



Republic of the Marshall Islands
Tuna Fisheries Management Plan
2020-2025



RMI TMP 2020 – 2025

Prepared by MIMRA

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Acronyms and Abbreviations

CA	Competent Authority
CMM.....	Conservation Management Measure
CMS	Compliance Monitoring Scheme
DWFN	Distant Water Fishing Nation
EEZ.....	Exclusive Economic Zone
FAD	Fish Aggregating Device
FIMS.....	Fisheries Information Management System
FAO	Food and Agriculture Organization of the United Nations
FFA.....	Pacific Islands Forum Fisheries Agency
FSMA	Federated States of Micronesia Arrangement for Regional Fisheries Access
HMTC	Harmonized Minimum Terms and Conditions
ICT	Information and Communications Technology
IGO	Inter-governmental Organization
IUU	Illegal, Unregulated and Unreported
LL	Longline
LRP.....	Limit Reference Point
MCS	Monitoring, Control and Surveillance
MIFV	Marshall Islands Fishing Venture, Ltd.
MIMRA	Marshall Islands Marine Resources Authority
MOU	Memorandum of Understanding
NGO.....	Non-governmental Organization
NPOA	National Plan of Action
NTSA	Niue Treaty Subsidiary Agreement
PAE.....	Party Allowable Effort
PNA.....	Parties to the Nauru Agreement
PPF.....	Pan Pacific Foods (RMI), Inc.
PS.....	Purse Seine
PSM	Port States Measure
RMI	Republic of the Marshall Islands
SIDS	Small Islands Developing States
SOP	Standard Operating Procedure
SPC.....	Pacific Community
SSI.....	Species of Special Interest
TMP	Tuna Management Plan
TRP	Target Reference Point
UST	United States Treaty
VDS	Vessel Day Scheme
WCPFC	Western and Central Pacific Fisheries Commission
WCPO	Western and Central Pacific Ocean
UNCLOS	United Nations Convention on the Law of the Sea

Definitions

Access arrangement - a treaty, agreement or arrangement entered into by the Authority pursuant to the Constitution and Title 51 in relation to access to the Fishery Waters for fishing by foreign or domestic-based fishing vessels, and includes bilateral and multilateral instruments applicable at the national, sub-regional, regional or international level.

Exclusive economic zone - the exclusive economic zone as defined in the Marine Zones (Declaration) Act 1984.

Fish aggregating device - any man-made or partly man-made floating or semi-submerged device, whether anchored or not, intended for the purpose of aggregating fish, and includes any natural floating object on which a device has been placed to facilitate its location.

Foreign fishing vessel - for the purposes of this Plan, any fishing vessel other than an RMI-flagged fishing vessel

FSM Arrangement - the Federated States of Micronesia Arrangement for Regional Fisheries Access adopted in 1995.

RMI-flagged fishing vessel - for the purposes of this Plan, any fishing vessel registered in the Republic of the Marshall Islands

Party Allowable Effort - in relation to a Party, means the total number of fishing days for a Management Year allocated to that Party pursuant to Article 12 of PNA's Palau Arrangement for the management of the Western Pacific Fishery Management Scheme (2016).

Regional access license - a regional access license issued to any fishing vessel of a Party to a multilateral access agreement or fisheries management agreement, in accordance with such agreement.

Transshipment - for the purposes of this Plan, the transfer of any or all fish or fish products to or from any fishing vessel to another vessel for the purposes of transporting such fish or fish products elsewhere, and, "transship" shall have a corresponding meaning.



1 Introduction

The Republic of the Marshall Islands (RMI) tuna fishery is an extremely valuable natural resource. In the last decade, the fishery has become an important source of government revenue. The total revenue for the Marshall Islands Marine Resources Authority (MIMRA) in 2018 from the fishery sector was US\$34,194,597¹. This represents approximately 13% of the total annual budget for the entire country.

Through MIMRA, the RMI has seen an increase in economic benefits from its tuna fishery in the last 10 years. Most of these benefits have come from the RMI's participation in the Parties to the Nauru Agreement (PNA) Vessel Day Scheme (VDS). To put this in context, revenue from the VDS have increased from \$3m in 2010 to \$35m in 2020. MIMRA aspires to further build on the achievements over the last decade through the expansion of the domestic fleet and on-shore facilities. In addition, MIMRA seeks to capitalize on Majuro's positioning as a major tuna transshipment hub in the region. Majuro is one of the most preferred ports in the region due to its unique geographical features, proximity to the major fishing grounds, and availability of services ranging from communications, vessel provisioning, to net repair. A recent study identified Majuro as the second busiest port in the world, based on the number of foreign vessel visits (1168), and ranked first in the world for foreign fishing vessel hold size (943,000 m3)².

The RMI is a member of a number of key sub-regional and regional fisheries organizations, namely, the PNA, the Forum Fisheries Agency (FFA), the Pacific Community (SPC), and the Western and Central Pacific Fisheries Commission (WCPFC). The RMI also has a number of binding international obligations under the United Nations Convention on the Law of the Sea (UNCLOS), the United Nations Straddling Fish Stocks Agreement (UNFSA), and the WCPF Convention, to implement conservation and management measures (CMMs) that have been adopted to safeguard the key tuna stocks in the region. Our active participation in these organizations has been instrumental for progressing our national aspirations. These include championing the rights of Small Island Developing States (SIDS) against any disproportionate burden that may arise from the implementation of CMMs.

Conservation and management of the key tuna species is even more crucial in light of the projected climate change impacts on the stocks between now and 2050. These projections indicate the possibility of a strong eastward shift in the distribution of tuna stocks. Consequently, for the RMI, there is a probable 15% decrease in combined biomass of skipjack, yellowfin, and bigeye tuna in its EEZ due to the impacts of climate change by 2050³. Therefore, sustainable utilization becomes more critical as fishing pressure will continue to have the most significant impacts on tuna population numbers. Protecting our tuna resources against the potential adverse impacts of climate change is vital for food security and national posterity.

The RMI Tuna Management Plan (TMP) sets out a series of objectives, strategies and activities by which our responsibilities and aspirations will be achieved. Preparation of the TMP is provided for in Title 51 of the Marshall Islands Revised Code under Section 119(1)(b) of MIMRA Act and § 207 of the Fisheries Act. This Plan is shaped by the MIMRA Strategic Plan 2019 - 2023 which sets out 3 main strategic goals: sustainable development, conservation and management, and institutional governance.



¹ MIMRA Annual Report (2018)

² Hosch et al. (2019). "Any Port in a Storm: Vessel Activity and the Risk of IUU-Caught Fish Passing through the World's Most Important Fishing Ports". *Journal of Ocean and Coastal Economics*, Vol. 6, Issue 1.

³ SPC. "Implications of climate-driven redistribution of tuna for Pacific Island economies". FAME POLICY BRIEF, No. 32|2019.

1.1 Scope

The area covered by the Tuna Management Plan extends outward from 12 nautical miles (nm) to 200nm in accordance with MIMRA's mandate. The TMP focuses on the commercial tuna fishery, which comprises RMI-flagged vessels operating both inside the RMI Exclusive Economic Zone (EEZ) and throughout the WCPO, and foreign vessels operating inside the RMI EEZ. The Plan covers the three main tuna species in the RMI: skipjack (*Katsuwonus pelamis*), bigeye (*Thunnus obesus*), and yellowfin (*Thunnus albacares*). It focuses on purse seine, longline, and pole and line gear types. Support vessels, such as carriers and bunkers, are also included in this category by virtue of their operations as defined under the WCPF Convention.

The Plan does not include game-fishing and artisanal fishing. Consequently, it does not include the prohibited areas inside 50nm around Majuro, Arno, and Kwajalein atolls as shown in Figure 1.

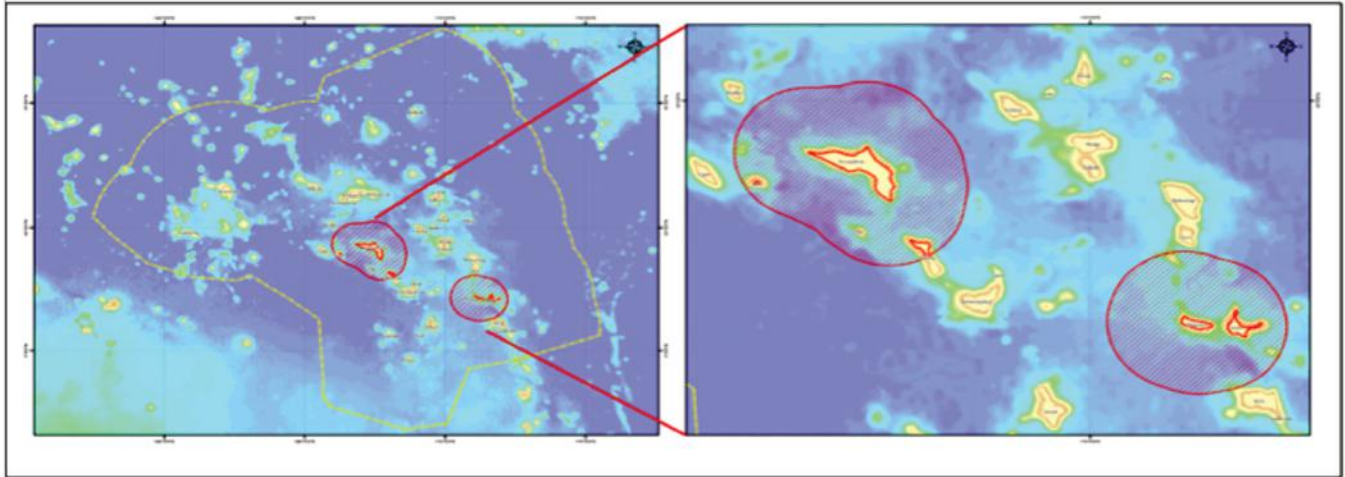


Figure 1: 50 nm Prohibited Areas established under the Tuna and Game-Fish Conservation Zone Act (1996)

1.2 Purpose

The purpose of this Plan is to guide MIMRA in implementing best practice fisheries management to bring long-term benefits to the RMI. This shall be done through the utilization of the best available science, state of the art Monitoring, Control, and Surveillance (MCS) tools, and development of mutually beneficial partnerships with tuna fishery stakeholders.

1.3 Goal

A sustainably developed, conserved and managed commercial tuna fishery in the RMI.

1.4 Authorities and Roles

MIMRA's roles and responsibilities are outlined in Title 51 of the Marshall Islands Revised Code (MIRC). These include fisheries conservation, management and development both within the EEZ and areas beyond national jurisdiction.

Under Section 113 of the MIMRA Act 1997, the management of MIMRA is overseen by a Board of Directors (the Board) comprising 7 members. The Minister of Natural Resources and Commerce (NRC) serves as the Chairman of the Board, along with 6 other Board Members appointed by the President and the Cabinet. The Director of MIMRA serves as an ex officio member and secretary of the Board.

In carrying out its mandate, MIMRA works with other Ministries and Agencies such as the Ministry of Foreign Affairs & Trade, RMI Ports Authority, RMI Sea Patrol, and RMI Environmental Protection Authority (EPA) among others ⁴.

1.5 Commencement

The Tuna Management Plan commences on 13 July 2020 once adopted by the MIMRA Board of Directors.

⁴ See Table 1 in MIMRA Strategic Plan 2019-2023

2 Present State of Fishery

The commercial catches within the RMI EEZ are taken predominantly by the purse seine fishery but longline and pole-and-line operations also occur. In 2019, MIMRA licensed a total of 236 foreign purse seine, longline and pole-and-line fishing vessels. The estimated total in-zone catch for all foreign and domestic vessels combined was 10,766 metric tons (provisional) with purse seiner accounting for 51%, followed by longline (39%), and pole-and-line (10%). Total catch in the RMI EEZ saw a 68% decrease from the previous year (Figure 2). This is likely due to inter-annual variations in oceanographic conditions that influence the distribution of tuna in the Western and Central Pacific Ocean (WCPO).

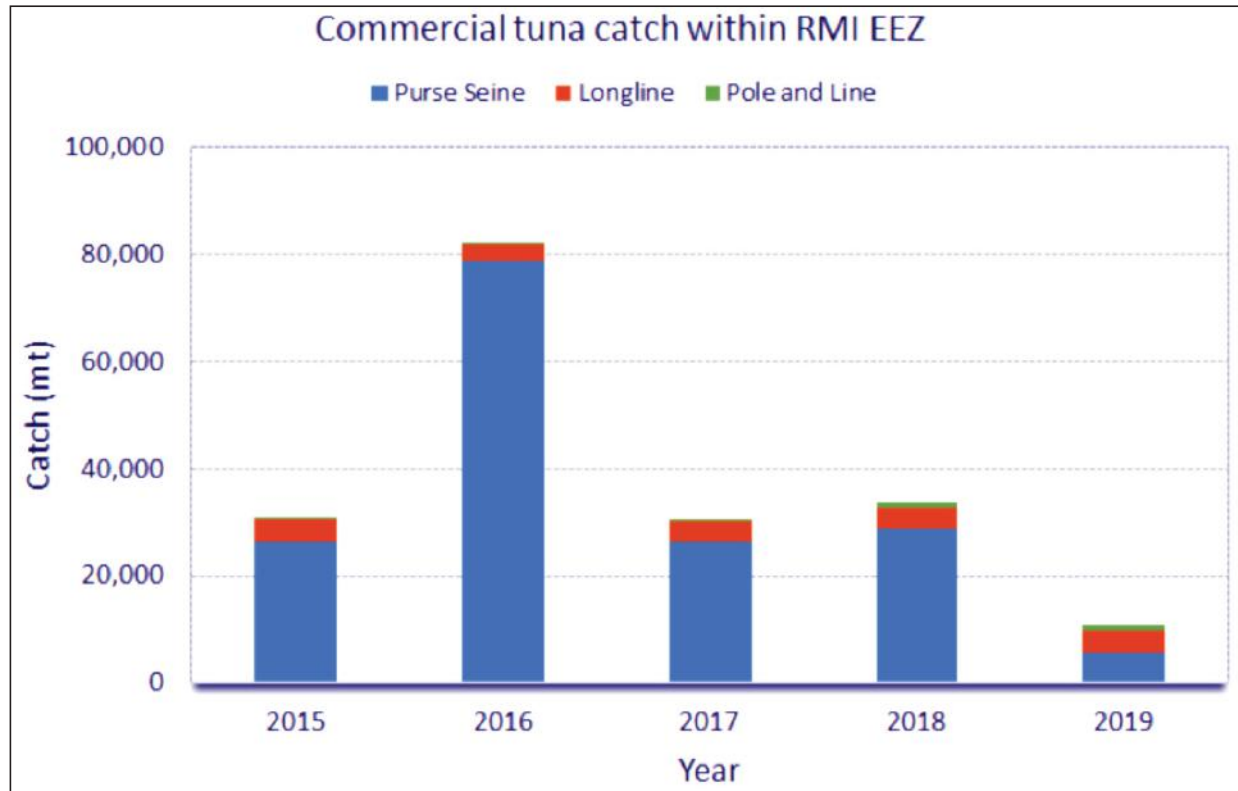


Figure 2: Total catch by the different gears operating in the RMI EEZ

The value of the regional catches of tuna in the WCPO is estimated at around \$6billion. In 2019, there were eleven RMI-flagged purse seine vessels operating throughout the WCPO. Total catch estimates by the national purse seine fleet in 2019 was 95,532 metric tons (Table 1), most of which were caught outside the RMI EEZ. Locally-based longline vessels operating under the Marshall Islands Fishing Venture (MIFV), including 22 RMI-chartered vessels, caught a total of 2,891 metric tons of tuna in 2019. The RMI fishing fleet occasionally interacts with Species of Special Interest (SSI) including marine mammals, marine reptiles and whale sharks. Table 2 shows the breakdown of the licensed foreign vessels by gear for 2019.



Table 1: Total WCPO catch (tons) by RMI-flagged purse seine and locally-based longline vessels, by year

Year	Purse Seine	Longline
2015	86,869	0
2016	61,367	1,460
2017	64,527	2,778
2018	71,963	2,127
2019	95,532	2,891

Table 2: Licensed foreign fishing vessels by flag and gear (2019)

Flag	PS	LL	P&L
China	9	22	
FSM		9	
Japan	26	9	20
Korea	25		
Kiribati	7		
Philippines	10		
Chinese Taipei	24	1	
Tuvalu	1		
USA	6		
FSMA	54		
Totals	162	41	20

Majuro port is also a major regional hub for purse seine transshipment. In 2019, there was a total of 595 port entries by fishing vessels (including carriers) in Majuro of which 509 were foreign-flagged. A breakdown by flag is presented in Table 3.



Table 3: Number of port entries by fishing vessels (including carriers) in Majuro port (2019)

Flag State	# of entries	%
Taiwan	146	24.54
Panama	90	15.13
RMI	86	14.45
FSM	64	10.76
USA	55	9.24
Papua New Guinea	44	7.39
China	26	4.37
Nauru	18	3.03
Korea	17	2.86
Solomon Islands	12	2.02
Vanuatu	10	1.68
Kiribati	9	1.51
Philippines	9	1.51
Liberia	4	0.67
Japan	3	0.5
New Zealand	1	0.17
Tuvalu	1	0.17
Total	595	100

These vessels took part in 481 transshipments with a provisional total of 338,628 mt of SKJ, 30,567 mt of YFT and 3,227 mt of BET transhipped. Other purposes of port visits include food provisioning, crew exchanging and vessel maintenance.

Domestically-based foreign longline vessels operated by MIFV unload catches exclusively in Majuro port. In 2019, there was a provisional total of 3,763 mt of fish unloaded by the fleet and most of it was bound for export markets. The MIFV exported 2291 mt of processed, fresh chilled tuna species to markets in the US, China and Canada. Rejects and bycatch (527mt) were shipped to Asia via transport containers and/or sold locally.

The Pan Pacific Foods (PPF) loining plant continued operations in 2019 with viable production outputs supported by ongoing hiring and recruitment of local Marshallese employees. The company operated six RMI-flagged purse seine vessels which supply the plant with raw materials. Total exports, as reported by the company in 2019, was 13,220 mt and were destined mainly for Asian markets.



3 TMP Objectives and Strategies

3.1 Objectives

As outlined in the table below, the objectives of this TMP align with the three Strategic Goals listed in MIMRA Strategic Plan 2019-2023:

1. MIMRA will maximize the long-term value from its fisheries for the benefit of the people of RMI
2. MIMRA will conserve and manage the aquatic resources for current and future generations in RMI
3. MIMRA will be professional, transparent and accountable in the way it manages fisheries resources in RMI

Goal	Objective
Sustainable Development	<ol style="list-style-type: none"> 1. Maximize and secure long-term economic revenues from the tuna fishery for the government and the people of the RMI 2. Promote the development of domestic tuna sector through flag state, port state, and coastal state responsibilities and obligations 3. Ensure maximum social benefits from the RMI tuna fisheries
Conservation and Management	<ol style="list-style-type: none"> 4. Ensure tuna stocks are maintained at sustainable levels by taking into account the best available science and a precautionary approach.
Institutional Governance	<ol style="list-style-type: none"> 5. Ensure institutional capacity and capability is built and maintained to effectively manage the tuna fisheries 6. Utilize best practice fisheries management to ensure the RMI's tuna fisheries bring long term benefits to the people of the RMI

3.2 Strategies and activities

Objective	Strategy	Activities
1: Maximize and secure long-term economic revenues from the tuna fishery for the government and the people of the RMI	1.1 Investigate cost recovery options	<ul style="list-style-type: none"> ● Review transshipment activity and fee structure ● Explore cost-recovery mechanisms for operations and functions of the Competent Authority
	1.2 Maximize revenue from Vessel Day Scheme (VDS)	<ul style="list-style-type: none"> ● Utilize bioeconomic analysis carried out by MIMRA, FFA, and SPC to inform consideration of LL VDS fee ● Fully implement the LL VDS through sale and monitoring of fishing days ● Participate in the development of the benchmark price for the PNA LL VDS ● Advocate the RMI's position in the ongoing PNA discussion and review of allocation of PS VDS PAEs ● Provide options for potential on-shore investments through the VDS (e.g. enhancing value chain for tuna transshipments in Majuro)
	1.3 Support local value adding initiatives to reduce wastage in tuna landings	<ul style="list-style-type: none"> ● Consider a program for local utilization of bycatch and damaged fish in close consultation and collaboration with domestic industry

Objective	Strategy	Activities
2: Promote the development of domestic tuna sector through flag state, port state, and coastal state responsibilities and obligations	2.1 Ensure Majuro remains a major tuna transshipment port, supported by MCS and Port State Measures (PSM) best practices	<ul style="list-style-type: none"> ● Further consider FAO Port State Measures Agreement (PSMA) ratification ● Carry out implementation tasks in the approved Inspection Plan ● Set up dockside receptacles at Uliga and Delap docks
	2.2 Improve engagement with Government and commercial stakeholders	<ul style="list-style-type: none"> ● Develop national MCS Strategy in consultation with stakeholders ● Establish a national MCS working group ● Convene monthly meetings with domestic fishing companies and vessel agents ● Convene relevant stakeholders to explore setting up a national tuna industry association
	2.3 Maintain RMI position on Article 30 of the Convention	<ul style="list-style-type: none"> ● Advocate SIDS principles to attain favorable outcomes in the key WCPFC processes (e.g. High Seas allocation process, Tropical Tuna discussions, Compliance Monitoring Scheme)
	2.4 Encourage domestication by facilitating domestic fishing industry developments and investments	<ul style="list-style-type: none"> ● Convene stakeholder consultation towards development of a domestic investment strategy ● Support WCPFC CMM on FAD closure exemptions
	2.5 Assess compliance ratings for all fishing vessels	<ul style="list-style-type: none"> ● Maintain and update a compliance index ● Engage with industry to address non-compliance issues ● Develop national MCS Strategy
3: Ensure maximum social benefits from the RMI tuna fisheries	3.1 Ensure commercial tuna fishing does not adversely impact the ability for subsistence, artisanal and game fishers to catch tuna	<ul style="list-style-type: none"> ● Schedule regular sea-going patrols within the special management areas to ensure compliance with rules
		<ul style="list-style-type: none"> ● Maintain active monitoring of vessel activities and positions using VMS to ensure that no commercial fishing occurs within special management areas ● Work with Coastal Division to improve the monitoring and reporting of commercial fishing vessels in the outer islands through formalization of arrangements with local governments
3.2 Maximize tuna industry employment opportunities for Marshall Islands citizens	<ul style="list-style-type: none"> ● Continue to promote gender equity in fisheries and develop a policy for adoption. ● Promote and ensure safety, well-being and human rights standards for Marshallese crew and observers ● Support and provide training opportunities in the fishery sector for local citizens through regional agencies and bilateral partners 	

Objective	Strategy	Activities
4: Ensure tuna stocks are maintained at sustainable levels by taking into account the best available science and a precautionary approach.	4.1 Support the development of target reference points (TRPs) and limit reference points (LRPs) for key tuna stocks	<ul style="list-style-type: none"> ● Maintain effective participation in the tropical tuna CMM negotiations ● Support the FFA and PNA positions toward the adoption TRPs and LRPs for key tuna stocks
	4.2 Promote an Ecosystem Approach to Fisheries Management (EAFM) including consideration of potential climate change impacts	<ul style="list-style-type: none"> ● Review EAFM work with FFA to consider further development of a national EAFM Policy ● Ensure tuna management related decisions in RMI adhere to the national EAFM Policy when it is developed ● Participate in the ongoing discussions on the impacts of climate change on regional tuna stocks ● Explore the possibility of working with SPC to undertake a national assessment of climate change impacts on the RMI tuna fishery
	4.3 Minimize ecological impacts of fishing (Bycatch, marine pollution CMM 2017-04)	<ul style="list-style-type: none"> ● Develop and conduct awareness and training programs with vessel operators on safe release, eco-FADs, and marine pollution ● Support work on developing eco-FADs at the regional level
5: Ensure institutional capacity and capability is built and maintained to effectively manage the tuna fisheries	5.1 Support development of national capacity and scientific analytical capability within MIMRA	<ul style="list-style-type: none"> ● Identify and address scientific needs at MIMRA ● Continue to participate in capacity building workshops e.g. SPC's Stock Assessment, harvest strategy workshops
	5.2 Contribute to national and regional capacity development	<ul style="list-style-type: none"> ● Internships, secondments, and attachments of MIMRA staff to regional organizations and other Pacific Island countries
	5.3 Ensure staff roles and responsibilities, development pathways and external engagement are documented and well understood	<ul style="list-style-type: none"> ● review roles and responsibilities of fishery officers ● Identify and provide career pathways for MIMRA staff ● Develop a mentoring program for current and future MIMRA staff to improve ongoing regional meeting participation ● Ensure senior management undertake negotiation and leadership training ● Streamline the current internship program to better reflect science and oceanic fisheries ● Organize more outreach activities through career fairs and school mentorship programs
	5.4 Ensure adequate resources are available to meet national, regional and international obligations	<ul style="list-style-type: none"> ● Employ new CA and MCS staff ● Strengthen Observer program by putting relevant procedures and guidelines in place ● Utilize emerging technology for management purposes (e.g. e-reporting, e-monitoring)

Objective	Strategy	Activities
6: Utilize best practice fisheries management to ensure the RMI's tuna fisheries bring long term benefits to the people of RMI	6.1 Incorporate international and regional obligations into legislation and access agreements	<ul style="list-style-type: none"> ● Ensure legislation is amended to incorporate relevant WCPFC Conservation and Management Measures (CMMs) and subsequent regulations are promulgated ● Ensure access agreements are up to date to reflect most recent Pacific Islands Forum Fisheries Agency (FFA) Harmonized Minimum Terms and Conditions (HMTCs) ● Support the review of the FSMA and continue to ensure vessels meet eligibility criteria
	6.2 Maintain an effective and transparent fisheries management regime	<ul style="list-style-type: none"> ● Report relevant fisheries information to the 'Nitijela' and the public, including information on stock status, catches, sector employment and government income on an annual basis ● Monitor the implementation of the TMP on a weekly basis ● Review and evaluate implementation of the TMP on a six-monthly basis and report back to the Board ● Adhere to the communications policy once it is developed
	6.3 Gradual implementation and maintenance of ICT systems	<ul style="list-style-type: none"> ● Integrate new Information, Communications, and Technology (ICT) systems to ensure they are streamlined with regional system
	6.4 Promote state of the art MCS methodology and technology to detect, deter and eliminate Illegal, Unregulated and Unreported (IUU) fishing in RMI's tuna fishery	<ul style="list-style-type: none"> ● Utilize emerging technologies to enhance MCS tools (e-reporting, e-monitoring etc.) ● Develop SOPs for the MCS Operations Centre ● Continue to implement and improve the Inspection Plan



4 Management Measures

The following management measures are applied in accordance with Title 51 of the Marshall Islands Revised Code:

4.1 Access Agreements

Access agreements set the rules for fishing inside the RMI EEZ. A legally-binding access agreement must be in place in order for a fishing license to be issued to a fishing vessel. Access agreements are required for all fishing fleets and apply to all the 3 main types of fishing vessels: Longline (LL), Purse Seine (PS), and Pole & Line (PL), regardless of Flag.

Access agreements stipulate a number of specific terms and conditions for fishing access including technical requirements and specifications for fishing vessels. They are negotiated by MIMRA management in consultation with the Chairman and Board of Directors and are usually undertaken at the end of the year.

4.2 Fishing License

All fishing vessels authorized to fish in the RMI EEZ are required to have a fishing license as a condition of access to fish in the RMI EEZ. MIMRA administers the issuance of all fishing licenses. Types of fishing licenses include Foreign, Locally-Based Foreign, and Domestic.

License fees and associated costs for purse seine fishing vessels are subject to access negotiations between MIMRA and bilateral (foreign and domestic) fishing associations and companies pursuant to the Fishing Access and Licensing Act. These fees and costs are separate from those charged for fishing days sold under the PNA Vessel Day Scheme (VDS).

4.3 Access Arrangements

The RMI, through MIMRA, is party to a number of bilateral and multilateral fishing access arrangements. Bilateral access arrangements include both Foreign fleets and Domestic fleets while multilateral access arrangements include the Palau Arrangement and FSM Arrangement administered by the PNAO and the US Treaty administered by the FFA.

4.3.1 Bilateral Access

There are 2 types of bilateral access arrangements administered by MIMRA: Government-to-Government and Industry-to-Government.

Japan is the only bilateral fishing partner with a Government-to-Government access agreement. This agreement predates all others as it was negotiated and signed in 1983.

All other Foreign bilateral fishing access agreements are categorized as Industry-to-Government in that they are negotiated directly between MIMRA, on behalf of the RMI Government, and respective fishing industry associations and/or companies.

Bilateral fishing access for domestic fishing companies is similarly negotiated directly between MIMRA and domestic industry operators. These companies are duly registered in the RMI and are based in Majuro.

4.3.2 Multilateral Access

Multilateral Treaty on Fisheries Between the Governments of Certain Pacific Island States and the Government of the United States of America (UST).

The UST is a long-standing multilateral access arrangement that has been in place since 1988. Under the Treaty, the US industry is given access to all the waters of the Pacific Island Parties (PIPs) who are essentially the FFA Member countries. The US is allowed to operate up to 50 purse seine vessels in any given licensing period (01 July to 30 June).

The initial UST arrangement was for 5 years (1988 – 1993) but has since been extended to 10 years twice (1993 – 2003; 2003 – 2013). The current arrangement (2013 – 2023) has so far proven to be more complex with the advent and application of the PNA PS VDS among other recent developments.

4.4 PNA Measures

The Palau Arrangement for the Management of the Western Pacific Fishery (PA) was originally signed by the 8 PNA Members in 1992. At the time, its main objective was to regulate fishing by purse seine vessels in PNA EEZs by placing a limit on the total number of vessels that may be licensed by the Parties. It has since evolved to become the cornerstone on which the current PS and LL VDS are administered by the PNAO and Parties along with Tokelau as a VDS participant.

Signed in 1994, the FSM Arrangement for Regional Fisheries Access (FSMA) was set up as a mechanism for domestic purse seine vessels flagged and sponsored by PNA Members to be given preferential fishing access to each other's EEZs. Under the arrangement, domestic vessels are issued with a Regional Access License (RAL) which allows them to fish in all the 8 PNA EEZs plus Tokelau. These vessels are audited on an annual basis and must meet several criteria and standards in order to qualify for renewals of their RALs. As a domestic fleet, the RMI purse seine fleet operates throughout the region under the FSMA.

4.4.1 PNA Purse Seine Vessel Day Scheme (PS VDS)

Under the PS VDS, a Total Allowable Effort (TAE) is agreed and set by the 8 PNA Members and Tokelau. The TAE is based on 2010 effort levels estimated from logsheet data. Each participating country is subsequently allocated an agreed number of fishing days as their respective Party Allowable Effort (PAE). The PAE is premised on the calculation of a 50-50 weighting of skipjack biomass and historical fishing effort in the respective EEZ's of the Parties.

In recent years, RMI has been contributing a limited number of fishing days to the PNA Sub-Regional Pooling Arrangement alongside 4 other VDS Parties/Participants. Under this Arrangement, fishing days are pooled collectively on an equal basis and tendered at a premium price to interested fishing companies.

4.4.2 PNA Longline Vessel Day Scheme (LLVDS)

Similar to the PS VDS, each LLVDS participating country receives an agreed allocation of fishing days which they sell to interested fishing partners to fish in their respective EEZs. Given the vast differences between purse seining and longlining, the calculation of TAEs and PAEs for the LLVDS is far different than that of the PS VDS. The LLVDS TAE is based on 50-50 area and effort in Parties' EEZs.

4.5 Other management measures

4.5.1 Carriers & Bunkers

MIMRA considers carrier and bunker vessels as fishing vessels in line with the WCPF Convention definition. Licenses for carriers and bunkers are issued for one year only. Carrier vessels must be licensed in order to be allowed entry into Majuro port for purposes of conducting transshipment. Bunker vessels must be licensed to operate throughout the RMI EEZ outside of Majuro port.

4.5.2 Shark law (trace wire)

The use of trace wire in fishing gears on board fishing vessels licensed by MIMRA is prohibited in accordance with the Fisheries (Amendment) Act 2016. The same law prohibits shark fishing, possession, sale and trade within the RMI EEZ.

4.5.3 Driftnets

As a signatory to the Wellington Convention, the RMI, through MIMRA, prohibits driftnet fishing inside the RMI EEZ and this is promulgated under Title 51, Ch. 2, Section 224.

5 Monitoring, Control, and Surveillance

MIMRA is responsible for the monitoring, control, and surveillance (MCS) of all fishing activities referred to in the scope of this Plan. MIMRA also works alongside the RMI Sea Patrol Division to enforce RMI's fisheries legislation which takes into account regional and sub-regional obligations. MIMRA's MCS capabilities have improved with emerging technology in recent years, which has culminated in the establishment of an MCS operations center in the MIMRA office. The RMI, through MIMRA, works closely with other FFA member countries through its active participation in ongoing regional and sub-regional surveillance operations. The success of these operations is largely due to the increasingly open information sharing efforts between member countries.

With Majuro being one of the world's busiest tuna transshipment ports, day-to-day MCS operations are consistent with PSM best practices, including intelligence analysis on vessel arrivals to ensure the legality of the catch on board vessels. Details are provided in **Appendix I**.

Vessels transshipping their catch in Majuro are monitored for verification and certification purposes. Transshipment monitoring is carried out in accordance with the MIMRA Vessel Inspection Plan.

To support transshipment monitoring and improve traceability, the RMI and Thailand recently signed a Memorandum of Understanding (MoU) which allows for collaboration between the RMI as a port state and Thailand as a tuna processing state. MIMRA is looking to expand this type of MoU with other tuna processing countries.

6 Penalties

In summary, Title 51 of the Marshall Islands Revised Code contains five legislative references that give MIMRA the legal authority to oversee oceanic fisheries management. For the purposes of this Plan, four pieces of national legislation, along with two key regulations, contain penalty provisions for various offences for acts or omissions committed by natural persons (e.g. Master, Operator, crew, etc.) and/or corporations (e.g. foreign or domestic fishing industries, etc.)⁵.

If penalties are not covered under the existing legislations, Section 47 of the MIMRA Regulations 1998 provides for the inclusion of those offences with benchmark fines covering both natural persons and corporations. Penalties and Examples are attached in **Appendix II**.

7 Implementation and Monitoring and Evaluation (M&E)

An Implementation Plan has been developed to guide MIMRA in implementing each activity set out in this Plan. The implementation of activities will be monitored and evaluated by MIMRA management in accordance with the M&E Plan. This M&E Plan will be used to continuously assess the progress towards achieving the objectives, identify problems and adjust as necessary. Every six-months, the MIMRA Director, with support from senior staff, will report back to the Board of Directors on the performance of the Plan.

8 Review of Plan

A mid-term review of the Plan will be undertaken before June 2022. The purpose of this mid-term review will be to make minor amendments to the Plan as necessary to ensure successful implementation. There will also be an end-of-term review carried out before June 2025 to reflect on successes and lessons learned to incorporate into a new Plan.



⁵ See Fisheries Act, Fishing Access and Licensing Act, Fisheries Enforcement Act, Fishing License (Third Implementing Arrangement) Regulation of 2009 and MIMRA Regulations 1998

Appendix I: Vessel Inspection Checklist

Part 1: Arrival Notification			
FV Name:	Flag:	IRCS:	Type:
Flag state Registration #	FFA Vessel Reg #	WCPFC #	IMO#
Master's name	Nationality	Port and Date of last Departure	
Activity: <input type="checkbox"/> Tranship <input type="checkbox"/> Unload <input type="checkbox"/> Receive fish (carrier) <input type="checkbox"/> Operational Port Call			
Timeframe required: <input type="checkbox"/> 48 hrs <input type="checkbox"/> 72 hrs		Application complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	Need to re-submit?
ETA of Vessel:		Responsible Agent:	
ETA of Fisheries Boarding Party			

Bunkering Activity (if applicable, attach list if needed)		
Bunker Name	Last 3 Ports visited	Date of Departure

Crew Transfer History (if applicable, attach list if needed)		
Name of Crew	Name of Transferring Vessel	Vessel Voyage Memo (last 3 Port and date)

Part 2: Intelligence Analysis and Risk Determination			
	FFA Good Standing <input type="checkbox"/> Yes <input type="checkbox"/> No	FFA Vessel Compliance Index	
Identity Risk:		LOW:	
MTU is functioning	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Manual Record should be available and updated

FIMS licensing and reporting			
Type of Licence	Licence #	Valid From	Valid To
Fishing License and Authorisation Risk:			
Reporting In FIMS Risk:			

Manoeuvring Analysis. (sets determinations, Drifting, Speeds, courses, distances travelled in between set, etc)	
Operations Compliance Risk:	

Part 3: Recommended Boarding Investigation		
Risk	Recommended Checks	Investigation Results
Identity:		
Fishing License and Authorisation		
Operations compliance		
Reporting:		

Part 4: Other Boarding verifications				
Element	Requirement	Yes	No	Comments
Vessel Exterior Markings	Markings visible			
	Markings consistent with details provided			
Catch Log Sheet (if not using e-log)	Approved format and version used			
	Captains name correspond to the vessel crew list			
Hatch/Stowage plan	Stowage plan is in line with log sheet			
Carrier Specific	Estimated quantity links to provider FV's logsheets			
Any issues other issues identified on Board?				

Part 5: Boarding party and authorisations			
Officer/s:		Captain:	
Date / Time			
Port Use Authorised			
YES	Transshipping to:	1st	2nd
	Landing to:	1st	2nd
NO	Summary Reasons		

Appendix II: Penalties and Examples

LEGISLATION	PENALTIES & EXAMPLES	ENFORCEMENT ACTION
<p><i>Fisheries Act</i> [51 MIRC]</p>	<p>§231. Penalties (Prohibition of taking of sharks, possession, sale and trade.)</p> <p>1. Contravention of provisions of this Part or a regulation promulgated pursuant to this Part, is an offence punishable by a fine of not less than twenty-five thousand (\$25,000) and not exceeding two hundred thousand (\$200,000), in addition to an amount equivalent to the current retail value of any confiscated shark fin in the market for which it was destined.</p> <p>Example: Observer reported 8 dead silky sharks onboard foreign Purse Seine fishing vessel within RMI EEZ.</p>	<p>1. Issuance of a Notice of Violation to the perpetrator/accused natural person or corporation and perpetrator/accused natural person or corporation must respond to the Notice within 48 hours to admit or deny allegations set out in the Notice;</p> <p>2. If perpetrator or accused natural person(s) or corporation admits to allegations set out in the Notice of Violation, then they can proceed with Administrative Proceedings to negotiate the amount to settle the case and have it closed;</p> <p>3. If perpetrator or accused natural person(s) or corporation denies allegations in the Notice, then the matter is referred to the High Court for prosecution for determining outcome of the case.</p>
<p><i>Fishing Access and Licensing Act</i> [51 MIRC Ch.4]</p>	<p>§412. Fishing licenses required for domestic-based and foreign fishing vessels.</p> <p>1. No person may use a domestic-based or foreign fishing vessel for fishing in the Fishery Waters without a valid and applicable license issued in accordance with this Title.</p> <p>2. The operator or any fishing vessel which is used in the contravention of Subsection (1) commits an offense and upon conviction shall be liable to a fine not exceeding \$1,000,000. [P.L. 1997-60, §66.]</p> <p>Example: Observer reported unlicensed foreign Purse Seine fishing vessel setting FADs within RMI EEZ.</p>	<p>1. Issuance of a Notice of Violation to the perpetrator/accused natural person or corporation and perpetrator/accused natural person or corporation must respond to the Notice within 48 hours to admit or deny allegations set out in the Notice;</p> <p>2. If perpetrator or accused natural person(s) or corporation admits to allegations set out in the Notice of Violation, then they can proceed with Administrative Proceedings to negotiate the amount to settle the case and have it closed;</p> <p>3. If perpetrator or accused natural person(s) or corporation denies allegations in the Notice, then the matter is referred to the High Court for prosecution for determining outcome of the case.</p>
<p><i>Fisheries Enforcement Act</i> [51 MIRC Ch.5]</p>	<p>§518. Duties to Authorized Officers and Authorized Observers.</p> <p>1. The master and each crew member of any fishing vessel, the driver of any vehicle, the owner, manager and processing staff of a fish processing establishment, and the pilot and crew of any aircraft shall immediately comply with every instruction or direction given by an authorized officer or authorized observer as appropriate, and facilitate safe boarding, entry and inspection of the vessel, vehicle or aircraft and any fishing gear, equipment, records, fish and fish products.</p> <p>2. Every person commits an offense who:</p> <ul style="list-style-type: none"> i. assaults, obstructs, resists, delays, refuses boarding to, intimidates or fails to take all reasonable measures to ensure the safety of or otherwise interferes with an authorized officer, or authorized observer in the performance of his or her duties; ii. is in breach of any other duty to an authorized officer or authorized observer required under this Title; and upon conviction shall be fined not less than one hundred thousand (\$100,000) and not more than five hundred thousand (\$500,000), or may be imprisoned up to six months, or both. <p>3. For the purposes of Subsection (2), any person who does not allow any authorized officer, or any person acting under his or her orders or in his assistance, or an authorized observer to exercise any of the powers conferred on such person by this Title shall be deemed to be obstructing that officer, person or observer.</p> <p>Example: Fishing Master of a licensed domestic Purse Seine fishing vessel obstructs an Authorized Observer in the performance of his duties by telling the Authorized Observer to not report FAD fishing during FAD closure outside of RMI EEZ in exchange for whiskey and cash.</p>	<p>1. Issuance of a Notice of Violation to the perpetrator/accused natural person or corporation and perpetrator/accused natural person or corporation must respond to the Notice within 48 hours to admit or deny allegations set out in the Notice;</p> <p>2. If perpetrator or accused natural person(s) or corporation admits to allegations set out in the Notice of Violation, then they can proceed with Administrative Proceedings to negotiate the amount to settle the case and have it closed;</p> <p>3. If perpetrator or accused natural person(s) or corporation denies allegations in the Notice, then the matter is referred to the High Court for prosecution for determining outcome of the case.</p>