



**COMMISSION  
EIGHTEENTH REGULAR SESSION**  
Electronic Meeting  
1 – 7 December 2021

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**POSITION STATEMENT TO WCPFC18**

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**WCPFC18-2021-OP08  
18 November 2021**

**Submitted by World Wide Fund for Nature (WWF)**



WWF®

POSITION

DECEMBER

2021



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## Global Oceans Practice

### WWF POSITION

18<sup>th</sup> Regular Session of the Western Central Pacific Fisheries Commission (WCPFC18): Remote Online Meeting via Zoom – November 29 – December 7, 2021

#### 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 18th 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 SC17, NC17, TCC17, and WCPFC17. WWF would like to note that this Position Statement is not comprehensive, but that does not mean that WWF does not believe that other issues not included in this statement are not important. WWF wishes to reiterate its position offered in previous meetings and the recommendations listed below as well as other documents submitted to the WCPFC for review as Observer Papers.

#### COVID-19

The COVID-19 pandemic continues to create significant disruptions across all levels of fisheries management and enforcement. The pandemic continues to create justified concerns over the potential exposure of observers, fishers, port workers, and other communities to the virus. As such, WWF recognises the unprecedented challenges presented by COVID-19 and the need to ensure the health and safety of those working in the fishing industry. In particular, WWF understands the difficulties with meeting human observer coverage requirements at this time, given widespread travel restrictions in many regions and the very real and legitimate concern for the virus to be transmitted and then brought onshore to vulnerable populations. WWF remains supportive of the proposals contained in the letter delivered in 2020 by Pew on behalf of the NGO community in support of interim alternative measures and the full reinstatement of observer requirements at the earliest available opportunity.<sup>1</sup>

Nonetheless, considering the continuing risks of COVID-19 transmission to susceptible communities, we continue to support the COVID-19 Operating Protocols for the Fishing Sector in the Pacific. We agree with the objectives aimed at minimising the risk of transmitting COVID-19 in the fisheries sector at sea and in ports in the Pacific. Lastly, we acknowledge the proactive efforts of some members to prioritise the vaccination of crew and observers and support that approach throughout the Pacific.

**WWF recommends that the WCPFC:**

- **Ensure continuing and robust interim alternative monitoring, control, and surveillance methods until the full reinstatement of the observer programme is appropriate;**
- **Support the adoption of the COVID-19 Operating Protocols as best practice guidelines; and**
- **Support prioritisation of vaccination for all crew and observers.**

### Reference Points, Harvest Control Rules, and Harvest Strategies

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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. Consistent with previous WWF position statements and recommendations, WWF continues to encourage TCC17 to advance the development and adoption of explicit Limit and Target Reference Points (LRP/TRP), Harvest Control Rules (HCRs) or Management Procedures (MPs), and HSs for all stocks under WCPFC authority. WWF further notes that previously agreed workplan timelines have continuously lapsed and, in the case of skipjack (SKJ), the WCPFC seems to have even slipped backwards by allowing the interim TRP to lapse without a clearly agreed replacement. The need to establish species specific HSs consistent with the workplan only becomes more evident and urgent with each passing year as demonstrated by the increasingly intractable and time-consuming regular negotiations over the Tropical Tuna Measure.

WWF requests that WCPFC18 observe the importance of and strong support for these important management measures, specifically the adoption of TRPs and HCRs/MPs for the key target species. We particularly note the letters from prominent industry participants with Marine Stewardship Council (MSC) certification as well as the independent support from many important markets. Therefore, WWF encourages WCPFC18 to support continued 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 agreed proposed timelines;**
- **Establish precautionary TRPs for bigeye (BET) and yellowfin (YFT);**
- **Re-establish an agreed precautionary TRP for SKJ;**
- **Consider a candidate list and adopt an HCR/MP for the SKJ purse seine (PS) fishery and the SP ALB longline (LL) fishery that fluctuates around the established respective TRPs; and**
- **Endorse the continued development and implementation of LRPs and TRPs for proper management of *all stocks*, including sharks as a priority.**

### Transshipment Monitoring

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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 continues to

emphasise 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 either tranship or land their catch at the nearest available designated port in the WCPO following the conclusion of fishing activity. However, acknowledging that a prohibition on at-sea transshipment remains politically unlikely, WWF strongly supports the continued work of the Transshipment Intersessional Working Group and associated review and revision of CMM 2009-06 to address deficiencies in the current measure. WWF notes that the progress of the TS IWG has been very slow and believes that the WCPFC should emphasise the proposed work as a priority.

WWF supports substantial reforms and improvements for all at-sea transshipments, including:

- 100% monitoring through human observers or EM on all delivering and receiving vessels;
- prompt advance notification of all transshipments;
- timely delivery of all transshipment reports to the WCPFC; and
- strong sanctions for non-compliance.

WWF also recommends that transshipment requirements be buttressed by verification and validation of transshipment activities through redundant systems such as the use of a vessel monitoring system (VMS) supplemented by an operating automated identification system (AIS). If through investigation of suspected unreported transshipment activity indicated supporting procedures and technologies, it is determined that transshipment activity was conducted in violation of transshipment rules, the offending vessel should be subject to sanctions including removal from good standing, license revocation, and listing on the IUU vessel list.

**WWF recommends the WCPFC:**

- **Implement real time, or near real-time, reporting requirements for all components of transshipments, including electronic verification and validation tools;**
- **Support 100% observer coverage on delivering and receiving vessels engaged in at-sea transshipment;**
- **Prioritise the development and application of EM for transshipment monitoring; and**
- **Support or endorse the use of technology to verify and validate transshipment activity.**

## Human and Labour Rights in Fisheries

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WWF again welcomes the international recognition of global institutions of the dangerous nature of working at sea, particularly in the fishing industry. Unfortunately, fisheries observer deaths and documented cases human rights and labour abuses persist both globally and regionally. WWF remains disturbed by this trend, takes these reports very seriously, and calls for immediate and urgent action to address these issues.

### Crew Welfare

WWF remains troubled by continuing reports of forced labour and human rights abuses in fisheries. Recent reports highlight the scale of the problem in a way that suggests that urgency is necessary to address these issues.<sup>2</sup> Thus, WWF believes that vessel operators and managers should provide maximum transparency around all aspects of fishing of public resources, but, particularly, results of investigations into human and labour rights violations should be made public to allow authorities and the public to understand better how the incidents happened and how to prevent them in the future. In addition, authorities that register vessels must ensure that adequate measures are in place to ensure protection fishing crew, and due process is implemented when incidents or allegations emerge. We

incorporate by reference our official statement on Human Rights at Sea posted on July 03, 2020, and our letter delivered to the WCPFC on July 20, 2020, in support of these proposed actions.<sup>3</sup>

Lastly, while WWF regrets the lack of substantive engagement by some key member states resulting in slow progress, WWF remains fully supportive of the work of the Crew Welfare IWG to advance the issue under the leadership of New Zealand and Indonesia in support of transitioning Resolution 2018-01 on Labour Standards for Crew on Fishing Vessels into a formal, binding CMM.

### Observer Safety and Security

WWF also regrets that, despite measures taken by the WCPFC to ensure the safety and security of fisheries observers that began in 2015, for a consecutive year another fisheries observer in the region was lost. Arnold Latu of Tonga, was lost in September 2021, following on the heels of the death of Eritara Aati of Kiribati, who was lost in March of 2020.<sup>4</sup> We reiterate our call from previous years that the deaths of fisheries observers, regardless of the circumstances, **MUST STOP**. Except under the most extreme and rare circumstances out of the control of authorities responsible for a fishing vessel, those fishing vessels should always bring home people, and never bodies.

Arnold Latu's case is relevant to the WCPFC for several reasons. First and foremost, Arnold Latu's death has exposed a significant potential weakness in regional observer safety and security measures related to jurisdictional ambiguity. WWF understands that Arnold died on the vessel Hsinlong 1, which is listed on the WCPFC Vessel Register. The Hsinlong 1 is Fiji flagged, but authorised to fish beyond Fijian waters and possessed a WCPFC 'High Seas' authorisation. The vessel was fishing in Tongan waters at the time of the incident. Arnold Latu was reported dead by the company agent on Monday, 27 September, but no reports exist that suggest he was sick or injured. The cause of death and results of the *post mortem* examination remain pending. Based on available information, WWF understands that, because it was classified as a "national trip" even though it was a Fiji flagged vessel fishing in Tongan waters, Arnold was not issued the safety equipment required under CMM 2018-05 because the trip did not fall within the context of a Regional Observer Programme trip. WWF believes that when it comes to observer safety and security, if we are not protecting all observers, then we are not effectively protecting any observers.

WWF once again calls for full and transparent documentation and catalogue of observer incidents. As demonstrated across the recent observer fatalities, one of the outstanding gaps in observer safety and security is represented by the lack of information available to address observer incidents through proper follow-up and documentation. A requirement for full and transparent reporting of all incidents, whether national or regional, will allow for identification and understanding of potentially dangerous situations for future observers across all RFMOs. Until the WCPFC can fully understand the circumstances surrounding these incidents, it cannot hope to properly address them.

Thus, WWF recommends establishing a required comprehensive and transparent reporting procedure for observers and observer programmes to report instances of threats, harassment, intimidation, assault, or death that national programmes and the Regional Observer Programme (ROP) could then use to determine solutions to prevent future instances as well as share that information with other RFMOs. This procedure must include an annual, publicly available, consolidated, detailed, and fully transparent report of all infractions against observers.

#### WWF recommends the WCPFC:

- **Review and acknowledge the recommendations contained in the reports from Human Rights at Sea;**
- **Establish requirements for comprehensive and transparent reporting of all life threatening injuries or deaths that occur on fishing vessels operating in the WCPFC CA; and**
- **Adopt a formal, binding CMM on Crew Welfare based on Resolution 2018-01 on Labour Standards for Crew on Fishing Vessels.**

- **Transparently and decisively address failures to meet obligations for observer safety and security; and**
- **Endorse prioritisation and urgent vaccination for all fisheries observers.**

## Pacific Bluefin Tuna

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Technical reports of the 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 stock is recovering, but remains in an extremely depleted state. The updated stock assessment by the ISC in 2021 identifies:

- The stock has recovered, but remains at less than 5% SSBo;
- Small Pacific Bluefin tuna (age 0 to 2) have significantly increased as a result of reduced fishing mortality; and
- The stock remains overfished and subject to overfishing.

As a result, WWF maintains deep concerns regarding the health of the Pacific bluefin tuna stock and remains committed to restoring and rebuilding this ecologically, sociologically, and economically important fishery resource. WWF believes that additional time is necessary to allow the Pacific bluefin stock to recover and that now is not the time to be increasing fishing pressure on the stock as recommended by the NC and IATTC. Therefore, WWF recommends the WCPFC exercise a high degree of precaution for rebuilding this stock and reject calls to increase catches for Pacific bluefin.

### **WWF recommends that the WCPFC:**

- **Establish a precautionary Limit and Target Reference Point for Pacific Bluefin tuna;**
- **Achieve recovery targets as soon as possible without immediately increasing fishing quotas; and**
- **Develop a Catch Documentation Scheme (CDS) for the thorough monitoring of Pacific Bluefin tuna to ensure proper stock assessments**

## Sharks

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WWF maintains concerns regarding the efficacy of the shark conservation and management measures within the WCPFC as we continue to witness ongoing catastrophic declines in oceanic sharks and rays on a global scale. While WWF believes that the compromise achieved in the Comprehensive Shark Conservation and Management Measure (CMM 2019-04) represents a step forward, its impact is restricted due to the selective and voluntary nature of many of the provisions.

Recent research underscores the need for more conservative measures to protect and restore shark stocks globally. The global abundance of 18 oceanic shark and ray species has declined by 71 per cent since 1970 due to an 18-fold increase in relative fishing pressure.<sup>5</sup> Largely as a result of overexploitation, 16 out of 31 oceanic shark and ray species are now either critically endangered (three species) or endangered (13 species) according to the IUCN Red List. These include species that used to be wide-ranging and among the most abundant, notably the critically endangered oceanic whitetip shark (*Carcharhinus longimanus*) and scalloped hammerhead shark (*Sphyrna lewini*).

Oceanic sharks and rays are taken in both targeted fisheries and incidentally by vessels seeking tuna, billfishes, and other commercially valuable food fishes. Longline and purse-seine fisheries are taking a particularly heavy toll on these species, as they result in the highest shark and ray catches.<sup>6</sup> Thus, we implore the WCPFC consider additional measures to conserve and manage oceanic sharks and rays, including the proposal submitted by the US in favour of implementing additional gear mitigations in support of reducing the mortality of sharks and rays in the longline fishery.<sup>7</sup>

**WWF recommends that the WCPFC:**

- **Increase observer coverage (human and/or electronic) to 100 percent on all industrial vessels by 2030, and for other fishing vessels to 10 percent by 2024, and 15 per cent by 2026;**
- **Introduce recovery plans for relevant critically endangered oceanic sharks and rays by 2023, and endangered oceanic sharks and rays by 2026;**
- **Introduce gear mitigation measures to reduce shark and ray mortality, such as prohibiting wire leaders and shark lines in longline fisheries in addition to other mitigation techniques and minimum standards for safe handling and release; and**
- **Implement a “fins naturally attached” policy as the only method to ensure both proper catch accounting as well as compliance with shark retention measures.**

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<sup>1</sup> Nickson, Amanda, 07 August 2020, Joint Letter on COVID-19 Response in Commercial Fisheries.

<sup>2</sup> See FORCED LABOUR AT SEA: The case of Indonesian Migrant Fishers (May 31, 2021), *retrievable at* [https://www.greenpeace.org/static/planet4-southeastasia-stateless/2021/05/ef65bfe1-greenpeace-2021-forced-labour-at-sea-digital\\_final.pdf](https://www.greenpeace.org/static/planet4-southeastasia-stateless/2021/05/ef65bfe1-greenpeace-2021-forced-labour-at-sea-digital_final.pdf); see also Chinese vessels accused by EJF of IUU fishing, labor transgressions in Somali waters (November 2, 2021) *retrievable at* <https://www.seafoodsource.com/news/environment-sustainability/chinese-vessels-invade-somali-waters-illegally-exploit-fishery>; see also Erou, Annisa, and Tashryn Shahrin. Dear ASEAN, modern slavery is worsening on your watch. The Jakarta Post. <https://www.thejakartapost.com/academia/2021/09/26/dear-asean-modern-slavery-at-sea-is-worsening-on-your-watch.html?fbclid=IwAR0oEEwzxINg3kOPmazryWRGyYr33cxh4WSBTRHrd0x-QlGsa0bDnYQRME0>. 27 September 2021. Accessed on 30 September 2021; see also Tuna brands slammed for “glacial” progress in addressing labor abuses (March 23, 2021) *retrievable at* <https://www.seafoodsource.com/news/environment-sustainability/tuna-brands-slammed-for-glacial-progress-on-addressing-labor-abuses>.

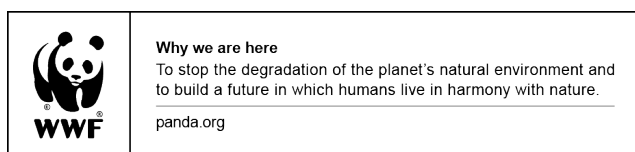
<sup>3</sup> WWF Statement on Human Rights at Sea. (July 03, 2020), *retrievable at* [https://wwf.panda.org/wwf\\_news/press\\_releases/?364599/WWF-Statement-on-Human-Rights-Abuses-at-Sea](https://wwf.panda.org/wwf_news/press_releases/?364599/WWF-Statement-on-Human-Rights-Abuses-at-Sea).

<sup>4</sup> Vance, Andrea. *UN Asked to Step In After Mysterious Death Of Fisheries Observer*. Stuff (July 13, 2020) *retrievable at* <https://www.stuff.co.nz/environment/122112141/un-asked-to-step-in-after-mysterious-death-of-fisheries-observer>.

<sup>5</sup> Pacoureaux, N., Rigby, C.L., Kyne P.M., Sherley, R.B., Winker, H., Carlson, J.K., Fordham, S.V., Barreto, R., Fernando, D., Francis, M.P., Jabado, R.W., Herman, K.B., Liu, K.M., Marshall, A.D., Pollom, R.A., Romanov, E.V., Simpfendorfer, C.A., Yin, J.S., Kindsvater, H.K., and N.K. Dulvy. 2021. Half a century of global decline in oceanic sharks and rays. *Nature* (volume 589), pp 567–57. <https://doi.org/10.1038/s41586-020-03173-9>

<sup>6</sup> *Id.*

<sup>7</sup> See WCPFC, Proposed revisions to the Conservation and Management Measure for Sharks. WCPFC18-2021-DP01 (November 01, 2021).



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