



# REVISED TUNA FISHERY MANAGEMENT PLAN

A NATIONAL POLICY FOR THE MANAGEMENT  
OF VANUATU TUNA FISHERIES

AUGUST 2014



FFA







REPUBLIC OF VANUATU

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Prepared by the  
Vanuatu Fisheries Department and Pacific Islands Forum Fisheries Agency

*AUGUST 2014*



**FFA**

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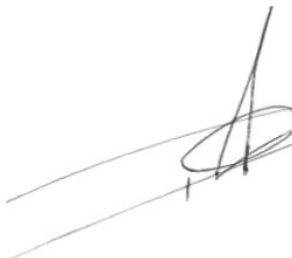
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## **APPROVAL OF THE REVISED TUNA FISHERY MANAGEMENT PLAN**

The Revised Tuna Fishery Management Plan has been made in accordance with Part 4, Section 11 of the Fisheries Act No. 10 of 2014 and is hereby approved on this date.

### **COMMENCEMENT DATE**

By virtue of powers conferred upon the Minister responsible for Fisheries, under Sections 6(1), 10(1) and 11(5) of the Fisheries Act No. 10 of 2014, notice is hereby given that implementation of this Revised Tuna Fishery Management Plan will commence on the 29<sup>th</sup> day of August 2014.



The seal is circular with the text "REPUBLIC OF VANUATU" at the top and "REPUBLIQUE DE VANUATU" at the bottom, separated by two stars. In the center, it reads "MINISTER OF AGRICULTURE, LIVESTOCK, FORESTRY, FISHERIES & BIO-SECURITY".

Honourable David Tosul (MP)  
Minister responsible for Fisheries



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# GUIDE TO THE TUNA FISHERY MANAGEMENT PLAN

The Vanuatu Tuna Fishery Management Plan is a working living document that provides specific strategic direction and guidance to managers and policy-makers while being linked to a clear set of objectives and principles. To meet these needs, the Plan has the following key sections:

## **Executive summary**

A brief summary of the key management areas addressed in the Plan.

## **Introduction**

An introduction to the Plan, why it has been developed, and the scope of its coverage.

## **Policy framework**

A statement of the Plan's overarching objectives, the goals that have been developed to move towards those objectives, and the strategic policy interventions that describe how these goals will be met.

## **Administrative framework for tuna management**

Strategic and coherent actions and policies that will provide the necessary administrative and management structure to allow the Plan to be implemented.

## **Strategies for conservation and management**

Strategic and coherent actions and policies that focus on managing fishing vessels and the sustainable conservation and management of tuna stocks.

## **Strategies for local tuna fishery development**

Strategic and coherent actions and policies that focus on ways in which local tuna fisheries and associated activities can be encouraged and sustainably developed.

## **Schedules**

Specific details on licensing, including fees and management limits. These are placed in a separate Schedule so that they can be updated easily and incorporated in regulations without requiring the whole Plan to be formally amended.

## **Appendices**

A collection of materials that support the Plan, including historical, biological and regulatory background information; and specific guidance on ways of implementing the Plan to maximise the likelihood of meeting its ultimate goals and objectives.

## **DEFINITIONS**

For purposes of this Tuna Fishery Management Plan the terms have been defined below, consistent with the Fisheries Act No. 10 of 2014.

### **Artisanal fishing**

Fishing by customary resource owners in Vanuatu where they are entitled by custom or law to fish, where:

- A. the fish are taken in a manner that, as regards the vessel, the equipment and the method used are in accordance with their customary traditions or are small-scale and individually operated; and
- B. the fish are taken for household consumption, barter or domestic market trade.

### **Bycatch**

Catch of non-target associated species.

### **Commercial fishing**

Any fishing resulting in, or intended or appearing to result in, the sale or trade of any fish that may be taken, caught or harvested during the fishing operations but does not include recreational fishing.

### **Deep-bottom fish**

Includes all deep-bottom fish families of the Lutjanidae (subfamilies Etelinae, Lutjaninae and Apsilinae), Serranidae (subfamily Epinephelinae) and Lethrinidae.

### **Exclusive economic zone**

The area described as the exclusive economic zone under the Maritime Zones Act No. 6 of 2010.

### **Exploratory and test fishing**

Any fishing operations undertaken over a limited period of time for the purposes of testing the feasibility of commercial fishing operations with a view to establishing fishery operations based in Vanuatu or the region.

### **Fishing category**

One of the seven categories of fishing:

- A. Tuna longline;
- B. Tuna purse-seine;
- C. Tuna pole-and-line;
- D. Other types of fishing, including trolling, vertical longlining and other small-scale local fishing techniques;
- E. Game / charter sport fishing;

- F. Research fishing; and
- G. Exploratory and test fishing.

### Foreign fishing vessel

Any vessel other than a local fishing vessel and any vessel in support of a foreign fishing vessel.

### Game / sport fishing vessel

Fishing for a reward or profit for the purposes of game or sport and includes the hire charter, or use of a vessel for such purpose.

### Highly migratory tuna and tuna-like species

All tuna species specified under Annex 1 of the Law of the Sea Convention, 1982, including:

- ✓ albacore, *Thunnus alalunga*
- ✓ yellowfin tuna, *Thunnus albacares*
- ✓ bigeye tuna, *Thunnus obesus*
- ✓ skipjack, *Katsuwonus pelamis*

All billfish species, including:

- ✓ southwest Pacific swordfish, *Xiphias gladius*
- ✓ striped marlin, *Tetrapturus audax*
- ✓ blue marlin, *Makaira nigricans*
- ✓ black marlin, *Istiompax indica*

And any other species that may be determined by the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific.

### Local fishing vessel

Means any fishing vessel:

- A. wholly owned and controlled by one or more natural persons who are citizens of Vanuatu or entitled by law to permanently reside in Vanuatu; or
- B. wholly owned by any corporation or body established by or under any law of Vanuatu, all shares of which are beneficially owned by one or more natural persons who are citizens of Vanuatu or entitled by law to permanently reside in Vanuatu; or
- C. wholly owned by the Government of Vanuatu or by any public corporation or body established by or under any law of Vanuatu, all shares of which are beneficially owned by the Government of Vanuatu.

### Locally-based foreign fishing vessel

Means any foreign fishing vessel:

- A. based in Vanuatu that lands all its catch in Vanuatu; or

- B. based in another South Pacific country and jointly operated by or on behalf of the Government of Vanuatu and one or more governments in the South Pacific region under an agreement to which the Government of Vanuatu is a party; or
- C. fully owned and operated by a person or persons who are not citizens of Vanuatu, which is chartered by a person or persons who are citizens of Vanuatu to fish in Vanuatu and land all its catch in Vanuatu.

### **Longline tuna fishing**

Fishing for tuna (particularly yellowfin, bigeye and albacore) with many baited hooks attached to a horizontal mainline.

### **Observer**

Any person authorised to act as observer under Section 113 of the Fisheries Act No. 1 of 2014, and any person designated in accordance with an access or related agreement to act as observer on board a vessel licensed under an access agreement.

### **Operator**

Any person who is in charge of or who directs or controls a vessel, and includes the master owner and charterer.

### **Pelagic drift net fishing**

Fishing with a gill net or other net, or a combination of nets, that is more than 2.5 kilometres in length, the purpose of which is to enmesh, entrap or entangle pelagic fish by drifting on the surface of or in the water.

### **Pole-and-line tuna fishing**

Tuna fishing using a combination of barbless unbaited hooks, live free-swimming bait and water sprays.

### **Purse-seine tuna fishing**

Tuna fishing using a large encircling purse-seine net.

### **Recreational fishing**

Fishing done for leisure and without regard to earnings and profit.

### **Regional Register**

The Regional Register of Foreign Fishing Vessels maintained by the FFA.

### **Research fishing**

The use of new fishing techniques not historically used in Vanuatu, or true scientific research. Research fishing status would not be granted to anyone using standard techniques covered by the other fishing category definitions.

### **Small-scale local fishing**

Simple fishing techniques, including droplining, vertical longlining, trolling, mid-water handlining, and spearfishing.

### **Subsistence fishing**

Fishing by indigenous inhabitants in Vanuatu waters where they are entitled by custom or law to fish, where the fish are taken in a manner that, as regards the vessel, the equipment and the method used, is in accordance with their customary traditions. Fish are taken primarily for household consumption.

### **Telex reports**

Information provided by a fishing vessel in a standard format on the total catch on board by species, number of days fished, and location, when the vessel enters and exits the EEZ and on each Wednesday in the EEZ.

### **Transshipment**

Transferring any fish or fish products to or from any vessel.

### **Vanuatu waters**

The waters of the exclusive economic zone, the territorial sea, the archipelagic waters, and the internal waters as defined in the Maritime Zones Act No. 6 of 2010 and any other waters over which Vanuatu claims jurisdiction under international law.

### **Vessel category**

One of the three vessel ownership categories:

1. Local fishing vessels;
2. Locally-based foreign fishing vessels; and
3. Foreign fishing vessels.

### **Vessel length**

Defined as the overall length of the vessel from the farthest forward point to the farthest aft. When a vessel measurement is not a complete metre measurement, the next higher metre length applies (e.g. a vessel of 9.1 m length would be considered a 10.0 m vessel for licensing fees).

### **Vessel monitoring system**

The system employed by Pacific Island States and coordinated by the Pacific Islands Forum Fisheries Agency to monitor the position and activities of fishing vessels for the purposes of effectively managing fisheries.

## **ABBREVIATIONS**

|               |   |
|---------------|---|
| <b>ALC</b>    | automatic location communicator   |
| <b>CCALMR</b> | Commission for the Convention of Antarctic Living Marine Resources      |
| <b>CCSBT</b>  | Commission for the Conservation of Southern Bluefin Tuna                |
| <b>CMM</b>    | conservation and management measure                                     |
| <b>CRP</b>    | comprehensive reform program  |
| <b>EEZ</b>    | exclusive economic zone   |
| <b>FAD</b>    | fish aggregating device   |
| <b>FFA</b>    | Pacific Islands Forum Fisheries Agency                                  |
| <b>FIMS</b>   | Fisheries Information Management System                                 |
| <b>FMAC</b>   | Fisheries Management Advisory Council                                   |
| <b>IATFC</b>  | International Authorization to Fish Certificate                         |
| <b>IATTC</b>  | Inter American Tropical Tuna Commission                                 |
| <b>ICCAT</b>  | International Commission for the Conservation of Atlantic Tunas         |
| <b>IOTC</b>   | Indian Ocean Tuna Commission  |
| <b>MALFFB</b> | Ministry of Agriculture, Livestock, Forestry, Fisheries and Biosecurity |
| <b>MCS</b>    | monitoring, control and surveillance                                    |
| <b>MTCs</b>   | minimum terms and conditions  |
| <b>PMW</b>    | Police Maritime Wing  |
| <b>SPC</b>    | Secretariat of the Pacific Community                                    |
| <b>TAC</b>    | total allowable catch   |
| <b>VFFV</b>   | Vanuatu-flagged fishing vessel  |
| <b>VFFFV</b>  | Vanuatu-flagged foreign fishing vessel                                  |
| <b>VMA</b>    | Vanuatu Maritime Authority  |
| <b>VMC</b>    | Vanuatu Maritime College  |
| <b>VMS</b>    | vessel monitoring system  |
| <b>WCPFC</b>  | Western and Central Pacific Tuna Fisheries Commission                   |

## EXECUTIVE SUMMARY

### Objectives

The Tuna Fishery Management Plan has been developed to meet four key objectives:

1. To ensure that the exploitation of the tuna resources that are found in and pass through Vanuatu waters is compatible with the sustainability of the stocks throughout their range.
2. Within the limits of the sustainability objective, to ensure the harvest is taken in a way that maximises the long-term economic and social benefits received by the people of Vanuatu.
3. To contribute to the food security of ni-Vanuatu.
4. To meet regional and international responsibilities for tuna management.

### Scope

- ✓ All billfish and highly migratory tuna species, including albacore, yellowfin, bigeye and skipjack.
- ✓ All other species taken in the course of fishing.
- ✓ The Tuna Fishery Management Plan covers all Vanuatu waters, including the consideration of the area of Vanuatu's exclusive economic zone around Matthew and Hunter islands.
- ✓ Vanuatu-flagged tuna fishing vessels wherever they fish. The scope also:
  - extends to all Vanuatu-flagged vessels authorised to fish in the high seas and licensed to fish in other EEZs within the WCPO;
  - extends to all Vanuatu-flagged vessels fishing in other RFMO convention areas.
- ✓ All major fishing gear covered under this Plan – primarily longline, purse-seine and pole-and-line.





# I. INTRODUCTION

## 1.1 Origins and development

The requirement for fishery management plans to be developed and maintained is described under Sections 10 and 11 of the Fisheries Act No. 10 of 2014. These elements under the Act are well captured in the process of reviewing this Tuna Fishery Management Plan (hereafter referred to as Plan). The Plan addresses a number of priority challenges by implementing strategic interventions, thereby meeting its four key objectives.

In particular, the Plan focuses on the strategies concerned with improved monitoring, control, surveillance (MCS) and licensing systems with a particular emphasis on foreign vessels; managing Vanuatu-flagged vessels; strengthening linkages between organisations with common interests; maintaining catch and effort within the limits set under this Plan; and minimising or avoiding incidental catch of vulnerable or protected species including seabirds, sea turtles, sharks and other mammals. This Plan also addresses the need to both ensure good management of the resource and to examine ways of developing the local fishing industry.

The Fisheries Act requires that the preparation of a management plan involves wide consultation with local fishermen, local authorities, other persons affected by the Plan, government, ministries or departments affected by the Plan, and fisheries management authorities of other states in the region sharing the same or interrelated stocks.

The broad consultation required by the Fisheries Act has been carried out in the review process of the Plan through a combination of focus meetings, public meetings, and interviews with a wide range of concerned parties. The review was funded jointly by the Vanuatu Fisheries Department and the Pacific Islands Forum Fisheries Agency.

## 1.2 Purpose

Consistent with the Fisheries Act No. 10 of 2014, this Plan:

- ✓ identifies the fishery and assesses the present state of its exploitation;
- ✓ specifies the objectives to be achieved in managing the fishery; and
- ✓ specifies the management, conservation, development and technical measures to be taken, in particular:
  - the licensing programme for all commercial fishing vessels to be followed;
  - the limitations to be applied to fishing operations;
  - the total allowable catch (TAC) for foreign fishing, locally-based foreign, local and sport fishing vessels;
  - identifying and assessing development potential;
  - ensuring that development of potential fisheries based products comply with both national and international seafood requirements and regulations; and
  - monitoring surveillance and control, and enforcement programmes.

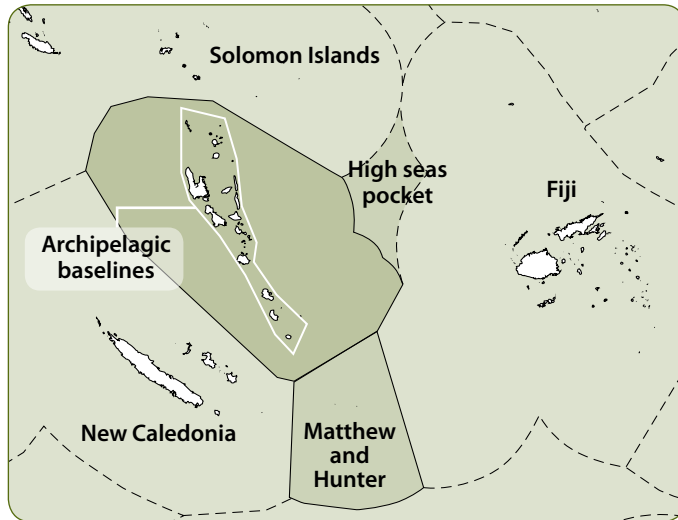
More specifically, the purpose of the Plan is to:

- ✓ provide a clear statement of objectives and direction for managing and developing Vanuatu's tuna fishing and fisheries;
- ✓ provide a set of achievable and measurable goals and principles that will direct strategic interventions towards the overall objectives;
- ✓ establish clear and transparent rules for licensing, monitoring and regulating tuna fishing activities; and
- ✓ put in place an administrative framework for ensuring the implementation of the Plan and mechanisms that allow it to be updated as conditions change.

### 1.3 Scope

The scope of the Plan can be summarised as follows:

- i. **Species** — All highly migratory tuna and tuna-like species; and all other non-target, associated or dependent species taken in the course of fishing.
- ii. **Fishing activities** — Commercial fishing, artisanal fishing, sport / game fishing, research fishing, exploratory and test fishing.
- iii. **Fishing methods** — Longline, purse-seine, pole-and-line, trolling, all other methods of fishing that target tuna and tuna-like pelagic fish, and vertical and horizontal longline fishing for deep-bottom fish.
- iv. **Product development** — Looking at potential products that can be developed from tuna and other marine species.
- v. **Related activities** — Transshipping, use of fish aggregating devices (FADs), bait fishing, bunkering, provisioning, all other services relating to the tuna fishery, including on-shore processing and provision of port facilities.
- vi. **Areas covered for licensing** — Internal waters for licensing, archipelagic waters, territorial sea, EEZ including those portions around Matthew and Hunter islands (Fig. 1).
- vii. **Areas covered for management of flagged vessels** — All waters where Vanuatu registered, licensed and flagged vessels fish for highly migratory tuna species. It also includes Vanuatu-flagged vessels fishing for tuna in convention areas of the ICCAT, IOTC, IATTC, CCALMR, CCSBT, SPRFMO and WCPFC. Vanuatu has special interest in the effective conservation, management and sustainable use of highly migratory species in the high seas pocket to the east of Vanuatu's exclusive economic zone (EEZ).



**Figure 1.** Vanuatu and neighboring countries, Vanuatu's EEZ, Matthew and Hunter Islands, archipelagic baselines and eastern high seas pocket.



## 2. POLICY FRAMEWORK

### 2.1 Overarching objectives

The Plan's four main objectives are to:

1. ensure that the exploitation of tuna resources that are found in and pass through Vanuatu waters is compatible with the sustainability of the stocks throughout their range;
2. ensure that the harvest of tuna resources maximises the long-term economic and social benefits to the people of Vanuatu;
3. contribute to the food security of ni-Vanuatu; and
4. meet regional and international responsibilities under various tuna related treaties, conventions and agreements of which Vanuatu is a member or cooperating non-member.

### 2.2 Principles

This Plan has five key principles, which provide guidance to the development and implementation of goals and strategic policy interventions.

#### 1. *Equitable distribution of benefits*

Benefits from the tuna fishery will be distributed equitably among the people of Vanuatu, with consideration given to rural / urban and geographic distinctions.

In the short-medium term, an important focus of this Plan is to generate maximum net revenues and other benefits for the people of Vanuatu. The benefits will be largely extracted from regulated access and fishing in Vanuatu waters, fees from Vanuatu-flagged vessels fishing for tuna in other jurisdictions while under Vanuatu's flag, employment opportunities for ni-Vanuatu on fishing vessels and a range of spin-off benefits from onshore facilities and value-adding.

#### 2. *Use of the precautionary principle and best practices*

Best practices and strategic measures will be imposed on Vanuatu tuna fisheries in the absence of data and information. Vanuatu will ensure that:

- ✓ necessary information is collected from tuna fisheries in its waters and from Vanuatu-flagged tuna fishing vessels in other waters, and is provided to appropriate regional organisations for purposes of stock assessment;
- ✓ necessary management, legal and enforcement tools are in place to enforce catch and effort limits;
- ✓ the management system is regularly reviewed to ensure that it can be responsive to changing situations including government policies and state of tuna resources;
- ✓ processing and value-adding comply with best practices and quality standards acceptable to potential markets.

### *3. User-pays principle and cost recovery*

The increased level of management of tuna and deep-bottom fisheries that will result from implementing this Plan will require additional financial and human resources. Fishermen who benefit commercially from pelagic and deep-bottom fish resources will be expected to contribute to these increased management costs. This Plan encourages the user-pays principle particularly for the services of the Fisheries Department discharged in the effective conservation, management and development of tuna fishing and fisheries in the country.

### *4. Public accountability and transparency*

The government will be accountable to the people of Vanuatu for the sustainable conservation, management and development of tuna fishing and fisheries, and will undertake regular stakeholders' consultations including regular meetings of the Fisheries Management Advisory Council before making major policy decisions. In terms of bilateral, multilateral, regional and joint venture fisheries negotiations, the responsible Ministry / Department should report back to Cabinet and the people of Vanuatu on the outcome of the negotiations.

### *5. Limitation of adverse social and environmental impacts*

Special attention will be paid to limit, minimise and avoid adverse environmental and social impacts resulting from Vanuatu tuna fishing and fisheries. The Plan has a number of strategic interventions such as environmental impacts, including standards set under relevant WCPFC CMMs on bycatch species and general environment.

## **2.3 Goals**

The Department of Fisheries must have:

- ✓ **data and research** — accurate data and research findings to better inform assessment of tuna stocks, exploitation rates, and fishing trends and activities within Vanuatu's EEZ;
- ✓ **information management** — necessary tools and procedures (e.g. information management systems including website and databases, licenses, MCS licensing terms and conditions, bilateral agreements, MOUs for catch landings in ports outside Vanuatu authorisations to fish in other jurisdictions) for managing all Vanuatu licensed and/or flagged vessels fishing for tuna;
- ✓ **administration and governance** — an administrative structure that effectively manages the fishery on an ongoing basis and responds to changing circumstances; and
- ✓ **development** — a programme for developing a sustainable local tuna fishing industry. In order to meet the objectives of maximising economic and social benefits to the people of Vanuatu and providing increased food security, the Plan also includes the specific goals of creating the following strategies.

## 2.4 Strategies

The strategies developed to implement the Plan's goals are shown in Table 1, which serves as a 'roadmap' that allows all parts of the Plan to be traced back to the goals they are based on.

**Table 1.** Summary of strategies for the Vanuatu Tuna Management Plan

| Goal   | Strategies  | Section No.       |
|--|---|-------------------|
| <b>A. DATA AND RESEARCH</b><br>A system that will gather the information necessary to monitor and manage Vanuatu tuna fishing and fisheries      | 1. Ensure there is VMS on all commercial fishing vessels (including carrier vessels) that are either foreign, locally-based foreign, and local fishing vessels  | 4.4<br>Activity 1 |
|  | 2. Strengthen Vanuatu national observer programme   | 4.4<br>Activity 2 |
|  | 3. Strengthen Vanuatu port sampling programme   | 4.4<br>Activity 3 |
|  | 4. Actively manage information collected from logsheets, observer reports, port sampling, canneries and other sources   | 4.4<br>Activity 4 |
|  | 5. Coordinate with and strengthen aerial and sea patrols, including ensuring adequate resources to support / enforce routine patrols and surveillance   | 4.4<br>Activity 5 |
|  | 6. Regularly review, compile, analyse and disseminate catch and effort data   | 4.4<br>Activity 6 |
|  | 7. Improve enforcement of licensing terms and conditions  | 4.4<br>Activity 7 |
| <b>B. INFORMATION MANAGEMENT</b><br>The necessary tools and procedures for managing all Vanuatu licensed and/or flagged vessels fishing for tuna | 8. Regular update of all MCS related information using the online MCS Compliance Review Module<br>Establish and implement a national fisheries information system (FIMS)  | 4.4               |
|  | 9. Develop administrative and compliance procedure for monitoring and controlling all Vanuatu-flagged fishing vessel operations   | 4.5               |
|  | 10. Actively participate in all meetings of MSG FTAC, SC-SPTBF, FFA, UN fisheries related forums, FAO COFI, CITES, WCPFC and other RFMOs, including their subsidiary bodies, and promote the interests of Vanuatu | 4.6               |
|  | 11. Develop and implement procedures to minimise and avoid environmental and social impacts   | 4.7               |

**Table 1.** (cont.)

| Goal   | Strategies   | Section No.  |
|--|--|--|
| <b>C. ADMINISTRATION AND GOVERNANCE</b><br>A pro-active and responsive organisation that effectively manages the evolving tuna fishery | 12. Conclude negotiation on MCS agreements with neighbouring countries of Fiji, Solomon Islands and France (New Caledonia) | 4.3  |
|  | 13. Strengthen an active Fisheries Management Advisory Council   | 3.1  |
|  | 14. Administer the Management Fund following a 'user-pays' system and ensure that the necessary resources are available    | 2.3  |
|  | 15. Cooperate with and coordinate between all relevant national institutions involved in enforcement                       | 3.3  |
|  | 16. Implement the new Fisheries Act No. 1 2014, including formulating and implementing required regulations and schedules  | 3.1  |
|  | 17. Resolve EEZ boundary issues  | 3.5.2  |
|  | <b>D. DEVELOPMENT</b><br>A programme to develop a sustainable local tuna fishing industry                                  | 18. Explore alternative funding sources and encourage timely injection of funds into the Fisheries Management Fund |
| 19. Funding support to fishermen associations  |  | 5.2<br>Activity 2  |
| 20. Support rural fisheries markets  |  | 5.2<br>Activity 3  |
| 21. Support rural fishing gear shops   |  | 5.2<br>Activity 4  |
| 22. Support a rural fisheries FAD development programme  |  | 5.2<br>Activity 5  |
| 23. Monitor and control duty exemptions to enhance domestic fisheries development  |  | 5.2<br>Activity 6  |
| 24. Provide information and support for domestic tuna fishery development  |  | 5.2<br>Activity 7  |
| 25. Implement policies and legislation to facilitate fish processing, value-adding and exports   |  | 5.2<br>Activity 8  |
| 26. Implement ni-Vanuatu requirements, such as crewing, in license terms and conditions  |  | 5.2<br>Activity 9  |
| 27. Develop and implement crew support and training programmes   |  | 5.2<br>Activity 10   |
| 28. Boat design and construction of small-scale surface longline fishing vessel  |  | 5.2<br>Activity 11   |
| 29. Development of value added products from tuna and tuna-like species  |  | 5.2<br>Activity 12   |
| 30. Long-term establishment of large scale onshore tuna processing   |  | 5.2<br>Activity 13   |



## 3. ADMINISTRATIVE FRAMEWORK FOR TUNA MANAGEMENT

### 3.1 Fisheries Management Advisory Council

The Fisheries Management Advisory Council (FMAC) is established pursuant to Part 3 Section 9 of the Fisheries Act of 2014. The FMAC will be responsible for implementing all aspects of the Plan once it has been approved by the Minister in writing, pursuant to Part 4, Section 11(5) of the Fisheries Act No. 10 of 2014.

This FMAC will cover all aspects of coastal fisheries, aquaculture and oceanic fisheries. It will have expanded functions and TOR, pursuant to Part 3, Section 9(2) of the Fisheries Act No. 10 of 2014, which will be formalised to include recommendations on management and development matters for all fisheries and aquaculture, including setting and allocations of management limits, and management of licensed fishing vessels in-zone and Vanuatu-flagged vessels.

Membership of the FMAC, appointments procedures and related details are provided in Part 3, Section 9 (3) to (10) of the Fisheries Act No. 10 of 2014.

The Council is to meet as often as may be necessary or expedient for the transaction of its business and dealing with specific issues. The FMAC will meet to review the Plan's implementation status. The FMAC will be responsible for:

- i. making firm rules around decision-making to ensure decisions are subject to informed, independent critique and transparency;
- ii. having all of its summarised proceedings and decisions placed on the public record, preferably through the new Vanuatu Fisheries website;
- iii. delegating its workload to sub-committees, such a MCS, etc.;
- iv. ensuring that the Plan is implemented;
- v. overseeing the management of the Fisheries Management Fund;
- vi. approving all fishing projects, including rural fisheries projects to be funded by the Fisheries Management Fund;
- vii. monitoring progress towards the Plan's goals and objectives;
- viii. overseeing amendment to the Plan (when those are required); and
- ix. preparing annual reports that document the state of the tuna fisheries, actions carried out, and progress made towards each of the Plan's goals.

#### Key activities:

- i. Support for the effective work of the FMAC that includes management and development matters for all fisheries and aquaculture settings and allocations of shares and management of Vanuatu-flagged vessels.
- ii. Ensuring transparency and stakeholder participation in resource allocation and management – develop a fisheries website and prepare freedom of information guidelines.

- iii. Follow through on the implementation of the Vanuatu fleet management policy with respect to administrative procedures and guidelines for all Vanuatu-flagged vessels.
- iv. Adapt and action appropriately on all elements of the new Fisheries Act No. 10 of 2014 that give legal effect to administrative procedures of all Vanuatu-flagged vessels.

### **3.2 Trust funds**

A number of trust fund accounts have been proposed for establishment in recent years. However, only one account was endorsed by cabinet, which is the Fisheries Management Fund. Further consultations with Provincial Governments suggest retaining this activity and ensuring the funds are used effectively for purposes of management and development of fisheries in the country, particularly amongst the provinces.

The Fisheries Management Fund is now established and it links directly to all Vanuatu-flagged vessels; a portion of fees (e.g. license application, access and fishing licenses, vessel registration) from this fleet goes into this Fund. Other sources include portions deducted from license and related fees from all fishing vessels operating within the Vanuatu EEZ, authorization and permit fees from Vanuatu-flagged fishing vessels, and penalties imposed on vessels for non-compliance.

The Funds will be administered and managed through the Vanuatu Fleet Management Policy by the FMAC. The Director of Fisheries will make recommendations to the FMAC on the best uses of these revenues. The Funds shall be used solely to finance activities associated with the Plan, including but not limited to:

- i. support for the national observer program to gather information and increase compliance;
- ii. meeting responsibilities for Vanuatu-flagged tuna fishing vessels around the world;
- iii. payment of membership contributions to all tuna-RFMOs of which Vanuatu is a member;
- iv. meeting new requirements for tuna fishery management in relation to the WCPFC;
- v. improved monitoring and enforcement of foreign, locally-based foreign and local fishing vessels;
- vi. support for fishermen's associations including the establishment of the remaining four provincial fishermen's associations;
- vii. rural fisheries and aquaculture development programmes;
- viii. support for the activities of any government agency involved in fisheries management, including the Department of Fisheries and the Police Maritime Wing; and
- ix. participation at regional and international fisheries related meetings.

#### **Key activities:**

- i. Prepare policy guidelines for the sourcing of money to go into the above established Fund(s) including PDE, flagging, licence fees and penalties, and other fisheries initiatives. The policy should also include criteria for the utilisation of the Fisheries Management Fund.
- ii. Explicit deduction of the portions of revenues from licensing flagging, penalties and other fisheries initiatives to fund fisheries development programmes.

### 3.3 Inter-agency relationships, coordination and cooperation

There must be close cooperation by the Department of Fisheries with relevant government and non-government agencies in five key areas:

- ✓ monitoring, control, surveillance operations;
- ✓ national observer program activities;
- ✓ port sampling activities;
- ✓ compliance and enforcement activities;
- ✓ data collection and provision to the Fisheries Department;
- ✓ exchange of official fisheries information considered to be in the public domain; and
- ✓ awareness raising and information dissemination.

Effective and streamlined communication between core management authorities is essential for the effective management of tuna fisheries. Currently only the Police Maritime Wing has direct links to tuna fisheries in the country. Notwithstanding, Vanuatu Maritime Services Ltd and the Vanuatu International Shipping Registry are responsible for the registration of all vessels including fishing vessels that will fly the Vanuatu-flagged (Sec. 77 of the Fisheries Act No. 10 of 2014). Table 2 below shows some of the important information flows between relevant fisheries-related institutions.

#### Key activities:

- i. Develop MOUs to govern critical inter-agency relationships.
- ii. Further improve cooperation with other relevant agencies and stakeholders. This can be done through formal MOUs or participation in established committees and organised forums, making information readily available when requested and seeking to publicise outcomes of enforcement activities.
- iii. Strengthen cooperation with communities and provincial governments and other authorised officers in relation to information exchange, thereby increasing the visibility of the department's work in collaboration with other relevant agencies and stakeholders.

**Table 2.** Information flows between relevant fisheries-related institutions

| From / To               | Department of Fisheries   | Police Maritime Wing   |
|-------------------------|---|--|
| Department of Fisheries | <p>Responsible for:</p> <ul style="list-style-type: none"> <li>• Cross checking VMS, logsheet, observer, port always updated for sampling and other sources-of-reporting to surveillance purposes ensure compliance with reporting requirements</li> <li>• Maintaining a database of total tuna catch and bycatch in Vanuatu waters, and of Vanuatu-flagged vessels in other jurisdictions</li> <li>• Prosecuting all fishing related offenses in Vanuatu waters Operating and managing VMS, Observer and Port Sampling programs</li> <li>• Monitoring and managing all Vanuatu-flagged fishing vessels</li> <li>• Flag state VMS</li> <li>• Collecting government fees and fines from foreign and Vanuatu-flagged vessels</li> <li>• Notification of Vanuatu-flagged vessels requesting authorisations</li> <li>• Notification of actions taken against foreign flagged fishing vessels</li> <li>• Notification of violations that may require action by fishing companies</li> <li>• Monthly reports on Vanuatu-flagged fishing vessel activities</li> <li>• Actions taken against foreign and Vanuatu-flagged fishing vessels</li> <li>• All direct interactions with foreign flagged vessels operating outside of Vanuatu’s EEZ, including informing them when they are authorised to fish by the Department of Fisheries</li> <li>• Maintaining a record of all Vanuatu-flagged foreign tuna fishing vessels and their catches and activities</li> <li>• List of vessels currently in violation of terms and conditions</li> </ul> | <ul style="list-style-type: none"> <li>• List of valid licences always updated for surveillance purposes</li> <li>• Notifications of violations that require police involvement or follow up</li> <li>• IATFCs for all Vanuatu-flagged fishing vessels, including support, bunkers, carrier vessels</li> <li>• Information on foreign and Vanuatu-flagged fishing vessel operations in Vanuatu’s EEZ</li> <li>• Information on requirements and other terms and conditions to be imposed on Vanuatu-flagged fishing vessels</li> <li>• Information on Vanuatu-flagged fishing vessels with IATFCs</li> </ul> |
| Police Maritime Wing    | <ul style="list-style-type: none"> <li>• Weekly reports on vessel activities and activities in the EEZ, including summaries of catch rates from logsheet reporting</li> <li>• Notification of violations of terms and conditions</li> <li>• Notification of actions taken against fishing vessels</li> </ul>  | <p>Responsible for:</p> <ul style="list-style-type: none"> <li>• Operating patrol boat and coordinating air and surface surveillance complete and accurate</li> <li>• Information on foreign flagged fishing vessel operations in Vanuatu’s EEZ</li> </ul>   |

## **3.4 Managing the Plan**

### **3.4.1 Adoption**

Adopting the Plan requires the following steps:

- ✓ Recommendation by the Director of Fisheries
- ✓ Approval by the Director General of MALFFB
- ✓ Approval in writing by the Minister of MALFFB as required under Part 4, Section 11(5) of the Fisheries Act, No. 10 of 2014

### **3.4.2 Evaluation and review**

The FMAC is responsible for reviewing the Plan on an annual basis. This annual evaluation process may result in the decision to amend the schedules to the Plan or the Plan itself. There will be also a mid-term review of this Plan.

As part of this annual review the TMAC will ensure that the Plan is:

- ✓ effective in moving towards the stated goals and objectives; and
- ✓ consistent with the principles.

A report describing the review of the Plan's performance will be prepared annually by the Director of Fisheries and will be adapted or reflected appropriately in the department annual report, under the supervision of the FMAC and submitted through the Director of Fisheries to the Minister responsible for Fisheries. Table 3 below presents a set of criteria that can be used to evaluate the Plan's progress.

### **3.4.3 Amendment**

The schedule of fees and management limits can be updated, as required, through the following steps:

- ✓ recommendation of the Director of Fisheries and approval by the FMAC;
- ✓ the signature of the Minister responsible for Fisheries; and
- ✓ the revised schedules must be published in the Gazette.

Minor amendments to the Plan may be made through this same process, but major amendments to the Plan will require a more detailed review of implications and the same approval process described for the initial adoption of the Plan.

**Table 3.** Performance criteria to evaluate progress towards the management plan goals

| Strategies Information  | Measures   | Target  |
|---|--|---|
| 1. Vessel monitoring system (VMS) on all foreign vessels (including carrier vessels) and larger local vessels | Proportion of vessels with Vanuatu fishing licenses with VMS installed and operating                                   | 100%  |
| 2. Observer Programme   | 5% observer coverage for all fishing vessels operating in Vanuatu's EEZ  | To exceed 5% by 2015, 10% by 2017, and 20% by 2020  |
| 3. Port Sampling Programme  | Maintain the programme to ensure that vital sources of information are properly verified and observer reports improved | The programme is maintained to ensure timely provision of catch data  |
| 4. Active management of log sheet information   | Proportion of logsheets collected in a timely manner   | <ul style="list-style-type: none"> <li>- Close monitoring for timely submission of logsheet reporting for vessels active in Vanuatu EEZ at least by &gt;50% next 3-years, and possibly &gt;70% logsheet reporting for Vanuatu-flagged vessels next 6-years</li> <li>- Trialling of electronic reporting on Vanuatu-flagged vessels and those active in its EEZ</li> </ul> |
| 5. Coordination with aerial and surface patrols   | Number of successful vessel interceptions  | <ul style="list-style-type: none"> <li>- Support to continue routine aerial / sea patrols and participation in joint regional operations</li> <li>- Improved coordination and liaison between Fisheries Department and Police Maritime Wing (e.g. regular meeting, briefings and debriefings)</li> <li>- Making available resources to support routine patrols</li> </ul> |
| 6. Negotiate MCS agreements with neighbouring countries   | Agreements in place with neighbouring countries  | Agreements with Solomon Islands, Fiji, New Zealand and New Caledonia  |
| 7. Improved enforcement of terms and conditions   | Ensuring that all licensed, and Vanuatu-flagged vessels are complying with national, regional and international laws   | <ul style="list-style-type: none"> <li>- Review of the license terms and conditions</li> <li>- All vessels licensed and flagged are complying</li> <li>- Maintain and improve surveillance and enforcement of MTCs</li> <li>- MCS strategy in place</li> </ul>  |

Table 3. (cont.)

| Strategies  | Measures  | Target   |
|---|---|--|
| <b>Management tools</b>   |   |  |
| 8. Improvements to licensing system; categories; uniform term and conditions  | Adoption of the regional MTCs into licensing conditions that are appropriate for Vanuatu                      | All vessels and processing facilities are complying with the revised national MTCs for fishing and processing and acceptable standards and practices   |
| 9. Administrative procedures and requirements for monitoring and controlling Vanuatu-flagged tuna vessels                     | Review the status of all vessels, licensed and flagged, in line with the national fleet management policy     | Endorsment of amendments to the Fisheries Bill that give legal effect to administrative procedures and guidelines for all licensed and flagged vessels   |
| 10. Participation in all RFMO and subregional meetings  | Active participation  | 100%   |
| 11. Procedures to minimise environmental and social impacts   | Management plans reviewed for environmental and social impacts  | All fisheries management plans   |
| <b>Administration and governance</b>  |   |  |
| 12. An active FMAC  | Number of meetings per year of the FMAC   | The Council is to meet as often as may be necessary or expedient for the transaction of its business<br>TOR to include all matters concerning fisheries and aquaculture, setting and allocation of shares and management of Vanuatu Fleet Management |
| 13. Creation of a Fisheries Management Fund to implement 'user-pays' system and ensure that necessary resources are available | The fund will be sourced directly from the revenues obtained from flagged vessels                             | Policy Fund to be managed under the Vanuatu Fleet Management Policy by the FMA   |
| 14. Increasing capacity within the Department of Fisheries and provincial government  | Implement new Department of Fisheries organisational chart  | All positions filled within the Compliance Division  |
| 15. Cooperation and coordination between all agencies involved in enforcement   | Proportion of routine information flows between agencies, as described in the Plans (Table 2) that are active | 50% by 2016 and 100% by 2017   |
| 16. Resolution of EEZ boundaries  | Clear definition of EEZ boundaries resolved with neighbouring countries                                       | Definition included in terms and conditions Resolution with Solomon Islands, Fiji and New Caledonia  |

**Table 3.** (cont.)

| Strategies   | Measures   | Target  |
|--|--|---|
| Development  |  |   |
| 17. Programme funded from fees and penalties that are part of the Tuna Management Plan | Funds to be sourced from licensing, penalties, PDF and flagging  | Develop a guideline for the use and access of the fund by the public to finance fisheries projects only   |
| 18. Funding support for the National Fishermen's Association                           | The National Fishermen's Association has been established and now replaces the Fishermen's Cooperative Association | Continue to establish the 4 remaining provincial associations and provide support for their recognition at FMAC level   |
| 19. Development of rural fisheries market  | Increased fish production  | <ul style="list-style-type: none"> <li>- Six provincial fish markets</li> <li>- Progress this further and tie in all vessels that would be locally built under project 27 below, and fishing in the archipelagic waters to offload their catch in these centres</li> <li>- Provide training support to members in adaptive fishing and processing technology</li> <li>- In compliance with the Montreal Protocol all centres must use non-ODS refrigerants</li> </ul> |
| 20. Development of rural fishing gear shops  | Access to affordable fishing gear  | Six provincial fishing gear shops to be established under a revolving fund scheme with initial funding sourced from PDF or potential donors   |
| 21. Development of FAD programme   | Number of FADs in place and being actively fished  | To be reviewed by TMAC  |
| 22. Duty exemptions on fisheries related developments                                  | Support fisheries development through supportive concessional and tax-free policies                                | <ul style="list-style-type: none"> <li>- Duty concession or exemption on fishing gear and equipment</li> <li>- Duty concession on processing and marketing items</li> </ul>   |
| 23. Information and support for tuna fishery development                               | Accurate information provided to foreign investment promotion agency and entrepreneurs                             | Information resources in place and reviewed regularly   |
| 24. Legislation to facilitate fish exports   | Status of legislation and regulations for health and sanitation  | Necessary health and sanitation laws / regulations in place   |



Table 3. (cont.)

| Strategies  | Measures   | Target   |
|---|--|--|
| Development   |  |  |
| 25. Ni-Vanuatu crew requirements in license terms and conditions                              | All flagged and licensed vessels to employ ni-Vanuatu using similar arrangement to that developed by PNA                                     | <ul style="list-style-type: none"> <li>- Continue implementation of this activity</li> <li>- Impose fee concessions to vessels employing ni-Vanuatu; and tie such concessions to the number of ni-Vanuatu employed</li> <li>- Develop a new condition to tie in all flagged and licensed vessels to employ ni-Vanuatu</li> <li>- Up-skill training to crews, officers and engineers level</li> </ul>                     |
| 26. Crew support and training programmes  | Number of trained ni-Vanuatu fishermen and crew available  | <ul style="list-style-type: none"> <li>- Undertake regular training and up-skilling of qualified crews</li> <li>- Use experienced crews who have been working on fishing vessels as potential trainers</li> <li>- Establish refresher training for old crews to keep up with technological changes in the industry</li> </ul>  |
| 27. Boat design and construction of small-scale surface longline fishing vessel – new project | Support local fishermen / artisanal to upscale their operation to small-scale commercial venture and to improve production for food security | <ul style="list-style-type: none"> <li>- Develop a design for a suitable small-scale LL vessel that is affordable for the artisanal fishermen</li> </ul>   |
| 28. Development of value added products   | Diversifying the local fishermen income-generating capacity through value added products developed from tuna and bycatch                     | <ul style="list-style-type: none"> <li>- Provide import substitutes for snack food</li> <li>- Link these products with local and overseas markets</li> </ul>   |
| 29. Large-scale onshore tuna processing – new project   | Maximise social and economic benefits through the development of onshore processing facilities   | <ul style="list-style-type: none"> <li>- Identify potential development options for tuna processing and value adding such as tuna pouching if proved viable for Vanuatu</li> <li>- Compile information on different types of processing doable and appropriate for Vanuatu</li> <li>- Carry our feasibility studies of these development options, and invite expressions of interest from potential investors</li> </ul> |

## **3.5 Legal and regulatory issues (including capacity within the Fisheries Department and Provincial Governments)**

### **3.5.1 Relationship of the Plan to the Fisheries Act**

Part 4, Sections 10 and 11 of the Fisheries Act No. 10 of 2014 obligates the development of fisheries management plans. The fisheries management plan must aim to:

- i. identify each fishery and its characteristics including the present state of its exploitation;
- ii. specify the objectives to be achieved in the management of the fishery to which it relates;
- iii. specify the management and development strategies to be adopted for the fishery to which it relates;
- iv. provide for a scheme of licensing, if necessary, or other appropriate management measure;
- v. specify, if applicable, the licensing regime to be applied including the limitations, if any, to be applied to local fishing operations and the amount of fishing, if any, to be allocated to foreign fishing vessels;
- vi. specify the information and other data required to be provided by persons licensed to fish for that fishery; and
- vii. take into account any relevant traditional fishing method and practices including traditional management systems and strategies.

#### **Key activities:**

- i. Implement the new organisational structure of the Department of Fisheries and support filling in new positions.
- ii. Support increasing capacity of provincial government to support fisheries related works. Also support continued training of staff, explore attachment opportunities and maintain adequate capacity to respond favourably to emerging issues in the future.
- iii. Increase budgetary support and skilled-staff numbers for a more complex fisheries management environment.
- iv. Prepare a brief policy to rationalise international duty travel amongst fisheries officials.
- v. Support the involvement of more women in decision-making on Vanuatu fisheries.
- vi. Support regular review of the fisheries policy framework and management plans.
- vii. Review open flag registry for fishing vessels in conjunction with fleet management policy.

### **3.5.2 EEZ boundaries**

In light of the stated policy of the Government of Vanuatu, the Plan includes consideration of tuna fishing activities in all of the declared EEZ including that portion (230,000 km<sup>2</sup>) around Matthew and Hunter Islands in accordance with the Maritime Zones Act of 2010.

In order to facilitate resource management and remove ambiguity, the Department of Fisheries will promote the rapid and equitable resolution of EEZ boundaries with Fiji, Solomon Islands, and France (New Caledonia).

## 4. STRATEGIES FOR CONSERVATION AND MANAGEMENT

### 4.1 Management controls

#### 4.1.1 Maximum numbers of licenses

The management limits in Vanuatu's EEZ longline fishery have been revised in consideration of the bio-economic analyses, which focus on determining the level of fishing effort that maximises economic rent. On this basis, there shall be no more than 70 fishing licenses each calendar year allowed under Vanuatu's EEZ longline fishery.

A fishing license for which tuna or tuna-like species are a target may only be issued if issuing that license will not increase the number of active fishing licenses above the maximum for that fishing category. When more licenses are applied for than are available, they will be allocated according to the following scheme:

- i. The priority scheme for allocating licenses between vessel categories will be: (a) first priority to local fishing vessels; (b) second priority to locally-based foreign fishing vessels; and (c) third priority to foreign fishing vessels.
  - Any increase in the number of local or locally-based licensed longline vessels would result in a corresponding decline in the number of foreign licences available. For example, if there were an increase of 10 in the number of locally-based foreign vessels, the limit on the number of foreign vessels would be reduced to 60.
  - The intention is that there shall be a gradual reduction in the number of longline licenses under the foreign vessel category. The aim is to domesticate the fishery and have all longline fishing in Vanuatu's EEZ carried out by local and locally-based foreign vessels.
- ii. The priority scheme for allocating licenses between fishing vessels within a fishing category will be based on a number of factors including: (a) contribution to Vanuatu's economy associated with the application; (b) previous compliance of the applicant with laws and agreements, including the provision of information; (c) historical participation of the applicant; and (d) other development aspirations in the fishing and onshore processing sub-sectors<sup>1</sup>.

#### Key activities:

- i. Restrict the total number of licenses issued so when additional local and locally-based foreign licenses are taken out, the total number of licenses issued does not increase above 70. Preference will be given to domestic and locally-based foreign fishing vessels. And the number of foreign fishing vessels that can be licensed at any given time is 70 less the number of domestic and locally-based foreign licenses that are currently valid.

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<sup>1</sup> A fishing license is linked to a combination of the vessel and the owner. If a vessel is sold and there is a limited number of licenses, then the 'right' to the license, based on historical participation, stays with the original vessel owner.

- ii. Review foreign license fees on a regular basis.
- iii. Consider the imposition of additional conditions on all foreign licenses, for example, that all licensed vessels must make a least one port call and one offloading during the licensing period. Such conditions could be made more stringent over time.
- iv. Endeavour to ensure adequate and reliable services and infrastructure in Vanuatu ports that would support activities such as transshipments, offloading to onshore processing facilities and other relevant activities in Vanuatu ports.
- v. Consider providing concessions on custom duties, port charges and transshipment fees to encourage local basing of vessel and off-loading of catch.

#### 4.1.2 Total allowable catch

The Government of Vanuatu, through the Department of Fisheries and with inputs from FMAC, will determine the TAC for the major species of tuna and tuna-like species taken in Vanuatu waters. These TACs will be specified as appropriate in schedules (III.1) to the Plan, regulations or by gazette notice.

The TAC for each species<sup>2</sup> will be used as a guide for determining the number of licenses to issue. The maximum number of licenses will be adjusted as necessary to control future catch levels.

#### Key activities:

- i. Support was expressed for the establishment of a minimum benchmark license fee for longline vessels fishing in MSG countries' EEZs to try and ensure that Pacific Island countries are not being played against each other by foreign fishing companies.

#### 4.1.3 Areas closed to fishing

Details of closed areas are contained in the schedules (I.1 and I.2) to the Plan. The following guidelines will be considered in setting closed areas:

- i. give maximum opportunity to artisanal and smaller local fishing vessels less than 8.0 metres in length;
- ii. keep larger local fishing vessels ( $\geq 8.0$  metres) farther offshore;
- iii. keep locally-based foreign fishing vessels and foreign fishing vessels farther offshore to give local fishing vessels a competitive advantage;
- iv. protect seamounts and other areas determined to be important to marine diversity and productivity; and
- v. protect areas designated as marine protected areas and reserves under Section I.2 of the Fisheries Act No. 10 of 2014.

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<sup>2</sup> South Pacific albacore catch limit is that specified under the SC-SPTBF harvest strategy framework.

#### **4.1.4 Prohibited gear types**

Pelagic drift net fishing for tuna and tuna-like species will not be permitted in Vanuatu waters and ports pursuant to Part 14 Sections 90 and 91 of the Fisheries Act No. 10 of 2014.

## **4.2 Licensing framework**

### **4.2.1 Definitions**

Definitions used herein are consistent with that of the Fisheries Act No. 10 of 2014.

### **4.2.2 Categories of vessel**

License fees terms and conditions, and restrictions on fishing will be determined by the ownership of the vessel (vessel category), the type of fishing (fishing category – local fishing vessels, locally-based foreign fishing vessels, and foreign fishing vessels), and the size of the vessel. The terms used in this section are defined at the beginning of the Plan.

### **4.2.3 Vessels requiring a commercial fishing license**

- i. All commercial fishing vessels will be required to obtain a commercial fishing license to fish in Vanuatu waters pursuant to Part 13 of the Fisheries Act No. 10 of 2014.
- ii. Charter sport fishing vessels that sell their catch are considered to be commercial fishing vessels. They will be required to obtain a commercial fishing license and will follow the same rules for determining fees and licensing conditions as any other commercial vessel.
- iii. All commercial fishing enterprises are eligible for duty exemption on fuel, fishing gear, and fisheries development-related equipment.
- iv. All artisanal fishing enterprises will require a commercial fishing license.
- v. Recreational and subsistence fishing will not require a commercial fishing license.

### **4.2.4 Fishing license fees and related charges**

License fees are designed to reflect the following:

- i. The 'rent' or return on the fishery.
- ii. Additional charges that represent the cost of managing the fishery such as fees to support the Observer Programme, VMS Program and Port Sampling Programme, and support and develop domestic fisheries, particularly the rural fisheries sector.
- iii. A fee as guarantee of performance and compliance with license terms and conditions, and onshore process establishment fees, export fees and others.

#### **4.2.4.1 Guidelines for setting fishing license fees**

- i. Detailed license fees will be set for the various combinations of vessel category, fishing category and vessel length in the schedules to the Plan.
- ii. The range of fees in other PIC is also considered to allow some level of harmonisation.
- iii. License shall be issued for a period of 12 months and shall not be on a pro-rata basis for lesser periods of time except in the research and exploratory and test fishing categories.

#### **4.2.5 License terms and conditions**

Guidelines for the terms and conditions to be applied to different categories of vessels are shown in Table 4. More details on the requirements for observers, information submission, enforcement, and surveillance are covered in Part 19 of the Fisheries Act 2014 (MCS).

The regional MTCs will be adapted appropriately in Vanuatu license MTCs and will ensure close monitoring and compliance of all licensed and authorised fishing vessels.

#### **Key activities:**

- i. Adapt appropriately regional MTCs into Vanuatu license MTCs and ensure compliance of all licensed vessels and authorised vessels.
- ii. Support review of the licensing system and related processing of export permits.
- iii. Undertake close annual monitoring of minimum terms and conditions to ensure compliance by all license and flagged vessels.
- iv. Prepare fisheries policy guidelines around negotiations, licensing and access to Vanuatu's fishery resource.
- v. Undertake a review of Vanuatu's licensing framework, which may provide reforms of the fishing and fisheries licensing system, including:
  - Assessing the application template for licensing, selection criteria and allocation formula in the event of many applications, against the cap on licenses and TAC by species.

#### **4.2.6 Research fishing**

Proposals for research fishing will be considered from well-known and respected research agencies and organisations, and not for commercial purposes. On the advice of FMAC, the Director of Fisheries may exempt activities carried out as part of an approved research programme from certain standard terms and conditions and other management measures in the fishery.

**Table 4.** Summary of licence terms and conditions for vessels of different sizes and categories fishing in Vanuatu waters

|                              | Local fishing vessels <8 m   | Local fishing vessels ≥8 m  | Locally-based foreign fishing vessels  | Foreign fishing vessels |
|------------------------------|--|---|--|-------------------------|
| License                      | The master must keep the license and a provincial access license (or a certified copy), and must produce it at the request of an authorised officer  | The master must keep the license and a provincial access license (or a certified copy), and must produce it at the request of an authorised officer   | The master must keep the license (or a certified copy) on board the vessel at all times while in Vanuatu waters, and must produce it at the request of an authorised officer (as defined in the Fisheries Act) |                         |
| Restrictions                 | No restrictions  | Licenses may restrict the holder in a number of ways, including but not limited to fishing method, gear used and areas that can be fished   | Licenses may restrict the holder in a number of ways, including but not limited to, fishing method, gear used, and areas that can be fished  |                         |
| Information                  | All fishing vessels must submit daily catch and fishing information in a format approved by the Department of Fisheries  |   |  |                         |
| Transshipment                | Can transship fish from or into another local vessel while in Vanuatu waters   | No fish may be transhipped from or into the vessel while in Vanuatu waters in accordance with domestic laws except with the permission of the Director and in accordance with such conditions as he may specify |  |                         |
| Vessel identification        | All vessels will be required to be marked in an approved manner with an easily visible unique identifier   |   |  |                         |
| Observers                    | Department of Fisheries reserves the right to place observers on board at the vessel's expense and in consultation with respective provincial governments, with respect to 6 nautical miles provincial waters  |   |  |                         |
| Boarding and port sampling   | All vessels must allow an authorised and identified officer to board the vessel in Vanuatu waters or in port for the purposes of inspection and examination. Boarding and inspection in accordance with relevant WCPFC rules in the high seas will be also observed for all Vanuatu-flagged and authorised vessels that fish in the international waters |   |  |                         |
| Standard bilateral agreement | Not required   | Not required  | Not required   | Required                |
| Minimum terms and conditions | Required   | Required  | Required   | Required                |
| FFA Regional Register        | Not required while fishing in Vanuatu waters   |   | Required to be in good standing in both the Register FFA and WCPFC Vessel Register   |                         |

**Table 4.** (cont.)

|   | Local fishing vessels <8 m  | Local fishing vessels ≥8 m                           | Locally-based foreign fishing vessels                                    | Foreign fishing vessels   |
|---|---|--|--|---|
| Ni-Vanuatu crew requirements              | Local vessels must be crewed by Ni-Vanuatu and, wherever possible, this should include the master and engineer  |  | Ni-Vanuatu crew must be carried as required by the Director of Fisheries | Use of Ni-Vanuatu crew is strongly encouraged and considered under bilateral agreements and/or as condition of licensing in Vanuatu's waters  |
| Catch landing                             | Can land catch anywhere in Vanuatu  |  | Must land all of their catch in Vanuatu                                  | Landing of catch in Vanuatu is strongly encouraged. Note that conditions to renew licenses and flagging are subject to landing at least 50% of catch in Vanuatu ports.  |
| Reporting requirements at sea             | Strongly encouraged   | Strongly encouraged when fishing across national EEZ |  | Vessels must complete Telex (logsheets, electronic reporting) Reports, including entry to and exit from the EEZ as well as weekly reporting, as required by domestic laws and prescribed by the Fisheries Department. |
| Marine pollution / environmental concerns | <p>No fishing vessel shall dump or discharge into the sea, whether directly or indirectly: 1) any non-biodegradable material or any fuel or oil; 2) any biodegradable material within 3 nautical miles of the appropriate archipelagic baseline; and 3) any fishing gear, except in an emergency or circumstances involving the safety of a vessel or its crew. Reasonable efforts will be made to recover discarded fishing gear. (General provisions relating to marine pollution should be consistent with the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978-MARPOL.)</p> <p>All vessels must observe bycatch management limits and policies specified under this Plan, NPOA (sharks) and WCPFC relevant CMMs on sharks, sea turtles and sea birds.</p> |  |  |   |





**Figure 2.** A portion of Vanuatu's EEZ, and the 12- and 24-mile zones.

#### 4.2.7 Exploratory and test fishing

The proponent will be required to submit a detailed proposal in justification of the requested license. The proposal will include:

- i. reasons for test and anticipated economic benefits for Vanuatu;
- ii. method(s) of fishing and associated fishing activities, including a full description of gear deck machinery and technique to be used;
- iii. area to be fished;
- iv. proposed dates and duration of fishing;
- v. target species; and
- vi. details of vessel(s) including name, registration, measurements, insurance and survey.

Key issues that will be considered by the Director in evaluating proposals for exploratory and test fishing licenses will include:

- i. whether the proposed activities differ significantly from those already being undertaken, particularly in regard to the proposed target species, fishing method, and area;
- ii. the potential contribution the activity would make to the development of Vanuatu's tuna and fishing industry;
- iii. the capacity of the existing fishing industry to undertake the proposed activity;
- iv. whether the proposed activity is consistent with the objectives, goals and principles of the Plan;
- v. potential interactions with other fisheries;
- vi. potential for adverse impacts on the status of living resources or the marine environment; and

- vii. the ability of the Department of Fisheries to adequately monitor and supervise the proposed activities.

Additional conditions may be imposed by the Director of Fisheries on licenses in the exploratory and test, and research categories. In general, these will include enhanced reporting requirements particularly more detailed catch and bycatch data, and economic information. Where possible, full observer coverage will be required.

## **4.2.8 Related activities**

### **4.2.8.1 Transshipping**

Pursuant to Section 10.4 of the Fisheries Act of 2014, no fish shall be transshipped from a foreign fishing vessel or locally-based foreign fishing vessel, into a vessel while in Vanuatu waters except with the permission of the Director of Fisheries at an approved port and in accordance with such conditions as he may specify. All transshipments of catch shall be subject to inspection by authorised officers, including port sampling officers and observers.

No fish shall be transshipped from a local fishing vessel to a foreign or a locally based foreign reefer or carrier vessel while in Vanuatu waters and outside Vanuatu's EEZ except with the permission of the Director of Fisheries at an approved port and in accordance with such conditions as he may specify. All transshipments of catch shall be subject to inspection by authorised officers, including port sampling officers and observers.

No fish shall be transshipped to any vessel other than a carrier vessel that is in good standing on the FFA Regional Register and has a valid Carrier License issued by the Department of Fisheries. Details of fees for transshipping are contained in the schedules (IV.6) to the Plan. Reefer / carriers will be liable for port entry fees as set by the appropriate authorities.

### **4.2.8.2 Fish aggregating devices (FADs)**

The Department of Fisheries will:

- i. review the National FAD Management Policy and the Vanuatu High Seas FAD Plan;
- ii. maintain a Register of FADs deployed in Vanuatu waters and submit this to the appropriate national agency in the interest of navigational safety; and
- iii. collect information on fishing activities around FADs and, if necessary introduce controls on their use.

Vanuatu-flagged vessels authorised to fish in the high seas must observe relevant measures on FAD fishing, and the Vanuatu High Seas FAD Plan.

Only local fishing vessels are eligible to fish around FADs. There will be no specific closed area around them for local fishing vessels less than 10 m and sport fishing vessels. Commercial tuna longline local fishing vessels are not eligible to fish within a radius of 3 km from a FAD.

Measures specific to FADs in all RFMOs will be observed by Vanuatu licensed and flagged fishing vessels.

#### **4.2.8.3 Bait fishing**

Bait fishing is not permitted unless specifically noted on the fishing license. Terms and conditions will be set by the Director of Fisheries for each license with due consideration of potential social and environmental impacts.

#### **4.2.8.4 Shark fishing**

Shark fishing in Vanuatu waters is reserved only for local fishing vessels pursuant to terms and conditions as may be set by the Director of Fisheries and with advice from FMAC. All commercial vessels licensed to fish in Vanuatu waters and Vanuatu-flagged vessels elsewhere must comply with specific measures set out in the Vanuatu NPOA on sharks.

#### **4.2.8.5 Discards**

All fishing vessels fishing in Vanuatu waters shall retain their fish catch. There shall be no discards of fish and 'high grading' from all fishing vessels operating in Vanuatu waters. Vessel operators / owners must ensure specific provisions relevant to bycatch and discards under WCPFC CMMs are complied with by their vessels.

### **4.3 Access agreements**

Vanuatu has a number of access agreements with both DWFNs and several arrangements through charter with neighbouring Pacific Island countries. These arrangements are consistent with UNCLOS recognising that Vanuatu does not have the capacity to harvest tuna and thereby cooperates with other States to fish the surplus. Notwithstanding, Vanuatu will continue to build its domestic fleet and at the same time restructure foreign fleets active in its waters.

Pursuant to Part 10 of the Fisheries Act of 2014, an access agreement or a licence issued under this Part is required prior to the issuance of tuna fishing licenses for all foreign and locally-based foreign vessels. Access fishing agreements will be based on a standard template agreement that is maintained by the Department of Fisheries and approved by the Director.

The fishing agreement will clearly define terms and conditions pursuant to Section 81 of the Fisheries Act of 2014, and including but not limited to:

- i. obligations for the timely provision of logsheet data and associated information on all fishing activities and catches in Vanuatu waters;
- ii. requirement to accept observers as stipulated under Section 81 of the Fisheries Act of 2014;

- iii. requirement for all fishing and carrier vessels to carry and operate an FFA approved automatic location communicator (ALC) registered with the FFA VMS Registry;
- iv. permitted target species;
- v. the definition of areas closed to fishing;
- vi. the definition of approved gear types and fishing methods;
- vii. requirements to take all reasonable measures, as defined by the Director of Fisheries, to minimise bycatch;
- viii. license fees; and
- ix. penalties for failure to comply with terms and conditions of the agreement.

While access agreements may specify a maximum number of licenses to be issued under the agreement, no license will be reserved or guaranteed under any agreement until it has been paid in full.

Access agreements shall have a maximum duration of 5 years to allow for the amendment of terms and conditions to reflect changing management plans.

The fees to be paid for licenses are described in the schedules (IV.1, IV.2, IV.3 and IV.4) to the Plan and are not negotiable.

Where the number of licenses applied for under various arrangements exceeds the maximum number of licenses available as specified in the schedules (II.1, II.2 and II.3) to the Plan, licenses will be allocated in order of priority as described in the Plan (see Section 4.1). Access agreements may include:

1. 'Performance bond' of USD 20,000, which is required to be deposited at the beginning of the licensing period for compliance under an access agreement.
2. Schedules of additional fees, which will be charged over and above the fees for individual licenses to reflect administrative and management costs, as follows:
  - deduct USD 500 penalty for each delay of >1 month in submitting a vessel's logsheet;
  - USD 500 increments for each additional month of delay;
  - requirement to replenish the performance bond to the original level at the beginning of each licensing period;
  - the bond may also be used as a 'default' or compensation payment in the event that none of the licenses under a particular agreement are actually taken up; and
  - for a poor history of compliance, the bond may be set at a higher level than for the better performing fleets.

### **Key activities:**

- i. Encourage whole-of-government representation in bilateral negotiations.
- ii. Activate 'performance bonds' for all access agreements.
- iii. Ensure transparency and stakeholders' participation in resource allocation.

## 4.4 Monitoring, control, surveillance and enforcement

A number of MCS tools and protocols have already been set up within the Fisheries Department in collaboration with Police Maritime Wing, Vanuatu Maritime Authority and other relevant agencies in the country. Collaborations with a number of FFA countries and the FFA Secretariat are continuing in the usual manner. Vanuatu is Party to the Niue Treaty and the Niue Subsidiary Agreement, this year.

### Key activities:

#### *Activity 1. VMS*

- i. Continue monitoring to improve or retain VMS coverage at 100%.
- ii. Revise license MTCs to apply sanctions for repeated violation (e.g. non-renewal of license, termination of license, fines).

#### *Activity 2. Observers*

- i. Support min. 5% observer coverage and closely monitor this, possibly through condition of license for vessels active in the EEZ, and condition of authorisation of Vanuatu-flagged vessels in the high seas and areas outside Vanuatu EEZ.
- ii. Improve observer coverage for purposes of addressing data gaps and reporting against requirements and activities while engaged in fishing in the EEZ.
  - Target for incremental increase in observer coverage to exceed min. 5% by 2015, 10% by 2017, and 20% by 2020.
- iii. Improve cooperation with vessel operators / owners including ensuring compliance with conditions of authorisation to fish in high seas and zones outside areas of national jurisdictions.
- iv. Closely monitor Vanuatu national observer programme to ensure sufficient and consistent number of skilled observers and debriefers is maintained.
- v. Ensure timely update of the WCPFC Secretariat with respect to Vanuatu's plans of how to achieve 5% coverage.
  - e.g. authorisation certificate, license MTCs and close liaison with vessel operators / owners.

#### *Activity 3. Port sampling*

- i. Make available resources in support of the port sampling programme and ensure consistency in high-level coverage, even when samplers are placed on vessels as observers.
- ii. Maintain priority on port sampling, recognising datasets continue to be vital sources of verification on logsheet and observer reports, thereby improving quality and timely provision of catch data.

#### *Activity 4. Logsheet*

- i. Close monitoring for timely submission of logsheet reporting for vessels active in Vanuatu EEZ.
  - Target at least by >50% in the next 3 years, 2015–2017, and possibly >70% logsheet reporting for Vanuatu-flagged vessels in the following 3 years, 2018–2020.
- ii. Trial of electronic reporting on Vanuatu-flagged vessels and those active in its EEZ.
- iii. Regular reconciliation of logsheet and VMS data with assistance of SPC and FFA.

#### *Activity 5. Aerial / sea patrols*

- i. Support the continuation of routine aerial / sea patrols and participation in joint regional operations.
- ii. Improve coordination and liaison between Fisheries Department and Police Maritime Wing (e.g. regular briefings and debriefings).
- iii. Make available financial and human resources to support and manage routine patrols.
- iv. Follow up boarding and inspection workshop for Vanuatu.

#### *Activity 6. MCS agreements with neighbouring countries*

- i. Conclude MCS agreement with Fiji and Solomon Islands.
- ii. Use all the agreements with neighbouring countries to improve surveillance and enforcement activities and deter suspected IUU activities in Vanuatu EEZ.
- iii. Support and participate fully in all operations including that of joint regional operations coordinated through the FFA.
- iv. Make available adequate resources both in the Fisheries Department and Police Maritime Wing in preparation for and during surveillance and enforcement operations.

#### *Activity 7. Improve enforcement of terms and conditions*

- i. Support the review of fishing license and authorisation terms and conditions.
- ii. Ensure compliance of all registered and licensed vessels with terms and conditions of fishing licenses in the EEZ, and authorisation of Vanuatu-flagged vessels to fish in other jurisdictions.
- iii. Make available adequate resources committed to surveillance and enforcement of MTCs.
- iv. Maintain consistency or improvements in support of enforcement and surveillance activities (including funding and personnel).
- v. Prepare Vanuatu MCS Strategy that draws from the Regional MCS Strategy.
- vi. Enhance surveillance / enforcement activities including info exchange (including policies, plans etc.).

## 4.5 Management of Vanuatu-flagged vessels

### 4.5.1 Management framework

Vanuatu has a Fleet Management Policy and all Vanuatu-flagged vessels will be managed appropriately in accordance with administrative procedures and requirements for monitoring Vanuatu-flagged vessels stipulated under this Policy and other relevant domestic policies and legislation (Part 12 of the Fisheries Act No. 10 of 2014).

The FMAC may carry out regular assessments of the costs, risks and benefits of flagging foreign fishing vessels and the mechanisms available to ensure compliance with international and regional agreements pursuant to Part 11 of the Fisheries Act of 2014.

In order to ensure that effective measures are put in place to monitor and control the operation of all Vanuatu-flagged fishing vessels, the Director of Fisheries or his/her alternate, in addition to powers and responsibilities set out under Part 3, Section 8 of the Fisheries Act of 2014, shall:

- i. participate in regional and international convention meetings with responsibility over convention areas within which Vanuatu-flagged fishing vessels operate;
- ii. require all Vanuatu-flagged vessels fishing to have an International Authorisation to Fish Certificate (IATFC) issued by the Department of Fisheries pursuant to Section 66 of the Fisheries Act No. 10 of 2014;
- iii. ensure that all IATFCs issued are subject to conditions outlined under Section 68 of the Fisheries Act No. 10 of 2014;
- iv. ensure that the prescribed fee for the IATFC is payable to the Department of Fisheries prior to issuing the IATFC;
- v. ensure that the operator of a Vanuatu-flagged fishing vessel does not undertake fishing or related activities inside and outside of Vanuatu waters without an IATFC;
- vi. pursuant to Section 70 of the Fisheries Act No. 10 of 2014, take appropriate actions where vessels violate the terms and conditions of their IATFCs; and
- vii. ensure that the development interests of all Vanuatu-flagged fishing vessels are taken into account when negotiating fishing access agreements with other nations and when discussing management arrangements within all tuna RFMOs.

An IATFC shall include certain terms and conditions relating to:

- i. accurate and up-to-date data catch reporting;
- ii. timely submission of catch data logsheets;
- iii. compliance and enforcement;
- iv. use of Vanuatu-flagged state VMS (or similar systems appropriate to the region of activity);
- v. use of observers;
- vi. port sampling; and
- vii. transshipment.

Pursuant to Section 71 of the Fisheries Act No. 10 of 2014, the penalties for fishing without an IATFC, or for violating terms and conditions, shall include:

- i. fines;
- ii. revoking IATFC and all relevant permits;
- iii. restricting or removing fishing privileges;
- iv. removal from the appropriate registers of fishing vessels such as the Regional Register; and
- v. removal of the right to fly the Vanuatu flag.

There shall be annual fees charged for the issuance of IATFCs by the Department of Fisheries as outlined in the Schedule of this Plan (IV.4).

#### **4.5.2 Responsibilities**

The Fisheries Department is responsible for:

- i. activities related to flag state responsibility, including the collection of fisheries related information;
- ii. keeping a register of all Vanuatu-flagged fishing vessels;
- iii. keeping a VMS register of all Vanuatu-flagged fishing vessels;
- iv. managing the routine collection and management of fisheries-related information from these vessels;
- v. developing and maintaining the Vanuatu-flagged state VMS;
- vi. payment of all IATFCs;
- vii. collecting revenue owed to the Government of Vanuatu by operators of Vanuatu-flagged fishing vessels; and
- viii. meeting part of the expenses incurred as a result of participating in the meetings of RFMOs by the Vanuatu government delegation.

The Director of Fisheries will develop a standard data requirement for all Vanuatu-flagged fishing vessels that is designed to meet the needs of the tuna RFMOs, and fishing treaties, agreements and arrangements to which Vanuatu is a party or active member. This information will include on an ongoing basis:

- i. vessel operator's name;
- ii. vessel owner's name;
- iii. target tuna species;
- iv. allocated catch quota;
- v. allocated number of fishing days;
- vi. area of fishing activities; and
- vii. details (quantities and location) of catches and bycatch.



### Key activities:

- i. Follow through on the implementation of the Vanuatu fleet management policy with respect to administrative procedures and guidelines for all Vanuatu-flagged vessels.
- ii. Implement amendments contained in the fisheries bill that give legal effect to administrative procedures and guidelines for all Vanuatu-flagged vessels.
- iii. Undertake a review of all Vanuatu vessel registries as recommended in the Vanuatu Institutional Strengthening report.

## 4.6 Regional and international agreements

Vanuatu is a member of all RFMOs and participates 100% in all their meetings. Vanuatu-flagged vessels fish in all waters of the RFMOs. The opportunity provided by these meetings should be used to pursue matters of national interest including that of Vanuatu-flagged vessels active in those waters.

### Key activities:

- i. Continue participation in RFMO meetings.
- ii. Periodic review of the benefits that Vanuatu gains as a full member of these RFMOs.
- iii. Strengthen capacity in-country and elsewhere to better manage Vanuatu-flagged vessels, including deterring or avoid involvement in IUU activities.
- iv. Continue working on boundary delimitation and possibly conclude EEZ boundary treaties with neighbours in the near future, particularly regarding the disputed area of the Matthew and Hunter Islands between Vanuatu and France.

## 4.7 Management of environmental and social impacts

Measures and procedures relative to minimising environmental and social impacts are already featured in a number of domestic policies and legislation, including the Tuna Plan, fisheries act and license minimum terms and conditions. Vanuatu will observe as appropriate, measures related to bycatch and the marine environment of all RFMOs. Vanuatu completed its Ecosystem Approach to Fisheries Management Report in 2008, which provides the platform for incorporating priority principles and measures in the Tuna Plan plus all other fisheries policies and legislation.

### Key activities:

- i. Prepare and implement NPOA (sharks).
- ii. Implement and comply with all binding provisions of conservation and management measures relative to sharks, sea turtles and sea birds in the WCPO, and binding resolutions in other RFMOs.

- iii. Maintain close liaison with vessel owners and operators to ensure licensed vessels comply with license conditions specific to minimising environmental and social impacts.
- iv. Review current ecosystem related protocols and measures stipulated in all domestic fisheries policies and legislation.
- v. Collect and report on bycatch species such as sharks, turtles and birds as required by relevant CMM, and comply with reporting requirements under the WCPFC and other RFMOs to which Vanuatu is a signatory.

## 5. STRATEGIES FOR LOCAL TUNA FISHERY DEVELOPMENT

### 5.1 Options for development

The Plan supports the development of all aspects of the tuna fishing industry including:

#### Tuna fishing

- ✓ Small semi-commercial vessels catching tuna and tuna-like species around FADs
- ✓ Medium-size multi-purpose vessels that engage in tuna fishing in addition to other forms of marine harvesting and other maritime activities such as cargo transportation
- ✓ Charter sportfishing vessels that may also act as commercial vessels and sell some of their catch to the local market
- ✓ The development of a small locally-based and owned fleet targeting tuna and focusing on the export market with some local sales
- ✓ The development of larger locally-based tuna fishing operations where appropriate domestic investment can be found to develop a long-term sustainable operation
- ✓ The development of domestic processing operations

#### Other tuna and deep-bottom fish related industries

- ✓ Local retail sales and consumption
- ✓ Provincial small-scale fish processing facilities
- ✓ Provincial fish market outlets
- ✓ Small- to large-scale tuna and deep-bottom fish export processing plants
- ✓ Maintenance, supply and provisioning of foreign vessels and locally-based foreign fishing vessels

#### Creation of employment

- ✓ Ni-Vanuatu crew on foreign fishing vessels operating in Vanuatu EEZ
- ✓ Ni-Vanuatu crew on Vanuatu-flagged fishing vessels operating inside and outside Vanuatu's EEZ
- ✓ Vanuatu crew on local and locally-based foreign vessels
- ✓ Observers and port samplers
- ✓ Associated service industries

### 5.2 Development strategies

The National Fishermen's Association (NFA) now replaces the Fishermen's Cooperative and an umbrella agreement has been developed to cater for all the six provincial associations. Processing and export permits and related certification require regular review to satisfy required standards.

## **Key activities:**

### *Activity 1. Programme funded from fees and penalties*

- i. Channel portion of funds from licensing and other fisheries initiatives through to funds established for the management and development of fisheries in the country.
- ii. Support this activity with agreement on explicit proportions of total annual fees and penalties needed to be extracted for purposes of local fisheries development.

### *Activity 2. Funding to support fishermen associations*

- i. Continue to explore establishing the remaining four FCAs, including the current state of the fishermen association in Vila, under the umbrella association of SHEFA Province.
- ii. Support continued liaison and support for the NFAs and policy considerations at FMAC level.

### *Activity 3. Rural fisheries markets*

- i. Ensure a larger portion of catches, particularly from vessels active in archipelagic waters, is not only made available to two fish processing facilities but also supplies rural fisheries markets. These efforts would ensure food security (fish sources) in Vanuatu.
- ii. Secure funding to establish the three remaining local markets.

### *Activity 4. Rural fishing gear shops*

- i. Secure funding and establish remaining four provincial gear shops.

### *Activity 5. Nearshore FAD programme*

- i. Recognise the importance of the programme to support local and small-scale fishing in the provinces.
- ii. Link this activity, plus other support for local markets, gear shops and concessions on fuel, to the collection and reporting of catch data to the Fisheries Department.

### *Activity 6. Duty exemptions*

- i. Increase concession on fuel purchased by artisanal and recreational fishermen and operators as incentives to collect and submit catch data.
- ii. Undertake regular assessment of government duties and concessions on fuel and spare parts in support of domestic commercial fisheries development.

### *Activity 7. Information and support for fisheries development*

- i. Make available all relevant policies and legislation on the fisheries website.
- ii. Continue to use the Foreign Investment Board and other mechanisms to promote and seek interest in investing in the fishing sector.
- iii. Prepare a fisheries investment strategy in support of fisheries development.

***Activity 8. Legislation and export permits for fish exports***

- i. Support the amendments in the Act covering aspects of certification and competent authority. Also support preparation of a regulation on the policy related to certification and competent authority.
- ii. Support the work of the Competent Authority within the department to ensure export of Vanuatu fish products meets requirements of potential markets abroad.
- iii. Regular review of processing / export permits and related certification to satisfy required standards.

***Activity 9. Ni-Vanuatu crew requirements as license conditions***



## SCHEDULE

### I. CLOSED AREAS

#### I.1 Area restrictions for foreign and locally-based foreign fishing vessels

| Fishing category                | Foreign   | Locally-based foreign   |
|---------------------------------|---|---|
| A. Tuna longline                | Outside 24-nautical miles<br>No fishing 3-nautical miles from centre of seamounts | Outside 12-nautical miles<br>No fishing 3-nautical miles from centre of seamounts |
| B. Tuna purse-seine             | Outside 24 nautical miles   | Outside 12 nautical miles   |
| C. Tuna pole-and-line           | No fishing 3-nautical miles from centre of seamounts                              | No fishing 3-nautical miles from centre of seamounts                              |
| D. Other                        | Not allowed   | Restrictions specific to each license   |
| E. Game / sport fishing         | Conditions apply to each license  |   |
| F. Research fishing             | Restrictions specific to each license   |   |
| G. Exploratory and test fishing |   |   |

## I.2 Area restrictions for local fishing vessels

| Fishing category  | Local <10 m                                       | Local ≥10 m  | Local >15 m   |
|---|---|--|---|
| A. Tuna longline  | Comply with provincial bylaws                     | Outside 6 nautical miles   | Outside 12 nautical miles<br>No fishing 3 nautical miles from centre of seamounts |
| B. Tuna purse-seine   | Comply with provincial bylaws                     | Outside 6 nautical miles   | Outside 12 nautical miles<br>No fishing 3 nautical miles from centre of seamounts |
| C. Tuna pole-and-line   | Comply with provincial bylaws                     | Outside 6 nautical miles   | Outside 12 nautical miles<br>No fishing 3 nautical miles from centre of seamounts |
| D. Others   |   |  |   |
| (i) Artisanal fishing   |   | Outside 6 nautical miles   | Outside 12 nautical miles   |
| (ii) Commercial / fishing boats / others (e.g. Lady Christina, Ocean Fishing Ltd) | Comply with provincial bylaws if overly efficient | Outside 6 nautical miles   | Outside 12 nautical miles   |
| (iii) Aquarium fish, sea cucumber, trochus  | Comply with provincial bylaws                     | Comply with provincial bylaws and Department of Fisheries terms and conditions | Not allowed   |
| E. Game / sport fishing   | Comply with provincial bylaws                     | No restrictions  | No restrictions   |
| F. Research fishing   | Restrictions specific to each license             |  |   |
| G. Exploratory and test fishing   | Restrictions specific to each license             |  |   |



## II. LIMITS ON LICENSE NUMBERS FOR VANUATU'S EEZ

### II.1 Maximum number of EEZ fishing licenses that can be issued in each fishing category with tuna or tuna-like species as target species

| Fishing category                | Vessel / license permit |
|---------------------------------|-------------------------|
| A. Tuna longline                | 70                      |
| B. Tuna purse-seine             | 30                      |
| C. Tuna pole-and-line           | 30                      |
| D. Other                        | 6                       |
| E. Game / sport fishing         | 4                       |
| F. Research fishing             | 6                       |
| G. Exploratory and test fishing | 6                       |

### II.2 Maximum number of foreign fishing licenses that can be issued in each fishing category with tuna or tuna-like species as a target species

| Fishing category                | Vessel / license permit |
|---------------------------------|-------------------------|
| A. Tuna longline                | 70                      |
| B. Tuna purse-seine             | 10                      |
| C. Tuna pole-and-line           | 10                      |
| D. Other                        | None                    |
| E. Game / sport fishing         | 2                       |
| F. Research fishing             | None                    |
| G. Exploratory and test fishing | 2                       |

### II.3 Maximum number of locally-based foreign and local fishing licenses that can be issued in each fishing category with tuna or tuna-like species as a target species

| Fishing category                                 | Vessel / license permit |
|--|-------------------------|
| A. Tuna longline                                 | 70                      |
| B. Tuna purse-seine                              | 20                      |
| C. Tuna pole-and-line                            | 20                      |
| D. Charter / sport fishing                       | 55                      |
| E. Others  |                         |
| (i) Artisanal fishing                            | 200                     |
| (ii) Commercial fishing (e.g. Ocean Fishing Ltd) | 6                       |
| (iii) Beche-de-mer, aquarium fish, trochus       | 6                       |
| F. Game / sport fishing                          | 4                       |
| G. Research fishing                              | 4                       |
| H. Exploratory and test fishing                  | 4                       |

### III. TOTAL ALLOWABLE CATCH

#### III.1 TACs for major tuna species in Vanuatu's EEZ

| Species   | Total allowable catch year <sup>1</sup> (t) |
|-----------|---|
| Albacore  | 8,376                                       |
| Yellowfin | 3,000                                       |
| Bigeye    | 1,000                                       |
| Skipjack  | 3,000                                       |

### IV. FEES

#### IV.1 Foreign fishing vessels

| Fishing category                | Gross registered tons (GRT) Foreign | Foreign              |                              | Locally-based |
|---------------------------------|-------------------------------------|----------------------|------------------------------|---------------|
|                                 |                                     | 50% landing domestic | 100% landing outside Vanuatu |               |
| A. Tuna longline                | <100                                | USD 20,000*          | USD 45,000                   | USD 12,000    |
|                                 | ≥100 and ≤400                       | USD 30,000           | USD 60,000                   | USD 15,000    |
|                                 | ≥400                                |                      | USD 67,000                   | USD 21,000    |
| B. Purse-seine                  | -                                   |                      | USD 50,000                   | USD 20,000    |
| C. Pole-and-line                | -                                   |                      | USD 8,000                    | USD 4,500     |
| D. Other methods                |                                     |                      | USD 8,000                    | USD 4,500     |
| E. Research fishing             |                                     |                      | USD 5,000                    | USD 5,000     |
| F. Exploratory and test fishing |                                     |                      | USD 8,000                    | USD 5,000     |

\* USD = US dollar

#### IV.2 Fees for locally-based foreign vessels fishing and locally-based foreign-seasonal sport fishing vessels

##### 'D. Other Methods'

| Vessel category                   | License fee                                 |
|-----------------------------------|---|
| Seasonal sport fishing (3 months) | VUV 50,000*                                 |
| <8 m                              | VUV 100,000                                 |
| ≥8 m                              | VUV 100,000 + VUV 15,000 per metre over 8 m |

\* VUV = Vanuatu vatu

### IV.3 Fees for local fishing vessels (all fishing methods)

#### *Efate and Luganville, excluding offshore islands and rural Santo*

| Vessel category | License fee                               |
|-----------------|---|
| <8 m            | VUV 20,000                                |
| ≥8 m            | VUV 20,000 + VUV 5,000 per metre over 8 m |
| Sport fishing   | VUV 50,000                                |

#### *Other Islands*

| Vessel category | License fee                               |
|-----------------|---|
| <8 m            | VUV 10,000                                |
| ≥8 m            | VUV 10,000 + VUV 2,500 per metre over 8 m |
| Sport fishing   | VUV 30,000                                |

### IV.4 Fees for authorisations for Vanuatu-flagged vessels to fish under regional agreements

| Fishing category            | WPCFC      | All other RFMOs |
|-----------------------------|------------|-----------------|
| Longliner <24 m             | USD 6,000  | USD 5,000       |
| Pole-and-liner              | USD 6,000  | USD 5,000       |
| Longliner >24 m             | USD 10,000 | USD 5,000       |
| Squid jigger                | USD 8,000  | USD 5,000       |
| Purse-seiner                | USD 15,000 | USD 5,000       |
| Stem trawler                | USD 10,000 | USD 5,000       |
| Reefer carriers AND bunkers | USD 10,000 | USD 5,000       |

### IV.5 Fee proportions for different funds

| Category        | Local | Locally-based foreign | Foreign | VFFV |
|-----------------|-------|-----------------------|---------|------|
| General Revenue | 50%   | 60%                   | 60%     | 60%  |
| Management Fund | 50%   | 40%                   | 40%     | 40%  |

### IV.6 Fees for reefers / carriers

| Item                                       | Fee                 |
|--|---------------------|
| Reefer / carrier license (valid 12 months) | USD 1,000           |
| Transshipment fee: sashimi grade tuna      | USD 15.00 per tonne |
| Transshipment fee: cannery grade tuna      | USD 4.00 per tonne  |

## V. SPECIFICATION OF CLOSED AREAS

In order to protect fish stocks and biodiversity, fishing will be restricted within the rectangular closed areas defined by the geodesic lines linking the four points described for each area in Table V.1.

### V.1 Specified closed areas around seamounts

| Area | Point | Latitude (S) | Longitude (E) |
|------|-------|--------------|---------------|
| 1    | 1     | 15°59'24.0'  | 165°59'24.0'  |
|      | 2     | 15°59'24.0'  | 166°11'24.0'  |
|      | 3     | 15°50'24.0'  | 166°11'24.0'  |
|      | 4     | 15°50'24.0'  | 165°59'24.0'  |



# **APPENDICES**



## Appendix A

### IMPLEMENTATION STRATEGY

The implementation process has been discussed from a structural point of view in the section on the Administrative Framework for Tuna Management (Section 3). This appendix is intended to be a practical guide to implementing the strategies outlined in the Plan, including timing and prioritisation.

#### Priorities for implementation

The initial priorities for action should be focused around setting up the basic mechanisms through which the Plan will operate. These are:

- ✓ adopting the Plan through approval by the Council of Ministers;
- ✓ ensuring a functional FMAC;
- ✓ ensuring that the established Fisheries Development Fund is administered through the guidelines set out in the Vanuatu Fleet Management Policy; and
- ✓ hiring a Tuna Management Coordinator to manage the implementation process.

Once the basic management mechanisms are in place, the FMAC and the Director of Fisheries should initiate action on a small number of the strategies with careful regard to the resources available to ensure success. Some of the more important actions that should be initiated early are:

1. In collaboration with the state law office, draft the notices and regulations required to be published in the Gazette to give legal power to the elements of the Tuna Management Plan with a particular focus on the table in the Schedules to the Plan and the terms and conditions for different vessel categories.
2. Application of the new licensing terms, conditions, and fee schedules to all new and renewing licenses (following appropriate notification to current license holders) with particular emphasis on VMS for foreign vessels.
3. Input to the revision of the Fisheries Act to ensure it is consistent with the Plan.
4. Strengthen the Observer Programme through contact with FFA to request assistance in setting it up.

With the implementation of the Observer Programme, it is recommended that this be initiated at a low level until the logistics of the system have been worked out. Because many foreign vessels do not land in Vanuatu and there are concerns about the cost of flying observers for embarkation or return home, it is important that the new license conditions requiring vessel owners / operators to pay costs are implemented as soon as possible.

## **FISHERIES MANAGEMENT ADVISORY COUNCIL**

Pursuant to the Fisheries Act No. 10 2014 Section 9:

- (2) The function of the Council is to provide recommendations to the Director on policy matters relating to fisheries conservation and management.
- (3) The Council consists of the following members:
  - (a) 2 persons nominated by the fishing industry being: (i) a representative of the artisanal fisheries sector; and (ii) a representative of the offshore fisheries sector; and
  - (b) a person nominated by the Vanuatu Association of Non-Government Organisations with an interest in fisheries; and
  - (c) a person nominated by the Vanuatu Agriculture Bank; and
  - (d) a person nominated by the Vanuatu Investment Promotion Authority; and
  - (e) a person nominated by the Vanuatu International Shipping Registry; and
  - (f) the following office holders or their nominee who are to serve in an ex officio capacity:
    - i. the Attorney General; and
    - ii. the Commander of the Police Maritime Wing; and
    - iii. the Director of the Department of Foreign Affairs; and
    - iv. the Director of the Department of Local Authorities; and
    - v. the Director of the Department of Finance; and
    - vi. the Director of the Department of Industry; and
    - vii. the Director of the Department of Cooperatives.
- (4) The persons nominated under paragraphs (3)(a) to (e) are to be appointed by the Minister for a period of 4 years and may be reappointed.
- (5) The Director may invite representatives of relevant international, regional or national organisations to attend specific meetings of the Council as observers.
- (6) The Director is the Chairperson of the Council.
- (7) If the Director is for some reason unable to attend a meeting, the person acting as Director is to Chair the meetings of the Council.
- (8) The Council may establish subcommittees for specific fishing sectors under this Act, and may adopt rules to include objectives, membership procedures and related matters to give effect to such subcommittees.
- (9) The Council is to meet as often as may be necessary or expedient for the transaction of its business. Such meetings must be held at such places and time and on such days as the Director determines.
- (10) The Council is to determine and regulate its own procedures.



## **NOTES**







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