

**GEF II PROJECT:
NATIONAL PROJECT PREPARATION REPORTS
*KIRIBATI***

Foreword

This brief report was prepared by Dr. Tony Lewis and Esaroma Ledua during a visit to Kiribati from 28th May to 2nd June 2004. It aims to assemble information relating to Kiribati necessary for the preparation of the GEF SAP II Project.

The main aims of the report are:

- To make an assessment of the implications of the WCPF Convention for Kiribati
- To identify possible interventions to support implementation by Kiribati of the WCPF Convention
- To make an analysis of the incremental costs to Kiribati of activities related to the Convention
- To undertake an analysis of stakeholders in Kiribati with interests in the regional oceanic fisheries resources
- To identify relevant consultative mechanisms in Kiribati for the GEF SAP II Project
- To collect information relating to available indicators of performance in areas related to the WCPF Convention and to the financial sustainability of Kiribati's participation in the Commission and implementation of the WCPF Convention

The report is based on available published information and information provided in the consultations with stakeholders listed in Annex 3.

1. Background

1.1 Status of Oceanic Fisheries

The three components¹ of the Kiribati EEZ, 3.55 million km² in extent and separated by high sea areas, support very large tuna catches by foreign vessels fishing under access agreements. Most of the catch is taken by purse seine vessels, this catch reaching a record 331,000t in 2002 (over 30% of the regional catch), and averaging over 160,000t per year in recent years. There are large catches by longline vessels (7,000 – 10,000t), mostly in the Line Islands, and smaller catches by pole-and-line vessels. Some of the purse seine catch (and smaller amounts of the longline catch) is transhipped in Betio and Kiritimati. Catches by surface fisheries are strongly influenced by ENSO events, with very high catches in El Nino years.

Artisanal tuna catches are large and vital to food security on most islands. Domestic industry development has been constrained by logistical problems such as lack of water and high operational and transport costs. A single Kiribati-flag purse seiner operates under joint venture conditions throughout the region, and medium scale longlining is being encouraged, initially in Kiritimati Island. Some small scale processing of tuna occurs, and Kiribati provides significant numbers of trained seamen to foreign fishing vessels as well as merchant fleets.

1.2 Oceanic Fisheries Management

The purpose of the Kiribati Tuna Development and Management Plan, developed during 1999-2003, was to :

¹ 33 islands in three groups – Gilberts (Tungaru) Group, Phoenix Group and Line Islands, stretching from 179^o E to 150^o W, and 5^o N to 11^o S.

“develop a sustainable tuna industry that maximises the benefits to all I-Kiribati, and ensures effective participation by Kiribati in arrangements for the management and conservation of regional tuna resources”

As noted by the Permanent Secretary in a forward to the Plan, “At present, fishing fees account for more than 50% of annual government revenues², and the fishery contributes approximately 22% to the GDP. Kiribati intends to place its revenue earnings on a firmer footing through the development of a strong tuna industry”. The Plan has yet to be formally adopted after tabling in 2003.

Access agreements involving all distant water fishing nations active in the region or their fishing associations (over 20 fishing agreements in 2003, and 447 licences) are currently in place, these bringing over A\$40 million in access fees in most years. Under the conditions of access, commercial vessels are excluded from areas within 60 nm around the three main islands of Kiribati (Tarawa, Kanton, Kirimati). There are essentially no other restrictions on fishing at present.

1.3 Oceanic Fisheries Institutional Arrangements

The Ministry of Fisheries and Marine Resources Development (MFMRD), established in 2003, is the primary agency responsible for oceanic fisheries management, with secondary involvement by the Ministries of Foreign Affairs, Ministry Environment, Lands and Agriculture Development (MELAD), Finance and Economic Planning, the Attorney Generals’ Office, and the Kiribati Police.

MFMRD currently has a staff of 90, and an annual operating budget of around A\$ 1.9 million. Within the Ministry, there are two Divisions, Offshore and Inshore Development, and 8 functional units, with responsibilities for oceanic fisheries primarily addressed by the *Fisheries Licensing and Enforcement Unit* (FLEU).

The FLEU secures fisheries access agreements with foreign partners, promotes employment opportunities on foreign fishing vessels, cooperates in monitoring, control and surveillance of our EEZ at regional and national level, maintains the fisheries database management information system, simply known as FMIS, carries out observer placements on foreign vessels to carry out scientific data collection on catches and gear technology, and port sampling work to verify catches made by fishing vessels, and dissemination of information (budget \$115,000, staff of 7).

Other units include *Marine Research, Resource Assessment and Monitoring Unit* (MRRAM), *Fisheries Extension Training and Information* (FETI), plus *Aquaculture and Development* (FAD), *Fisheries Hatcheries and Invertebrate Culture* (FHIC), *Fisheries Subdivision Office* (FSDO), *Support Services* and *Research Vessel Operations*.

Overall, oceanic fisheries management is a major focus of the work of the Ministry, an indication of the importance of tuna fisheries to Kiribati. An estimated 20 % of Ministry effort and resources is devoted to oceanic fisheries.

Other government agencies involved in oceanic fisheries are:

- Environment, Lands and Agriculture Development
- Maritime Police (within the Kiribati Police Force, in the Office of the President)
- Foreign Affairs and Immigration
- Ports Authority
- Finance and Economic Planning (including Customs)
- Attorney General’s Office

² 68% in 2001

- Kiribati Development Bank

A Special Tuna Task Force (STTF) was formed by Cabinet in 1999, to promote the development of the tuna industry in Kiribati, and to develop the Tuna Development and Management Plan (TDMP).

Under the Plan, consultation with stakeholders will be undertaken through a *Management Advisory Committee (MAC)* reporting to, and providing the Minister of MFMRD with, advice on wider sector of issues represented by all stakeholders in the industry. Currently however, the long standing STTF serves as the only consultative forum.

Establishment of a *Fisheries Licensing and Law Enforcement Authority (FLLEA)* is also proposed under the Tuna Management and Development Plan, strengthening of the capacity of the Ministry for data analysis, ownership and planning, and the clarification of the roles and responsibilities of the Authority vis à vis the Ministry and the Fisheries Department.

1.4 Other Oceanic Fisheries Management Issues

Other oceanic fisheries management issues which have been articulated in Kiribati include:

- *Revision of National Legislation* - The Fisheries Ordinance and other relevant Kiribati laws will need to be revised to include provisions necessary for the effective application of the UN Law of Sea Convention and the WCPF Convention; to establish the Fisheries Licensing and Law Enforcement Authority and the MAC, and to make any other changes identified as necessary to improve the legal framework for fisheries management;
- *Participation in International Fisheries Arrangements through accession to UNFSA and ratification of the WCPF Convention* to provide a legal platform for involvement by Kiribati in appropriate international fisheries arrangements. Kiribati will also continue to support regional arrangements for collaboration in tuna fisheries management and development;
- *Social Impact Mitigation Measures*: An effective system of control on access to foreign vessels in port will be put in place aimed at stopping prostitution and reducing the effect of dumping of discarded fish from foreign vessels on to the local market;
- *Conservation and Management*: Establishment of the new Authority to secure additional resources to develop, put in place, monitor, and police measures to conserve tuna stocks and protect the interests of groups, such as the small-scale fishers.

2. Kiribati and the WCPF Convention

2.1 Overview

With a tuna industry based on foreign fishery access, but with aspirations to develop a domestic industry, Kiribati's primary aims in the MHLC and Prep Con process have been:

- i) to ensure that Kiribati secures at least a fair share of access to the region's tuna resources
- ii) to ensure the application of measures to ensure the sustainability of the region's tuna stocks and fisheries. Key elements of this for Kiribati have been:
 - implementing controls on the impact of purse seine fishing on juvenile bigeye and yellowfin because of the effects this could have on catches by Kiribati's longline fleets fishing in Kiribati waters; and
 - ensuring the long term sustainability of the purse seine fishery targeting skipjack, but with important catches of yellowfin and, to a lesser extent, bigeye

- iii) to ensure the sustainability of Kiribati’s artisanal tuna fisheries so important to domestic food security

As a Member of the Commission and a Party to the WCPF Convention, four major short term implications for Kiribati are seen as follows:

- i) the need for legal reforms, which are discussed below:
- ii) strengthened arrangements for management of fishing within Kiribati waters, particularly enhanced monitoring and data analytical capability, establishing limits to fishing and efforts to address IUU fishing;
- iii) more effective national consultative mechanisms
- iv) participation in the processes related to the Commission, including involvement of non-government organisations.

Kiribati has the capacity now to implement legally decisions adopted by the Commission, but in the longer term, may need to strengthen its fisheries management capacity to apply the more sophisticated management measures which may be necessary in the future.

2.2 Implications of the Convention

2.2.1 Legal

The Kiribati *Fisheries Ordinance* makes provision for the promotion and regulation of fishing and fisheries industries in Kiribati, whilst the *Marine Zones (Declaration) Act 1983* makes provision in respect of the internal waters, the archipelagic waters, the territorial sea and the EEZ of Kiribati. The *Fisheries Ordinance* is not consistent with the UN Fish Stocks Agreement and the WCPF Convention in many respects. This is largely because the Ordinance has not been updated since 1992. It has been suggested that it be repealed and replaced with more comprehensive fisheries management legislation.

Instrument	Status
WCPF Convention	Ratified
UN Convention on the Law of the Sea	Ratified (despite archipelagic waters reservations)
UN Fish Stocks Agreement	Ratified
FAO Code of Conduct	Not reflected in legislation
WSSD fisheries targets	No
Convention on Biological Diversity	?
FAO Compliance Agreement	?
FAO International Plans of Action	Not reporting
FFA Minimum Terms & Conditions	Ratified ?
Driftnet Convention	Ratified ?

2.2.2 Policy/Institutional

A major programme of reform and strengthening has been proposed for the Kiribati fisheries administration, including the establishment of a Fisheries Licensing and Law Enforcement

Authority (FLLEA), focussing on all enforcement and MCS activities, along with reorganization of the Fisheries Division. This has yet to be implemented. Similarly, the Tuna Development and Management Plan, developed during 1999-2003, has yet to be implemented. The STTF continues to remain the primary (and only) consultative mechanism for tuna issues in Kiribati

These legal reforms need be completed and the TDMP implemented, before Kiribati Government can fully implement the WCPF Convention and decisions of the WCPF Commission. There will be a continuing need for capacity building in fisheries management and policy making, particularly in areas related to the work of the WCPF Commission to enable Kiribati to:

- a) Identify appropriate strategies and options for oceanic fisheries management in Kiribati waters
- b) ensure that Kiribati participates effectively in the work of the Commission, including being able to ensure that Kiribati's interests are taken into account in this work; and
- c) build support among stakeholders for the effective implementation of decisions of the Commission

The cost of financial contributions for Kiribati to the WCPF Commission is expected to be in the range of US\$10,600 per year once the Commission is fully established, although it may be more in the first year or two if major fishing states delay becoming Members of the Commission.

2.2.3 .Compliance

Compliance activities are carried out by the Maritime Police within the Kiribati Police Force. Kiribati has one patrol vessel (RKS *Teanoai*), supplied under the Australian Pacific Island Patrol Boat Programme, which attempts to deliver 10 seagoing patrols throughout the very extensive zone annually, but is constrained by limited operational funding. Extensive IUU fishing both within the three Kiribati EEZ components and in adjacent high seas areas is suspected, and there is a desire to undertake increased surveillance activity in these areas.

Australia, New Zealand and France provide some aerial surveillance flights under regional programmes.

The regional VMS is generally operational in Kiribati, with foreign vessels required to comply with regional VMS requirements. There is also a national VMS system (Argos) providing coverage of Korean longliners.

There is no mechanism currently for the coordination of MCS activities but there has been a National Surveillance Coordination Committee in the past; this possible may need to be reactivated

There are no inspection programmes in place for transshipment and landings in Kiribati. This capacity may need to be developed, to meet Convention requirements.

Flag State Responsibilities

A new responsibility for Kiribati under the Convention will be the need to regulate fishing by Kiribati vessels outside Kiribati waters. One Kiribati vessel fishes outside Kiribati waters, but control over this vessel is currently not formally exercised in the form of an authority to fish.. There are no arrangements for monitoring landings by the Kiribati vessel outside Kiribati,

2.2.4 Monitoring

Kiribati is developing capacity to monitor the very large catches taken in its zone by foreign vessels through its own efforts, supplemented by assistance from SPC/OFP and from FFA. Features of fishery monitoring in Kiribati are:

Logsheets: All foreign and domestic licensed vessels are required to provide catch and effort information at the operational level on regional logsheets. The level of logsheet coverage of the purse seine and pole-and-line fleets is high (close to 100%), whereas current longline logsheet coverage is unknown for the main fleet fishing in Kiribati waters (Korea).

Port sampling: Few port sampling data have been collected to date.

Landings: Catch transshipment data are believed to be available, as transshipments are tallied.

Landings data are also collected for the artisanal tuna fishery.

Observers: Around 20 observers are now trained and employed on a contractual basis, under the supervision of an observer coordinator. The current level of coverage, especially in the longline fishery, remains low.

Kiribati is gearing up to meet expanded monitoring requirements under the WCPF Convention. The major assistance needed will be for continuing training for observers, port samplers and statistical staff. It is not viable for Kiribati to establish its own training programmes for the small numbers involved, and Kiribati sees itself continuing to rely on the regional organisations for this function.

2.2.5 Scientific Analysis

Kiribati will continue to rely on SPC for stock assessment analysis and related advice but also wants to develop its own capacity to interpret and apply the regional results and to be able to interpret data from national monitoring programmes. As Kiribati tuna fisheries are significantly impacted by large-scale oceanographic (ENSO) events, it would like to see forecasting capability developed (in-country if possible) and see research into these phenomena and their fishery impacts continued

There is a well developed national catch and effort database, competently maintained, but assistance will be needed to produce the verified estimates of annual catch by species, gear and fleet for Kiribati waters expected to be required to meet the data standards established by the Commission. An upgrade of the existing database will probably be needed.

3. Potential Contribution of SAP II Project

Potential areas in which the SAP II Project could contribute to assisting Tonga in the implementation of national activities related to the WCPF Convention are summarised in the table below.

Activity	Incremental Actions	Possible Interventions
<i>Legal</i>		
Revise Legal framework	Repeal and replace Ordinance	Assistance with legal drafting
Support Commission participation	Provide legal advice	Regional Legal Workshops on selected issues
<i>Policy</i>		
Participate in regional policy formulation	Commission financial contributions Commission meeting participation	Regional Fisheries Management Training/Consultations Attachments
<i>Compliance</i>		
Increase IUU deterrence in-zone	Improve effectiveness of patrol, inspection, investigation, prosecution	Regional MCS Working Group participation In-country inspection, VMS staff training
Ensure flag vessel control and compliance	New authorisation process; inform Commission	Regional training on flag state responsibilities

<i>Monitoring</i>		
Improve at-sea data	Expand Observers	Ongoing in-country training of and observers by FFA/SPC
Improve catch composition data	Expand Port sampling and monitoring of landings	Ongoing in-country training of port samplers by SPC
Provide data to the Commission	Develop means of verifying catch and other data	Technical support from SPC
<i>Science</i>	Interpretation of regional assessments and oceanographic data	Training opportunities provided
	Tertiary training in fisheries science	Develop relevant training courses at regional institute(s).

ANNEXES

- Annex 1 Incremental Cost/Co-financing Analysis
- Annex 2 Stakeholder Inventory and Analysis (including consultative mechanism inventory)
- Annex 3 Record of Stakeholder Consultation
- Annex 4 Indicator Availability
- Annex 5 Sustainability Analysis

Annex 1 Incremental Cost/Co-financing Analysis

Summary

National Funding		
Theme	Total 2005-2009 Baseline	Total 2005-2009 Incremental
(US\$ 000)		
1 Law	?	100
2 Policy/Management	425+	250
3 Compliance	1950	150
4 Monitoring	225	100
5 Science	25	50
Total	4240+	650

Kiribati with a large catch by foreign vessels in its extensive EEZ, is committed to improving its monitoring capacity, developing and applying management measures at national level, and participating fully on the work of the Commission.

Co-financing cost estimates based on:

Law: Legislative review and reform

Policy/management: Participation in Commission activities, annual contribution, institutional strengthening

Compliance: Increased surveillance, MCS coordination, inspection programme establishment

Monitoring: Expanded observer and port sampling coverage and transshipment data

Science: Database upgrade

Donor Funding (US\$ 000)				
Theme	Donor	Project	Total 2005-2009 Baseline	Total 2005-2009 Incremental
Compliance	RAN	Maritime Surveillance advisors		

Base Data

Institution	Programme	Theme	2004 Budget	%OFM	2004 OFM Budget
MFMRD	Administration	Policy/Mgmt	700	10%	70
ForAff		Policy/Mgmt	?	10%	?
MELAD	Env/Conservation	Policy (Env)	350	5%	20
MFMRD	FLEU	Monitoring and licensing	60	100%	60
MFMRD	FLEU	Port sample/obs	50	100%	50
	FLEU	Stats	5	100%	5
Justice	AG	Law	?	5%	?
Police	Maritime Police	Compliance	400	100%	400
Total			1565 +		605+

Annex 1 Incremental Cost / Co-financing analysis

Details

Theme	Institution	Programme	2004 OFM budget	2004 WCPF Increment	2004 Non-WCPF Baseline	2005-2009 Baseline	New WCPF Increment					Total Incr	
							2005	2006	2007	2008	2009 Total		
1 Law	AG	Law	?	5	?		10	10	10	10	10	50	75
2 Policy/Mgmt*	MFMRD	Admin	70	5	65	325	30	30	30	30	30	150	175
		ForAff	?	5	?	?	5	5	5	5	5	25	50
	MELAD	Env and Conserv	20	0	20	100	5	5	5	5	5	25	25
3 Compliance	MRMRD	Compliance	60	5	55	275	15	15	15	15	15	75	100
	Police Force	Maritime Police	400	10	390	1950	20	20	20	20	20	100	150
4 Monitoring	MFMRD	Port sampling/observers	50	5	45	225	15	15	15	15	15	75	100
5 Science	MFMRD	Stats	5	0	5	25	10	10	10	10	10	50	50
			?	25	?	?							

* includes Commission contribution for 2005-2009 (US\$ 10,600)

Annex 2 Stakeholder Inventory and Analysis

Country: KIRIBATI

Date: 28/5/2004

Data recorder: Esaroma Ledua/Tony Lewis

GEF Focal point: Karibaiti Taoaba, Permanent Secretary, Ministry of Environment & Social Development, P.O. Box 234, Bikenibeu, Tarawa, Kiribati
 PHONE: (686) 28211/28000, FAX : (686) 28334/28593, E-mail: mesd@tskl.net.ki

Stakeholder	Representative/post	Contact details	Description of interests	Stakeholder analysis and preliminary participation data		
				1 stakeholder	2 stakeholder	3 stakeholder
Ministry of Fisheries and Marine Resource Development	David Yeeting, Secretary Raimon Taake, Deputy Secretary Jonny Kirata, Deputy Director Raikaon Tumo, Senior Fisheries Officer	P.O. Box 64, Bairiki, Tarawa raimon@mfmrd.gov.ki jonnyk@fisheries.gov.ki		√		
Kiribati Marine Police	John Mote, Officer Commanding	policemaritime@tskl.net.kr		√		
Ministry of Foreign Affairs	Peniita Kabubuke, Asia Pacific Officer	mfai@tskl.net.kr				
Ministry of Environment, Lands and Agriculture Development (MELAD)	Betarim Rimom, Senior Project Officer					

Attorneys General's Office	Tion Nalua, Legal Officer					
Central Pacific Producers	Barerei Onorio, General Manager	cppkiri@tskl.net.i				
Teikabuti Fishing	Mike Savins, Managing Director	P.O. Box 241, Bikinibeu, Tarawa. teikabuti@tskl.net.ki				
Betio Fishermen's Association		betiofishing@yahoo.com				
KFSP	Mike Fudakowski, Director	fsp@tskl.net.ki	Environmental initiatives, NGO capacity building			
Ministry of Finance and Economic Planning						
Ports Authority						
Kiribati Development Bank						

Annex 3 Record of Stakeholder Consultation

GEF SAP II Country Mission

Republic of Kiribati

Friday 30th May and Monday 30th May, 2004

Stakeholder Consultation

The Mission held a primary stakeholders consultation at the Ministry of Fisheries and Marine Resources Development, Bairiki, to discuss the development of the SAP II project. Those present were: Raimon Taake, Deputy Secretary, Fisheries; Betarim Rimon, Ministry of Environment, Lands and Agriculture Development (MELAD); John Mote, Maritime Police; Peniita Kabubuke, Foreign Affairs; Tion Nalau, Attorney General's Office; Barerei Onorio, Central Pacific Producers; Raikaon Tumoa and Jonny Kirata, Ministry of Fisheries.

The consultation combined a detailed presentation on GEF processes and project background, with a general awareness presentation about the Convention, current tuna fishery management in the WCPO, and implications of the Convention for Kiribati, then a detailed needs assessment for Kiribati.

Issues raised during the primary stakeholders' consultation included:

- Status of the Management and Development Plan and institutional arrangements
- Mechanisms for stakeholder consultation
- Status of domestic industry development

A public consultation was then held on Monday 30th May at 1400 hrs in the Otinta'ai Hotel, Bikinibeu, and was attended by the same participants as the previous meeting, plus FFA staff.

Annex 4 – Availability of National Indicators

Indicator	Availability	Current Value, if easily available
1. Coverage of:		
a) catch and effort logsheets: locally-based fleet	✓	Around 100%
b) catch and effort logsheets: foreign access fleet	✓	High
c) port sampling	✓	~ 100%
d) observers: domestic fleet	✓	Nil (previous programmes)
2. Levels of budgets and staffing for these programmes	✓	
3. Levels of fleet capacity and fishing effort	✓	
4. Catch of target species,	✓	
5. Levels of mortality of related species, including bycatch and seabirds	x	

Note: this analysis does not include a range of national indicators which are known to be available for all countries such as status of legislation, undertaking of national reforms etc.

Annex V - Sustainability Analysis

Annual Government Revenue from licensing, access fees, export taxes,

USMLT and FSM Arrangement fees :
(2003)

US \$ 1.3 million

Annual In-Zone Catch Value: US\$ 14 million plus artisanal, sport

Annual Domestic Catch Value: not known

(Data above to be estimated by FFA)

Annual Production Value (including value of processing): US\$ 20 million ?

Expected Annual Commission Contributions: US\$10,000

Estimated Annual Government Incremental Costs: