



**COMMISSION**  
**NINETEENTH REGULAR SESSION**  
Da Nang City, Vietnam  
28 November to 3 December 2022

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**STATEMENT TO WCPFC19 MEETING**

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**WCPFC19-2022-OP06**  
**16 November 2022**

The PEW Charitable Trusts and The Ocean Foundation

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Statement to the 19<sup>th</sup> Regular Session of the  
Western and Central Pacific Fisheries Commission  
November 28-December 3  
Da Nang, Vietnam**

The Pew Charitable Trusts and The Ocean Foundation's International Fisheries Conservation Project welcome the opportunity to participate as observers to the 19<sup>th</sup> annual session of the Western and Central Pacific Fisheries Commission (WCPFC). We appreciate the work of the Chair, Members and Secretariat to convene a hybrid meeting providing for in-person and virtual participation. We hope this return to face-to-face negotiations accelerates progress and urge all members to reflect on the impact of the COVID-19 pandemic to consider how to hasten adoption of approaches that would provide greater resilience and stability to the region's fisheries. In relation to the agenda, we urge members to:

*Accelerate the transition to management procedures (MPs) for WCPFC stocks, including by adopting WCPFC's first fully specified MP and implementing it without delay*

Commission members, industry, and non-governmental organizations agree the development and implementation of management procedures, also called harvest strategies, are key to the future sustainability and profitability of the region's critical tuna stocks. As such, WCPFC should:

- **Adopt a management procedure for skipjack tuna to determine catch and effort levels in the fishery.** WCPFC should seize the chance to adopt a fully specified management procedure for western and central Pacific Ocean (WCPO) skipjack, the world's largest tuna fishery. In August, members narrowed a list to five preferred harvest control rules (HCRs) for possible adoption. The good news: each HCR would result in very little chance of breaching the limit reference point. Each has similarly good performance relative to other performance statistics. It should be noted, however, that in comparison with the other HCRs, the proposal in [DP-04](#) permits the heaviest fishing pressure should the stock biomass increase, which could impact bigeye tuna. Significantly, the proposal would establish a 'trial period,' whereby the results of the MP would be merely one of many considerations put to members when negotiating fishing limits for skipjack. Such an approach negates much of the usefulness of a MP (e.g., transparency, predictability, scientific basis) and exposes the fishery to unnecessary risk. WCPFC should reject the concept of a 'trial period,' adopt an MP and implement it as soon as possible (i.e., for the 2024 fishing year).
- **Adopt the recommendation to establish management objectives, target reference point and conceptual harvest control rule for north Pacific albacore.** The Northern Committee is recommending WCPFC adopt a proposal that mirrors one agreed by the Inter-American Tropical Tuna Commission ([Attachment E of the NC18 report](#)). It

represents a critical step but falls short of a full MP, lacking the formula to calculate fishing intensity in accordance with the HCR. WCPFC should send a strong signal that it expects to adopt a full MP in 2023, including guidelines for converting the calculated fishing intensity into catch and effort levels for each fishery.

- **Establish the Science Management Dialogue as a permanent body with tasks for 2023 and beyond.** The success of this year's inaugural dialogue meeting is clearly demonstrated by its output. To accelerate momentum in developing MPs, future dialogue meetings will be essential. Building on the [terms of reference](#) for the dialogue reviewed by WCPFC15, tasks for 2023 could include providing specific input on an exceptional circumstances protocol for skipjack, the mixed fishery framework, and elements of the south Pacific albacore MP.

### *Improve the monitoring and reporting of at-sea transshipment activities*

WCPFC should continue its work to strengthen and independently verify the collection of data on at-sea transshipments. The scale of transshipment in the WCPO and lack of proper reporting provides opportunities for unscrupulous operators to launder Illegal, Unreported and Unregulated (IUU) catch. Specifically, WCPFC should:

- **Standardize information collected on at-sea transshipments.** WCPFC should add data fields for the recording of the date, location, catch and duration of transshipments to forms FC-1 and 2, which were recommended by the Technical and Compliance Committee (TCC) for adoption as mandatory minimum standard data fields for transshipment observers to collect during at-sea transshipments. This would increase the usefulness of the information collected on at-sea transshipments.
- **Require transshipment observer reports be sent to the Secretariat within a reasonable timeframe.** WCPFC also should adopt TCC's recommendation that the Agreed Minimum Standards and Guidelines of the Regional Observer Programme be amended to require transshipment observer reports and companion materials be sent directly to the Secretariat within 30 days of the observer disembarking. This would close a significant gap in data collection. Transshipment reports are sent to the secretariats of all other tuna RFMOs, yet WCPFC currently receives very few because it is not considered mandatory to provide them.
- **Request a strengthened transshipment CMM be presented to WCPFC in 2023.** WCPFC should direct the SPC to prioritize completion of the analysis requested by the Transshipment Intersessional Working Group (TS-IWG) and adopt the recommendations in [DP-02](#), which call for the TS-IWG to hold an in-person meeting prior to TCC; consider the FAO Guidelines on Transshipment as a set of minimum standards; and draft revisions to strengthen the transshipment CMM for the Commission's consideration in 2023.

- Because WCPFC’s waters overlap those of the Inter-American Tropical Tuna Commission (IATTC) and North Pacific Fisheries Commission (NPFC), **WCPFC should agree to strengthen its Memorandum of Understanding (MOU) with the IATTC and develop an MOU with the NPFC to share all transshipment-related information.** The different reporting and observer carrier requirements of the three RFMOs requires information to be shared to ensure proper reporting of species and understand the rules and procedures applicable to a carrier vessel.

*Improve the Compliance Monitoring Scheme (CMS) by completing tasks in its list of ‘future work’*

A robust CMS is essential to ensuring members are accountable for meeting their obligations and supports sustainable fisheries. WCPFC recognized its CMS needed to be improved and scheduled a list of ‘future work.’ Several tasks should be completed this year. In addition, members should consider whether more work is needed. As a guide, Pew urges members to review the principles of effective compliance processes in the paper “[Approaches to Evaluate and Strengthen RFMO Compliance Processes – A Toolkit and Recommendations.](#)” This toolkit, synthesized by a group of RFMO compliance experts from the outcomes of three workshops and two webinars convened by Pew and the International Seafood Sustainability Foundation, was presented to TCC. At a minimum, the CMS should assist members to improve compliance; include penalties to deter persistent instances of non-compliance; identify whether CMMs require amendments; improve clarity in obligations and the assessment process; and promote transparency.

- **Finalize audit points to clarify obligations for assessment.** WCPFC should complete this task from the list of ‘future work’ by agreeing that the TCC-reviewed list of 60 audit points will be used in compliance assessments. Members also should commit themselves to finalizing the remaining batch of audit points while in Vietnam and agree that new CMMs should automatically list audit points for assessment.
- **Encourage use of the risk-based assessment framework (RBAF).** As set out in paragraph 6 of CMM 2019-06, a risk-based approach should be used to identify the obligations for assessment each year. The RBAF was agreed during TCC and has the potential to greatly assist members to streamline the choice of obligations for assessment, helping direct limited resources to the most pressing areas. Pew urges members to complete this second piece of ‘future work’ by encouraging use of the RBAF.
- **Support work to develop ‘corrective actions’ to enhance compliance.** WCPFC should encourage members to participate in the initiation of work to develop corrective actions to encourage and incentivize compliance with Commission obligations. The United States agreed to lead the work through the CMS intersessional working group. This work should include a focus on enhancing members’ capacities to implement obligations.

- **Adopt guidelines for observers to participate in meetings that review members' compliance monitoring reports.** Although TCC could not agree on a set of guidelines, providing for observer participation in the closed sessions was agreed as a priority task to enhance the CMS. A set of [guidelines](#) is available that includes comments from non-governmental organizations and should be adopted without further delay. In addition, discussions should continue to review the definition and resulting quantity of non-public domain data that is part of the annual compliance process as this has been an obstacle to permitting observers to attend the closed sessions.

### *Prohibit use of wire leader in the longline fishery to recover shark populations*

Given the status of the oceanic whitetip shark (*Carcharhinus longimanus*) and silky shark (*C. falciformis*) in the WCPO, additional mitigation measures are needed to help these populations recover. Both shark species were assessed as experiencing overfishing. Oceanic whitetip was heavily depleted to less than 5% of its unfished population.

- To facilitate this, WCPFC should adopt the proposal by the United States and Canada to revise the comprehensive shark measure (CMM- 2019-04) to prohibit both the use of wire leaders and shark lines within the Convention area. A study presented to the Scientific Committee estimated that banning both would reduce fishing mortality by 31% for silky shark and 41% for oceanic whitetip shark. The proposal also requires removal of trailing gear from sharks caught by longline vessels, which is estimated to further reduce fishing mortality.

### *Looking toward an agenda for 2023*

In developing priorities for next year, WCPFC should ensure that progress can be made over the next year to adopt the following at the 2023 annual meeting: the south Pacific albacore MP, strengthened port State minimum standards measure, and electronic monitoring standards and measures providing for an electronic monitoring program and framework for the collection of at-sea data.