

North Pacific Fisheries Commission (NPFC) Report  
5th Meeting of the North Pacific Fisheries Commission  
2019

**Attachment 2**  
**Summary of the 4<sup>th</sup> Annual North Pacific Fisheries Commission Meeting**  
**June 27 - July 5, 2018**

**What is the North Pacific Fisheries Commission?**

It is a regional fisheries management organization (RFMO) formed to implement the Convention on the Conservation and Management of High Sea Fisheries Resources in the North Pacific Ocean (Convention). The objective of the Convention is to ensure the long-term conservation and sustainable use of the fisheries resources in the high seas of the North Pacific while protecting the marine ecosystems where these resources occur. The Convention waters include the high seas that are, more or less, north of 20 degrees N latitude (North of Hawaii) and south of the Bering Sea and Gulf of Alaska. A detailed map of the Convention area, the Convention text, and the history of the Convention and NPFC are available on the NPFC website ([www.npfc.int](http://www.npfc.int)).

**Who are the Members of the NPFC?**

There are eight members to the NPFC, primarily from nations adjacent to the Convention area. These include Canada, China, Chinese Taipei (i.e., Taiwan), Japan, Korea, Russia, United States, and Vanuatu. The NPFC staff (Secretariat) is located in Tokyo, Japan.

As with most RFMOs, the NPFC has a range of subsidiary bodies and working groups to assist it in its work. The NPFC has formed a Finance and Administration Committee (FAC), Scientific Committee (SC), and a Technical and Compliance Committee (TCC). In addition, the NPFC relies on specific workgroups or small scientific committees to explore specific management or stock assessment issues.

**What does the NPFC manage?**

The Convention covers fisheries resources in the high seas of North Pacific not covered under pre-existing international fisheries management instruments. This includes fish, mollusks, crustaceans, and other marine species, but excludes some sedentary species (e.g., some coral species), catadromous species (e.g., eels), marine mammals, marine reptiles, and seabirds in addition to other marine species already covered under other instruments (e.g., tuna and salmon).

The NPFC is focused on the management of three broad categories of resources: corals and other “vulnerable marine ecosystems”; bottom fisheries (non-pelagic in Council parlance); and pelagic fisheries.

Several nations conduct bottom trawl fisheries, bottom gillnet fisheries, longline, and pot fisheries in Convention waters. Many of these fisheries are conducted primarily on, or near, the Emperor Seamounts (northeast of Hawaii). The primary target of the bottom trawl fisheries have been North Pacific armorhead, and splendid alfonsino (*Best species name, ever*). The primary target species of the bottom gillnet fisheries have been splendid alfonsino, oreo, and mirror dory.

Korean and Russian longline vessels have primarily targeted various rockfish species and splendid alfonsino. Canadian pot vessels have exclusively targeted sablefish around four seamount aggregations outside and to the west of the Canadian EEZ. Russia has signaled its intent to resume a deep-water crab fishery, but has not resumed fishing.

The largest fishery within Convention waters is for Pacific saury. Vessels from China, Chinese Taipei, Japan, Korea, Russia, and Vanuatu participate in this fishery. Japanese and Russian vessels operate mainly within their respective Exclusive Economic Zones (EEZs); vessels from China, Chinese Taipei, and Korea operate primarily within the Convention waters. Vessels use pelagic trawl gear, or a lighting apparatus to attract the saury to the vessel and harvest the fish primarily with dip nets or a lift net. Each year, several hundred thousand metric tons of Pacific saury are harvested in Convention waters.

Vessels from China and Chinese Taipei trawl for chub mackerel within Convention waters near the EEZ’s of Japan and Russia. Japanese and Russian vessels fish for chub mackerel primarily within their EEZ’s but have only recently participated in fisheries within Convention waters. Annual harvests in the Convention Area range from tens of thousands to hundreds of thousands of metric tons.

Jig vessels (primarily from Japan) pursue a relatively small fishery for various squid species.

On average, Members harvest over 1,000,000 mt of fishery resources in the Convention Area annually, with the vast majority of that harvest being Pacific saury and chub mackerel.

### **What is the role of the U.S. and NMFS at the NPFC?**

U.S. vessels do not participate in the Convention Area, but may do so in the future. Broadly speaking, the U.S. engages in the NPFC to meet our overarching commitments to conserve and manage shared living marine resources, to protect the broader marine environment from the effects of destructive fishing practices, to

prevent illegal fishing activities, and to ensure that we provide for future opportunities for U.S. participation.

### **What happened at the latest meeting of the NPFC?**

The Fifth Annual Meeting was held in Tokyo and was preceded by substantive meetings of the TCC and the FAC. The SC and several small scientific committees and workgroups convened earlier this year. The SC Meeting report is available here:

All the members attended. Representatives from the European Union, Panama, FAO, the North Pacific Anadromous Fisheries Commission (NPAFC), the North Pacific Marine Science Organization (PICES) the Deep Sea Conservation Coalition(DSCC), Global Fishing Watch (GFW), the PEW Charitable Trusts, WWF, and the Organization for Regional and Inter-regional Studies (ORIS) of Waseda University of Japan attended as observers.

The U.S. delegation included staff from the Alaska Region, Alaska Fisheries Science Center, Pacific Islands Region, NOAA International Affairs, NOAA General Counsel, Department of State, US Coast Guard – as well as Commissioners from the Western Pacific Fishery Management Council and the Pacific Fishery Management Council.

#### **Technical and Compliance Committee Meeting**

The Technical and Compliance Committee was held before the Commission meeting and was chaired by Canada. Much of the meeting was focused on the continued development of management measures for a regional vessel monitoring system (VMS) and a compliance monitoring scheme. It was a fairly rocky start for both issues – with Russia questioning whether a regional VMS was even necessary, and Japan taking a hard stance that it was too early to adopt a CMS. After three days of negotiations, the TCC ultimately kicked both issues to the Commission meeting for further discussion.

There was a great deal of concern expressed by Members over a recent increase in transshipment activity in the Convention Area – primarily given the current low level of monitoring and required reporting. Nearly 85% of the catch taken in the NPFC Convention Area is transshipped (according to Japan) and the number of transshipments in the NPFC Convention area has more than doubled in the last three years. The current interim measure on transshipment is fairly weak and limited in scope and application. Japan and the United States (and of course PEW and Global Fishing Watch) expressed a strong desire to begin work to develop a more comprehensive and robust transshipment measure in 2020. As has become standard practice, Japan nominated six new Chinese vessels to be added to the NPFC IUU Vessel List. All six vessel were nominated for fishing in the Convention Area without being on the NPFC Vessel Registry and 5 of the 6 were flying the flag of China when they were sighted - though China claimed that none of the vessels were authorized by China, and so would not agree to list them as Chinese flagged vessels

on the IUU list. The current NPFC IUU Vessel list has 27 listed vessels – most listed by Japan for similar reasons, and most had been flying the flag of China when they were sighted. China has consistently refused to have any of the vessels listed on the IUU list as Chinese flagged vessels, as they have consistently claimed that the vessels were not authorized by China, and unfortunately the information provided by Japan has consistently been sparse and unverifiable. So for most of the current NPFC IUU Vessel List, information for the vessels is listed as “unknown” – which has greatly reduced the usefulness and reliability of the IUU Vessel List as an enforcement tool (or really as any tool at all). It is likely that this issue will continue to persist in the coming years.

The TCC also reviewed an application from Panama to become a cooperating non-contracting party (CNCP) to the NPFC. The submission from Panama was closely tied to the impending expiration of an interim register for non-member carrier vessels to operate in the NPFC Convention Area. In 2015, as the NPFC Convention was entering into force, the Commission agreed to allow non-member carrier vessels to be registered on an NPFC interim vessel registry for a period of three years. The interim register has primarily been used by China and Taiwan to register Panamanian carrier vessels to conduct transshipments in the NPFC Convention Area. The measure was set to expire this year, and since 99.99% of the vessels listed on the interim register were flagged to Panama – they were encouraged by the Commission to apply for CNCP status. China and Taiwan requested that the interim register for non-member carrier vessels be extended for a period of time (China requested 3 years, Taiwan only one year) – but most other members (including the United States) strongly opposed the continuation of non-member carrier vessels operating in the Convention Area.

A final decision was punted to the Commission meeting – but TCC did recommend that the Commission approve Panama’s application for CNCP status. The fun didn’t stop there, though. More on that later. Work for the TCC next year will likely be largely dedicated to the issue of transshipment, continued development of operating procedures for a regional VMS, responsibility of vessels under charter arrangement, a further review of effort indicators, and the development of a regional observer program.

### Commission Meeting

The Commission adopted a number of Conservation and Management Measures (CMMs) that are binding on the members. The Commission operates on consensus (although a voting mechanism does exist for unusual or particularly challenging issues), so it can be difficult to develop CMMs that are acceptable to all members.

The Commission meeting was once again chaired by Mr. Kenji Kagawa (Japan). Pacific saury was a primary focus again this year, as Japan expressed continued concern over declining catch and a strong desire for an overall TAC in the

Convention Area. Japan was pushing hard for revised measures for Pacific saury and chub mackerel, as well as new measures for three other species – Japanese flying squid, neon flying squid, and Japanese sardines. There was a great deal of resistance from China, Russia and Taiwan (even Korea) on Japan's proposed measures, as well as the proposed measure for a regional VMS – and a great deal of pushback from Japan on the proposed measure for CMS, extension of the interim registry and Panama's CNCP application. So it seemed for most of the meeting as if everyone would fail and nothing would be accomplished. But after many, many long hours of small working groups, HOD meetings and closed door negotiations all of the proposed measures were adopted, Panama was granted CNCP status and the interim register was extended for one year. Only poor EU was left out to dry – as Russia refused to agree to consensus on EU's application to become a Contracting Party to the Commission.

The Commission adopted a whopping 10 new and revised management measures:

#### *Pacific Saury*

The SC finalized a stock assessment for Pacific saury this year, so Japan was pushing hard for the adoption of a new proposed management measure. The measure included a total allowable catch (TAC) for the Convention Area and adjacent EEZ, specified the percentage of the TAC that could be taken in the Convention Area, and encouraged Members to refrain from fishing in certain parts of the Convention Area to avoid interactions with Juveniles. After much disagreement, many side bar conversations and closed door negotiations, the Commission agreed to adopt the revised measure. The limits established in the measure are for 2020 only and will be reviewed again next year based on advice from SC

#### *Chub Mackerel*

Japan submitted a proposal to amend CMM 2018-07 for chub Mackerel which included proposed language to ensure that the total catch and effort of chub mackerel was limited to current (historical) levels until a stock assessment has been completed. They also included proposed language which would allow members to transfer catch between their national waters and the Convention Area.

Unfortunately Russia refused to agree to the proposal to limit catch in the Convention Area, so language reverted to the current requirement – which is a requirement to limit the number of authorized vessels (squishy) to historical existing levels (squishy) in the Convention Area. The only real change members were willing to agree to, was the ability to transfer catch between national waters and the Convention Area. The United States had (has?) strong concerns with this revision, but was willing to agree to its adoption with the inclusion of additional requirements for members to report to the Commission on the limits established in their national waters (which is at least a step in the right direction).

#### *Japanese Sardine and Japanese Flying Squid*

Japan had originally submitted a proposal which covered three pelagic species – Japanese sardine, neon flying squid, and Japanese flying squid – but Korea was

unwilling to entertain the idea of a limit on neon flying squid, as they claimed it was already covered as a bycatch species by the chub mackerel measure. Ultimately the Commission agreed to adopt a CMM for two pelagic species – Japanese Sardine and Japanese flying squid. The measure is almost identical to the revised chub mackerel measure – it requires members to limit the number of authorized vessels fishing in the Convention Area, and allows for a transfer of catch between national waters and the Convention Area, provided that established limits are reported to the Commission.

#### *Compliance Monitoring Scheme*

The United States has been working with members on the development of a CMM for a Compliance Monitoring Scheme, through the TCC Small Working Group on Assessing Compliance. Members dedicated a substantial amount of time reviewing a proposed measure in the months leading up to and during TCC - and during the course of the Commission meeting - and most Members were willing to support the proposal. Japan took a hard stance during TCC that it was too early (the Commission was too “young”) to adopt a CMS – and instead suggested that a “feasibility study” be conducted before Members agreed to adoption. The United States had strong concerns with setting the precedent of requiring a “feasibility study” before agreeing to adopt new measures. It seemed unlikely that agreement would be reached, but negotiations continued throughout the course of the Commission meeting, and in the last hours of the last day Japan agree to adopt a three year measure.

#### *Regional Vessel Monitoring Scheme*

After many (many) revisions and many (many) long days of negotiations – the Commission agreed to adopt a CMM for an NPFC Vessel Monitoring Scheme. Canada was leading the charge on the issue, and despite initial barriers to progress, Members worked through most of the TCC and the Commission meeting to develop a measure that all members would be willing to agree to. Again, in the last hours of the last day, members agreed to adopt a CMM for VMS. There are a number of outstanding issues that need to be addressed intersessionally, and during the TCC and Commission meeting next year – including the issue of manual reporting, and the development of more concrete operating procedures – so the measure was adopted with a delayed implementation.

#### *Panama’s CNCP Status and the Interim Register for Non-Member Carrier Vessels*

Despite agreement and endorsement at TCC – Japan seemed unwilling to approve Panama’s application to become a CNCP to the NPFC, citing concerns over alleged IUU fishing activities of a number of their non-Member carrier vessels operating in the Convention Area. Japan and a number of other countries were also unwilling to allow for an extension of the interim register for non-Member carrier vessels to operate in the Convention Area. Both China and Taiwan rely on Panamanian carrier vessels to conduct transshipment activities in the Convention Area – so both of these issues remained fairly contentious during the course of the Commission meeting. After many long days of negotiations, and a number of interventions from the U.S.

Coast Guard representative to clarify facts of the alleged violations – members agreed to both accept Panama’s CNCP status and to allow an extension of the interim register for one year, to allow for continued and uninterrupted transshipment activities.

#### *Other revised measures*

The Commission also adopted a new conservation and management measure for Sablefish, revisions to the IUU CMM, which include a requirement to report the CMM and paragraph associated with a nomination for an IUU vessel, and slight revisions to the annexes of the two bottomfish measures based on advice from SC.

#### Other Matters

The European Union once again submitted an application to become a full Member of the NPFC. Based on the outcomes of the Commission meeting last year, the EU submitted a lengthy and informative report on their historical catch, proposed fishing effort, and expected effects in the Convention Area in advance of the Commission meeting, and gave a brief presentation to Members regarding their interest in Membership. They once again highlighted their intention to contribute (much needed) data, scientific advice, and associated financial contributions to the Commission. Unfortunately, Russia was unwilling to agree to allow the EU to accede the Convention – citing the need for scientific review of the impact that the EU entrance may have on targeted fish stocks. The United States expressed strong support for the EU’s application and disappointment in the continued resistance of some members to further consider new membership. The EU was, understandably, frustrated with the outcome. Members encouraged the EU to submit an application for membership again next year – and to submit the application to Commission as well as all subsidiary bodies for further review.

#### Election of new Chairs and Co-Chairs

Following the close of his second full term, the Chairmanship of Mr. Robert Day (TCC Chair) was set to expire this year. Given the Chair’s engagement and experience, and lacking interest from other Members to take over the position, the Commission agreed to amend the Terms of Reference for the TCC to allow a Chair (and Vice Chair) to serve for three consecutive (2 year) terms – and agreed to extend the terms of the current Chair (Mr. Robert Day; Canada) and Vice Chair (Ms. Hee Yeon-Lee; Korea). Mr. Kenji Kagawa (Japan) stepped down as Chair of the Commission, having served in the role since the Convention entered into force in 2015. The Commission elected Dr. Vladimir Belyaev (Russia) to serve as the new Chair, and Mr. Shingo Ota (Japan) to serve as Vice Chair.

#### Next meetings

The next meeting of the Technical and Compliance Committee, Finance and Administration Committee and the 6<sup>th</sup> Regular Session of the Commission will be held in Japan, from July 30 – August 6, 2020 in Japan (anywhere other than Tokyo because of the 2020 Summer Olympics).

