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LETTER TO WCPFC CHAIR ON TROPICAL TUNAS MEASURE

**WCPFC14-2017-DP22
25 November 2017**

Submission from the United States of America



U.S. DEPARTMENT OF COMMERCE
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November 24, 2017

Rhea Moss-Christian, Chair
Western and Central Pacific Fisheries Commission
PO Box 2356
Kolonia, Federated States of Micronesia

Dear Rhea:

The United States would like to thank you for your diligent intersessional efforts to progress the Commission's deliberations on the tropical tunas measure. We recognize how daunting that task is given the divergent interests and deeply-held views of the members, and the political and economic significance of tuna fisheries throughout the region. We look forward to the opportunity to discuss the proposals reflected in your latest chair's draft with other members in Manila.

In the meantime, we would like to thank SPC for its recent evaluation of management options, and highlight two aspects of the results with respect to bigeye tuna. First, the evaluation results show that both the recent levels of spawning stock biomass (2012-2015) and the recent levels of fishing mortality (2012-2014) are relatively conservative. Both are associated with fishing mortality rates substantially lower than F_{MSY} and spawning stock sizes well above the limit reference point of $20\%SSB_{F=0}$. These levels are particularly conservative in light of the fact that until this year, the Commission's objective was merely to rebuild the stock to a depletion ratio of 20% within ten years. We highlight this only to suggest that the objective for bigeye tuna in the next management measure needs to be a key component of our upcoming discussions, and the Commission should consider taking a measured approach that balances relevant interests as we move from acting based on assessments of an overfished bigeye tuna stock to a long-term management regime in which there is a low risk of the spawning stock size falling below the limit reference point.

Second, in terms of the balance between the longline and purse seine sectors, the evaluation's expected outcomes are expressed in comparison to the 2013-2015 fishing conditions—that is, relative to what actually occurred in the respective sectors in that period. However, those conditions are not an appropriate gauge of the balance between the longline and purse seine sectors, because what actually occurred on the water did not necessarily correspond to the limits mandated under the CMM. In other words, the 2013-2015 conditions do not reflect the balance sought and built into the design of CMM 2016-01 or its predecessors. Therefore, we need to use the evaluation results with caution when seeking a measure with a fair balance between the fishing sectors. Furthermore, as we noted in Honolulu, we do not believe the current measure has been fair to U.S. fishing interests, and we will need to consider limits that would allow for the continued viable operation of the U.S. fishing industry within the overall framework we use to manage stocks at sustainable levels.



The U.S. proposals, as reflected in your Rev5, attempt to reasonably balance the restrictions on the purse seine, longline, and other sectors, similar to the approach in the current and previous conservation and management measures. We will be prepared to discuss our proposals in greater detail in Manila, including with numbers tuned to potential management objectives and fleet characteristics. Our proposed measures would apply across exclusive economic zones and the high seas as needed to achieve the objectives for these migratory stocks. We do not believe that all other proposals under consideration would provide the same level of certainty in terms of achieving what we agree as the measure's objectives, provide the same level of transparency, or apply a fair balance of conservation burden among members. While we believe our proposal is structured in a way that can be fair to all members, we are prepared to consider any approaches that satisfy the criteria of a successful measure.

We recognize that some members have stated their opposition to all "flag-based" arrangements, which they believe undermine "zone-based" arrangements. The "flag-based" or "CCM-based" proposals the United States has put forward are not intended to subvert any members' interests or existing arrangements. They are designed to allow the Commission to manage fisheries in a transparent and consistent manner, according to science-based catch or effort limits that apply throughout the Convention Area to cover the range of the stocks. They would complement rather than contradict zone-based arrangements, which could still be pursued and implemented by members in waters under their jurisdictions to achieve economic or other management aims.

We do not expect all members to agree with our proposals. We know compromise is always required and all members will almost certainly have to concede points to reach consensus. However, we do hope members will come to the meeting prepared to discuss differing viewpoints in a constructive fashion. We are concerned that the tone of some recent communications from other members, and their demands that other members unilaterally withdraw proposals, convey a "take-it-or-leave-it" attitude that will make it more difficult to reach a successful outcome at the annual meeting. All members are crucial to the effective functioning of the Commission, and respect for all views will be an important part of the process.

The United States stands ready to engage in Manila to try to achieve consensus on a new measure. To reach agreement, that measure will need to be science-based and promote the primary objective of the Convention, which is to ensure the long-term conservation and sustainable use of highly migratory fish stocks; be easy to implement, monitor, and enforce; establish a level playing field across members and zones; and allow well-managed fishing industries to thrive and prosper.

We will be prepared to discuss issues related to "disproportionate burden" at WCPFC14 as they relate to any potential management approaches the Commission pursues, along with the other complex mix of interests and factors we need to take into account under the Convention when adopting management measures and determining allocations. One of the advantages of the intersessional meeting in Honolulu was the opportunity to receive any views related to CMM 2013-06 from members early in the process. Only broad, generalized statements about disproportionate burden were shared at that time, but we would welcome additional concrete evidence of disproportionate burden related to current or potential management approaches so we can have a rigorous discussion about impacts on developing states and territories. Any such

discussions will of course need to consider how to avoid transferring a disproportionate burden of conservation action onto U.S. Participating Territories, including American Samoa, the Commonwealth of the Northern Mariana Islands, and Guam.

We look forward to seeing everyone in Manila in early December.

Sincerely,


for Samuel D. Rauch III
U.S. Commissioner

cc: Feleti Teo, Executive Director, Western and Central Pacific Fisheries Commission