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**JOINT CIVIL SOCIETY ORGANISATIONS (CSO) STATEMENT TO THE 18TH REGULAR
SESSION OF THE COMMISSION FOR THE CONSERVATION AND MANAGEMENT OF
HIGHLY MIGRATORY FISH STOCKS IN THE WESTERN AND CENTRAL PACIFIC OCEAN
(WCPO)**

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Submitted by World Wide Fund for Nature (WWF)



JOINT CIVIL SOCIETY ORGANISATIONS (CSO) STATEMENT TO THE 18TH REGULAR SESSION OF THE COMMISSION FOR THE CONSERVATION AND MANAGEMENT OF HIGHLY MIGRATORY FISH STOCKS IN THE WESTERN AND CENTRAL PACIFIC OCEAN (WCPFO)

Remote Online Meeting via Zoom: 1 – 7 December, 2021

Background

The decisions made by the 18th Regular Session of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC18) will not only influence the future of tuna and other highly migratory fish stocks and associated species in the Western and Central Pacific Ocean (WCPO) but will directly shape the future of people and communities who work in and derive their livelihood from the fishery.

The outcomes of the WCPFC18 deliberations must continue progress toward achieving the Sustainable Development Goals in particular SDG 14 – “Conserve and sustainably use the oceans, seas and marine resources” and its specific targets including, but not limited to: regulating harvesting; ending overfishing, Illegal, Unreported and Unregulated fishing (IUU), and destructive fishing practices; implementing science-based management plans; prohibiting certain forms of fisheries subsidies which contribute to overcapacity and overfishing while recognising appropriate and effective special and differential treatment for developing and least developed countries should be an integral part of the WTO fisheries subsidies negotiation; eliminating subsidies that contribute to IUU fishing; and increasing the economic benefits to Small Island Developing States (SIDS) and Least Developed Countries (LDCs) from the sustainable use of marine resources.

In addition, the WCPFC18 must also progress the goals of the Pacific Regional Roadmap for Sustainable Pacific Fisheries including improving overall sustainability for the four key tuna species, safeguarding food security, value, employment opportunities, and safety of those working in the fishery and associated industries. A resilient and sustainable tuna fishery also contributes to safeguarding and enhancing the resilience of the Pacific Islands region to the impacts of climate change.

WWF submits this joint position statement on behalf of the undersigned CSOs that participate in the WCPFC consultation process, or may seek to participate in the future. The legitimacy and importance of public participation in multilateral environmental agreements including

fisheries is broadly recognised as international best practice and mandated for in a range of international instruments and agreements. In relation to fisheries, this participation has been codified in the United Nations Fish Stocks Agreement (UNFSA).

Representatives of Pacific-based CSOs and IGO were consulted on upcoming issues at WCPFC18. CSOs/IGO representatives included Women in Fisheries Network (WiFN), Human Dignity Group Ltd, Micronesia Conservation Trust (MCT), Pacific Islands Tuna Industry Association (PITIA), Pacific Network on Globalisation (PANG), Conservation International (CI), Waitt Institute, International Union for Conservation of Nature (IUCN) and World Wide Fund for Nature (WWF).

The safety and basic human rights of fishing crew, IUU fishing, transparency, and accountability of the Commission were highlighted as concerns by the CSO representatives, without losing sight of the importance of the sustainability of the WCPO's tuna resource.

The sustainability and economic viability of this fishery is of particular importance for those Pacific Small Island Developing States (PSIDS) members of the Commission that depend on the fishery for their livelihoods and economic opportunities.

Issues and Recommendations

CSO representatives agreed that some of their concerns raised at previous sessions of the Commission have not been sufficiently addressed. As such, the following issues have been identified as of primary importance to be considered by WCPFC18:

1. Observer Participation at WCPFC

Limited public participation (WCPFC Observer participation etc.), restricted media access, and lack of transparency in the decision making process and inclusion in all related meeting sessions presents a significant barrier to ensuring sufficient accountability in the management of a publicly owned resource. Inclusive participation rather than closed door discussions is critical given that the joint concern is about the sustainability of the resource and the social, health and safety impacts of observers and crew.

Recommendation

Improve transparency of the WCPFC proceedings to ensure consistency with Article 21 of the WCPF Convention. The Commission should consider the following:

- a. Allow WCPFC Observers access to all sessions of the WCPFC including matters relating to compliance, and urge members to urgently revisit options for the participation of Observers in closed meetings of the Commission and its subsidiary bodies in particular meetings concerning the review of the compliance monitoring report;**
- b. Tap into available expertise from the NGO and private sector who would be happy to contribute to the discussions or management decisions;**

c. Review participation fees for WCPFC Observers. High participation fees create an effective barrier to participation by many small CSOs. Fees should be set at a level to encourage participation of CSOs from WCPFC SIDS members.

2. FADs

The use of FADs and their impacts on coastal communities and small-scale fisheries and fishers is not fully understood.

Recommendation

We recommend that impacts of FADs on coastal communities and small-scale fisheries and fishers must be taken into consideration in deliberations on FAD management.

3. Security, Safety and Well-being of Crew and Fisheries Observers

We recognise the efforts carried out so far in ensuring the security, safety and well-being of fishing crew and fisheries observers. New incidents have been reported within the WCPO this year which suggest that binding measures within the WCPFC are needed to enhance working conditions and the well-being of fishing crew and fisheries observers.

Specific to the administration of observer programmes, establishing viable insurance policies for fisheries observers has languished for more than ten years and should be addressed and undertaken as a matter of urgency. Additionally, we reiterate the call made at WCPFC15 for the mandatory documentation and reporting of incidents involving observer safety, subject to compliance consequences that include listing and banning involved vessels and companies from the fishery.

Documentation and supporting mechanisms for reporting incidents while out at sea on fishing vessels must be established including identifying relevant agencies that should be receiving and acting on these reports. We note that momentum is positively trending across the supply chain to address this issue. Eco-labelling certification entities are now requiring social accountability standards to complement environmental standards in response to market demands. Crew recruiting agents in some countries are required to be licensed, even if that regulation appears to not be strongly followed. While Resolution 2018-01 on Labour Standards for Crew on Fishing Vessels represents a step in the right direction, it is non-binding and a binding Conservation and Management Measure must be put in place to address these important issues.

Recommendation

Implement binding measures that ensure safe and decent working conditions of fishing crew including women on fishing vessels operating in the Convention Area in line with FFA's Harmonised Minimum Terms and Conditions on Human Rights and Labour Conditions for Crew that came into effect on January 1st, 2020; IMO's Cape Town

Agreement on Fishing Vessels Safety; and ILO's Work in Fishing Convention, 2007 (C188).

Implement a binding CMM on crew welfare.

In the interest of fair play and protection against child labour, recruiting agents must be licensed and monitored. A register of accepted (licensed) agents could be incorporated into relevant vessel registries.

Ensure that observer reports are analysed promptly and that any threats, intimidation, or violence reported are swiftly addressed. Members should strongly consider implementing disciplinary measures such as banning offending companies and vessels from the fishery.

Improve the timeliness and transparency of investigations involving offences against fisheries observer.

4. Longline Fisheries Observer Coverage

Need for greater fisheries observer coverage in the longline fishery to ensure the accuracy and adequacy of data and so enhance the Commission's ability to effectively manage the tuna fisheries sustainably. Limited observer coverage limits the ability to monitor compliance with conservation and management measures. While the technology is promising, there is inadequate uptake of electronic monitoring systems to complement the work of fisheries observers.

Recommendation

Increase the number of fisheries observers' onboard longline fishing vessels operating within the Commission's jurisdiction to ensure improved catch data, reporting and compliance with regulations. In particular, promote enhanced monitoring through human observers or electronic monitoring for all transshipment activities.

5. High Seas Transshipment

Controlling high seas catch, effort, capacity and associated activities in particular at sea transshipments.

Recommendation

At sea transshipments, particularly on the high seas, should be prohibited given the challenges of effectively monitoring activities associated with the practice. We recommend that transshipments, where allowed, take place only in port.

CCMs must also take the necessary steps to implement CMM 2017/02 Conservation and Management Measure on Minimum Standards for Port State Measures in order to strengthen efforts to combat IUU fishing.

Establish real time reporting, record keeping and monitoring requirements for crew transfer at sea to ensure their safety, security, and well-being.

We encourage CCMs to increase port inspections, particularly on vessels suspected of involvement in IUU fishing activities.

Explore, develop, and implement cost effective technologies to enhance the capacity to combat IUU fishing

6. Harvest Strategies

We note with concern that the harvest strategy work plan for the key tuna species has continuously been delayed. Not only do these delays threaten the long-term sustainable management of WCPO tuna fisheries, but the delays may impact market access for many PSIDS that have invested in eco-labelling certification. We support and reiterate calls from fishing industry participants with eco-labelling certification, sustainable market actors, and consumers along the tuna supply chain to support the adoption of the key components of the harvest strategy approach.

We believe this step should be taken while these stocks are in a generally healthy biological state. The lack of effective harvest strategy management in the WCPO, and in particular the high seas, leaves the region vulnerable to management failures and potential collapse of key tuna stocks.

Recommendation:

Urgently establish and fully implement Harvest Strategies for all tuna species. In particular, establish target reference points (TRPs) for yellowfin and bigeye tuna that will accomplish objectives to ensure the long-term sustainability, productivity and social benefits of the fishery

7. Subsidies

The historical use of fisheries subsidies has allowed large industrial fishing fleets to overfish oceans across the globe. Subsidies, however, also play a key role in supporting small-scale and artisanal fishers in addition to being a key policy tool for development.

Recommendation

The WCPFC should acknowledge discussions before the WTO regarding the prohibition of fisheries subsidies and ensure that RFMO processes and the sovereign rights of RFMO Members under UNCLOS are firmly asserted in that process. This includes the authority of RFMO's and Members to make decisions on the sustainable management and fishing of marine resources.

Conclusion

We wish to emphasize that the concern about the sustainability of the fishery and the safety, security and well-being of fishing crew and observers is shared by the undersigned in solidarity. We are hopeful that the outcomes of the WCPFC18 will take these recommendations into consideration.

The following organisations hereby endorse this statement:



Abbreviations

CCMs	Cooperating Commission Members
CI	Conservation International
CSO	Civil Society Organisation
EEZ	Exclusive Economic Zone
FAD	Fish Aggregation Device
FFA	Pacific Islands Forum Fisheries Agency
IGO	Intergovernmental Organization
ILO	International Labour Organization
IUCN	International Union for Conservation of Nature
IUU	Illegal, Unreported and Unregulated Fishing
LDCs	Least Developed Countries
MCT	Micronesia Conservation Trust
PANG	Pacific Network on Globalisation
PITIA	Pacific Islands Tuna Industry Association
PSIDS	Pacific Small Island Developing States
SDG	Sustainable Development Goal
TRP	Target Reference Point
UNFSA	United Nations Fish Stock Agreement
WCPFC	Western and Central Pacific Fisheries Commission
WCPFC18	18 th Regular Session of the Commission
WCPO	Western and Central Pacific Ocean
WiFN	Women in Fisheries Network
WTO	World Trade Organization
WWF	World Wide Fund for Nature

This joint CSO Position Statement is produced with the assistance of the Pacific European Union Marine Partnership Programme (PEUMP) through the Pacific Islands Forum Fisheries Agency (FFA). The contents are the sole responsibility of the undersigned Civil Society Organisations and can in no way be reflected to be the view of PEUMP or FFA.