



**COMMISSION
FOURTEENTH REGULAR SESSION**
Manila, Philippines
3 – 7 December 2017

POSITION STATEMENT TO WCPFC14

**WCPFC14-2017-OP03
14 November 2017**

Submission by World Wide Fund for Nature (WWF)



Global Oceans Practice

WWF POSITION

14th Regular Session of the Western Central Pacific Fisheries Commission (WCPFC14): Manila, Philippines – December 1-7, 2017

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 14th 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 SC13, TCC13, and WCPFC13 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 Nadi, Fiji, in December 2016 (WCPFC13) 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 and Supplementary Information on Workplan (workplan) for the adoption of Harvest Strategies under CMM 2014-06. Consistent with previous WWF position statements and recommendations, WWF continues to encourage WCPFC14 to further endorse and support the adoption of explicit Limit and Target Reference Points (LRP/TRP), Harvest Control Rules (HCRs), and HSs for all WCPO fishery stocks under WCPFC authority WWF also urges WCPFC14 to adopt risk-based methods for assessing

non-target shark species with a view to adopting and implementing reference points for associated species. WWF notes that some of the deadlines proposed under the workplan are beginning to slip.

WWF further notes the importance of and strong support for these important management measures, specifically the adoption of TRPs and HCRs for the key target species, particularly from industry participants with Marine Stewardship Council (MSC) certification and many end market representatives. WWF specifically notes the opportunity that the WCPFC has before it, due to the change in the recent assessment, to establish a precautionary TRP for bigeye tuna (BET) while it is in a good condition. Therefore, WWF encourages WCPFC14 to maintain momentum on implementation of HS elements, and, where necessary, take steps to recover timelines under the workplan.

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;**
- **Endorse further HCR development and implementation for the skipjack (SKJ) purse seine (PS) fishery;**
- **Further progress toward a TRP proposal for the South Pacific albacore (SP ALB) longline (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 implementation of interim precautionary TRPs for BET and yellowfin (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.¹ Sharks play a critical role in the WCPO marine ecosystem as apex predators and indicators of ecosystem health.² 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*³, WWF fully supports the efforts made previously by the ABNJ Common Oceans project and SC14 to develop a proposed comprehensive and integrated shark CMM (EB-WP-06)⁴. 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.⁵

On the 28th October, blue shark (*Prionace glauca*) and dusky shark (*Carcharhinus obscurus*) were included into Appendix II of the Convention for Conservation of Migratory Species of Wild Animals (CMS), calling on CMS Parties to collaborate on developing management strategies for these species. Whale sharks (*Rhincodon typus*) were re-listed from CMS Appendix II to Appendix I, prohibiting retention.

WWF recommends the WCPFC:

- **Develop, endorse, and recommend adoption of a Comprehensive Shark CMM that includes a new framework incorporating existing CMMs, but also providing for national contributions toward commonly agreed goals for shark stocks. The new framework could include, but not be limited 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; 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;**
- **Designate manta and mobula rays, silky shark, oceanic whitetip shark and whale shark, as *Species of Special Interest*, and reconciles observer data collection requirements for mobulid rays within the existing framework;**
- **Adopt the risk-based method for shark stock assessment presented by the ABNJ Common Oceans project;**
- **Consider a non-retention CMM for bigeye thresher shark (*Alopias Superciliosus*) within the WCPO;**
- **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;**
- **Encourage CCM's that are Parties to the CMS to develop conservation and management measures in line to meet international obligations; and**
- **Encourage CCM's to report all shark and ray catches from domestic fleets operating in territorial and archipelagic waters.**

Sea Turtles

Sea turtles are some of the most endangered species interacting with tuna fisheries, with six out of seven species of sea turtles considered threatened with extinction according to the IUCN Red List. WWF is very encouraged that the WCPFC indicates renewed interest in addressing the effectiveness of *CMM 2008-03 for the Conservation and Management of Sea Turtles*. In particular, we acknowledge the outcomes of the first workshop on Joint Analysis of Sea Turtle Mitigation Effectiveness in Longline Fisheries, held in Honolulu, Hawaii, USA, from 16-19 February 2016, and support the proposed sea turtle analysis initiative. WWF also welcomes the assessment of the Common Oceans (ABNJ) Project for their assessment of effectiveness of current sea turtle mitigation measures in the WCPO.

It is clear there remains no new evidence that CMM 2008-03 has demonstrably reduced bycatch impacts on threatened and endangered sea turtles in the region with an estimation of only 1% of WCPO longline effort currently subject to mitigation, and thus, WWF maintains that this CMM must be revised immediately with interim measures.

We note with interest the commentary in the WCPFC-SPC report following the Hawaii workshop that *“most of the evidence suggests that circle hooks, particularly those which have large minimum widths and are large relative to mouth size of susceptible sea turtles, can reduce hooking interactions or mortality or both. Use of finfish bait, rather than squid bait, is also a promising mitigation technique”*.

Accordingly, WWF proposes a revision/replacement of CMM 2008-03 in order to:

- (1) ensure requirements for the determination of optimal bycatch mitigation packages (*i.e.* circle hooks and/or other measures, such as finfish bait) are undertaken for individual fisheries;
- (2) reduce the ambiguity in language; and
- (3) improve the definition of the desired outcomes of the CMM. Moreover, evidence suggests that the WCPFC and member states have not suitably monitored the CMM for effectiveness with some parts of the CMM distinguished as providing “excessive room for creative compliance.”⁶

The majority of CCMs either have not fully reported on compliance with CMM 2008-03 or have not met all the CMM measures. Furthermore, only a small fraction of member countries have conducted dedicated research on sea turtle mitigation techniques, and current observer coverage falls well below the recommended level for effectively determining optimal mitigation approaches (*i.e.* 10% coverage over 3 years).

WWF thus urges WCPFC to support the revision/replacement of CMM 2008-3, to include stronger and clearer requirements for adoption of mitigation measures and their specifications. We also note the lack of inclusion in the scientific data standards of any data related to sea turtle encounters, despite the scope of CMM 2015-7 includes “reporting...with respect to implementation of measures for non-target species” and given the major gaps in annual reporting against CMM 2008-3. We suggest that such information should be specifically included in assessment criteria and in data standards, including where appropriate data on sea turtle encounters, including data on hook rates, type and other factors comparative to hook type and bait.

WWF recommends the WCPFC:

- **Endorse revising or replacing CMM 2008-03 as outlined in WWF’s Position Statement to the 12th Regular Session of the Commission⁷, including interim measures that would require members to determine optimum bycatch mitigation via use/testing of alternative hooks and/or bait, and to report on these results, as well as reducing the technical vagueness in desired outcomes of the CMM;**
- **Encourage member state involvement and participation in the research conducted under the analysis of sea turtle mitigation measure effectiveness in tuna longline fisheries described previously in EB-WP-05 and further proposed in the Workshop on Joint Analysis of Sea Turtle Mitigation Effectiveness; and**
- **Support the inclusion of sea turtle data in monitoring scheme assessment criteria and related data standards.**

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 and greater support must be provided to the relevant authority to see that the capacity of the WCPFC Regional Observer Programme (ROP) is strengthened.

Observer Safety and Security

WWF commends the WCPFC’s swift and decisive action to address issues with observer safety and security through the adoption of the observer safety and security provisions during WCPFC12 and the

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flag and coastal state requirements at WCPFC13. However, WWF continues to strongly believe that more needs to be done to fully address observer safety and security. This need is underscored by two recent events. Since WCPFC13 two observers have gone overboard at sea. One observer, James Numbaru, will never come home. Another observer was recovered after a search and rescue effort.

These incidents reinforce the need for 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. A requirement for full reporting will allow for identification and understanding of potentially dangerous situations for future observers. Until the WCPFC can fully understand the circumstances surrounding these incidents, it cannot hope to properly address them.

The ROP Annual Report as it currently exists does not provide the necessary level of detail to properly address these issues. Thus, WWF recommends establishing a required comprehensive and transparent reporting procedure for observers and observer programmes to report instances of threats, harrasment, intimidation, assault, or death that national programmes and the ROP could then use to determine solutions to prevent future instances. This procedure must include an annual, publicly available, consolidated, detailed, and fully transparent report of all infractions against observers.

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. Most importantly, the WCPFC must ensure that the ROP and national observer programmes receive full funding and support to ensure their continued operation and that the level of observer coverage on longline vessels be increased immediately to achieve management and compliance objectives.

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-reporting and 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; and**
- **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.**

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 Inter-American Tropical Tuna Commission (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.⁸ 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 and 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.

Therefore, WWF urges both IATTC and WCPFC to adopt a long-term Pacific bluefin tuna recovery plan targeting at least $20\%SSB_o$, 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.

In September, both the Joint Meeting between Northern Committee (NC) of the WCPFC and IATTC, as well as 13th Annual Meeting of the Northern Committee (NC13), agreed a rebuilding target to achieve at least $20\%SSB_o$ by no later than 2034 with at least 60% probability, including a tentative harvest strategy with associated harvest controls rules. WWF recognises this agreement as an important turning point for rebuilding the Pacific bluefin tuna stock.

While the long term rebuilding target was agreed, WWF remains concerned about increasing the catch limit before achieving the initial rebuilding target which was adopted at WCPFC12. WWF urges the WCPFC to consider that such harvest controls rules be based both on the best available scientific evidence and on the precautionary principle.

Furthermore, reports indicate that the member states that catch Pacific bluefin tuna exceeded their catch limits in both 2016 and 2017. WWF strongly recommends the WCPFC strengthen its

monitoring, control, and surveillance (MCS) and to establish a catch documentation scheme (CDS) immediately to improve member state compliance with the management measures.

The WCPFC must ensure that a sufficient and robust MCS system and associated CDS is implemented by member countries, including firm and tangible sanctions for non-compliance .

WWF recommends that the WCPFC:

- **Adopt the tentative harvest strategy for Pacific bluefin tuna;**
- **Recommend to not increase the catch limit for both juvenile and adult fish until achieving the initial rebuilding target;**
- **Establish a Catch Documentation Scheme (CDS) for the thorough monitoring of Pacific bluefin tuna; and**
- **Ensure compliance of management measure for Pacific bluefin tuna by member states.**

¹ 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.

² 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.

³ 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.

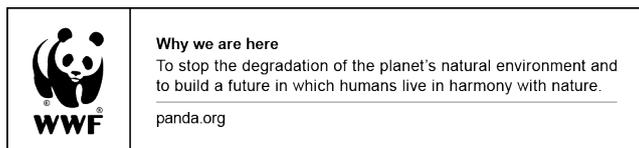
⁴ Development of a comprehensive shark conservation and management measure for the WCPFC, WCPFC-SC13-2017/EB-WP-06.

⁵ *Id* at 24-27.

⁶ WCPFC Scientific Committee (2009) Monitoring the Effectiveness of Conservation and Management Measures for Bycatch, EB-WP-09, Port Vila, Vanuatu, 10-21 August 2009.

⁷ Revisions to CMM 2008-3 include: i) reducing the ambiguity in language, strengthening key language and reducing the vagueness in desired outcomes of the CMM, thereby enabling better monitoring of CMM effectiveness; ii) introducing new binding measures for the use of circle hooks in all longline fleets, exempted only if an equally effective solution for the mortality of sea turtles can be demonstrated; iii) introduce stronger measures for conducting research on mitigation techniques and reporting on sea turtle impacts, as a means of determining optimal mitigation packages for individual fleets; and iv) setting an appropriate interim catch rate that would trigger move-on provisions.

⁸ 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.



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