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PEW Statement for TCC11

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The Pew Charitable Trusts
Position Statement to the Western and Central Pacific Fisheries Commission
11th Regular Session of the Technical and Compliance Committee
Pohnpei, Federated States of Micronesia
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The Pew Charitable Trusts thanks the Western and Central Pacific Fisheries Commission (WCPFC) for the opportunity to participate in the 11th Regular Session of the Technical and Compliance Committee (TCC11) as an observer. Pew looks forward to working with all parties to improve the sustainability of the fisheries within the WCPFC Convention Area and urges TCC11 to provide recommendations to:

- Adopt a workplan with timelines to adopt all of the elements of the harvest strategy approach for tropical tunas and south Pacific albacore no later than 2018 – including adoption in 2015 of target reference points for skipjack and south Pacific albacore;
- Direct the Northern Committee to develop a workplan for Pacific bluefin to return the population to a level capable of producing maximum sustainable yield by 2030;
- Take steps to immediately end bigeye overfishing that include replacing the Fish Aggregating Device (FAD) closure periods with measures such as FAD set limits or purse seine bigeye catch limits to directly manage mortality in the purse seine fishery;
- Establish timelines for flag States to take corrective actions or face strong penalties for non-compliance that include prohibitions on landing key shark species for which WCPFC members have not submitted landing data from the previous year;
- Develop a comprehensive list of requirements for all shark management plans that should include the definition of a targeted shark fishery, the information required in any plan, and a timeline and description on manner in which the management plan is to be reviewed;
- Develop guidelines to ensure the safe release of sharks, and monitor the implementation of the conservation and management measures prohibiting retention of oceanic whitetip and silky sharks, which must be enforced effectively for both purse seine and longline fleets;
- Adopt a conservation and management measure (CMM) on Port State Measures to prevent illegal fish from entering the market;
- Require WCPFC members provide to the Secretariat public information on actions taken in cases of non-compliance with applicable fisheries regulations by their flagged vessels listed on the WCPFC Record of Fishing Vessels which operate in the convention area in areas beyond their own national jurisdiction as soon as the information becomes available, and that this information be published as part of the Record of Fishing Vessels;
- Enhance the WCPFC Record of Fishing Vessels by establishing a procedure that permits the listing of IUU (Illegal, Unreported, Unregulated) vessels intersessionally; and
- Ban transshipment at sea until it can be verified, through proper and effective monitoring, that transshipment operations cannot facilitate IUU fishing.

Harvest strategies for tropical tunas and southern albacore tuna

The Commission last year committed itself to develop and implement a six-part harvest strategy approach for each of the key fisheries or stocks under its management according to a process established by CMM 2014-06. One of the requirements is to agree on a workplan and indicative timeframes for the adoption of harvest strategies no later than the 2015 annual meeting. At its 11th Regular Meeting in August, the Scientific Committee (SC11) strongly supported the initiative by Australia to develop the workplan and recommended its presentation to TCC11. **Parties to TCC11 should engage constructively and take advantage of the technical expertise at the meeting to provide the following:**

- **Detailed feedback on the workplan to enable its adoption at the 2015 annual Commission meeting with timelines to adopt all elements of the harvest strategy approach as quickly as possible but no later than 2018; and**
- **Recommend the Commission this year adopt the skipjack target reference point proposed by the Parties to the Nauru Agreement and Tokelau and the south Pacific albacore target reference point being developed by the Pacific Islands Forum Fisheries Agency (FFA) – both of which are incorporated in the workplan for Commission action in 2015.**

Harvest strategies for northern albacore and Pacific bluefin tunas

CMM 2014-06 also requires the Northern Committee to develop and recommend a workplan and indicative timeframes to adopt or refine harvest strategies for northern albacore and Pacific bluefin tuna by no later than the Northern Committee's 2015 meeting. Development of a strategy is vital for the Pacific bluefin population that has suffered a 96 percent decline due to nearly a century of overfishing, and will continue to decline under current management measures.¹ At this year's Northern Committee meeting in September, however, the parties did not reach agreement on a workplan or timeframe for Pacific bluefin. As such, they will fail to meet the deadline and therefore the requirements of the CMM will not be met. TCC11 should:

- **Note the failure of the Northern Committee to meet the obligation of CMM 2014-06; and**
- **Recognizing the worsening plight of Pacific bluefin, recommend that the Commission directly task the Northern Committee with developing, by its 2016 meeting, a workplan for Pacific bluefin that will return the population to a level capable of producing maximum sustainable yield by 2030.**

Ending bigeye overfishing

Overfishing of Pacific bigeye is continuing and the stock is overfished. Fishing mortality has increased to 1.57 times the fishing mortality that will support the maximum sustained yield. Despite increasing the FAD closure period to four months starting in 2013, up from two months in 2009, the tropical tuna conservation measure has not been effective. The overall bigeye catch in 2014 was 5 percent greater than the catch in 2013 and the number of FAD sets in 2014 was the third highest on record. The Commission has established a FAD Working Group to examine options for improving management of the purse seine fishery. SC11 reiterated the need to reduce fishing mortality on bigeye and recommended the need for “additional or alternative targeted

¹ Fukuda, H. et al. Updates of recruitment and harvesting scenario for the future projection of Pacific bluefin tuna. April 2015. http://isc.ac.affrc.go.jp/pdf/PBF/ISC_2015_PBF_1/ISC_15-1_PBFWG_10_Fukuda.pdf

measures to reduce fishing mortality on bigeye tuna.”² In light of the scientific advice, TCC11 should:

- **Recommend steps to immediately end bigeye overfishing that include replacing FAD closure periods in the purse seine fishery with options that directly control bigeye fishing mortality on FADs, such as FAD set limits or purse seine bigeye catch limits; and**
- **Provide advice on how to implement these alternative FAD management options with respect to measuring compliance.**

Taking action on data gaps to improve tuna and shark conservation

Scientific advice provided to the Commission for tuna and shark conservation has been hampered for years by a lack of data, and the Commission lacks penalties for non-compliance with reporting requirements. Operational fishing data provided by flag States and information gathered by observers are crucial elements necessary to conduct robust stock assessments in the western and central Pacific Ocean (WCPO). Yet that data has not been forthcoming, particularly from some of the large longline fleets. When assessing shark stock statuses in the WCPO, low levels of data recording and reporting on the catch of shark species has also hampered the provision of comprehensive scientific advice. Several CCMs do not provide operational data on their longline fleets, some citing domestic legal constraints. In an agreement reached in 2014, CCMs other than Indonesia received a grace period of up to three years under their national plan (CMM 2014-01, footnote 12). But to date, the WCPFC Secretariat has not received any national plans in reference to that agreement. Meanwhile, TCC10 made progress last year in clarifying the metrics by which longline fleets are to be assessed to meet the required 5 percent observer coverage of their effort – a threshold that is too low to provide coverage appropriate to the fisheries. Still, a number of large longline fleets did not meet even that inadequate metric in 2014. Given that non-provision of data for tunas and sharks is a longstanding concern in the WCPO, TCC11 should:

- **Provide recommendations to the Commission to strengthen the Compliance Monitoring Scheme to, among other things, establish strong timeframes for flag States to take corrective actions to end instances of non-compliance with data reporting and observer coverage requirements, and enumerate strong penalties for non-compliance when warranted, such as consideration of a ‘No Data, No Fish,’ rule;³**
- **Additionally, recommend that at a minimum with respect to sharks, such ‘No Data, No Fish’ rule should prevent any WCPFC member from retaining or landing any of the 14 key shark species identified by the Commission, if they had not submitted landing data on that species from the previous year.**

² A range of options has been studied previously by the Commission and by workshops convened by some parties to the Commission in Honolulu and Majuro this year. Options include FAD set limits, purse seine bigeye catch limits, modifications to nets and FAD designs, and alternative spatial and temporal measures.

³ Recommendation 11-15 of the International Commission for the Conservation of Atlantic Tunas offers an example of a ‘No data, no fish’ rule by prohibiting CCMs from retaining species for which a lack of data or incomplete data has been reported.

Strengthening conservation and management for sharks

Under CMM 2014-05, CCMs must develop a management plan for fisheries that target sharks in association with WCPFC fisheries. This CMM is an important step to ensure sustainable fisheries but provides little guidance on what a targeted shark fishery is, or what an effective management plan would entail. Pew strongly supports the SC11 recommendation for the Commission to “consider development of a list of minimum requirements that such a plan should include guidelines to evaluate such a plan, and the definition of a target shark fishery for future review by SC, TCC and the Commission.” However to ensure that sharks are not overfished, shark plans should contain a comprehensive list of requirements, not just a minimum set. **TCC11 should recommend that WCPFC12 develop a comprehensive list of requirements for all shark management plans which should include the definition of a targeted fishery, the information required in any plan, and a timeline and description on manner in which the management plan is to be reviewed.**

CMM 2013-08 and 2011-04 prohibit the retention of oceanic whitetip and silky sharks, two severely overfished species. These measures mandate that all CCMs release any oceanic whitetip and silky shark caught in the Convention Area, and to do so in a manner that results in as little harm to the shark as possible. These measures should provide reliable methods for releasing sharks with specific requirements as to the removal of hooks. **TCC11 should recommend that release guidelines be developed to ensure the safe release of sharks, and monitor the implementation of CMM 2013-08 and 2011-04, which must be enforced effectively for both purse seine and longline fleets.**

Adopt minimum standards for port inspections

Port State measures (PSMs) are cost-effective tools to monitor compliance with management arrangements and prevent illegal fish from entering the market. The WCPFC Performance Review recommended adoption of minimum standards for port inspections. The commission considered a proposal each of the past two years from FFA for a CMM on Port State Measures to Prevent, Deter and Eliminate IUU Fishing, which provided a good basis for progress towards a regional scheme of PSMs, but did not receive the support from all CCMs. Pew hopes that such a proposal can again be submitted for consideration. **TCC11 should agree on strong text and recommend that WCPFC12 adopt a proposal on a CMM on Port State Measures.**

Enhance the WCPFC Record of Fishing Vessels

On 1 January 2016, the requirement that vessels at least 100 gross tons (GT) or 100 gross registered tons (GRT) that are authorized to be used for fishing in the Convention Area beyond the flag CCM’s area of national jurisdiction have an International Maritime Organization (IMO) number will enter into force. WCPFC Members must ensure their vessels’ timely compliance with this requirement. At the same time, the WCPFC Secretariat has continued to improve its Record of Fishing Vessels, making it more informative and user-friendly. To ensure greater transparency of fishing operations, additional vessel information should be included in the Record. **TCC11 should recommend that as of 1 January 2016 the Commission require that CMMs provide to the Secretariat public information on any final administrative or judicial action taken in cases of non-compliance with applicable fisheries regulations by their flagged vessels listed on the WCPFC Record of Fishing Vessels which operate in the Convention Area in areas beyond their own national jurisdiction as soon as the information**

becomes available, and that this information be published as part of the Record of Fishing Vessels. Such pioneering transparency will showcase the efforts of WCPFC members and the Secretariat to foster compliance in the convention area.

Enhance the Effectiveness of the IUU Vessel List

Placing a vessel on WCPFC's IUU vessel list is a necessary step to highlight and hence deter unacceptable practices in the convention area. However, the effectiveness of this list is diminished due to the fact that IUU vessels can only be included on the list once a year. As a result, IUU vessels are able to operate unhindered until the Commission meets and agrees to place them on the list. WCPFC has established a procedure that permits the removal of vessels from its IUU vessel list intersessionally. In the same spirit, CCMs should establish a similar procedure that permits the listing of IUU vessels intersessionally. **TCC11 should recommend that the Commission establish a procedure that permits the listing of IUU vessels intersessionally.**

Ban transshipment at sea

Transshipment at sea continues to provide an opportunity to avoid proper catch reporting and to launder IUU catch. The WCPFC should introduce a ban on all forms of transshipment at sea until such a time it can be assured that transshipment operations cannot facilitate IUU fishing. This would require having a robust monitoring system in place that ensures full transparency, requiring observers and/or fisheries officers on board both the offloading and receiving vessels, and notification requirements to the Commission for all transshipment operations occurring at-sea in the convention area. **TCC11 should recommend that the Commission take steps to ban transshipment at sea until it can be verified, through proper and effective monitoring, that transshipment operations cannot facilitate IUU fishing.**