

**GEF SAP II PROJECT:  
NATIONAL PROJECT PREPARATION REPORTS  
*TOKELAU***

**Foreword**

This brief report, prepared by Les Clark and Colin Brown, aims to assemble information relating to Tokelau 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 Tokelau
- To identify possible interventions to support implementation by Tokelau of the WCPF Convention
- To make an analysis of the incremental costs to Tokelau of activities related to the Convention
- To undertake an analysis of stakeholders in Tokelau with interests in the regional oceanic fisheries resources
- To identify relevant consultative mechanisms in Tokelau 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 Tokelau's participation in the Commission and implementation of the WCPF

**1. Background**

***1.1 Status of Oceanic Fisheries***

Tokelau is the newest member of the Forum Fisheries Agency, and with a population of around 1,500 and an EEZ of 290,000sq.km., is, with Niue, one of the two smallest countries participating in the WCPF Process. There are two processes of political change underpinning Tokelau's approach to the the WCPF Convention and Commission:

- The exercise of competence by Tokelau over the waters of its EEZ, which is the basis for Tokelau's participation in the new Commission; and
- The restructuring of the Tokelauan administration to place the three villages as the centres for social and economic development, including strengthening their capacities in fisheries management and development

Tokelauans' relationship with oceanic fisheries has two aspects:

- Nearshore fishing for oceanic species, initially involving traditional methods and now trolling and handlining from aluminium dinghies, both continues to underpin the food security of Tokelauans as it has always done, and plays a major role in the cultural identity of Tokelauans; and
- Offshore fishing by foreign vessels provides important revenue for the Tokelau Government, contributing around 90 per cent of non-grant income earnings.

***1.2 Oceanic Fisheries Management***

The major objectives of tuna management and development policy as set out in the draft Tokelau Tuna Management and Development Plan are:

- To ensure the sustainability of harvesting of tuna resources within the Tokelau EEZ; and
- To have a sustainable and profitable industry harvesting at or near the total allowable catch (TAC), fully owned by Tokelauans living in Tokelau, employing the maximum number of Tokelauans, with maximum retained value in the country.

There are no limits in place on fishing for oceanic species in Tokelau, but the draft Plan sets harvest targets for major species based on an analysis of sustainable levels of harvests. The other major management measure in place is closed areas. Currently, foreign vessels are limited to fishing outside the 12 mile territorial sea to protect small scale fishing, and consideration is being given to extending this closed area.

### ***1.3 Oceanic Fisheries Institutional Arrangements***

Within the Tokelau administration, the newly established Department of Economic Development & Environment & Planning & Monitoring has the primary responsibility for oceanic fisheries management. The main emphasis in the work of the Department is on securing benefits for Tokelau from the sustainable development of fishery resources, where the major potential is seen in oceanic fisheries development. Within the Department, the number of fisheries staff is being increased from 3 to 7, and there are another.. staff for whom fisheries makes up a significant share of their work. Within the Department, responsibilities for oceanic fisheries include:

- overall management of oceanic fisheries management and development by the Director;
- licensing and compliance, including VMS, which is the responsibility of the newly created VMS officer post; and
- core fisheries management functions, to be carried out by 3 staff in newly created posts for fisheries officers in each village

At the political level, all important national issues are considered within a framework of consultation at village level, where the Councils of Elders play a key part in all matters related to fisheries.

### ***Other Donor Involvement***

There is no other significant donor involvement in oceanic fisheries management in Tokelau, although UNDP has approved a project to support small scale oceanic fishery development.

### ***1.5 Other Oceanic Fisheries Management Issues***

Other oceanic fisheries management issues that arose in the mission to Tokelau include the economic impact of fluctuations in revenue from fishing fees.

## **2. Tokelau and the WCPF Convention**

### ***2.1 Overview***

Tokelau sees the WCPF Convention as reinforcing traditional Tokelauan values of conservation and management of the resources of the sea. Key specific issues for Tokelau throughout the MHLC and Prep Con processes have included:

- Recognition of the competence of Tokelau in respect of the management of its oceanic fish resources, and of the right of Tokelau to take its place in the processes of the Commission;
- The fundamental importance of the oceanic fish resources to the welfare and identity of the people of Tokelau in their efforts to strive for self-reliance;
- The need for the work of the Commission to be structured in a way that recognises the constraints in capacity of its smallest participants, and which promotes effective participation by small countries.

As a Member of the Commission and a Party to the WCPF Convention, major short term areas of implications for Tokelau are seen as follows;

- The need to systematically strengthen its institutional capacities in areas such as monitoring, statistics, compliance and policy formulation, within the constraints of the very limited overall capacity of the Tokelau administration;

- The importance to Tokelau of ensuring that it can meet the additional responsibilities associated with presenting Tokelau's interests in the Commission;
- the need for a vigorous consultative process to engage the people of Tokelau in understanding and implementing the Convention

Overall, Tokelau faces probably the greatest challenge of all the countries that will participate in the GEF SAP II project to effectively implement the Convention and effectively participate in the Commission within the limits of its available financial and human resources. Tokelau is systematically strengthening its capacities in relevant areas, but will also need continuing support from FFA and SPC

## **2.2 Implications of the Convention**

### **2.2.1 Legal**

Oceanic fisheries management in Tokelau is governed by the Tokelau EEZ Act of 1977. The draft Tuna Management and Development Plan calls for the legislation to be updated through the preparation of a new marine Resources Act and accompanying regulations – Tokelau is looking to the SAP II Project to support the undertaking of consultations on each island as part of the process of reviewing its legal framework for oceanic fisheries. Tokelau will also continue to need assistance from FFA in legal matters relating to the Convention and the Commission, including support for participation in regional legal workshops and consultations.

### **2.2.2 Policy/Institutional**

The fisheries administration of Tokelau is the newest and the smallest of the countries participating in the SAP II Project. There are presently three staff working on fisheries. This capacity will be substantially strengthened with the appointment of a new Director, a VMS officer and the three village fisheries officers.

Tokelau is looking for support in the strengthening of its own capacity for policy analysis and formulation – but it will also continue to depend heavily on external advice for policy analysis and formulation, especially on issues related to the WCPF Commission, particularly from FFA.

The Tuna Management and Development Plan provides a systematic framework for the reform of oceanic fisheries management policies, including relationships with foreign fishing interests, but will require a major effort to implement.

Activities which could assist Tokelau in the reform and strengthening of its institutions and policies include:

- Participation in regional workshops and consultations on oceanic fisheries policy issues;
- In country technical assistance and consultations within the villages to ensure a good understanding of the Convention and the Commission
- Technical assistance on the implementation of oceanic fisheries management aspects of the Tuna Management and Development Plan.

The arrangements for the amount of financial contributions of territories to the WCPF Commission are not yet finalised, but it is likely that the financial contribution of Tokelau will be based on some share of the level that would be paid by Pacific Island States with only a small domestic fleet, which is expected to be in the range of US\$6-10,000 per year once the Commission is fully established

### **2.2.3 Compliance**

Tokelau has no dedicated compliance operations, and has depended in the past on regional instruments such as the FFA Regional Register, and on ad hoc activities and information from inter-island vessels, supplemented by air patrols by New Zealand aircraft. Now, Tokelau is

installing the FFA VMS and is looking to arrange some sea patrol operations through arrangements under the Niue Treaty. As it works to establish a compliance programme, Tokelau will need a range of assistance in compliance activities, including training in boarding and inspection and VMS operations, and support to establish cooperative arrangements with other FFA Member states under the Niue Treaty.

Because of its status, Tokelau does not have a national vessel register, and some work is needed to assess the responsibilities of Tokelau with respect to vessels that might be controlled by Tokelau.

#### **2.2.4 Monitoring**

Tokelau has recently established a Statistics section which is planned to jointly develop with fisheries personnel a system for collection and analysis of fishery data. Advice from SPC will be needed to establish a licensing and fishery monitoring database, and there is also a need for equipment and training. Even with this database in place, Tokelau is likely to continue to need the support of SPC to prepare the level of statistical data required of Tokelau by the Commission.

Since there are no commercial landings of oceanic species in Tokelau, port sampling is not likely to be a requirement for some time, but Tokelau does need support to establish an observer programme.

#### **2.2.5 Scientific Analysis**

Tokelau will continue to depend on SPC for scientific advice and information on oceanic fishery resources, and it is important to Tokelau that the capacity of SPC to provide scientific support to Pacific Island Countries is not diminished as SPC moves to play a leading role in the scientific work of the Commission. However, Tokelau also needs to build its own capacity to interpret the scientific information made available from regional scientific programmes.

There is limited national awareness of ecosystem issues and this area needs attention. Bycatch issues are very important to Tokelau for food security reasons, but there is no documentation of bycatches in Tokelau waters. Improving the understanding of the impact of oceanographic changes is an important area in which better information is needed from regional work to enable results to be useful at national level.

### **3. Potential Contribution of SAP II Project**

Potential areas in which the SAP II Project could contribute to assisting Tokelau 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	Prepare new Marine Resources Act and regulations.	Technical legal and fisheries management assistance Support for consultations in villages
Support Commission participation	Provide legal advice	Regional Legal Workshops
Implement Commission decisions	Interpret legal requirements	Regional Legal Workshops
<i>Policy</i>		
Participate in the Commission and new regional management arrangements	Commission meeting participation Additional FFA Meeting participation	Regional Fisheries Management Training/Consultations Attachments
Strengthen In-Zone	Implement management aspects of	Technical assistance, especially on

Management/ <i>Compliance</i>	the Tuna Plan	foreign fishing management
Increase IUU deterrence in-zone		Technical assistance on Regional MCS Working Group participation MCS staff training
<i>Monitoring</i>		
Improve at-sea data	Establish Observer Programme	Assistance to start up observer programme
Improve statistics/ Provide data to the Commission	Start up Fishery Statistics Programme. Create licensing & stats database	Technical Assistance, training & equipment to start up Statistics programme
<i>Science</i>		
Improve understanding of oceanic resources and ecosystem	Strengthen national capacity to analyse national data  Strengthen national capacity to interpret regional analyses	Ongoing support from SPC

## **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 Analysis**

Summary

<b>National Funding</b>		
<b>Theme</b>	<b>Total 2005-2009 Baseline</b>	<b>Total 2005-2009 Incremental</b>
	(US\$000)	
<b>1 Law</b>	0	45
<b>2 Policy/Management</b>	50	100
<b>3 Compliance</b>	95	245
<b>4 Monitoring</b>	40	22.5
<b>5 Science</b>	0	37.5
<b>Total</b>	185	450

Tokelau will be building its oceanic fisheries management capacity almost from scratch within a restructuring of the economic development administration generally that will give higher priority to oceanic fisheries.

Co-financing cost estimates are based on:

Law: participation by government legal advisor in legal review and Commission-related activities

Policy/Management: capacity strengthening through additional staff including a new Director, VMS personnel and fisheries officers as part of a broader approved restructuring of Government services; participation in the activities of the Commission; annual contribution to the Commission of US\$5,218.00

Compliance: Development of MCS programme including installation of the FFA VMS node, Niue Treaty activities, training; use of MV Tokelau in surface surveillance operations

Monitoring: expand observer programme develop data collection and analysis programme;

Science: fisheries database to be established under the Government Statistics officer

#### Base Data

Institution	Programme Theme	2004 Budget (US\$)	%OFM	2004 OFM Budget
Off. Director	Policy/Mgmt	20	100%	20
DEPEPM	Monitoring	10	100%	10
DEPEPM	Science	2.5	100%	2.5
DEPEPM	Compliance	5	100%	5
Transport	Compliance	40	100%	40
Legal Adviser	Law	4	100%	4
<b>Total</b>				<b>81.5</b>

#### 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	

<b>1 Law</b>	Legal Adviser	4	4	0	0	5	5	5	5	5	25	45
<b>2 Policy/Mgmt</b>	Off. Director	20	10	10	50	10	10	10	10	10	50	100
<b>3 Compliance</b>	DEPEPM	5	4	1	5	5	5	5	5	5	25	45
	TransportD	40	20	20	90	20	20	20	20	20	100	200
<b>4 Monitoring</b>	DEPEPM	10	2	8	40	2.5	2.5	2.5	2.5	2.5	12.5	22.5
<b>5 Science</b>	DEPEPM	2.5	2.5	0	0	5	5	5	5	5	25	37.5
		<b>81.5</b>	<b>42.5</b>	<b>39</b>	<b>185</b>						<b>237.5</b>	<b>450</b>

**Annex 2: Stakeholder inventory data sheet [and preliminary participation plan]**

Country: Tokelau

Date: 11 June, 2004

Data Recorder: Colin Brown, cibn@oyster.net.ck

Stakeholder	Representative/ post	Contact details	Description of Interests [factors that may influence participation]	Stakeholder analysis and preliminary participation plan		
				1 <sup>o</sup> s/holder [role in decision- making]	2 <sup>o</sup> s/holder [2-way flow of information]	Other [Keep informed]
Department of Economic Development and Environment	Mose Pelasio	PO Box 865, Apia Phone: 20822 Email: mose.pelasio@clear.net.nz	National fisheries management authority	X		
Village Council of Elders			Village management body		X	
Council for On-going Government			National governing body		X	
Aumaga			NGO: group of able- bodied men			X
Fatupaipai			NGO: women's affairs			X
General Public						X

**Inventory of Project-related national consultative mechanisms**

<b>Consultative body</b>	<b>Parent/host body</b>	<b>Representative/ contact details</b>	<b>Area(s) of interest</b>	<b>Frequency of meetings</b>	<b>Members and affiliations</b>
Senior Management Team	National Office	PO Box 3298 Phone: 685 32325 Fax 30328 Email: falani.aukuso@clear.net.nz	Social and economic matters		General Manager, National Office Departmental Directors Atoll General Managers

## ***GEF SAP II Country Mission***

### **Tokelau**

Wednesday, 9 June, 2004

#### ***Stakeholder Consultation***

The Mission to Samoa, included a stakeholders consultation with representatives from Tokelau to discuss the WCPF Tuna Convention and development of the GEF SAP II project. Those present were: Falani Aukuso, Director, Office of the Council of Faipule; Mose Pelasio, Senior Policy Advisory Officer (Fisheries); Tony Jones, Public Service Adviser; Tino Vitale, Tokelau Telecom; Kele Kelekoleo, Policy Advisory Officer (Statistics); Fatu Tauafiafi, Editor Tapu Magazine; Alan Shaw, General Manager Finance.

Mr Les Clark gave a presentation on the Convention. Issues raised in discussion were:

- With the WCPF Tuna Commission headquarters apparently destined for location in FSM, travel is an issue in terms of time and cost

Following a presentation on the development of the GEF SAP II project, issues raised were:

- Work on the Tokelau Tuna Management Plan has been initiated but assistance is required to complete the work
- There is a need to enhance the human resource capacity to adequately fulfil the requirements and obligations of the Convention
- The lack of surveillance of the Tokelau zone is an issue of concern – through the Niue Treaty, Tokelau is interested in coordinating with Samoa to use the patrol vessel, Nafanua
- The recent declines in US purse seine catch is of serious concern as this revenue forms a significant part of the Tokelau economy.

## Annex 4 – Availability of National Indicators

Indicator	Availability	Current Value, if easily available
1. Coverage of:		
a) catch and effort logsheets: domestic fleet	Not applicable	
b) catch and effort logsheets: foreign fleet	x	
c) port sampling	Not applicable	
d) observers: domestic fleet	Not applicable	
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: US\$700,000

Annual In-Zone Catch Value: *(to be estimated by FFA)*

Annual Domestic Catch Value: NZ\$1,000,000

Annual Production Value (including value of processing): NZ\$1,000,000

Expected Annual Commission Contributions: not known at this stage, but less than US\$6,000

Estimated Annual Government Incremental Costs: US\$90,000