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**JOINT CIVIL SOCIETY ORGANIZATIONS (CSO) STATEMENT TO THE 20TH REGULAR SESSION OF
THE WCPFC**

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World Wide Fund for Nature (WWF)



JOINT CIVIL SOCIETY ORGANISATIONS (CSO) STATEMENT TO THE 20TH REGULAR SESSION OF THE COMMISSION FOR THE CONSERVATION AND MANAGEMENT OF HIGHLY MIGRATORY FISH STOCKS IN THE WESTERN AND CENTRAL PACIFIC OCEAN (WCPO)

Rarotonga, Cook Islands: 04th – 08th December, 2023

Background

At the onset, the undersigned Civil Society Organization (CSOs) wish to acknowledge Rhea Moss-Christian for her exemplary leadership as Executive Director of the Western and Central Pacific Fisheries Commission (WCPFC). We wish her the very best in this role and we encourage the increased participation of women in all governance functions of the Commission.

The decisions made by the 20th Regular Session of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC20) 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 WCPFC20 deliberations must continue to progress toward achieving the Sustainable Development Goals, specifically [SDG 14](#) – “Conserve and sustainably use the oceans, seas and marine resources” and its specific targets, which include, but are 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; 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. WCPFC20 must also consider other issues as it deliberates that will have significant impacts on our fisheries and their management, such as ensuring robust and transparent public financing for fisheries management authorities

as an underlying principle and addressing the growing threat of largely unregulated seabed mining.

In addition, the WCPFC20 must also progress the goals of the Pacific Regional Roadmap for Sustainable Pacific Fisheries including improving overall sustainability for all the species under its authority, 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 participated in the WCPFC CSO consultation process. 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 attending the WCPFC20 were consulted on priority issues for deliberation at the annual meeting. These organisations include Human Dignity Group (HDG), Micronesia Conservation Trust (MCT), Pacific Islands News Association (PINA), Pacific Conference of Churches (PCC), Locally Managed Marine Area (LMMA) Network International, Pacific Islands Association of Non-governmental Organisations (PIANGO), 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 WCPFC20:

1. Observer Participation at WCPFC

Limited or the lack of participation in some meeting sessions, restricted media access, and lack of transparency in the decision making process presents a significant barrier to ensuring

sufficient accountability in the management of a publicly owned 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; and
- 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. An increase in FADs washing up on our reefs and beaches are well documented, but much less is known about how the proliferation of FADs is affecting the broader ecosystem and our communities that rely on species that associate with FADs.

Recommendation

We recommend the following for consideration by the WCPFC:

- a) Impacts of FADs on coastal communities and small-scale fisheries and fishers must be taken into consideration in deliberations on FAD management;
- b) Stronger measures to increase accountability through FAD marking and tracking, including registration of FAD tracking devices with the WCPFC;
- c) Increase the use of non-entangling and biodegradable FAD materials;
- d) Further research and trials on the use of natural FAD materials;
- e) Strengthen monitoring of non-entangling and biodegradable FADs to improve data quality; and

- f) Encourage the adoption of a WCPFC guideline for non-entangling and biodegradable FADs.

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

We would like to acknowledge the efforts of the WCPFC to address the security, safety and well-being of fishing crew and fisheries observers through the passage of the non-binding Resolution 2018-01 on Labour Standards for Crew on Fishing Vessels and subsequent development of an Intersessional Working Group to develop a Crew Welfare Conservation and Management Measure (CMM). However, new incidents reported within the WCPO this year suggest that binding measures within the WCPFC are urgently needed to secure safe working conditions and the well-being of fishing crew and fisheries observers.

Specific to the administration of observer programmes, ensuring viable insurance coverage 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 public reporting of incidents involving observer safety, subject to compliance consequences that include listing and banning involved vessels and companies from the fishery.

The WCPFC must establish documentation and supporting mechanisms for reporting incidents while out at sea on fishing vessels 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 and, increasingly, crew recruiting agents require licensing. While Resolution 2018-01 represents a step in the right direction, the WCPFC must urgently establish a binding CMM to address these important issues.

Recommendation

We recommend the following for consideration by the WCPFC:

- a) **Implement a binding measure that ensures safe and decent working conditions of fishing crew 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);**
- b) **Align the labour Standards for Crew Fishing vessels to the Labour Mobility Initiatives that are currently developing at the regional level;**
- c) **Implement a binding CMM on crew welfare;**

- d) Ensure mandatory reporting for all accidents and fatalities that occur onboard fishing vessels;
- e) Provide greater transparency on results of investigations into human and labour rights violations, ensuring authorities and the public, have better understanding of the situation and find ways to prevent them from reoccurring;
- f) Ensure the well-being, security and safety of crew on fishing vessels such as:
 - i. provision of adequate and quality food and appropriate accommodation;
 - ii. provision of free personal protective equipment;
 - iii. written contracts for all crew on each fishing trip; cleaned tanks filled with fresh water before each fishing trip;
 - iv. appropriate shift work cycles (i.e. one or two extra deckhands so rest days can be given);
 - v. all crew have basic sea safety qualification;
 - vi. all crew have unrestricted access to personal documents (passport, visa, certificates, etc.); and
 - vii. commensurate pay for qualifications and experience.
- g) Ensure fair, just conditions for crew verified by coordinated and regular checks by flag and port states on fishing vessels;
- h) Support a network of onshore facilities where crew can gather safely to socialise, participate in spiritual activities, receive counselling or medical support;
- i) Require licensing and monitoring of recruiting agents to include a register of accepted (licensed) agents incorporated into relevant vessel registries;
- j) Ensure that observer reports are analysed promptly and that any threats, intimidation, or violence reported are swiftly addressed;
- k) Strongly consider implementing disciplinary measures such as banning offending companies and vessels from the fishery;
- l) Improve the timeliness and transparency of investigations and reporting procedures involving offences against fisheries observers, and
- m) Ensure better protection and support systems (training, counselling, equipment) for observers.

4. Longline Fisheries Observer Coverage

CSO's recognize the need for greater fisheries observer coverage in the longline fishery to ensure the accuracy and adequacy of data that support the Commission's ability to effectively sustainably manage the tuna fisheries. Low observer coverage also limits the ability to monitor compliance with conservation and management measures. While electronic monitoring technology is promising, there is inadequate uptake of electronic monitoring systems to supplement or complement the work of fisheries observers and more action is necessary to improve observer coverage.

Recommendation

We recommend the WCPFC 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, the WCPFC must prioritise enhanced monitoring through human observers or electronic monitoring (EM) for all fishing and transshipment activities.

5. Transshipment

At-sea 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. At-sea transshipment also contributes to crew welfare abuses by allowing crew to be held at sea for up to two years or more in some cases. Thus, the WCPFC must take steps to better control high seas catch, effort, capacity and other associated issues related to at sea transshipments.

Recommendation

We recommend the following for consideration by the WCPFC:

- a) **Consider prohibiting at sea transshipments, particularly on the high seas, given the challenges of effectively monitoring activities associated with the practice, allowing only in-port transshipment;**
- b) **Ensure CCMs take 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;**
- c) **Establish real time, or near real-time reporting, record keeping and monitoring requirements for all transshipment activities including crew transfer at sea to ensure their safety, security, and well-being;**

- d) Encourage CCMs to increase port inspections, particularly on vessels suspected of involvement in IUU fishing activities;
- e) Support the exploration, development, and implementation of cost effective technologies to enhance the capacity to combat IUU fishing; and
- f) Compulsory 100 percent observer coverage (human observers or EM) across all fleets.

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:

We recommend the following for consideration by the WCPFC:

- a) Urgently establish and fully implement harvest strategies for all tuna species;
- b) Adopt explicit target reference points (TRPs) for yellowfin, bigeye, skipjack and South Pacific albacore tuna that will accomplish management objectives to ensure the long-term sustainability, productivity and social benefits of the fishery; and
- c) Adopt well defined management procedures (harvest control rules) for all species of tuna, to ensure that prominent fishing industry participants maintain their Marine Stewardship Council (MSC) certification.

7. Sharks

A recent study has revealed that since 1970, global population of oceanic sharks and rays have declined by 71% primarily due to the 18-fold increase in fishing pressure. About three quarters of these species are threatened with extinction due to overfishing, according to the IUCN Red List of threatened species. This includes, but is not limited to, oceanic whitetip

sharks (*Carcharhinus longimanus*) and scalloped hammerhead sharks (*Sphyrna lewini*). Recent media continues to expose incidents of shark finning targeting vulnerable shark species.

We also note with concern that publicly available fisheries observer data indicates that sharks continue to make up the largest proportion of incidentally caught bycatch of endangered and threatened species in the WCPO. The most recent science indicates that oceanic whitetip sharks (OCS) remain overfished and are experiencing overfishing, while silky sharks (*Carcharhinus falciformis*) (FAL) are also experiencing overfishing.

Recommendation

We recommend the following for consideration by the WCPFC:

- a) **Revise the Conservation Management Measure for Sharks (CMM 2022-04), to use only monofilament branch lines and explicitly prohibit carrying wire trace on board tuna longline vessels operating in the WCPO as well as require fins naturally attached with no exceptions;**
- b) **Encourage all members to adopt and implement a national plan of action on sharks (which includes introductory recovery plans for endangered and critically endangered sharks); and**
- c) **Ensure safe handling and release practices are implemented with proper mitigation tools (i.e. cut the branch line at a safe distance away from sharks using a knife or line cutter).**

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 WCPFC20 will take these recommendations into consideration.

The following organisations hereby endorse this statement:



Abbreviations

C188	ILO Work in Fishing Convention, 2007 (No. 188)
CCMs	Cooperating Commission Members
CMM	Conservation and Management Measure
CSO	Civil Society Organisation
EM	Electronic Monitoring
FAD	Fish Aggregation Device
FAL	Silky Shark
FFA	Pacific Islands Forum Fisheries Agency
ILO	International Labour Organization
IMO	International Maritime Organization
IUCN	International Union for Conservation of Nature
IUU	Illegal, Unreported and Unregulated Fishing
LDCs	Least Developed Countries
MCT	Micronesia Conservation Trust
MSC	Marine Stewardship Council
OCS	Oceanic Whitetip Shark
PCC	Pacific Conference of Churches
PINA	Pacific Islands News Association
PSIDS	Pacific Small Island Developing States
SC18	18 th Regular Session of the Scientific Committee
SDG	Sustainable Development Goal
TRP	Target Reference Point
UNFSA	United Nations Fish Stocks Agreement
WCPFC	Western and Central Pacific Fisheries Commission
WCPFC15	15 th Regular Session of the Commission
WCPFC19	19 th Regular Session of the Commission
WCPFC20	20 th Regular Session of the Commission
WCPO	Western and Central Pacific Ocean

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