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28 November to 3 December 2022

WCPFC19 POSITION STATEMENT

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World Wide Fund for Nature (WWF)



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19th Regular Session of the Western Central Pacific Fisheries Commission (WCPFC19): Da Nang, Vietnam – November 27 – December 3, 2022

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 19th 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 SC18, NC18, TCC18, and WCPFC18. 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

WWF acknowledges that the COVID-19 pandemic continues to create concerns over the potential exposure of observers, fishers, and port workers to the virus. As such, WWF again 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 over the past three years due to travel restrictions in some regions and the concerns for the virus to be transmitted and then brought onshore. However, WWF joins the calls of others in the WCPO region to rapidly phase observer programmes back into full operation based on increasing levels of vaccination among vulnerable populations, improved health outcomes due to proven treatments for COVID-19, and improving flight schedules across the region.

WWF recommends that the WCPFC:

- **Urgently increase fisheries observer coverage to pre-pandemic levels under appropriate COVID-19 safety protocols; and**
- **Support prioritisation of vaccination for all crew and observers.**

Reference Points, Harvest Control Rules, and Harvest Strategies

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 WCPFC19 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 requests that WCPFC19 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 again note the advocacy from prominent industry participants with Marine Stewardship Council (MSC) certification as well as the independent support from many important markets. We note that to maintain the relevant MSC certifications under the current MSC interpretation, the WCPFC must: (i) adopt a HS for SKJ by June 2023; (ii) adopt an HCR for YFT by June 2023; and (iii) adopt an HCR/MP for SP ALB by June 2023.

Therefore, WWF encourages WCPFC19 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;**
- **Establish precautionary TRPs for bigeye (BET) and yellowfin (YFT);**
- **Adopt a comprehensive HS, including an HCR/MP, for SKJ;**
- **Expedite the development of a HS for SP ALB longline (LL) fishery that fluctuates around the established TRP; and**
- **Endorse the continued development and implementation of LRPs and TRPs for proper management of *all stocks*, including sharks as a priority.**

Transshipment Monitoring

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 maintains 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 (TS IWG) and associated review and revision of CMM 2009-06 to address deficiencies in the current measure.

WWF wishes to emphasize again that the intended exception afforded by CMM 2009-06 to tranship on the high seas has become the rule, with all available metrics indicating that transshipment has increased substantially since the CMM became effective. Thus, we again note that the progress of the TS IWG remains very slow and believe 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:

- **Endorse the prioritisation of TS IWG over the next two years;**
- **Implement real time, or near real-time, reporting requirements for all components of transshipments, including electronic verification and validation tools;**
- **Adopt the WCPFC ROP Minimum Standard Data fields identified in forms FC-1 and FC-2 as data fields to be collected by transshipment observers during transshipment events for direct submission to the WCPFC Secretariat;**
- **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

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 of 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.¹ WWF notes that at the recent FAO 35th Session of the Committee on Fisheries this issue was considered under “COFI/2022/INF/8 - Safety at sea, social protection and decent work in fisheries and aquaculture” and operative language was adopted in support of improving the welfare of crew working at sea. We specifically note FAO’s reference to the best available scientific information that indicates that the “number of fatalities within the fishing sector is likely much greater than 100000 annually,” which should be shocking, and wholly unacceptable, to anyone.

WWF would like to particularly point out the language from COFI that “Information collected on accidents and fatalities in fisheries..., will be published in 2022 and follow-up activities will be developed with partners.” We believe that, because collection and collation of this information starts at the National and Regional level, this discussion must also occur simultaneously at the WCPFC level as

well to ensure this information is made available to those international entities such as FAO, ILO, and IMO to make it possible to adequately assess and address crew welfare based on the best information available. Therefore, WWF strongly encourages the WCPFC to consider mandatory reporting for all accidents and fatalities that occur on board vessels operating in the WCPO as part of this process,

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.

Lastly, 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 wishes to emphasise that, as we accelerate the re-deployment of fisheries observers as we transition out of pandemic-related restrictions, we again consider the safety and security of those observers. We again note the losses of Arnold Latu of Tonga in September 2021 that followed the loss of Eritara Aati of Kiribati in March of 2020. We reiterate our call from previous years that the deaths of fisheries observers, regardless of the circumstances, is unacceptable and that, 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. Moreover, WWF re-emphasises that when it comes to observer safety and security, if we are not protecting all observers, then we are not effectively protecting any observers.

Consistent with the call at COFI described in the previous section on Crew Welfare, 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:

- **Establish requirements for comprehensive and transparent reporting of all life threatening injuries or deaths that occur on fishing vessels operating in the WCPFC CA;**
- **Adopt a formal, binding CMM on Crew Welfare based on Resolution 2018-01 on Labour Standards for Crew on Fishing Vessels; and**
- **Transparently and decisively address failures to meet obligations for observer safety and security.**

Pacific Bluefin Tuna

Technical reports of the scientific and management bodies responsible for management of the Pacific bluefin tuna (PBF) 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 2022 identifies:

- The stock has recovered, but remains at only 10.2%SSB₀;
- Small PBF tuna (age 0 to 2) have significantly increased as a result of reduced fishing mortality; and
- The stock remains overfished relative to the biomass-based limit reference points adopted for other species in WCPFC (20%SSB₀).

Although the PBF stock is on a recovery trend, WWF maintains deep concerns regarding the health of the PBF stock and remains committed to restoring and rebuilding this ecologically, sociologically, and economically important fishery resource. Therefore, WWF recommends the WCPFC exercise a high degree of precaution for rebuilding this stock and reject calls to increase catches for PBF.

WWF recommends that the WCPFC:

- **Establish a Management Strategy Evaluation as well as a precautionary Limit and Target Reference Point for PBF tuna by 2025;**
- **Achieve recovery targets as soon as possible without immediately increasing fishing quotas; and**
- **Develop a Catch Documentation Scheme (CDS) for the thorough monitoring of PBF to ensure proper stock assessments and reduce IUU risk.**

Sharks

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. Recent media has only served to emphasize those concerns, indicating direct targeting of vulnerable shark species and flagrant finning.² 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.

WWF maintains that, based on the best available scientific information, the WCPFC should ban both shark lines *and* wire leaders to ensure the sustainability and survival of several shark species in the WCPO. Specifically, SC18 noted significant concerns that oceanic whitetip sharks (OCS) remain overfished and are experiencing overfishing according to the 2019 stock assessment and silky sharks (FAL) are experiencing overfishing according to the 2018 stock assessment.

Updated projections on the impact of banning shark lines, wire leaders, or both and estimates of catchability and probability of post release mortalities presented at SC18 indicate that banning both shark lines and wire leaders presents the most effective path forward to improve critically depleted shark stocks such as OCS. Moreover, SC18 projects that the OCS biomass will increase if mitigation methods including the prohibition of both wire leaders and shark lines are adopted and implemented and that if no action is taken, the OCS stock biomass is projected to remain at a very depleted level.

Additionally, SC18 noted the *substantial* scientific research that indicates the use of monofilament branchlines can significantly reduce bycatch and mortality of OCS without negatively affecting target catches. While SC18 held some discussion regarding trailing gear length and handling condition and its impact on post-release survivorship for OCS, concerns with respect to trailing gear become largely irrelevant if fishermen engage best practice to cut the branchline as close to the hook as possible. WWF would like to add context to the concerns around trailing gear that bite off is impossible with wire

leaders, where it is far more likely with monofilament leaders, so an emphasis on the impact of trailing gear of wire or monofilament seems misdirected.

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.³ Largely because 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. Thus, we implore the WCPFC consider additional measures to conserve and manage oceanic sharks and rays.

WWF recommends that the WCPFC:

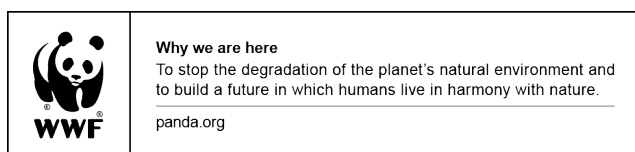
- **Revise the Conservation Management Measure for Sharks (CMM 2019-04), taking into account the best available scientific information of Project 101 and previous studies, to prohibit the use of wire leaders *and* shark lines in order to reduce fishing mortality;**
- **Require additional mitigation techniques and minimum standards for safe handling and release, such as requiring fishermen to cut branchlines as close to the hook as possible;**
- **Implement a “fins naturally attached” policy as the only method to ensure both proper catch accounting as well as compliance with shark retention measures; and**
- **Introduce recovery plans for relevant critically endangered oceanic sharks and rays by 2023, and endangered oceanic sharks and rays by 2026.**

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¹ 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; 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=IwAR0oEEwzINg3kOPmazryWRGyyr33cxh4WSBTRHrd0x-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>.

² See Exclusive: Shark finning rampant across Chinese tuna firm’s fleet (November 1, 2022), retrievable at <https://news.mongabay.com/2022/11/exclusive-shark-finning-rampant-across-chinese-tuna-firms-fleet/>

³ Pacoureau, 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>



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