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26 February 2010

Dr. Robin Allen
Executive Director
Interim Secretariat
SPRFMO

Dear Dr. Allen,

Vanuatu Reservation to Revised Interim Measures for Pelagic Fisheries

After having received a detailed briefing on the outcomes of the Auckland negotiations, I am writing to confirm Vanuatu's reservation to the Revised Interim Measures for Pelagic Fisheries, effective from 1 January 2010. Vanuatu's formal reservation was originally advised to the Chairman of the negotiations in plenary session of the Eighth International Consultation on the Establishment of the South Pacific Regional Fisheries Management Organisation prior to the adoption and signing of the Final Act of the Consultations, to which the Revised Interim Measures for Pelagic Fisheries are annexed.

Specifically, Vanuatu will not commit to limiting the Gross Tonnage of its fleet of mid-water trawlers operating in the jack mackerel fishery to its 2007 level and will not, therefore, be bound by the Revised Interim Measures.

As you are aware, Vanuatu has carefully abided by the 2007 Interim Measures for Pelagic Fisheries. The capacity in Gross Tonnes of the Vanuatu flagged fleet of mid-water trawlers has been held at its 2007 level.

Negotiations on revising the Interim Measures were difficult and protracted because of the declining status of the jack mackerel stocks and due to the fact that under the 2007 Interim Measures some countries had been able to substantially increase their fleets. Agreement on the text of a set of Revised Interim Measures was reached in a Working Group meeting, prior to the Plenary Meeting at which the final document was presented for formal adoption.

At this point, a major discrepancy in the Revised Interim Measures document was pointed out by Vanuatu to the Chairman. Specifically, the agreed text of the document, which identifies that flag states that had vessels operating in 2007 would continue to be restricted to their 2007 Gross Tonnage in 2010, was found to be inconsistent with the data contained in Table 1 of the paper. Table 1 identified that some flag states

were being given the opportunity to increase the size of their fleet while others were being restrained from doing so.

It became apparent that the discrepancies in the data in Table 1 were deliberate and that the Chairman would not allow the document to be changed. This action undermined the credibility of the negotiation process and conferred significant commercial advantages to a few countries.

This is unacceptable to Vanuatu. I can advise that Vanuatu's reservation to the Interim Measures for Pelagic Fishing will be maintained until such time as the allowable fishing capacities of fleets operating in 2007 are restored to their former, agreed levels, consistent with the text of the Interim Measures document.

Yours sincerely,



Honorable Raphael WORWOR
Acting Minister of Agriculture Responsible for Fisheries