



**WWF & TRAFFIC OCEANIA STATEMENT
TO THE 3RD SESSION OF THE
WESTERN & CENTRAL PACIFIC FISHERIES COMMISSION**

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INTRODUCTION

Since the second annual meeting of the WCPFC, in December 2005, there have been some significant developments in global fisheries conservation and management. Primary among these was the United Nations Fish Stocks Review Conference in May 2006 at which a key issue of focus was the performance of the world's 16 regional fisheries management organizations (RFMOs).

The focus on RFMOs at the UNFSA Review Conference is part of ongoing international efforts to address the reasons for the widespread failure of RFMOs to prevent overfishing, degradation of the marine ecosystems and sub-optimal benefits accruing to coastal States, fishing States and their legitimate fishing industries. Multilateral, bilateral and unilateral efforts are underway to identify the reasons for these failures and move rapidly to implement effective measures to address them. Initiatives such as the Ministerially-led High Sea Task Force on Illegal, Unreported and Unregulated Fishing, which released its final report in March 2006, the MCS Network and the meeting of the five tuna RFMOs to be hosted by Japan early in 2007 represent some of these efforts. As a contribution to international efforts, at the UNFSA Review Conference WWF and TRAFFIC released the report *'Follow the Leader: learning from experience and best practice in regional fisheries management organisations'*.

The WCPF Convention is arguably the most innovative and far-reaching RFMO in force to date. Given that it was negotiated post-UNFSA the Convention reflects much of what is widely regarded as international best practice in areas such as recognition of the precautionary approach, facilitating developing State participation, explicit acknowledgement of allocation and evolved decision-making processes. The responsibilities of the Commission can not be understated; it is responsible not only for the conservation and management of the world's largest tuna fishery, supplying almost half of the global supply, but also for the broader marine ecosystem upon which the long-term prosperity of this fishery relies. In the context of the current and growing international focus on the performance of RFMOs there are high expectations from the international community that the WCPFC has the tools at its disposal to succeed where other RFMOs have failed.

To meet these expectations, WWF and TRAFFIC consider the following to be priorities for action:

PRECAUTIONARY APPROACH

Bigeye Tuna and Yellowfin Tuna management

- The Commission's decision at its 2005 meeting to limit catch and effort at record levels was contrary to the advice of its Scientific Committee and the precautionary approach. The Scientific Committee's advice to this meeting is similar to that in 2005, if not more pessimistic with regard to Bigeye Tuna. The advice from the Scientific Committee is that a reduction in fishing mortality of 39% is required to maintain the Bigeye Tuna biomass at a level 20% above that which will produce maximum sustainable yield (MSY). Similarly, a 26% reduction in fishing mortality on Yellowfin Tuna is required to maintain biomass at a level 20% above the level at which MSY is produced. In the context of the Scientific Committee's advice WWF and TRAFFIC draw the Commission's attention to the fact that under the precautionary approach set out under UNFSA, MSY is minimum standard for a limit reference point not a target reference point – i.e., stocks should be maintained at levels above those that can produce MSY.
- WWF and TRAFFIC draw the attention of the Commission to Conservation and Management Measure (CMM) 2005-01 concerning Bigeye and Yellowfin Tuna, which provides for the catch and effort levels set under that CMM to be reviewed annually in light of the Scientific Committee's advice.
- WWF urges the Commission to follow the advice of SC-2 and take action to reduce catch of Bigeye and Yellowfin at this meeting. Additionally, priority should be given to developing and adopting a robust Management Evaluation Strategy (MSE) prior to the expiration of the three-year limit on longline catch levels for Bigeye Tuna established under CMM 2005-01. The MSE would then provide a decision-making framework within which the current catch and effort limits can be reassessed. The Scientific Committee considered the development of a MSE to be the highest level of priority in its future work programme and we call on Members to provide the necessary extra-ordinary funding for this work to be urgently undertaken.
- Action to address the ongoing over-fishing of Bigeye Tuna and Yellowfin Tuna may pervert the flow of economic benefits from the longline and purse seine fisheries respectively in the short to medium term. In this context we would draw the attention of Members to their unilateral and collective obligations under Article 5 of this Convention, among others, to apply the precautionary approach and prevent these stocks from moving to an overfished state.

Trade-related measures

Trade-related measures for tuna species is not a new concept and much work has been done to assess the different forms that these measures can take and the effectiveness of various systems in meeting objectives. TRAFFIC and WWF have undertaken a number of analyses of the effectiveness and deficiencies in trade-related measures adopted by RFMOs, including most recently that of the Commission for the Conservation of Southern Bluefin Tuna.

Given the global nature of trade in tuna products and the laundering of catches already known to occur it is inevitable that the Commission will need to consider some form of a trade-related measure for the WCPFC. WWF and TRAFFIC believe that a priority for the Commission is to ensure that the objectives of its trade-related measure are clearly stated to provide a basis against

which to the pros and cons of different schemes and to ensure that the deficiencies in the schemes of other RFMOs are not repeated.

More specifically, proposals to implement a pared-down statistical documentation scheme (SDS) need to be carefully examined in the light of deficiencies already exposed in systems that deal only with the trade component rather than being inclusive of catch as well. Given that the Commission has already signaled its intention to move rapidly to allocate fishing opportunities, as well as existing concerns about levels of illegal, unregulated and unreported (IUU) fishing in the Convention area, WWF and TRAFFIC consider that the most cost- and conservation-effective way forward is for the Commission to adopt a catch documentation scheme from the outset rather than subject the fishing industry and the membership to a series of iterative steps towards such a comprehensive scheme over a number of years.

Transshipment

WWF and TRAFFIC are fully aware that accurate reporting of catches is essential in assessing the health of the fishery. Transshipment requirements are articulated in Article 29 of the Convention and Annex III Article 4. Identifying designated ports for transshipment taking into account exceptional situations where this may not be possible will reduce and discourage IUU-related activities. With the understanding that the adoption of transshipment guidelines will be made at WCPFC4 as per the recommendation from the Technical and Compliance Committee (TCC) to the Commission, we would like to encourage the Commission to move forward with its recommendation to develop transshipment guidelines prior to WCPFC4.

With respect to the precautionary approach, WWF and TRAFFIC call for:

1. a 39% reduction in fishing mortality of BET, in line with the SC advice on maintaining biomass 20% above levels producing MSY
2. a 26% reduction in fishing mortality of YFT, in line with the SC advice on maintaining biomass 20% above levels producing MSY
3. a Management Strategy Evaluation framework be developed as a matter of urgency and adopted no later than the 5th annual session of the Commission in 2008
4. the development and adoption of a comprehensive catch documentation scheme, with the ability to track catch from vessel to market State
5. transshipment requirements that effectively address IUU fishing to be developed prior to WCPFC4

ECOSYSTEM APPROACH TO FISHERIES MANAGEMENT

WWF and TRAFFIC welcome the inter-sessional work done and congratulate the Scientific Committee and its subsidiary bodies. There are a number of areas with respect to species of special interest and broader ecosystem considerations that we would like to highlight.

Species of special interest

Turtles

Populations of sea turtles are vulnerable to even small-scale adult mortality resulting from longline bycatch. WWF and numerous partners are engaged in collaborative trials for longline bycatch mitigation in the eastern and western Pacific and have also encouraged, through the Smartgear competition, the development of innovative and adaptive fishing gears designed to

reduce bycatch. We are encouraged to see that many countries catching tuna in the Convention area, are likewise testing alternative gear such as circle hooks.

WWF and TRAFFIC support the general recommendations for sea turtle data collection and research of the Scientific Committee in 2006, particularly the identification of those fishery sectors with a turtle bycatch problem, as well as the recommendation for a flexible approach based on scientific research to sea turtle mitigation measures. However, this research must result in action in a timely manner. As turtle bycatch hotspots are identified, the Commission must require concrete mitigation action from CCMs, (such as widespread gear change/ seasonal closures) in such “hotspots”, rather than supporting an ongoing research programme.

Sharks

WWF and TRAFFIC are encouraged by the recognition of the Commission of the vulnerability of shark species to the impacts of fishing and the need to implement measures to mitigate these impacts.

In this context, TRAFFIC is close to completing an analysis of shark conservation measures adopted by other RFMOs and has identified both deficiencies and best practice arising from this analysis. The analysis reiterates that the key to sustainable shark fisheries is to understand and manage the level of mortality incurred by fishing. Effective management requires reliable, species (or stock)-specific information on biology and total mortality (landings and discards) and precautionary limits in the face of uncertainty. While all shark species are relatively more vulnerable to overfishing than most other marine fishes, within the shark category the level of vulnerability varies considerably. There is an urgent need to improve our understanding of shark mortality on a species basis and it is important therefore that information is collected on this basis and that risk-based management measures are adopted for individual species where necessary.

The approach adopted by a number of other RFMOs in response to these requirements has been to implement bans on shark finning. However the extent to which finning bans will achieve shark conservation depends on how they are applied. The key element of the bans is the requirement to land both the trunk and the fins and there are a number of ways in which this requirement can be applied; from relying on a ratio of fin-to-body weight to requiring the landing of whole specimens. Clearly, a fin-to-body ratio provides the least contribution to data collection and creates difficulties for enforcement. To maximise effectiveness with respect to these objectives, and account for the practicalities of fishing, WWF and TRAFFIC recommend that sharks should be landed headed and gutted with skins, fins, claspers, dorsal spines (where applicable) attached. This approach maximises product quality and makes a significant contribution to shark species identification, quantification of weight of catch and enforcement. It is also the approach recommended by FAO in its Technical Guidelines for Responsible Fisheries. Further, to provide a basis for effective shark conservation into the future, the CMM needs to relate to all species of the Class *Chondrichthyes*.

Seabirds

At its second annual session the Commission recognized the need to take urgent action with respect to mitigating incidental catch of seabirds and the need to co-operate with other organizations in this quest. We welcome the comprehensive recommendations from the Scientific Committee and TCC with regard to mitigation measures to be adopted, as well as future research and data needs. We would urge the Commission to adopt and implement a CMM specific to seabird mitigation at this meeting, consistent with the recommendations contained in the Scientific Committee report.

Wider ecosystem issues

Like the highly migratory fish stocks with which this Commission is primarily concerned, ecosystem considerations and the impacts of fishing on the wider marine ecosystem are also trans-boundary. It is crucial that a collaborative approach is taken to address fishing impacts on the ecosystem, particularly on non-target fish species, and that measures to mitigate these impacts are applied in all waters where these occur – whether under national jurisdiction or on the high seas. In this regard, States should ensure compatibility between waters under national jurisdiction and the high seas with respect to measures to mitigate these impacts.

An aspect of the Scientific Committee's future work plan that WWF and TRAFFIC would like to highlight is the work to undertake an Ecological Risk Assessment (ERA). We welcome this initiative and look forward to the contribution it will make to prioritising species requiring targeted management action, noting that this will also facilitate more effective use of the limited resources of the Commission. Linked to this, we welcome the intention to develop/ review models to evaluate impacts on the ecosystem, including development of reference points, identified in the Scientific Committee's work programme and would encourage Members to provide funding to support this work.

With respect to the Regional Observer Programme (ROP), the ROP is a vital component of fisheries management in the WCPF Convention area. The critical role of the ROP is recognized in the Convention text under Part VII Article 28 with further elaboration of its role and functions in Annex III. There are obviously certain processes that have to be put in place to ensure that the ROP becomes fully functional, however time is of the essence particularly when dealing with a resource base which, in the absence of data and without proper management, will quickly succumb to overfishing. Of particular concern is that the current low observer coverage makes modelling for analyses of species of special interest problematic. Therefore WWF and TRAFFIC fully support the recommendations of the Scientific Committee to extend the Regional Observer Programme coverage to ensure representative data collection across the WCPO.

With respect to the ecosystem approach to the WCP fishery, WWF and TRAFFIC call for:

1. the Scientific Committee to be tasked with identifying sea turtle and sea bird hotspots in the Convention area, and associated recommended mitigation actions and targets, for consideration by the Commission at the 2007 meeting
2. adoption of a Conservation and Management Measure for mitigating interactions with seabirds at this meeting of the Commission, based on the recommendations of the Scientific Committee
3. in line with best practice, adoption of a Conservation and Management Measure for sharks based that applies to all species of the Class *Chondrichthyes* and requires sharks to be landed headed and gutted with skins, fins, claspers, dorsal spines (where applicable)
4. Members to provide funding for the development / review of models to evaluate impacts on the ecosystem, including development of reference points, identified in the Scientific Committee's work programme
5. a fully-functioning Regional Observer Programme to be rapidly implemented with coverage that ensures representative data collection across the WCPO, particularly with regard to species of special interest

ALLOCATION OF FISHING OPPORTUNITIES

The issue of allocation has been addressed internally among FFA member countries and during the MHLC process where the UNFSA Criteria on Allocation was considered to be a good starting point. WWF and TRAFFIC recognize that the paper on allocation prepared for discussion at WCPFC-3 is crucial in providing guidance and direction to the members of the Commission. We also recognize that in order to be able to deliver on the required conservation outcome, namely a stable fishery, allocation has to be supported by well-developed monitoring, control and surveillance measures. Where there is non-compliance, sanctions will have to be imposed, including a reduction in quotas.

The experience of other RFMOs with regards to allocation demonstrates that it is a necessary component of resource conservation and facilitating responsible fishing. This experience also shows common issues such as an inability to agree on an overall catch limit given concomitant limits imposed on national fishing activities; lack of willingness to accommodate new members within existing allocation regimes; and non-compliance with national allocations.

In the joint WWF/TRAFFIC paper *Conservation implications of allocation under the Western and Central Pacific Fisheries Commission* tabled at this meeting WWF and TRAFFIC have submitted a number of recommendations, first and foremost being that “the WCPFC should move rapidly to allocate, particularly given that overfishing of two of the four key tuna stocks is already occurring and other RFMOs delays have resulted in a reduced likelihood of agreement in the face of more drastic reductions in catch and/or effort.” WWF and TRAFFIC urge members of the Commission to agree on an allocation criterion, taking into account the advice of the Scientific Committee and the requirements under the relevant Articles of the Convention, including Article 10. We also urge the Commission to establish a process under which discussions of allocation issues can proceed in a transparent, methodical and objective manner.

With respect to allocation of fishing opportunities WWF and TRAFFIC call for:

1. the Commission to establish a process under which allocation issues can be progressed in a transparent, methodical and objective manner
2. rapid resolution of allocation of fishing opportunities
3. the allocation system developed by the Commission to have in-built flexibility and review provisions, for example to take account of the aspirations of new members

OTHER ISSUES

Relationship with other organizations

As many Members of the Commission are aware, negotiations have commenced for a proposed South Pacific RFMO in waters south of the equator covering all non-highly migratory fish stocks. While the proposed new RFMO is likely to exclude the highly migratory fish stocks to which the WCPF Convention applies there will clearly be areas of significant overlap in responsibilities, including species of special interest, non-target fish species, broader ecosystem issues and measures to address IUU fishing. WWF and TRAFFIC have attended each of the two negotiating sessions for the proposed South Pacific RFMO held thus far and was encouraged by the attendance of many of the Members from this Commission and, in particular, the clear statements made linking the pelagic ecosystems underpinning the WCPF tuna fisheries with the proposed mandate of the new RFMO. We would urge the Commission to consider a more formalized approach to and presence at the negotiations for the new South Pacific RFMO to ensure that the

best practice, standards and aspirations of this Commission are complemented and enhanced under the new Convention.

CONCLUSION

The role of the WCPFC is paramount in ensuring that the code of conduct for fishing in the Convention area is observed. The effectiveness of the conservation and management measures when they are implemented will only be as effective as the cooperation among its members will allow. WWF and TRAFFIC will play our role through a consultative process with national and regional environmental non-government organizations in increasing awareness of oceanic fishery resource and ecosystem management; enhancing understanding of the WCPFC Convention; disseminating relevant information on oceanic fisheries management issues (national and regional); and promoting awareness of national and/or regional development and economic priorities and how they relate to sustainable fisheries management.

We would like to reiterate that CCMs, non-CCMs and Observers have a real opportunity as coastal States, fishing States, conservationists and industry to co-operate to ensure that responsible fishing is practiced.