{\text{MSY}} = 2.68$). The PNA UoC share of the total skipjack catch (1,540,189 t) declined to 27.4% in 2011 compared to 38.8 % in the previous year
Condition 1	On target
Condition 2	On target but there is an additional milestone in the Condition - By the fourth annual audit the client will present the CAB with evidence to show that the HCRs adopted have been effective in achieving the exploitation rate required. It is recommended that by the second annual audit, the client has redefined the action plan and taken this requirement into account. It is also recommended that the client action plan is reviewed to provide a specific response to the condition and the defined milestones.
Condition 3	Condition closed and PI 2.2.2 is rescored at 80.
Condition 4	On target. There is a need to consider the indirect impacts of the fishery on whale shark. It is recommended that at the second annual audit the client provide evidence to show that indirect effects of the PNA unassociated purse seine fishery on ETP species have been considered and are thought to be unlikely to create unacceptable impacts. A list of the potential indirect impacts may be found on page 116 of the MSC FAM v1.2
Condition 5	Ahead of target but it is recommended that at the second annual audit the client provides an explanation as to how the decision making process has been made more transparent to the benefit of stakeholders, together with appropriate examples.
Condition 6	Behind target. At the second annual audit the client must meet the defined milestone for Year 1 (PNA should show identification of appropriate management vehicles (within PNA and/or WCPFC) where such objectives would be appropriate, and provide draft text for objectives) in the process of meeting part of the condition that relates to ensuring that short term objectives which are consistent with achieving the outcomes expressed by MSC's Principle 2 are explicit within the fishery management system.

With the closing of Condition 4 and PI2.2.2 rescored at 80, the weighted average score for P2 increases from 86.3 to 86.7. The other conditions remain open.

No objections have been received on the certification.

On that basis, it is concluded that MSC Certification should continue and annual surveillance audits continue to the same schedule; the next audit will be scheduled for November, 2013.

Item 15: References

Berger A M, S J Harley, G M Pilling, N Davies, and J Hampton (2012) Introduction to Harvest Control Rules for WCPO tuna fisheries. WCPFC-SC8-2012/MI-WP-03
CLS (2012) Modelling the abundance of skipjack tuna in the Western Central Pacific Ocean and EEZs of PNA members Final Report to the National Fisheries Authority, Papua New Guinea, on behalf of the Parties to the Nauru Agreement (PNA) Office, CLS, France. CLS, France Space Oceanography Division, Marine Ecosystems Department. 31 pp.
Harley S J, A M Berger, G M Pilling, N Davies, and J Hampton (2012) Evaluation of stock status of south Pacific albacore, bigeye, skipjack, and yellowfin tunas and southwest Pacific striped marlin against potential limit reference points. WCPFC-SC8-2012/MI-WP-01_rev1
Intertek Moody 2011 MSC Assessment Report for PNA Western and Central Pacific Skipjack Tuna (<i>Katsuwonus pelamis</i>) unassociated and log set purse seine Fishery. Version: 5 Public Certification Report
Lawson, T. (2011) Estimation of Catch Rates and Catches of Key Shark Species in Tuna Fisheries of the Western and Central Pacific Ocean Using Observer Data. http://www.wcpfc.int/doc/eb-ip-02/estimation-catch-rates-key-shark-species-tuna-fisheries-western-and-central-pacific-oce
McCullagh P. & Nelder J. A. (1989) Generalized Linear Models. Chapman & Hall.
Pilling G M, S J Harley, A M Berger, N Davies and J Hampton (2012) Consideration of target reference points for WCPO stocks with an emphasis on skipjack tuna. WCPFC-SC8-2012/ MI-WP-02PNA (2012) Record of Proceedings. Reference Points Meeting 12 August 2012, Busan, Korea. 7 pp.
PNA 2010 A third arrangement implementing the Nauru agreement setting forth additional terms and conditions of access to the fisheries zones of the parties (As amended 11th September 2010)
Rice, J. (2012) Alternate catch estimates for silky and oceanic whitetip sharks in Western and Central Pacific Ocean. WCPFC-SC8-2012/ SA-IP-12
Rice, J. and Harley, S. (2012a). Stock assessment of Oceanic Whitetip sharks in the Western and Central Pacific Ocean Rev 1. WCPFC-SC8-SA-WP-06.
Rice, J. and Harley, S. (2012b). Stock assessment of Silky sharks in the Western and Central Pacific Ocean Rev 1. WCPFC-SC8-SA-WP-07.
SPC-OFP (2012) Review of the Implementation and Effectiveness of CMM 2008-01. WCPFC-SC8-2012/ SC8-WCPFC8—01
WCPFC (2012) Summary Report. Seventh Regular Session Pohnpei, Federated States of Micronesia 9–17 August 2011. Available as http://www.wcpfc.int/system/files/documents/meetings/scientific-committee/7th-regular-session/summary-report/SC7-Summary-Report-28 edited 29-10Apr2012_0.pdf
WCPFC (2012 a) Eighth regular session Tumon, Guam, USA 26-30 march 2012 summary information on whale shark and cetacean interactions in the tropical WCPFC purse seine fishery WCPFC8 -2011-IP-01 (rev. 1) 18 January 2012 Paper prepared by SPC-OFP
WCPFC (2012b) Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean Eighth Regular Session Tumon, Guam, United States of America 26-30 March 2012: SUMMARY REPORT
Williams, P., & Terawasi, P. (2011) Overview of tuna fisheries in the western and central Pacific Ocean, including economic conditions – 2010. WCPFC-SC7-2011/GN WP-1

Item 16: Standards and Guidelines Used

Guidance to the MSC Certification Requirements Version 1.2 10 January 2012
MSC Certification Requirements Version 1.2 n10 January 2012

Appendix 1: Written Stakeholder Submissions to the Surveillance Audit & IMM Responses to Points Raised.



PEW ENVIRONMENT GROUP

Ian Scott
Intertek Moody Marine
Merlin House, Stanier Way
The Wyvern Business Park
Derby. DE21 6BF

8 Nov 2012

Dear Mr. Scott,

On behalf of the Pew Environment Group, I am submitting information that we urge you to consider at the upcoming surveillance audit of the MSC certified Parties to The Nauru Agreement (PNA) unassociated skipjack tuna (*Katsuwonus pelamis*) fishery. Specifically, our information focuses on the progress of the fishery against the Conditions that were included in the certification.

Pew is interested in PNA's establishment of target and limit reference points as identified in Condition 1 of the Client Action Plan. In this regard, Pew has provided support to the Secretariat of the Pacific Community (SPC) to increase their capacity so that they can provide the necessary assessments and advice to the PNA on target and limit reference points. It is our understanding that the World Bank has also provided funds to SPC for this effort.

Pew is also supportive of strengthening PNA's ability to track drifting Fish Aggregating Devices (FADs) in their waters in order to help them better monitor FAD sets versus free school sets. Specifically, we are working with Quick Access Computing (QAC), an Australian company, to update the PNA Fisheries Information and Management System (FIMS) so it can track drifting FADs in near-real time in PNA waters. The trial is starting later this month in close cooperation with the PNA Secretariat and QAC.

In the last several months the PNA have taken a number of steps to implement the Conditions outlined in the Client Action Plan, and we think real progress is being made towards strengthening the management of this fishery. We would be happy to address any questions that come up during your first audit.

Kind Regards,

Amanda Nickson
Director, Global Tuna Conservation
Pew Environment Group
901 E Street, NW
Washington, D.C. 20004
Phone: +1 202 540 6528
Email: anickson@pewtrusts.org

www.pewenvironment.org



Smart Fishing Initiative

WWF POSITION

PNA Western and Central Pacific Skipjack Tuna (*Katsuwonus pelamis*)
Unassociated Purse Seine Fishery: 1st Surveillance Audit Progress Assessment

Summary

The World Wide Fund for Nature (WWF) would like to thank Intertek Moody Marine, Inc. (IMM) for the opportunity to comment on the progress of the Parties to the Nauru Agreement (PNA) to achieve conditions imposed under the Marine Stewardship Council (MSC) certification of the PNA Western and Central Pacific Skipjack Tuna Unassociated Purse Seine Fishery. Overall, WWF is very pleased with and commends the PNA's progress toward achieving conditions as of this first year surveillance audit.

This document is narrowly focused on the conditions and milestones specific to the first year of the Annual Surveillance Audit and does not consider any factors outside the context of the current conditions and milestones. Recommendations of the Conformity Assessment Body (CAB) are only referenced for informational purposes where necessary. WWF provides comments on each specific condition and milestone below.

Discussion

Condition 1:¹

Within 5 years of certification, PNA and/or WCPFC must be in a position to demonstrate that the SG80 requirements have been met:

- Reference points are appropriate for the stock and can be estimated.
- The limit reference point is set above the level at which there is an appreciable risk of impairing reproductive capacity.
- The target reference point is such that the stock is maintained at a level consistent with B MSY or some measure or surrogate with similar intent or outcome.
- For low trophic level species, the target reference point takes into account the ecological role of the stock.

1. the PNA and/or WCPFC establish and adopt explicit and appropriate target and limit reference points for skipjack;
2. the PNA vigorously pursue the adoption of reference points in the WCPFC.

Milestones in achieving this end are:

1. Year 1 identification and development of appropriate reference points initiated.

Status:

The PNA convened a workshop facilitated by the PNA Office and the Secretariat of the Pacific Community (SPC) on the development of reference points to manage tuna fisheries on 2 August in Busan, Korea at the 8th meeting of the Scientific Committee (SC) of the Western and Central Fisheries Commission (WCPFC). Stated goals of the workshop included: (1) assist PNA in understanding the purpose and implications of management objectives in terms of biological, economic and social outcomes; (2) gaining an appreciation of the role of appropriate reference points; and (3) understanding the process of evaluating potential management measures in the achievement of management objectives, as required by the MSC conditions to certification. A secondary goal included initiating the process for defining overall PNA management aims for the skipjack fishery. The PNA specifically recognized at the workshop that the move towards the development of Reference Points and harvest control rules is an integral part of the management of the PNA's skipjack tuna resources.

At the SC meeting, PNA members noted that they are working towards the adoption of a target reference point for skipjack in the range of 40 to 60% of unfished biomass or an equivalent measure, and called for the Commission to consider adopting a similar standard. Specifically, PNA, through Palau, Tuvalu, and Federated States of Micronesia, supported and advocated for a limit reference point of 20% B_0 as well as a lower risk of 5% probability of breaching B_{lim} for skipjack tuna. PNA, through Tuvalu and Palau, also promoted pursuing target reference points with Tuvalu further promoting ecosystem implications be considered as part of a target reference point. PNA also seemed to draw support from Tonga and Australia as well for support of limit and target reference points.

WWF also acknowledges the recent work the PNA has commissioned from Gillett, Preston and Associates Inc. to review potential reference points in the PNA region. We further acknowledge the additional work of Collecte Localisation Satellites (CLS, Toulouse, France) to undertake simulation modelling on the impact of PNA measures on skipjack stocks in the WCPO and the Memorandum of Understanding (MoU) with the Oceanic Fisheries Programme (OFP) of the Secretariat of the Pacific Community (SPC) to assist PNA in the analytical work necessary for the development of reference points. Notably, we understand the CLS study showed that management measures including reference points could be used effectively to manage the skipjack stock within the PNA waters, resulting in an overall effect on the skipjack stock as a whole in the WCPO. These studies have clearly contributed to the legitimacy of the implementation of reference points in the PNA subregion of the WCPO.

WWF Position:

WWF is impressed with the progress of the PNA and, based on our understanding of the milestone for this condition, believes that the PNA is on track or ahead of schedule for this

milestone. WWF would like to collaborate further with the PNA to support full implementation of the proposed Reference Points and Harvest Control Rules over the next year.

Condition 2:²

Within 5 years of certification, PNA and/or WCPFC must be in a position to demonstrate that the SG80 requirements have been met:

- Well defined harvest control rules shall be in place that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached.
- The selection of the harvest control rules shall take into account the main uncertainties.
- Evidence shall be available that indicates that tools in use are appropriate and effective in achieving the exploitation levels required under the harvest control rules

Milestones in achieving this end are:

1. Plans for the development and adoption of appropriate HCRs for skipjack (including consideration of the main uncertainties) should be in place by the first surveillance audit. Lobbying of WCPFC (if required) should also begin by the first surveillance audit.³

Status:

The PNA discussed Harvest Control Rules as part of the workshop facilitated by the PNA Office and SPC on the development of reference points at the SC8 meeting. PNA openly stated their support for further work on HCRs during the general SC8 session. Specifically, PNA noted that HCRs would add to the tools such as the PNA purse seine VDS and the development of zone-based arrangements for longline fisheries, currently in use in the PNA waters. The PNA and the Forum Fisheries Agency (FFA) members called for two improvements in future work on this topic: (1) use of the LRPs recommended by the SC; and (2) inclusion of candidate target reference points on the relevant figures, such as the Kobe plots of modelled 2021 outcomes under various harvest rules. The PNA additionally advocated for a risk averse approach to setting reference points and harvest control rules. The PNA, through Palau and Tuvalu, further advocated for addressing uncertainties as part of advocacy for greater risk aversion and consideration of other species impacts.

WWF notes some general concern related to the selection of the base years of 2004-2010 and previously noted discrepancies between logbook days and VDS days used in development of the VDS scheme. Independent consultants have remarked that there needs to be more transparency and validation of the data used to form the basis for the VDS scheme.

Nonetheless, the VDS effectively supports sustainability of the WCPO skipjack purse seine fishery by setting a limit on Total Allowable Effort (TAE) expressed as Vessel Days. The VDS represents an efficient and effective tool for limiting effort in the context of well-defined reference points and harvest control rules. Therefore, the infrastructure necessary for implementing and enforcing effective HCRs, for the most part, is in place. That said, the PNA must show through a robust analysis that the HCRs, as implemented through the VDS system are effective.

In part, due to the encouragement and advocacy of the PNA, SPC and FFA have placed a focus on the development of RPs and HCRs for the skipjack fishery as part of the Management and Objectives Workshop preceding the WCPFC9 Regular Meeting as well as their research efforts.

WWF Position:

WWF believes that the PNA has made significant progress toward development and adoption of appropriate HCRs during the past year. Therefore, based on our understanding and interpretation of the milestone for this condition, WWF feels that the PNA is on track or ahead of schedule for this milestone. WWF reiterates its desire to collaborate further with the PNA to support full implementation of the proposed Reference Points and Harvest Control Rules.

However, WWF notes that the term “plan” as used in the milestone is overbroad and vague. While this is a fault with the original drafting of the condition and we note that, when read in the most favourable interpretation, the actions of the PNA reflect achievement of the milestone, we also note that were the PNA able to produce a *written* plan it would much better meet the spirit of transparency, objectivity, and tangibility desired as part of the MSC process. WWF encourages the PNA to develop, draft, adopt, and publish a written plan during the second year in an effort to better meet the spirit of this condition.

Condition 3:⁴

Within 5 years of certification, PNA must be in a position to demonstrate that the SG80 requirements (second and third scoring issues) have been met:

- There is some objective basis for confidence that the partial strategy will work, based on some information directly about the fishery and/or the species involved.
- There is some evidence that the partial strategy is being implemented successfully.

Milestones in achieving this are:

1. By the first annual surveillance audit, PNA should review available data (e.g. observer, logsheet) to provide the necessary level of confidence that the current management measure (CMM 2010-07) for sharks will work. The review should be initiated by the first annual surveillance audit, with a specific focus on silky sharks.

Status:

The Pacific Islands RPOA for sharks was prepared by three regional agencies to act as a guide for Pacific Island Countries (PICs) to implement sustainable shark management. The PNA did not have direct input into the development of the RPOA and, thus, did not conduct any in depth review of the practicality or effectiveness of its recommendations at the time of its development. However, the PNA committed to the implementation of an aggregate package of appropriate measures, consistent with the Condition in the event that the Review indicates that the fishery has a significant impact. PNA has stated that the review of available data is complete, including a specific focus on silky sharks.

Furthermore, recent evidence reported by Rice, et al at the SC8 meeting in Busan indicates that unassociated sets represent a lower threat to sharks, including silky sharks, than associated sets. However, additional research is necessary to more clearly determine whether even the small catches of silky sharks represent a threat to the overall health of the stock.

WWF Position:

Again, WWF believes that PNA has made significant progress toward reviewing available data (e.g. observer, logsheet) in an effort to determine the efficacy of the current management measure (CMM 2010-07) for sharks. Therefore, based on our understanding and interpretation of the milestone for this condition, WWF feels that the PNA is on track for this milestone.

Unfortunately, WWF notes that this milestone suffers from the same overbroad and vague language as the previous milestone in using the term “review.” While this is again a fault with the original drafting of the condition and we note that, when read in the most favourable interpretation, the actions of the PNA reflect achievement of the milestone, we also note that were the PNA able to produce a *written* summary document of the review it would much better meet the spirit of transparency, objectivity, and tangibility desired as part of the MSC process. Thus, WWF encourages the PNA to publish a *written* summary of the review and analysis conducted that indicates that the efficacy of management measure (CMM 2010-07) for sharks during the second year in an effort to better meet the spirit of this condition.

Condition 4:⁵

Within 5 years of certification, PNA must be in a position to demonstrate that the SG80 requirements have been met for whale sharks:

- The effects of the fishery are known and are highly likely to be within limits of national and international requirements for protection of ETP species.
- Direct effects are highly unlikely to create unacceptable impacts to ETP species.
- Indirect effects have been considered and are thought to be unlikely to create unacceptable impacts.

Milestones in achieving this outcome are:

PNA should adopt both the RPOA for Shark’s recommended prohibition on schools associated with whale sharks as well as the subsequent PNA decision to prohibit sets on whale sharks. This should be validated by written and agreed rules to implement this by the first annual surveillance audit.

Status:

The Pacific Islands RPOA for sharks was prepared by the WCPFC, SPC, and FFA to act as a guide for PICs to implement sustainable shark management. The PNA did not have direct input into the development of the RPOA and, thus, did not conduct any in depth review of the practicality or effectiveness of its recommendations at the time of its development. However, the PNA committed to the implementation of an aggregate package of appropriate measures, consistent with the Condition in the event that the Review indicates that the fishery has a significant impact.

Under 3rd Implementing Arrangement (3IA) of the PNA⁶, the PNA nations collectively agreed to a prohibition on setting purse seines on whale sharks. This prohibition has been in force since January 1, 2011, and applies to all PNA EEZ as well as the high seas pockets also closed to purse seine fishing.

FFA and PNA members tabled a proposal to WCPFC7 to implement compatible whale shark measures in the high seas and non-PNA EEZs based on PNAs current arrangement. PNA expressed

disappointment that other WCPFC members failed to support the measure. However, PNA claims to remain committed to implementing these requirements on a regional basis and is resubmitting the whale shark proposal for consideration at WCPFC8 through the FFA.

WWF Position:

WWF is impressed with the speed and substance the PNA engaged in meeting this milestone. Therefore, WWF believes that the PNA has largely met the milestone for this condition.

Condition 5:⁷

Within 5 years of certification, PNA must be in a position to demonstrate that the SG80 requirements (third and fourth scoring issues) have been met:

- Decision-making processes use the precautionary approach and are based on best available information.
- Explanations are provided for any actions or lack of action associated with findings and relevant recommendations emerging from research, monitoring, evaluation and review activity.

Milestones in achieving this are:

1. By first annual surveillance audit, provide a description of decision making processes and their relation to scientific advice.⁸
2. Subsequent meeting output should then explain decision making processes in relation to scientific information.

Status:

The PNA claims that the harvest control rules (Condition 1) and reference points (Recommendation 1) will form a fundamental basis of the deliberation of Total Allowable Effort (TAE) in the future.

The PNA further claims that decisions taken on adjustment to the VDS scheme shall be based on best available information derived primarily from SPC scientific advice, SPC logsheet data, information compiled by the PNA Office and FFA as well as any additional work commissioned through PNA or other management organisation. The PNA cites that explanations on recommendations made and decisions taken, or lack of action, will be clearly documented by the PNA Office, through minutes of meetings. These minutes will be publically available on the PNA Office website.

The PNA further notes that the WCPFC Convention requires that the Commission and its members also account for a range of socio-economic factors when deciding conservation and management measures. These factors are of high importance to PNA as small island developing states and will continue to be considered in line with the provisions of the Convention and UNCLOS.

“PNA Key Documents” are publicly available on the PNA website. In reference to these documents the PNA states “PNA member countries are at the forefront of collective decision making about conservation and management of tuna. The PNA is informed by the decisions of its officials, Ministers and national leaders who have drafted Implementing Agreements and

Declarations setting out key policies and then amended these as needed to update decisions.” These documents do provide substantial background to the decision making process of the PNA. However, it does not detail the periodic (annual or otherwise) decision making and how those decisions incorporate scientific advice.

Publication of PNA meeting minutes would greatly increase transparency and confirm that the PNA is committed to sound management. However, as of November 16, 2012, PNA decision documents are not publicly available on their website.

WWF Position:

WWF believes that the PNA has made substantial progress toward the milestone to provide a description of decision making processes and their relation to scientific advice during the past year. Therefore, based on our understanding and interpretation of the milestone for this condition, WWF feels that the PNA is on track for this milestone.

While WWF commends PNA’s efforts to provide a description of decision making processes and their relation to scientific advice, we believe that additional effort should be made to clearly indicate the relationship between scientific advice and the decision making process. A clearly defined policy and process posted on a publicly accessible website that includes the minutes of any relevant meetings would be helpful in achieving this condition. While WWF acknowledges that some information on the VDS program may be confidential, we believe that the PNA can take measures that ensure transparency and objectivity while maintaining the confidentiality of sensitive business data.

Conclusion

WWF once again remarks that it is very pleased with the progress of the PNA towards fulfilment of the conditions and timely achievement of the milestones recommended in the certification. WWF looks forward to future support of and collaboration with the PNA in achieving further goals toward the certification and an achievement of a model of sustainable fishing for the region.

Appendix 1: CAB Recommendations

Recommendation 1 (PI 1.2.1):

1. PNA draw up a management strategy for PNA which integrates existing elements to apply specifically to the skipjack harvest and is linked to limit and target reference points established as per Condition 1; and
2. PNA vigorously pursue the adoption of a management strategy for WCPO skipjack in WCPFC.

Recommendation 2:

Encouragement of, and support through the WCPFC to, Indonesia, Philippines and Vietnam to further develop their fisheries information systems, largely within the framework of ongoing initiatives.

Recommendation 3 (PI 2.1.2):

PNA provide documented evidence that the partial strategy continues to be implemented successfully for both yellowfin and bigeye tuna. Evidence should be made available in an annual report to the PNA Office.

Recommendation 4 (PI 2.2.1):

Stock assessments of both silky shark (IATTC, under way) and blue marlin (ISC, 2012) will provide greater understanding of the status of these stocks as will planned shark assessments for WCPFC. Results of these should be reviewed and if necessary appropriate mitigation measures taken to reduce mortalities of these species. Mitigation action would have to be implemented in 2013, if required.

Recommendation 5 (PI 3.1.3):

The PNAO will review the Nauru agreement and related instruments to be applied ensure that the appropriate principles including the precautionary approach are required to be applied.

Recommendation 6 (PI 3.2.3):

A biennial review of MCS arrangements in the purse seine fishery should be undertaken, using the MRAG national/regional study as a benchmark.

Recommendation 7 (PI 3.2.5):

The PNA should establish a system of regular internal and external reviews monitoring and evaluating the VDS (focusing on monitoring & management); the performance of the PNA Office relating to the VDS and management of the purse seine fishery more generally; and national implementation of the VDS and other PNA processes related to the purse seine fishery. The Internal review should comprise an annual administrator's report prepared annually (as opposed to on an ad hoc basis) summarising the uptake of VDS across the sectors, the PAE shares and transfers and developments and concerns. The document must be at a level consistent with the existing PNAO report (2010) but also including details of PAE transfers and lessons learned.

Appendix 1: CAB Recommendations

Recommendation 1 (PI 1.2.1):

1. PNA draw up a management strategy for PNA which integrates existing elements to apply specifically to the skipjack harvest and is linked to limit and target reference points established as per Condition 1; and
2. PNA vigorously pursue the adoption of a management strategy for WCPO skipjack in WCPFC.

Recommendation 2:

Encouragement of, and support through the WCPFC to, Indonesia, Philippines and Vietnam to further develop their fisheries information systems, largely within the framework of ongoing initiatives.

Recommendation 3 (PI 2.1.2):

PNA provide documented evidence that the partial strategy continues to be implemented successfully for both yellowfin and bigeye tuna. Evidence should be made available in an annual report to the PNA Office.

Recommendation 4 (PI 2.2.1):

Stock assessments of both silky shark (IATTC, under way) and blue marlin (ISC, 2012) will provide greater understanding of the status of these stocks as will planned shark assessments for WCPFC. Results of these should be reviewed and if necessary appropriate mitigation measures taken to reduce mortalities of these species. Mitigation action would have to be implemented in 2013, if required.

Recommendation 5 (PI 3.1.3):

The PNAO will review the Nauru agreement and related instruments to be applied ensure that the appropriate principles including the precautionary approach are required to be applied.

Recommendation 6 (PI 3.2.3):

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Notes:

¹ Reference points (1.1.2) requires that reference points are implemented.

² Harvest strategy (1.2.2) requires that there are well-defined and effective harvest control rules in place.

³ In achieving this outcome, PNA (and/or WCPFC) may consider the following:

1. adopt defined harvest control rules for the exploitation of skipjack tuna in their waters that are consistent with the harvest strategy and act to reduce the exploitation rate, as limit reference points are approached).
2. assessment of the main uncertainties should include the fishing mortality in archipelagic waters and territorial waters in order to ensure that the exploitation rate is appropriately reduced as limit reference points are approached.
In demonstrating that the tools in use are appropriate and effective in achieving the exploitation levels required under the harvest control rules, PNA (and/or WCPFC) should consider demonstrating that effort is effectively limited within overall PAE levels established in accordance with the VDS text, Implementing Arrangements and appropriate WCPFC conservation and management measures. In the event that these tools were to substantially change, then their effectiveness should be re-evaluated.

⁴ Management Strategy (Bycatch species) (2.2.2) requires that there is a strategy in place for managing bycatch that is designed to ensure the fishery does not pose a risk of serious or irreversible harm to bycatch populations.

⁵ Status of ETP species (2.3.1) requires that (i) it is highly likely that the effects of the fishery on whale sharks are known and are highly likely to be within limits of national and international requirements for the protection of this species and (ii) the direct effects are highly unlikely to create unacceptable impacts to whale sharks.

⁶ Among other issues, the 3IA instituted: (1) the 3 Months FAD closure; (2) the high seas pocket closure to vessels that are licensed to fish in the EEZs of the PNA; (3) 100% Observer Coverage on all purse seine vessels that fish in the PNA EEZs; and (4) 100% catch retention of all tuna. As additional measures, the PNA: (1) prohibited setting on whale sharks; (2) imposed a minimum mesh size for purse seine nets; and (3) prohibited fishing by licensed purse seiners in the high seas areas between 170°E and 150°W and 10°N and 20°S.

⁷ Decision-making processes (3.2.2) requires that the fishery-specific management system includes effective decision-making processes that result in measures and strategies to achieve the objectives.

⁸ In meeting this condition, PNA may consider the following:

The link between the VDS TAEs and WCPFC requirements and the scientific advice should be clearly established by the PNA. Records of meetings should demonstrate discussion on VDS TAEs, that scientific advice is incorporated into the decision making process, and that PNA actions are being agreed upon and implemented.
Explanation of decisions by PNA, particularly relating to the operation, monitoring and reporting of the VDS should be improved. An administrator's report could be prepared annually beginning by the first annual surveillance audit (as opposed to on an ad hoc basis) summarising the uptake of VDS across the sectors, the PAE shares and transfers and developments and concerns. The document should be at a level consistent with the existing PNAO report (2010) but also including details of PAE transfers

Our Smart Fishing Vision and Goals:

Vision: The world's oceans are healthy, well-managed and full of life, providing valuable resources for the welfare of humanity.

2020 Goals: The responsible management and trade of four key fishery populations results in recovering and resilient marine eco-systems, improved livelihoods for coastal communities and strengthened food security for the Planet.



Why we are here

To stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature.
panda.org

For more information

Alfred "Bubba" Cook
WCP Tuna Program Officer
acook@wwf.panda.org
Tel: +6799035008

WWF Smart Fishing Initiative
Moenckebergstr. 27
20095 Hamburg

Tel. +49 40 530 200 310

www.panda.org/smartfishing

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Alfred "Bubba" Cook
Western Central Pacific Tuna Programme Officer
WWF Smart Fishing Initiative
Global Fisheries Programme
WWF South Pacific Programme Office
Suva
Fiji Islands

6 December, 2012

Dear Bubba

PNA Western & Central Pacific Skipjack Tuna (*Katsuwonus pelamis*) Unassociated Purse Seine Fishery

Thank you for making a submission for the first annual surveillance audit of the captioned fishery. The draft report will now be sent to the client and includes both your submission and this reply.

We agree with your evaluation of the progress being made by the client in responding to the Conditions to certification. We have found that apart from condition 6 (which you have not referred to) the client is on target and in the main part is ahead of target. On that basis we have concluded that the certificate should be maintained and there should be an on-site surveillance visit towards the end of the second year of certification.

Concerning specific points we have the following comments:

- Page 2. We note that Condition 1 is mistaken in covering the need for target reference points. The main assessment concluded that the fishery met the 3rd scoring issue of PI 1.1.2 i.e. the target reference point is such that the stock is maintained at a level consistent with B_{MSY} or some measure or surrogate with similar intent or outcome. The purpose of the conditions to certification is to bring the score for a PI up to at least the 80 level. As such the only requirement should have related to the need for limit reference points. At the same time, it is acknowledged that the work being undertaken on TRPs is important in strengthening the management of skipjack by ensuring that the defined TRP is appropriate for the stock, thus reducing the risk to the stock from applying a management strategy based on HCRs in relation to the status of the stock against the TRP.
- Page 3. In relation to your comments on Condition 2, under condition 5 the client has provided evidence of a change in approach to the calculation of VDS days, with a real rather than nominal limit introduced. We have drawn attention to the second part of PI 1.2.2 (*"Evidence clearly shows that the tools in use are effective in achieving the exploitation levels required under the harvest control rules"*). The milestones established do not refer to the need to provide evidence of effectiveness; rather they require that HCRs are in place by the fourth annual audit. This requires a change in the condition to incorporate a milestone for year 5 that will be taken into account in the recertification audit. *"By the fifth annual audit the client will present the CAB with evidence to show that the HCRs adopted have been effective in achieving the exploitation rate required"*. It is recommended that by the second annual audit, the client has redefined the action plan to take this requirement into account. It is also recommended that the client action plan is reviewed to provide a specific response to the condition and the defined milestones.
- Page 4. We have drawn attention to a number of issues in the previously set conditions and the nebulous nature of parts of the client action plan that do not respond specifically to the established milestones; this includes use of the word "Plan". It should be emphasised that our concerns are not made on the basis of any lack of action by the client, or the clear commitment of PNA to implement the changes and improvements required; rather it is to ensure that problems do not arise in determining that the client is successful or not in meeting the condition, and

Intertek Moody Marine
Merlin House
Stanier Way
The Wyvern Business Park
Derby, DE21 6BF
Telephone: +44 (0) 1332 544663
Fax: +44 (0) 1332 675020
Email: info@moodyvint.com
Web Site: www.moodyvint.com



so reduce the scope for interpretation. In specific reference to condition 2, the audit team considers that the intent of the first year milestone has been met.

- Page 5. We have commented on the wording of condition 3 and the client action plan. We consider that the condition on PI 2.2.2 has been met and the required outcome has been achieved. The PI has been rescored and the average P2 score has increased slightly.
- Page 6. We have drawn attention to some issues in Condition 4, mainly related to the lack of consideration of the indirect effects of fishing.
- Page 7. From the evidence presented, it is unclear as to how the explanations provided to the auditors are made known to stakeholders. While SG80 does not require formal reporting and it is accepted that some of the information may be regarded as of commercial value and thus confidential, it is recommended that at the second annual audit the client provides an explanation as to how the decision making process has been made more transparent to the benefit of stakeholders, together with appropriate examples.

Sincerely

Ian Scott
Intertek Moody Marine

Intertek Moody Marine
Merlin House
Stanier Way
The Wyvern Business Park
Derby. DE21 6BF
Telephone: +44 (0) 1332 544663
Fax: +44 (0) 1332 675020
Email: info@moodyvint.com
Web Site: www.moodyvint.com

Appendix 2: Notification of Surveillance Audit



PNA WESTERN AND CENTRAL PACIFIC SKIPJACK TUNA (*KATSUWONUS PELAMIS*) UNASSOCIATED PURSE SEINE FISHERY

MSC Certification
Certification Body: Intertek Moody Marine

Surveillance Audit

Following certification of this fishery, we are now continuing the process of annual surveillance audits of the fishery. These audits have two principal functions:

1. To review any changes in the management of the fishery, including regulations, key management or scientific staff, or stock evaluation
2. To evaluate the progress of the fishery against any Conditions of Certification raised during the Main Assessment

Following a request for a variation to CRV1.2 Section 27.22.5 CRV1.2 Section 27.22.5 that was approved by MSC on the 18th September¹ the surveillance audit will take place in Cairns, Australia. It will be attended by the following Audit Team members; the brief details of whom are given below. Full CVs of the team members are available on request from IMM.

Ian Scott	Coordinator / L.A. / P3	On site
Tony Lewis	P1 / P2	On site

Ian Scott was not a team member in the main assessment. He is / has been the lead auditor / P3 expert on 8 fishery assessments (including two on tuna (Mexico P&L Skipjack / Yellowfin & Maldives P&L Skipjack) and 3 annual surveillance audits. He has recent experience in the Pacific region (Fiji, Kiribati and China).

During the audit, or at separate meetings, we shall be speaking with representatives of the fishery and fishery management organisations. We expect to carry out meetings in the week beginning November 11th 2012.

Should you have any information on this fishery that you feel should be considered in the assessment, please advise us. We may be available to meet with stakeholders as appropriate. If you would like to arrange a meeting, please advise us of:

- a) your name and contact details
- b) your association with the fishery
- c) the issues you would like to discuss (in order for us to arrange appropriate representation)
- d) where and when you would like to meet

Yours sincerely

Ian Scott
Lead Assessor
28th September, 2012
E-mail: ian.scott@intertek.com

¹ (See <http://www.msc.org/track-a-fishery/certified/pacific/pna-western-central-pacific-skipjack-tuna/assessment-downloads>),

Intertek Moody Marine
Merlin House
Stanier Way
The Wyvern Business Park
Derby: DE21 6BF
Telephone: +44 (0) 1332 544663
Fax: +44 (0) 1332 675020
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Tony Lewis served from 1988-2002 as chief scientist/manager of the Oceanic Fisheries Programme at SPC, which produces regular assessments of skipjack, yellowfin, bigeye and albacore tunas; these well regarded assessments are peer reviewed by the WCPFC Scientific Committee and in earlier times, the Standing Committee on Tuna and Billfish. The OFP is now the contracted science provider to the WCPFC, with stock assessments the key element of this service. Tony has 30 years research experience in the biology and ecology of tunas throughout the WCPO region, including PhD on the population genetics and ecology of tunas. He has undertaken extensive work and contact at all levels in all PNA, other Pacific Island and South East Asian countries over many years. He had long term employment in Papua New Guinea Fiji and New Caledonia

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Derby. DE21 6BF
Telephone: +44 (0) 1332 544663
Fax: +44 (0) 1332 675020
Web Site: www.intertek.com

From: Ian Scott Intertek
 Sent: Friday, September 28, 2012 2:56 AM
 To: 'ABaske@pewtrusts.org'; 'acook@wwfpacific.org.fj'; 'aewickham@trimarinegroup.com'; 'agac@arrakis.es'; 'al069175@bigpond.net.au'; 'alan_weibin@hotmail.com'; 'alewis9@bigpond.com'; 'anickson@pewtrusts.org'; 'anouk.ride.com@gmail.com'; 'anton@pnatuna.com'; 'apinelu@yahoo.com'; 'arua.stanley@gmail.com'; 'beerot@mfmrd.gov.ki'; 'benmgramham@yahoo.com'; 'bgmin@dongwon.com'; 'bhallmanata@gmail.com'; 'Bill.Holden@msc.org'; 'billy@dongwon.com'; 'botiin@mfmrd.gov.ki'; 'car@mail.fm'; 'cdeiye@gmail.com'; 'cfc@cfctuna.com'; 'cfc@mail.fm'; 'charles@tpsa.org.tw'; 'charlespaul@fairwell.com.tw'; 'chris@fcf.com.tw'; 'chrispala@gmail.com'; 'cramofafia@fisheries.gov.sb'; 'dan.sua@ffa.int'; 'davychen2008@gmail.com'; 'deborah@southseastuna.com.pg'; 'dillymalsol@gmail.com'; 'dkaris@fisheries.gov.pg'; 'dogoxtan@gmail.com'; 'dsouter@mragasiapacific.com.au'; 'dwilliam@fj.greenpeace.org'; 'dxu1107@hotmail.com'; 'eugenep@mail.fm'; 'FAO-SAP@fao.org'; 'flasi@fisheries.gov.sb'; 'fleu@mfmrd.gov.ki'; 'floyd@frabelle.net'; 'Francis.Chopin@fao.org'; 'frannie@frabelle.net'; 'fsmmr@gmail.com'; 'gene.muller@ntamar.net'; 'gillett@connect.com.fj'; 'gjoseph@mimra.com'; 'gjoseph101@gmail.com'; 'glenn.hurry@wcpfc.int'; 'gpreston@canl.nc'; 'gus@frabelle.net'; 'henk@atuna.com'; 'henkbrus@brusfoods.com'; 'herman@pnatuna.com'; 'honda@kaimaki.or.jp'; 'hope@daltron.com.pg'; 'I3243@dongwon.com'; 'ijeong@korea.kr'; 'inapng@daltron.com.pg'; 'ingles.jose@gmail.com'; 'james@fongkuo.com.tw'; 'jatin@fisheries.gov.sb'; 'jerhyn@tpsa.org.tw'; 'jgoldstein@neaq.org'; 'jhamby@trimarinegroup.com'; 'jilakini@fisheries.gov.pg'; 'jkleee@dongwon.com'; 'jmt@tuna.ph'; 'johnh@spc.int'; 'johnson568@hotmail.com'; 'journal@ntamar.net'; 'jmate@yahoo.com'; 'jtioti@fisheries.gov.pg'; 'karl.staisch@wcpfc.int'; 'kema@ecoez.com'; 'kintobat@mfmrd.gov.ki'; 'kintobat@mfmrd.gov'; 'kkaitu@gov.tv'; 'ksd8911@safo.co.kr'; 'kshort@wwf.org.nz'; 'lagi.toribau@greenpeace.org'; 'lausaveve7@yahoo.com.au'; 'len.rodwell@ffa.int'; 'les@rayfishresearch.com'; 'lkumoru@fisheries.gov.pg'; 'lkumoru@gmail.com'; 'loreen@pnatuna.com'; 'lrobert@mail.fm'; 'Masanami.Izumi@fao.org'; 'matthew.hooper@fish.govt.nz'; 'maurice@pnatuna.com'; 'Maylynn.Nunn@msc.org'; 'mbweneat@mfmrd.gov.ki'; 'mcculley@southseastuna.com'; 'mdebeer@sanford.co.nz'; 'mengjie.xiao@gmail.com'; 'MikeB@spc.int'; 'mkoneli@ntamar.net'; 'mschreffler@wwfwm.org'; 'namdrikalele@gmail.com'; 'narin@thaiunion.co.th'; 'nicksolomon@aol.com'; 'npakop@fisheries.gov.pg'; 'nret96940@gmail.com'; 'opagac@arrakis.es'; 'oto3@chive.ocn.ne.jp'; 'pactuna@gmail.com'; 'patricia@pnatuna.com'; 'patrick.mackenzie@norma.fm'; 'pccelso@rd-png.com.pg'; 'pccrdtc@online.net.pg'; 'peacey@clear.net.nz'; 'pescamore@gmail.com'; 'petert@mfmrd.gov.ki'; 'peterw@spc.int'; 'timl@spc.int'; 'philipens70@gmail.com'; 'philroberts@trimarinegroup.com'; 'pole_atanraoi@yahoo.com'; 'ppfrmi@ntamar.net'; 'pscho@ofdc.org.tw'; 'PTrott@wwf.org.au'; 'riba@mfmrd.gov.ki'; 'richard@consult-poseidon.com'; 'roland.kun@naurugov.nr'; 'safin70@yahoo.com'; 'samfinikaso@gmail.com'; 'sangaa@rayfishresearch.com'; 'sangaa@xtra.co.nz'; 'SAP-Registry@fao.org'; 'sari.tolvanen@greenpeace.org'; 'satoru_goto@nm.maff.go.jp'; 'sdiake@fisheries.gov.sb'; 'sfinikaso@yahoo.com'; 'sheldonJ@spc.org'; 'sheltonJ@spc.int'; 'simonN@spc.int'; 'simonN@spc.org'; 'sjackson@iss-foundation.org'; 'skljr@mimra.com'; 'spokajam@fisheries.gov.pg'; 'ssalaverria@mag.gob.sv'; 'steve.shanks@ffa.int'; 'stiller380@aol.com'; 'stolvane@greenpeace.org'; 'stuqiri@wwfpacific.org.fj'; 'sungkwon.soh@wcpfc.int'; 'Sylvester_diake@yahoo.com.au'; 'tamrammr@yahoo.com'; 'tarokawamoto@nifty.com'; 'tekoilchei@palaunet.com'; 'thomas.negints@southseastuna.com.pg'; 'tim@dhanjal-adams.com'; 'tion.nabau@gmail.com'; 'tpj@tuna.ph'; 'transform@pnatuna.com'; 'tunalee@sla.co.kr'; 'tunapal@palaunet.com'; 'Vili.Fuavao@fao.org'; 'VRestrepo@iss-foundation.org'; 'vw@sanford.co.nz'; 'wez.norris@ffa.int'; 'whlee@fcf.com.tw'; 'whlee@fcf.com'; 'xiaobing.liu@hotmail.com'; 'zzlonly@163.com'

Subject: MSC PNA Skipjack Tuna First annual Audit

Dear All

Please note the following draft announcement for posting on the MSC web site. My apologies to those who have already received this message – we now have an extended list of stakeholders.

Sincerely

Ian

**PNA WESTERN AND CENTRAL PACIFIC SKIPJACK TUNA
(KATSUWONUS PELAMIS)
UNASSOCIATED AND LOG SET PURSE SEINE FISHERY
MSC Certification
Certification Body: Intertek Moody Marine
Surveillance Audit**

Following certification of this fishery, we are now continuing the process of annual surveillance audits of the fishery. These audits have two principal functions:

1. To review any changes in the management of the fishery, including regulations, key management or scientific staff, or stock evaluation
2. To evaluate the progress of the fishery against any Conditions of Certification raised during the Main Assessment.

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Tony Lewis	P1 / P2	On site

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During the audit, or at separate meetings, we shall be speaking with representatives of the fishery and fishery management organisations. We expect to carry out meetings in the week beginning November 11th 2012.

Should you have any information on this fishery that you feel should be considered in the assessment, please advise us. We may be available to meet with stakeholders as appropriate. If you would like to arrange a meeting, please advise us of:

- a) your name and contact details
- b) your association with the fishery
- c) the issues you would like to discuss (in order for us to arrange appropriate representation)
- d) where and when you would like to meet

Yours sincerely

Ian Scott
Lead Assessor
21st September, 2012
E-mail: ian.scott@intertek.com

Tony Lewis served from 1988-2002 as chief scientist/manager of the Oceanic Fisheries Programme at SPC, which produces regular assessments of skipjack, yellowfin, bigeye and albacore tunas; these well regarded assessments are peer reviewed by the WCPFC Scientific Committee and in earlier times, the Standing Committee on Tuna and Billfish. The OFP is now the contracted science provider to the WCPFC, with stock assessments the key element of this service. Tony has 30 years research experience in the biology and ecology of tunas throughout the WCPO region, including PhD on the population genetics and ecology of tunas. He has undertaken extensive work and contact at all levels in all PNA, other Pacific Island and South East Asian countries over many years. He had long term employment in Papua New Guinea, Fiji and New Caledonia.

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Appendix 3: Determination of Surveillance Level

A surveillance audit may be conducted as either an “on-site” or “offsite audit”. This is determined by using criteria set out by the MSC:

Criteria	Surveillance Score	PNA Western & Central Pacific Skipjack Tuna
1. Default Assessment Tree		
Yes	0	0
No	2	0
2. Number of Conditions		
Zero Conditions	0	0
1-5 Conditions	1	0
>5 Conditions	2	2
3. Principle Level Scores		
≥ 85	0	0
<85	2	2
4. Conditions on outcome PIs?		
Yes	2	2
No	0	0
Total		6

The score for the fishery is used to determine the surveillance level appropriate to the fishery using the table below:

Surveillance score	Surveillance level	Years after certification or re-certification			
		Year 1	Year 2	Year 3	Year 4
2 or more	Normal surveillance	On-site surveillance audit	On-site surveillance audit	On-site surveillance audit	On-site surveillance audit & recertification visit

The PNA Western & Central Pacific Skipjack Tuna (Katsuwonus pelamis) Unassociated Purse Seine Fishery scores 6, as six Conditions remain open, P1 and P3 score <85, and there are conditions on Outcome PIs. There is the requirement for an on-site audit in 2013.

Appendix 4: Extract from PA17/WP2

1. PS VDS TAE & PAEs for MY6: 2013

TAE Setting

- Article 12.2 of the VDS Scheme text sets out the issues to be taken into account in setting the TAE.

Scientific Advice and Information

- The WCPFC Scientific Committee has advised that:

“the stock is currently only moderately exploited ($FCUR/FMSY = 0.37$) and fishing mortality levels are sustainable. However, there is concern that high catches in the equatorial region could result in range contractions of the stock ...”

If recent fishing patterns continue, catch rate levels are likely to decline and catch should decrease as stock levels are fished down to MSY levels. Due to the rapid change of the fishing mortality and biomass indicators relative to MSY in recent years, increases of fishing effort should be monitored. The Commission should consider developing limits on fishing for skipjack to limit the declines in catch rate associated with further declines in biomass.”⁵

- There are no agreed target reference points for skipjack. Various interim targets have been suggested, including maintaining effort at 2010 levels as proposed by the WCPFC Secretariat (WCPFC-TCC7-2011/01), and maintaining catches at recent levels (WCPFC8-2011-46).

Economic Information and Advice

- The SC advice is largely based on economic considerations that catch rates and catch are expected to decline with current effort levels, as the stock is fished down. Increasing effort would be expected to further reduce long term catch rates, purse seine profits and potentially access fees.
- In MY4, not all VDS days were sold, and while this may have been a result of the way that non-fishing days were treated and from PAE overruns, it indicates that the Parties' economic interests in maintaining the value of days are likely to be served by promoting the adoption of comprehensive hard limits in the WCPO purse seine fishery, including maintaining a stable level of effort in PNA EEZs, especially as the action by the WCPFC to reopen the high seas pockets can be expected to lead to some overall increase in effort and skipjack catch.

WCPFC Considerations

- The Commission has not been able to act on the SC advice to develop limits on fishing for skipjack, and there are no WCPFC skipjack management measures in place. CMM 2008-01 has been extended on an interim basis, with the key elements being extended until February 30, 2013. The purse seine effort limits in that measure are based on bigeye conservation, not skipjack management and have not been effective in limiting purse seine effort because of the limited coverage of the purse seine fishery by this bycatch measure.
- In the interim extension of CMM 2008-01, the WCPFC recognised the intention of PNA to base the future TAE on the 2010 effort level.
- In adopting the TAE, the Parties should take into account the provisions of Article 30 relating to the special requirements of small Island states, and determine for their TAE, a larger share of effort than might otherwise be applicable.

MSC Considerations

- With respect to decision-making on the PNA skipjack fishery and the VDS in particular, PNA commitments for MSC certification include:
 - Establishment of a short term objective
 - The link between the VDS TAEs and WCPFC requirements and the scientific advice need to be clearly established by the PNA. Decisions taken on adjustment to the VDS scheme to be based on best available information. This will be derived largely from SPC scientific advice, SPC logsheet data, information compiled by the PNA Office and FFA as well as any additional work commissioned through PNA or other management organisation. Explanations on recommendations made and decisions taken, or lack of action, will be clearly documented by the PNA Office, through minutes of meetings. These minutes will be publically available on the PNA Office website.

This paper has been modified from previous years to take an initial step in these directions.

Management Information and advice

- The Parties have agreed to adopt the 2010 effort level in PNA EEZs to establish a precautionary TAE for 2013, although fishing mortality for skipjack is still estimated to be at moderate levels. This decision is consistent with the scientific advice

⁵ Paras 224 and 225, SC7 Report

to apply limits to fishing for skipjack. The latest logsheet estimate of the level of purse seine effort in PNA EEZs in 2010 is 43,257 days.

11. If the procedures for non-fishing days are aligned with those used by SPC for logsheets, then the VDS TAE based on the 2010 logsheet effort in the EEZs of the Parties should be 44,703 days, based on the 2011 difference between VMS days without length adjustment and length adjusted VDS days was 8.312% for US vessels, 0.823% for FSMA vessels and 2.515% for other vessels.
12. With respect to setting the TAE, the VDS Committee has recommended that:-
 - a. the TAE setting process should be to firstly set the TAE and then for sub-limits to be set for the Adjusted TAE, the FSMA and the UST; which would take into consideration the outcomes of the ongoing USMLT negotiation, the current FSMA review, WCPFC new measures, if any, and PNA initiatives such as the MSC process and associated science work on reference points and harvest control rules.
 - b. Parties should consider a longer term period for the TAE other than the current annual term.
13. There is currently no specific short term objective in place for the PNA purse seine skipjack fishery. As noted above, PNA has committed to adopt a short term objective for the PNA fishery skipjack fishery. The proposed objective is to limit purse seine effort in PNA EEZs at the 2010 level.
14. Consideration has been given to a skipjack catch-related objective. However, at this time, there remain uncertainties about the species composition of purse seine catches, though this is improving, and about determining skipjack catches by zone/area.
15. Given the SC advice on skipjack status, it is important for PNA to act to strengthen the management of fishing on skipjack in the light of the failure by the WCPFC to do so. This stock is critically important for the Parties and other developing states in the region.
16. On the basis of the considerations above, there is no reason for the Parties to change their previous decision to apply a TAE for 2013 based on the 2010 effort level.
17. The Parties might consider applying the same level of TAE as an indicative TAE for 2014 and 2015.
18. The adoption of a hard TAE as set out in this paper is an important step in managing fishing for skipjack and the purse seine fishery. Previously, the TAE has been calculated by adopting a limit for total PAEs consistent with WCPFC CMM 2008-01 and adding nominal allocations for UST and FSMA effort, making the TAE only a notional limit. During the next two years, FSMA and UST effort will be brought under the TAE, increasing the effectiveness of the Parties' efforts to manage fishing for skipjack and the purse seine fishery.

Recommendations

It is recommended that:

- a) The Parties adopt the objective of limiting purse seine effort in PNA EEZs at the 2010 level, noting that, at this stage, purse seine effort in zones can be monitored more reliably than purse seine skipjack catch in zones.
- b) The Parties set the TAE for 2013 accordingly at 44,703 days based on the 2010 effort level in PNA EEZs.

Appendix 5: Scoring Table PI 2.2.2

PI 2.2.2		There is a strategy in place for managing bycatch that is designed to ensure the fishery does not pose a risk of serious or irreversible harm to bycatch populations	
SG	Issue	Met? (Y/N)	Justification/Rationale
60	a	Y	There are measures in place, if necessary, which are expected to maintain main bycatch species at levels which are highly likely to be within biologically based limits or to ensure that the fishery does not hinder their recovery.
			The only species that is considered to be “main” is silky shark. As reported in the main assessment (Intertek Moody 2011), based upon length frequency information the majority of the population is relatively stable, although there may be areas of local depletion. As such it appears high likely that this species is within biologically-based limits, although there is an evident need to reduce fishing pressure on these potentially vulnerable species. There are measures in place to ensure that catch of silky shark is at a level which is highly likely to be within biologically based limits. CMM 2006-05 (amended in 2008 (CMM 2008-06), in 2009 (CMM 2009-04) and 2010 2010-07)) is specific to management of the by-catch of all shark species. It requires that CCMs take measures to (i) implement the FAO International Plan of Action for the Conservation and Management of Sharks (non-binding); (ii) define key shark species / shark catch & discard reporting requirements (non-binding); (iii) support research and development of strategies for the avoidance of unwanted shark captures (non-binding); (iv) fully utilize any retained catches of sharks (including restrictions on finning (binding); (v) prohibit their fishing vessels from retaining, trans-shipping, landing, or trading any fins (binding) and (vi) encourage the release of live sharks (binding).
	b	Y	The measures are considered likely to work, based on plausible argument (e.g. general experience, theory or comparison with similar fisheries/species).
			Data provided by Rice & Harley (2012 a, b) indicates that in 2009 the total number of silky sharks caught in PNA waters in unassociated tuna purse seining was 4,690; this compares to the 5,680 which was the highest figure recorded in recent years and the total catch in the long line fishery of 389,000. Given the size of the silky shark population and the relatively low proportion of its total catch by the PNA unassociated purse seine fishery, it is plausible to conclude that these measures are likely to work and the fishery will continue to have limited impact on the population of the species.
80	a	Y	There is a partial strategy in place, if necessary, for managing bycatch species at levels which are highly likely to be within biologically based limits or to ensure that the fishery does not hinder their recovery.
			The data of Rice & Harley (2012 a, b) clearly demonstrates that the level of silky shark mortality attributable to the non- associated purse seine fishery in PNA waters is extremely low. On that basis, apart from the measures in place (see SG60) it may be considered that the maintenance of the <i>status quo</i> is a partial strategy as this will ensure that the bycatch of the species in the fishery is managed.
	b	Y	There is some objective basis for confidence that the partial strategy will work, based on some information directly about the fishery and/or the species involved.

			While the information on the fishery supplied by Rice & Harley (2012 a, b) remains to be confirmed and further analysis has been requested on the silky shark stock assessment, the figures provided provide some objective basis for confidence that the partial strategy of maintaining the <i>status quo</i> will work. This conclusion should be revisited in future annual audits to confirm that the status of the species remains unchanged and that there is no reason to consider that its catch in the unassociated PNA purse seine fishery has increased.
	c	Y	There is some evidence that the partial strategy is being implemented successfully. The relative proportion of all gear catch of silky shark by the unassociated PNA purse seine gear (0.5% to 2.2 % from 1995 until 2009) provides the evidence that the partial strategy is being implemented successfully.
100	a	N	There is a strategy in place for managing and minimising bycatch. SG100 relates to all by catch species. While it could be considered that there is a strategy for silky shark, there is not one for other species such as blue marlin.
	b	N	Testing supports high confidence that the strategy will work, based on information directly about the fishery and/or species involved. There is no strategy.
	c	N	There is clear evidence that the strategy is being implemented successfully. There is no strategy.
	d	N	There is some evidence that the strategy is achieving its objective. There is no strategy
	References		Rice & Harley (2012 a, b), Intertek Moody 2012.
	OVERALL PERFORMANCE INDICATOR SCORE:		80
CONDITION NUMBER:		Condition 3 – closed	