



THIRD REGULAR SESSION

Apia, Samoa
11-15 December 2006,

OBSERVERS TO WCPFC

WCPFC3-2006/09
10 November 2006

Prepared by the Secretariat

1. The purpose of this paper is to inform Members, Cooperating Non-members and Participating Territories (CCMs) of current observers to the Commission.
2. At the Inaugural Session of the Commission, 9-10 December 2004 at Palikir, Federated States of Micronesia the following inter-governmental organisations were granted observer status: the Pacific Islands Forum Fisheries Agency, the Food and Agriculture Organisation of the United Nations, the Pacific Islands Forum Secretariat, the Inter-American Tropical Tuna Commission, the Secretariat of the Pacific Community, the Secretariat of the Pacific Regional Environment Programme and the University of the South Pacific. Observer status was also granted to the Russian Federation, Greenpeace and the International Game Fishing Association.
3. The Commission for the Conservation of Antarctic Living Marine Resources (CCAMLR) was granted observer status at the First Regular Session of the Technical and Compliance Committee, 5-9 December 2005 at Palikir, Federated States of Micronesia.
4. At the Second Regular Session of the Commission, 12-16 December 2006 at Palikir, Federated States of Micronesia the following organisations were granted observer status: Marine Stewardship Council, Organisation for the Promotion of Responsible Tuna Fisheries, Sea Turtle Restoration Project, World Tuna Purse Seine Organisation, the Pacific Islands Tuna Industry Association and the World Wildlife Fund. The International Marine Registry of Belize was accepted as an observer to the Second Regular Session of the Commission only.
5. In April 2006 Japan circulated a letter relating to the Sea Turtle Restoration Project (Attachment). Japan has requested this letter be brought to the attention of WCPFC3.
6. In accordance with Rule 36(4) of the Commission's Rules of Procedure the following applications for observer status were circulated to CCMs 45 days in advance of the Second Regular Session of the Scientific Committee, 7-18 August 2006 at Manila (Circular 2006/06 23 June): Birdlife International and the Agreement for the

Conservation of Albatross and Petrels. No objections were received to granting observer status to these two organisations. As recommended by the First Regular Session of the Technical and Compliance Committee (TTC1) the International MCS Network was invited to participate in TCC2, 28 September to 3 October 2006 at Brisbane.

7. Applications for observer status from the following non-government organisations were circulated to CCMs on 26th October 2006, 45 days in advance of the Third Regular Session of the Commission: The Humane Society, the Blue Ocean Institute, the Earth Island Institute and the Constitution of the Centre for Environmental Law and Community Rights Inc. In accordance with Rule 36(4), unless the majority of Members object 20 days in advance of WCPFC3, these organisations will be invited to observe the Commission's meetings.

8. Submitted for information and discussion.



FISHERIES AGENCY

MINISTRY OF AGRICULTURE, FORESTRY AND FISHERIES, GOVERNMENT OF JAPAN

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April 12, 2006

Mr. Glenn Hurry
Chairman
WCPFC

Dear Mr. Hurry:

At the second session of the WCPFC (WCPFC 2), the Commission granted an observer status to the Sea Turtle Restoration Project. After attending the WCPFC2, this observer NGO issued two press releases (attachments) on December 15, 2005 and February 10, 2006 regarding the WCPFC sea turtle resolution (Resolution-2005-04). These press releases include completely incorrect information. Although WCPFC members, including Japan, unanimously supported the adoption of Resolution-2005-04, "Resolution to Mitigate the Impact of Fishing for Highly Migratory Fish Species on Sea Turtles" at WCPFC2, the Sea Turtle Restoration Project states that WCPFC failed to take any effective action on sea turtles, mainly because of Japan's objection.

For example, the press-release on December 15 says, "*Pohnpei, Micronesia – This week Japan undermined the new Western and Central Pacific Fisheries Commission's initiative to protect endangered sea turtles. Japan's delegation rebuffed calls by the United States, Forum Fisheries Agency (an organization of Pacific island states), United Nations, the FAO and environmentalists to implement a mandatory plan to reduce the injury and killing of endangered sea turtles by longline fishing in the Pacific.*"

Also, the press-release on February 10 says, "*Last December, a measure proposed by the Forum Fisheries Agency (an organization of Pacific island states) and the United States at the Western and Central Pacific Fisheries Commission (WCPFC) to implement bycatch mitigation measures and investigate possible time and area closures was attacked by Japan and nearly gutted. In the end, the resolution only proposed that the issue be discussed at a future scientific committee meeting. The lack of action by the WCPFC is significant because it has authority over the last*

remaining nesting populations of leatherback sea turtles in the Western Pacific."

The Sea Turtle Restoration Project ignores the fact that all WCPFC members agreed on the Resolution-2005-04 at WCPFC2 to take concrete actions to decrease sea turtle mortality. The press releases by the Sea Turtle Restoration Project undermine the credibility of the WCPFC and mislead the public opinion. These press releases accuse not only Japan but also all WCPFC members who made utmost effort to adopt the Resolution-2005-04. Japan is of the view that the Commission should welcome any NGO observer that constructively cooperates with WCPFC Convention's objectives and Commission's work, but the Commission should take a strong attitude toward an NGO which unnecessarily blames the Commission based on inaccurate information and understanding.

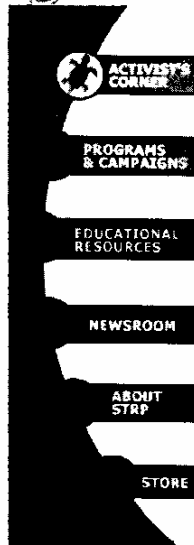
Therefore, I would like to ask you, Mr. Chair, to request the Sea Turtle Restoration Project to withdraw the above mentioned press releases, issue a corrective statement, and send a written apology to the WCPFC. If the Sea Turtle Restoration Project does not follow such requests by the Chair, the WCPFC should revoke observer status of the Sea Turtle Restoration Project at the third session of the WCPFC in December 2006.

Please circulate this letter to all the WCPFC members to seek their views on this matter.

Best regards,



Akira Nakamae
Head of Japanese Delegation
CC: WCPFC Secretariat



Press Releases

12/15/05

NOW! Fisheries Commission Fails to Act to Save Sea Turtles

US and Pacific Island's Plan is Sabotaged by Japan

Pohnpei, Micronesia – This week Japan undermined the new Western and Central Pacific Fisheries Commission's initiative to protect endangered sea turtles. Japan's delegation rebuffed calls by the United States, Forum Fisheries Agency (an organization of Pacific island states), United Nations, the FAO and environmentalists to implement a mandatory plan to reduce the injury and killing of endangered sea turtles by longline fishing in the Pacific. Some of the last remaining leatherback beaches lie in the management area of the Commission and the turtle is documented to migrate throughout the area.

"Due to obstruction by the Japanese delegation, the comprehensive plan proposed by the United States and the Forum Fisheries Agency to protect endangered sea turtles from longlines was not passed as a mandatory measure to be implemented by all member states," said Robert Ovetz, Ph.D. Save the Leatherback Campaign Coordinator of the US based Sea Turtle Restoration Project who is attending the second meeting of the Western and Central Pacific Fisheries Commission in Micronesia this week. Although Article 61(c) requires that the Commission adopt plans to protect non-target species such as sea turtles from destructive fishing practices such as longlines, the Japanese delegation managed to amend the proposed plan to make it voluntary.

On November 28th, the United Nations General Assembly passed a sustainable fisheries resolution that calls for closures of fishing in areas where large numbers of critically endangered sea turtles are caught or killed as a compromise to calls for a moratorium. The critically endangered Pacific leatherback sea turtle is on the verge of extinction and is expected by scientists to go extinct in the next 5-30 years unless immediate measures to eliminate threats posed by industrial longline fishing are taken.

"We were hopeful that the fisheries commission would have resisted the economic bullying of Japan and come up with a reasonable compromise that protects sea turtles and permits longline fishing. The UN will now have no option but to seriously consider the need for a moratorium on longline fishing in the Pacific. Japan's behavior as an environmental pariah has left us with no other options," said Ovetz.

Earlier this year, the Sea Turtle Restoration Project delivered a letter to the UN signed by 1,007 scientists from 97 countries and 281 non-governmental

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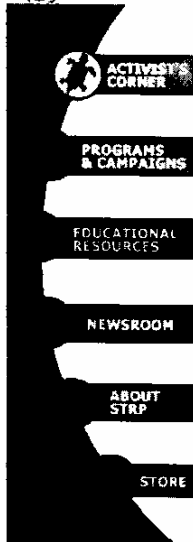
organizations from 64 countries urging it to implement a moratorium on high seas industrial longline fishing in the Pacific. The list of signers includes famed primatologist Dr. Jane Goodall, Harvard biologist E.O. Wilson, oceanographer Dr. Sylvia Earle, a National Geographic Explorer-in-Residence, and former U.S. astronaut Bernard Harris, Jr. M.D.

Resources:

- For a copy of our position statement on the sea turtle resolution being considered by the Commission go to:
<http://www.seaturtles.org/pdf/STRP.WCPFCPosStat.pdf>
- For a copy of our recommendations and proposal for time and area closures along sea turtle migration routes being delivered at the WCPFC go to:
<http://www.seaturtles.org/pdf/ACF165.pdf>
<http://www.seaturtles.org/pdf/ACF167.pdf>
- For a copy of the Sea Turtle Restoration Project's new book Striplining the Pacific on the impact of longline fishing on the Pacific leatherback go to:
http://www.seaturtles.org/press_release2.cfm?pressID=259
- For a copy of the scientist and NGO letters to the UN calling for a moratorium on longline fishing in the Pacific go to: http://www.seaturtles.org/press_release2.cfm?pressID=261
- For a review copy of the Sea Turtle Restoration Project's new documentary film Last Journey for the Leatherback? contact Robert Ovetz, PhD at 415 488 0370 x 106.

For more information, contact:

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Press Releases

02/10/06

UN Sea Turtle Recommendations Ignored by Fisheries Commissions

Environmentalists Renew Call for Pacific Longline Moratorium on Eve of UN High Seas Biodiversity Meeting

This week, the United Nations General Assembly will convene a high level working group to address the biological diversity crisis on the high seas. Despite the General Assembly's November 2005 resolution that calls for conservation measures and closures of fishing in areas where large numbers of critically endangered sea turtles are caught or killed, the regional fisheries management organizations tasked with implementing the UN mandate have failed to take action. At risk is the critically endangered leatherback sea turtle which scientists warn could go extinct in as little as five years unless the threat of longline fishing is controlled. Environmentalists, concerned that fishery organizations will continue to ignore the UN's recommendations, are renewing a call for a moratorium on longlining in the Pacific until protections are put into place.

"Regional fishery management organizations are acting as if the UN does not exist. The UN's legitimate and timely concerns over biological diversity and long term food supply are being ignored so that sushi and shark fin soup can fill the dinner plates of the wealthy," said Robert Ovetz, Save the Leatherback Campaign Coordinator of the US based Sea Turtle Restoration Project which is leading the advocacy effort by a coalition of international environmental organizations. "It is time for the UN to take more proactive steps by either coming down hard on the regional fisheries management organizations or going over their heads and supporting the longline moratorium in the Pacific."

In November, the UN passed the sustainable fisheries resolution A/RES/60/31 directing all regional fisheries management organizations to urgently implement fishing closures and other measures outlined in recent UN FAO guidelines for reducing interactions with sea turtles.

A recently released draft report by the Secretary General in advance of the review conference on the UN Straddling Fish Stocks Agreement (A/CONF.210/2006/1) documents the lack of progress among the regional fisheries management organizations (RFMOs) in implementing wide ranging precautionary measures required by the agreement. The report states that "RFMOs having competence to manage jurisdiction over fisheries that interact with oceanic sharks and other highly migratory species are aware of the bycatch problem, but it is mostly unregulated."

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Last December, a measure proposed by the Forum Fisheries Agency (an organization of Pacific island states) and the United States at the Western and Central Pacific Fisheries Commission (WCPFC) to implement bycatch mitigation measures and investigate possible time and area closures was attacked by Japan and nearly gutted. In the end, the resolution only proposed that the issue be discussed at a future scientific committee meeting. The lack of action by the WCPFC is significant because it has authority over the last remaining nesting populations of leatherback sea turtles in the Western Pacific.

According to the recent reports in the scientific journal Nature, the 100 million year old leatherback sea turtle is on the brink of extinction. The population of female nesting leatherbacks has declined by about 95% since 1980. The critically endangered Pacific leatherback sea turtle is expected by scientists to go extinct in the next 5-30 years unless immediate measures to eliminate threats posed by industrial longline fishing are taken.

"The fisheries commissions are pushing the UN into a corner, and in the end there will be no choice, except to witness extinctions in the Pacific or implement a moratorium on all longline fishing in the Pacific," Ovetz concluded.

Resources:

☐ For a copy of the Sea Turtle Restoration Project's recent report *Striplining the Pacific* on the impact of longline fishing on the Pacific leatherback go to: http://www.seaturtles.org/press_release2.cfm?pressID=259

☐ For a copy of the scientist and NGO letters to the UN calling for a moratorium on longline fishing in the Pacific go to: http://www.seaturtles.org/press_release2.cfm?pressID=261

☐ For a review copy of the Sea Turtle Restoration Project's new documentary film *Last Journey for the Leatherback*? contact Robert Ovetz, PhD at +1 415 488 0370 x 106.

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