

EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

THE DIRECTOR-GENERAL

Brussels 9 AOUT 2011
D(2011) 865264

Mr Antonio Cabral
Long Distance RAC
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28001 Madrid
Spain

Subject: LDRAC recommendation on the Kobe Process

Dear Mr Cabral,

I thank you for your letter of 5 July providing the LDRAC position regarding the joint Tuna RFMO meeting in La Jolla, USA. I take this opportunity to thank the LDRAC for organising the ad hoc meeting in Madrid on 23 June on this matter, which was a good opportunity to exchange views on how to progress in the framework of the Kobe process.

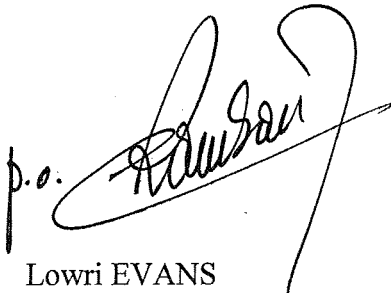
In order to optimise the available time and to avoid lengthy discussions on general issues, the Kobe III agenda meeting was structured so that the focus was put on a small range of issues under each main topic. For this reason, a number of issues raised by the LDRAC Recommendations could not be sufficiently discussed.

However, I am pleased to report that the recommendations of the LDRAC, especially on Compliance and Enforcement, to a very high extent coincided with our own views on the matter and that we did position ourselves along the lines that you suggested during the meeting.

We do believe that the EU position in La Jolla is duly reflected in the final recommendations made by the meeting. I attach this document for your information.

The Commission looks forward to continue working with the LDRAC to progress this matter in future meetings.

Yours sincerely,

p.o. 
Lowri EVANS

KOBE III RECOMMENDATIONS

I. Science

- (1) Recognizing that the five tuna Regional Fisheries Management Organizations (tRFMOs) have different data confidentiality rules, and noting this might curb the exchange of data across tRFMOs, Kobe III participants recommended that tRFMO Secretariats cooperate to develop common data confidentiality rules and a draft protocol for data sharing. The protocol will specify the types of data to be shared, how it can be used, and who can have access to it.
- (2) Emphasizing the potential of the Kobe II Strategy Matrix (K2SM) to communicate efficiently among all stakeholders and to assist in the decision-making process according to different levels of risk, but also recognizing that substantial uncertainties still remain in the assessments, Kobe III participants recommended that the Scientific Committees and Bodies of the tRFMOs develop research activities to better quantify the uncertainty and understand how this uncertainty is reflected in the risk assessment inherent in the K2SM.
- (3) Recognizing that a Management Strategy Evaluation (MSE) process needs to be widely implemented in the tRFMOs in the line of implementing a precautionary approach for tuna fisheries management, it is recommended that a Joint MSE Technical Working Group be created and that this Joint Working Group work electronically, in the first instance, in order to minimize the cost of its work.

II. Management

Bycatch Working Group

- (4) In accordance with the Terms of Reference for the Joint Technical Bycatch Working Group (JTBWG), which were adopted at the Kobe II Bycatch Workshop, Kobe III participants welcomed the report of the first meeting of the JTBWG and recommended that it be transmitted to each tRFMO for its consideration.

Capacity and Allocation

- (5) Kobe III participants recommended that each tRFMO Secretariat annually measure existing capacity in tuna fisheries under its jurisdiction and monitor where that capacity is used and by whom. The results of this work should be referred to the respective Commission for its consideration.
- (6) In order to assist in the analysis and appropriate management decision-making to reduce overfishing and overcapacity, Kobe III participants recommended that by 2013 each tRFMO establish a record of vessels, by gear type, actively fishing for stocks under its jurisdiction, and that all tRFMO Secretariats coordinate the establishment of a common vessel database linked, to the extent possible, to the existing consolidated list of active vessels, taking into account the requirements of each tRFMO for vessel registration.

- (7) Kobe III participants recommend that developed fishing members freeze large-scale purse-seine capacity under their flag. Based on the status of the stocks, each tRFMO should consider a scheme for:
- Reduction of over capacity in a way that does not constrain the access to, development of, and benefit from sustainable tuna fisheries, including on the high seas, by developing coastal States, in particular small island developing States, territories, and States with small and vulnerable economies; and
 - Transfer of capacity from developed fishing members to developing coastal fishing members within its area of competence where appropriate.

Decision-Making

- (8) Kobe III participants recommended that the decision-making framework guidelines outlined in Annex XX be referred to the respective tRFMOs for consideration.

III. Compliance and Enforcement

- (9) Kobe III participants noted their appreciation for the work already conducted by the tRFMO Secretariats on the development of a consolidated list of authorized vessels, including the implementation of unique vessels identifier (UVIs), and recommended that they continue these efforts. Furthermore, the participants recommended that these efforts be coordinated with the Food and Agriculture Organization of United Nation's (FAO) effort to develop and implement a global record of fishing vessels, refrigerated transport vessels, and supply vessels.
- (10) Kobe III participants recommended that tRFMOs cooperate to harmonize illegal, unregulated and unreported (IUU) vessel listing criteria, processes, and procedures, to the maximum extent possible, and move towards adopting principles, criteria, and procedures for cross-listing IUU vessels that are listed on the IUU list of other tRFMOs, taking into account the principles in Annex XX.
- (11) Kobe III participants recommended that the tRFMOs establish a common format for assessing compliance with data reporting requirements. Furthermore, to facilitate compliance, participants recommended that all tRFMOs streamline and harmonize their reporting formats, procedures, and timing.
- (12) Kobe III participants, reaffirming the recommendations regarding port state measures and catch document schemes (CDS), recommended that tRFMOs, developed States, and NGOs accelerate efforts to provide capacity building assistance through various means, including workshops, to implement CDS, port state measures, and data collection and to participate in the scientific work.

IV. Future of Kobe Process

- (13) To support the ongoing importance of meeting the core objective of the Kobe process to harmonize approaches and actions of the five tRFMOs, a Steering Committee will be established, comprised of the Chairs and Vice Chairs of each of the five tRFMOs, supported by the five Executive Directors/Secretaries of those same tRFMOs.
- (14) The Steering Committee's mandate will be to review and report to the five tRFMOs, on a regular basis as determined by the Steering Committee, on the implementation of the recommendations agreed to during the Kobe process, including those adopted at Kobe III. The first meeting of the Steering Committee will take place during the FAO Committee on Fisheries (COFI) meeting in Rome, July 2012, and the work of the Steering Committee will be guided by the principle of transparency.
- (15) Beginning from the adoption of this recommendation at Kobe III, the Secretariat of each of the five tRFMOs will propose that the agenda of their respective annual meetings include a specific item on the Kobe process, to be introduced and led by the Commission Chair, and focused on a review by the tRFMO members of the Kobe process recommendations requiring action by that tRFMO.
- (16) Tuna RFMO members should provide input to the Steering Committee through the Chair(s) of their respective RFMO(s) and during the annual review at the RFMO meeting(s).

