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**VIEWS ON TROPICAL TUNA CMM**

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**WCPFC15-2018-DP08  
13 November 2018**

**FFA Member CCMs**



9 November 2018

Feleti P. Teo OBE  
Executive Director  
Western and Central Pacific Fisheries Commission  
PO Box 2356, Kolonia  
Federated States of Micronesia

Dear Feleti,

**FFA member views on Tropical Tuna CMM**

I write on behalf of the 17 members of the Forum Fisheries Agency in my capacity as the Chair of the Forum Fisheries Committee. These views expressed in this letter are without prejudice to the further development of positions and proposals by FFA members individually or collectively.

*Overall approach*

FFA members expressed concerns about several elements of the negotiations in Honolulu and Manila last year, particularly around relaxations of pre-existing measures such as reduction of the additional high seas FAD closure and increases in longline catch limits.

The bigeye projections that SPC provided at SC14 have since validated those concerns and show that, depending on assumptions of recruitment, the measure is at risk of not meeting the objectives that we all agreed to. Additionally, erosion of the measure could result in a failure to meet the CMM objectives set out for yellowfin tuna, a stock currently assessed to be in a more depleted state than bigeye.

FFA members are therefore strongly of the view that the Commission cannot contemplate further weakening of CMM 2018-01 this year. Any proposals to increase catch or effort limits and/or to decrease FAD closures would be inconsistent with the objectives of both the CMM and the Convention and cannot be supported by FFA members.

In addition to the need to maintain stock status, FFA members are mindful of the balance of measures in CMM 2017-01 in the context of disproportionate burden. While not perfect, the conservation burden flowing from the CMM is relatively well balanced between fisheries, areas and CCMs. Proposals to change specific elements will not only threaten sustainability but will shift the balance of conservation burden and re-open the difficult debates that the Commission has had since 2005. Relaxing one element would likely need to be balanced by relaxing others and this would simply exacerbate the existing risk of the measure failing.

*Conduct of discussions*

While we support the value of small group discussions to negotiate difficult issues, FFA members seek to ensure that the discussions at WCPFC15 occur in a professional manner. The conduct of some

individuals in the closed discussions, and in the margins of the WCPFC14 meeting, were not considered acceptable by FFA members, and we trust that discussions will be more diplomatic this year.

#### *Biodegradable and Non-Entangling FADs*

FFA members thank the chair of the FAD IWG for the productive meeting in Majuro after TCC. While we support the recommendations of the IWG, FFA members are seeking more ambitious movement towards FADs that are both non-entangling and biodegradable, to the extent possible. FFA members therefore propose the following language to replace paragraphs 19 to 22 of CMM 2017-01:

19. To reduce the risk of entanglement of sharks, sea turtles or any other species, CCMs shall ensure that, as of 1 July 2020:

- a) No netting shall be used in the construction of a FAD to be deployed in, or that drifts into, the WCPFC Convention Area.
- b) The raft, if covered, it shall be with shade cloth or canvas.
- c) The subsurface structure shall be made with ropes, canvas or other non-entangling materials.
- d) the design and construction of any FAD to be deployed in, or that drifts into, the WCPFC Convention Area shall be based on the diagram set out according to Figure 1.

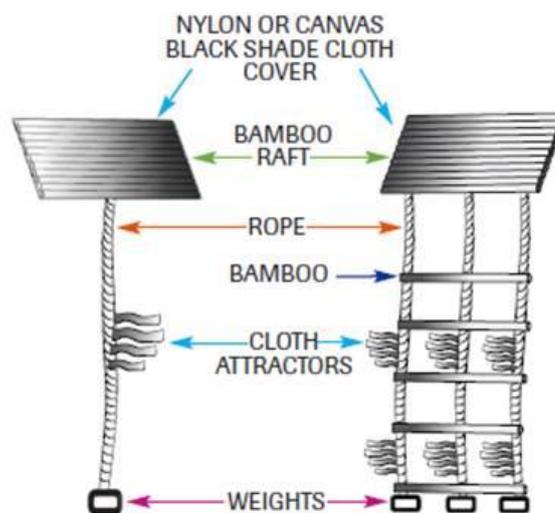


Figure 1

20. To reduce the risks of FADs becoming, or leading to, marine pollution, beach events, ghost fishing or impacts on coral reefs CCMs shall ensure that, as of 1 July 2020, all FADs deployed in, or that drift into the WCPFC Convention Area are constructed entirely from non-plastic and biodegradable materials.

21. Paragraph 20 does not prevent the use of plastics in the construction of FAD satellite buoys or the use of metal weights.

22. WCPFC17 shall adopt technical specifications for acceptable biodegradable materials.

In addition to those specific proposals, FFA members are interested in discussions as to whether ropes used in FADs should be specified as “non-buoyant” to avoid maritime navigation risks when weights are lost. FFA members have based the proposed paragraph 19 above on the proposal provided by the European Union. While FFA members support the intent of the EU proposal, we do not support it as a standalone CMM, and we do not agree with the very brief assessment under CMM 2013-06. A complete 2013-06 assessment is provided in Attachment 1 to this letter.

#### *Other Fisheries*

FFA members are concerned that neither SC14 nor TCC14 considered the issue of “other fisheries” as required by paragraph 50 of CMM 2017-01. We are keen to work with those CCMs that have fisheries taking more than 2,000 tonnes of tropical tuna in order to introduce management measures for these important fisheries. FFA members look forward to hearing from those CCMs as to the steps they have taken under paragraph 51 of the CMM.

#### *Harvest strategy objectives for Bigeye and Yellowfin*

FFA members note that under the harvest strategy workplan, WCPFC14 needs to discuss management objectives for bigeye and yellowfin that will eventually inform management measures. As a starting point for this discussion, FFA members suggest the following two objectives for discussion in the context of harvest strategy development:

- To maintain the stocks above levels where there is a very low risk of breaching the limit reference points consistent with the guidelines in the UN Fish Stocks Agreement; and
- To achieve modest increases to  $SB/SB_{F=0}$  compared to recent levels in order to support ongoing economic management of the purse seine fishery and facilitate development opportunities for SIDS longline fisheries.

#### *Conclusion*

FFA members have been actively consulting with other CCMs in an effort to find common ground and we welcome efforts from other CCMs to do the same. We remain committed to working proactively to ensure that the CMM elements can be extended to achieve the objectives that we have jointly agreed.

We look forward to the deliberations in Honolulu and would greatly appreciate if you could please make this letter available to other CCMs.

Yours Sincerely



Tepas Herrmann

Chair  
Forum Fisheries Committee

## **Attachment 1:**

### **CMM 2013-06 assessment in relation to FAD construction proposal**

#### **a. Who is required to implement the proposal?**

All CCMs that have flagged purse-seine vessels will need to ensure that their vessels comply with the revised specifications for FAD construction. In addition, CCMs that are ROP providers will need to ensure that their observers are aware of the new rules and can adequately record the construction of FADs – at least until a vessel operator FAD sheet is implemented. CCMs that have boarding and inspection assets and officers will also need to revise the instructions to inspectors.

#### **b. Which CCMs would this proposal impact and in what way(s) and what proportion?**

The main direct impact is on flag States (including flag States that are SIDS) as they will need to implement and enforce revised specifications for FAD construction by their vessels.

There are indirect impacts on coastal States that license purse seine vessels in that construction of FADs to meet the new specifications may be more expensive than contemporary designs. While the marginal expense of the new specifications may be minimal per FAD, the Commission must be mindful of the cumulative impact of measures that increase fishing costs.

There are also positive impacts on SIDS arising from the reduction of marine pollution.

#### **c. Are there linkages with other proposals or instruments in other regional fisheries management organizations or international organizations that reduce the burden of implementation?**

No direct linkages, but reducing the ecological impact of FADs is relevant to a wider body of international law and regulations including MARPOL and SDGs.

#### **d. Does the proposal affect development opportunities for SIDS?**

As per (b) above, the specifications may be likely to increase the costs of FAD production and construction. While this is expected to be marginal in comparison to overall fishing cost and revenue, it is an important consideration, especially for developing fleets that are typically more financially vulnerable than established fleets.

#### **e. Does the proposal affect SIDS domestic access to resources and development aspirations?**

As per (d) above, the proposal does pose potential threats to developing SIDS fleets. This is balanced somewhat by the net environmental gain expected to accrue from reducing the fishery wide impact of FADs on the ecosystem.

#### **f. What resources, including financial and human capacity, are needed by SIDS to implement the proposal?**

There will be costs to educate vessel operators, observers and inspectors about the new specifications. Funding support available to SIDS through the SRF, JTF and CTF as well as non-Commission sources are likely to be sufficient to meet these costs.

#### **g. What mitigation measures are included in the proposal?**

The main mitigation included is the lead-in times to implementation. Non-entangling FADs would not commence until 2020. Biodegradable FADs would not commence until 2020 with additional

consideration of technical specifications by the Commission in 2019. These dates are designed to allow industry to develop useable designs and to transition in a way that aligns with their operational needs.

**h. What assistance mechanisms and associated timeframe, including training and financial support, are included in the proposal to avoid a disproportionate burden on SIDS?**

There are no SIDS-specific inclusions in the proposal, but funding support is available to assist in implementation as described in (f).