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WWF POSITION STATEMENT

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Introduction

The World Wide Fund for Nature (WWF) would like to again thank the Western and Central Pacific Fisheries Commission (WCPFC) for the opportunity to attend the 13th Regular Session as an observer and to address the critically important role that it plays in the proper management of the (Western Central Pacific Ocean) WCPO fisheries.

WWF once again calls on members of the WCPFC to address the issues and recommendations raised at SC12, TCC12, and WCPFC12 as well as observe the experience of other RFMOs in their own efforts to achieve and maintain improved measures for monitoring and surveillance. WWF would like to note that this Position Statement is not comprehensive, but that fact does not mean that WWF does not think that other issues not included herein are not important. WWF wishes to reiterate its position offered in Bali, Indonesia, in December 2015 (WCPFC12) and, taking into account the WCPFC-related meetings held since, the recommendations listed below as well as other documents submitted to the WCPFC for review as Observer Papers.

Reference Points, Harvest Control Rules, and Harvest Strategies

WWF remains supportive of the work of the WCPFC and subsidiary bodies in pursuing the implementation of a Harvest Strategy (HS) approach as agreed under *CMM 2014-06 Conservation and Management Measures to develop and implement a harvest strategy approach for key fisheries and stocks in the WCPO*¹ and *Supplementary Information on Workplan for the adoption of Harvest Strategies under CMM 2014-06 (the "Workplan")*.² Consistent with previous WWF position statements and recommendations, WWF continues to encourage WCPFC13 to further endorse and support the adoption of explicit Limit and Target Reference Points (LRP/TRP), HCRs, and HSs for all

fishery stocks under WCPFC authority. To that end, WWF strongly encourages WCPFC13 to meet or exceed the deadlines proposed for specific measures under the Workplan.

WWF commends the adoption of a conservative bioeconomic TRP for skipjack at WCPFC12. Consistent with the precedent demonstrated by setting a bioeconomic TRP for skipjack, WWF encourages the adoption of a similar conservative bioeconomic TRP for South Pacific albacore in accordance with the recommendation and supporting analysis provided by the Pacific Islands Forum Fisheries Agency (FFA). WWF also strongly supports further consideration and development of a well-defined HCR for the PNA skipjack fishery that ensures absolute compatibility throughout the entirety of the WCPFC CA and avoids a disproportionate burden on the Small Island Developing States (SIDS). WWF notes the continuing strong support for these important management measures, specifically the adoption of TRPs and HCRs for the key target species.

WWF recommends that the WCPFC:

- **Support and endorse further implementation of CMM 2014-06 on Establishing a Harvest Strategy for Key Tuna Species in the WCPO consistent with proposed timelines including;**
 - **Record the Management Objectives for all stocks under the Workplan;**
 - **Agree acceptable levels of risk for all stocks under the Workplan;**
 - **Agree to timelines to rebuild the bigeye tuna (BET) stock to the LRP;**
 - **Agree to a monitoring strategy to assess performance against reference points for SP Albacore (SP ALB) and skipjack (SKJ);**
 - **Endorse further HCR development and implementation for the SKJ PS fishery; and**
 - **Endorse the FFA TRP proposal for the SP ALB LL fishery;**
- **Support the continued development and implementation of LRPs and TRPs as a priority for proper management of *all stocks*, including sharks; and**
- **Support development and implementation of interim precautionary TRPs for BET and YFT.**

Sharks and Rays

Many shark species in the WCPO remain subject to high levels of fishing mortality that current stock assessment trends suggest could be unsustainable.³ Sharks play a critical role in the WCPO marine ecosystem as apex predators and indicators of ecosystem health.⁴ WWF is concerned with shark conservation and sustainability in the WCPFC region as a whole and considers responsible management, trade, and consumption where shark mortality occurs in all fishing activities, not just in circumstances where tuna fishing is occurring. Therefore, WCPFC must also recognise the needs of coastal States in the WCPFC region to manage their shark populations.

Although WWF supports the previous minor action taken by the WCPFC in *CMM 2014-05 Conservation and Management Measure for Sharks*⁵, WWF continues to support recommendations made previously by the SC and drawn from the discussion regarding a proposed comprehensive and integrated shark CMM.⁶ By way of reference, we again endorse the recommendations contained in sections 4.1 and 4.2 of the paper previously presented by Dr. Shelley Clarke in addition to measures recommended below.⁷

Furthermore, WWF endorses the recent action taken by the Inter-American Tropical Tuna Commission (IATTC) to support best practices for safe handling and release manta rays (genus *Mobula* and *Manta*) aboard purse seiners. WWF encourages the WCPFC to pursue equivalent or consistent measures for mobula and manta rays in the WCPFC.

Reports from the WCPFC Technical and Compliance Committee (TCC12) indicated that finning is still rife within WCPO waters, with many CCMs failing to comply with existing shark CMMs. It is imperative that action is taken to end the wasteful practice of shark finning and associated lack of accounting of shark mortality that results.

In October this year, silky sharks, three species of thresher sharks and all nine species of mobula rays were included within Appendix II of CITES, which places a greater emphasis on RFMOs to ensure catches are reported accurately to meet CITES reporting obligations.

WWF recommends the WCPFC:

- **Develop, endorse, and recommend adoption of a Comprehensive Shark CMM that includes efforts to:**
 - **Mandate bycatch best practices consistent with those found in the Compendium of Best Practice of Conservation and Management Measures (CMMs) for the of Species Bycatch in Tuna RFMOs;**
 - **Implement the recommendations for bycatch that were endorsed at Kobe III and adopt an annually updated report card system against these recommendations for all of the WCPFC fisheries;**
 - **Require, through data collected from observer programs and other means, estimation of the number of captures and releases of all sharks and rays, including the status upon release (dead or alive), and reporting of this information to the WCPFC;**
 - **Review and amend CMM 2014-05 to prohibit vessels carrying wire trace and the use branch lines; and**
 - **Require, through observer programs, recording what gear is used in longline activities including the use of wire traces and any multi-monofilament traces in order to avoid bite-off by sharks;**
- **Provide definitions for mobula and manta rays to be considered as a key shark species;**
- **Encourage the development of reference points and management for non-target species, including all shark and ray species, as envisaged under Articles 5 and 10 of the WCPF Convention;**
- **CCMs fully support proposals to land sharks with fins naturally attached as the only way to ensure shark finning does not occur ; and**
- **Encourage CCM's to report all shark and ray catches from domestic fleets operating in territorial and archipelagic waters to assist CCMs to meet obligations for shark and ray species incorporated under CITES Appendix II.**

Regional Observer Programme

Information collected as part of an appropriate observer programme is critically important to the proper management of a fishery. Data collected by observers plays a central role in informing fisheries scientists on everything ranging from stock assessments to non-target species impacts. Furthermore, observers play an indispensable role in monitoring and enforcing very important CMMs in the WCPO. Indeed, observers represent the vanguard of fisheries management through the science and service that they provide. Consequently, observer safety and security as well as appropriate observer coverage must be considered a top priority along with greater support for relevant authorities to see that the capacity of the ROP is strengthened.

Observer Safety and Security

WWF commends the WCPFC's swift and decisive action to lead the world in addressing issues with observer safety and security through the adoption of several key provisions at WCPFC12. WWF supports further efforts to ensure observer safety and security through the full and transparent documentation and catalogue of observer incidents. One of the outstanding gaps in observer safety and security is represented by the lack of information available to address observer incidents through proper followup and documentation that will allow for identification of repeat offenders or potentially dangerous situations for future observers. Thus, WWF recommends establishing an immediate and transparent reporting procedure for observers to report instances of threats, harassment, intimidation, or assault that national programmes and the ROP could then use to determine future observer placement. This procedure must include an annual, *publicly available*, consolidated, detailed, and fully transparent report of all infractions against observers.

WWF also welcomes the proposal on flag state responsibilities in the event of alleged observer safety concern offered by the United States, which was discussed at length in the TCC12 in both working group and plenary sessions. This proposal helps ensure that flag and coastal states fully understand their roles and responsibilities in the event of an observer safety and security concern.

Observer Coverage on Longline Vessels

WWF notes that observer coverage on longline vessels operating in the WCPO, regardless of the metrics used to calculate it, remains substantially less than 5% region-wide. Moreover, WWF wishes to emphasise that the 5% observer coverage value identified by the WCPFC represents an arbitrary benchmark that was never intended to represent an "end goal," but rather a minimum starting point toward appropriate observer coverage. Even a consistently applied level of 5% coverage is statistically and practically useless for most management or monitoring, control, and surveillance (MCS) purposes. Therefore, WWF supports efforts to improve the observer coverage of all longline fisheries in the WCPO. As such, WWF supports calculating observer coverage according to the proposed hierarchy of four metrics for assessing observer coverage, but notes that best practice would be to use "number of hooks deployed" as an appropriate metric. If other metrics for calculating coverage are used, terms must be very clearly defined in advance and each metric must be calculated in a way to be comparable to the other metrics.

WWF also notes that different levels of observer coverage may be required for management or compliance purposes, depending on specific identified objectives, and recommends that appropriate analyses be conducted to determine each of those levels respectively in the context of identified objectives. Overall, the level of observer coverage on longline vessels must be increased immediately and substantially greater than 5% to achieve any meaningful management and compliance objectives.⁸

Transshipment Monitoring

Transshipment remains one of the most prominent weaknesses in catch documentation and verification that leads to Illegal, Unreported, and Unregulated (IUU) catch in the WCPO. WWF notes that the most simple, efficient, and effective solution to the challenges of transshipment-related IUU is to simply prohibit all at-sea transshipment and require all fishing vessels to land their catch at the nearest available designated port in the WCPO following the conclusion of fishing activity. However, acknowledging that a prohibition on transshipment is politically unlikely at this point, WWF supports an unequivocal 100% observer monitoring requirement for *all* transshipments, in *all* WCPFC CA waters, subject to strong sanctions for non-compliance.

WWF also recommends that transshipment requirements be buttressed by verification and validation of transshipment activities through redundant systems including a vessel monitoring system (VMS) supplemented by an operating automated identification system (AIS). If through investigation of suspected unreported transshipment activity indicated by VMS and corroborated by AIS, it is determined that transshipment activity was conducted in violation of transshipment rules, the offending

vessel(s) should be subject to sanctions including license revocation and listing on the IUU vessel blacklist.

WWF recommends the WCPFC:

- **Endorse further observer safety and security measures, including fully transparent documentation and catalogue of observer incidents and persons involved;**
- **Endorse an analysis of levels of observer coverage required to achieve management or compliance purposes while ensuring that the metrics and methodologies used support development of appropriate comparative analyses that meet the needs of the Scientific Services Provider and any MCS objectives;**
- **Adopt the proposal for flag state requirements for observer safety and security;**
- **Support or endorse the use of VMS and AIS to verify and validate 100% observer coverage on all transshipments as well as supporting strong penalties and sanctions for violations; and**

Data Provision and Data Gaps

Notwithstanding deficiencies in observer coverage, WWF views the issue of provision of historic and current operational data as critically important for the proper management of WCPFC stocks. Thus, WWF encourages the WCPFC to review the legal analysis presented at WCPFC12 on the Provision of Operational Data by Japan and Korea. This analysis has since undergone peer review in a prominent legal journal and is available as WCPFC12-2015-OP14 on the Commission website. The conclusions of this analysis very clearly indicate that there is no domestic legal constraint for the provision of operational data for either Japan or Korea. Therefore, Japan and Korea are obligated to provide both historic and current operational data to the WCPFC consistent with several prior agreed CMMs dating back to 2005.

WWF recommends the WCPFC:

- **Review the conclusions of WCPFC12-2015-OP14; and**
- **Request the submission of all current and historic operational data by Japan and Korea.**

Pacific Bluefin Tuna

Technical reports of all scientific and management bodies responsible for management of the Pacific bluefin tuna stock, including the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) and the IATTC, indicate that the Pacific Bluefin tuna stock remains in extremely poor condition. The ISC confirmed that overfishing continues, even though the stock is heavily overfished, and its spawning stock biomass has declined to as low as 2.6% of its unfished level.⁹ This is a clear indicator that the stock is no longer in the status to support industrial fisheries and the management measures taken both in the Western and Central Pacific and in the Eastern Pacific have proven insufficient to conserve the biological integrity of this stock in timely manner. The IATTC and WCPFC must take immediate actions and assume their share of responsibility.

The latest assessment conducted by ISC confirms that the stock is highly depleted, that fishing mortality exceeds all reasonable proxies for F_{msy} . Without the robust and precautionary long-term rebuilding target, the recovery of the stock may be further delayed if the current scenario of low recruitment continues which is heavily reliant on a major adult cohort in the population. While the WCPFC adopted conservation measures calling for reductions in catch for Pacific bluefin tuna of <30 kg in size, the stock requires conservation of *all size classes* of Pacific bluefin tuna, in particular the

spawning stocks. Thus, WWF supports raising the minimum size restriction to <85kg based on the best available scientific information and consideration of the precautionary principle.

WWF maintains deep concerns regarding this stock with an aim of restoring and rebuilding this ecologically, sociologically, and economically important fishery resource. The current science strongly indicates that there is only one reproductive cohort that is reaching the end of its life. Thus, the continued reproductive success of the entire stock depends on the reproductive success of a single cohort, leaving the stock in a critical situation that may seriously jeopardize recruitment.

WWF encourages close monitoring of fisheries and catch as well as completion of a revised stock assessment for Pacific bluefin in 2016. WWF urges both IATTC and WCPFC to adopt a long-term Pacific bluefin tuna recovery plan targeting at least 20%SSB₀, and harvest control rules that are well-defined, pre-agreed, and contain mandatory actions for a determined course of management action in response to changes in indicators of stock status with respect to reference points.

The WCPFC, consistent with the best scientific information and consistent with its charge under the Convention to manage this stock, must recommend that fishing mortality on Pacific bluefin tuna be urgently and substantially reduced in both juveniles and adults in order to reduce the risk of recruitment collapse and allow spawning stock to rebuild. If sufficient management measures cannot be agreed in 2016, the WCPFC must recommend a moratorium on all harvest of Pacific bluefin until such measures are agreed.

WWF recommends that the WCPFC:

- **Agree to a precautionary Limit and Target Reference Point for Pacific bluefin tuna;**
- **Recommend a long-term Pacific bluefin tuna recovery plan targeting at least 20%SSB₀ by 2030;**
- **Expand the target size of juvenile Pacific bluefin tuna conservation measures from the current under 30kg requirement to under 85kg;**
- **Establish a Catch Documentation Scheme (CDS) for the thorough monitoring of Pacific bluefin tuna; and**
- **In the absence of agreement on management measures at WCPFC13, recommend a moratorium on all harvest of Pacific bluefin until such time as those measures are agreed.**

¹ WCPFC (2014) Summary Report of the Eleventh Regular Session of the Western Central Pacific Fisheries Commission (Adopted version) – 29 July 2015, WCPFC, Apia, Samoa, 1-5 December 2014. CMM 2014-06 Conservation and Management Measures to develop and implement a harvest strategy approach for key fisheries and stocks in the WCPO.

² WCPFC (2015) Summary Report of the Twelfth Regular Session of the Western Central Pacific Fisheries Commission (Adopted version) – 6 July 2016, WCPFC, Bali, Indonesia, 3-8 December 2015. Attachment Y. p.271.

³ Clarke, Shelley C., *et al.* (2013). Population Trends in Pacific Oceanic Sharks and the Utility of Regulations on Shark Finning. *Conservation Biology*, Volume 27, Issue , pages 197–209, February.

⁴ *See* Stevenson, C., *et al.* (2007). High apex predator biomass on remote Pacific islands. *Coral Reefs* 26: 47-51; *See also* Friedlander, A.M. and DeMartini, E.E. (2002). Contrasts on density, size, and biomass of reef fishes between the northwestern and the main Hawaiian islands: the effects of fishing down apex predators. *Marine Ecology Progress Series* 230: 253-264.

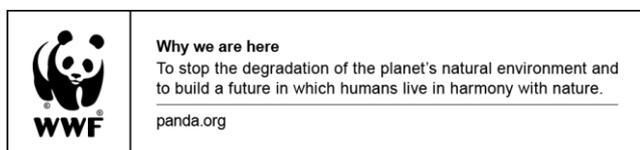
⁵ WCPFC (2014) Summary Report of the Eleventh Regular Session of the Western Central Pacific Fisheries Commission (Adopted version) – 29 July 2015, WCPFC, Apia, Samoa, 1-5 December 2014. Attachment S. p.262.

⁶ Clarke, Shelley C. (2013). Towards an Integrated Shark Conservation and Management Measure for the Western and Central Pacific Ocean. WCPFC-SC9-2013/ EB-WP-08. WCPFC-SC, Pohnpei, Federated States of Micronesia, 6-14 August 2013.

⁷ *Id* at 24-27.

⁸ *See e.g.* Elizabeth Babcock, *et al.* (2011), How Much Observer Coverage is Enough to Adequately Estimate Bycatch?. *Retrievable at* http://www-aws.pewtrusts.org/~media/legacy/uploadedfiles/wwwpewtrustsorg/reports/protecting_ocean_life/oceanabycatch110403pdf.pdf.

⁹ Yukio Takeuchi, *et al.*, 2014, Updated future projections of Pacific bluefin tuna with draft results to answer the requests from NC9.ISC/14/PBFWG-1/10re.



For more information

Alfred "Bubba" Cook
WCP Tuna Program Manager
acook@wwf.panda.org
Tel: +64 (0)27 833 0537

WWF-New Zealand
PO Box 6237, Marion Square
Wellington 6141, New Zealand
Tel. +64 (0) 4 499 2930