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Statement to the 20th Regular Session of the Western and Central Pacific Fisheries

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Submitted by Accountability Fish



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Accountability.Fish welcomes the opportunity to participate as observer to the 20th annual session of the Western and Central Pacific Fisheries Commission (WCPFC). We would like to address the key role that the WCPFC plays in the proper management of the Western Central Pacific Ocean fisheries. We appreciate the work of the Chair, Members and Secretariat to convene a hybrid meeting.

We urge the members of the WCPFC to adopt decisions and approaches that improve the transparency and accountability of the management of the fisheries under WCPFC mandate and to facilitate a more inclusive compliance process—historically observers have been kept out of the draft compliance report meetings, something that is unique to WCPFC in global tuna fisheries management. Many observer organizations and market players believe that crucial decisions are made behind closed doors, without the standard international practice of political observation. One such compliance shortfall that has been discussed in these observer-less meetings is the employment of Fish Aggregating Devices (FADs) in the WCPFC area by transport vessels that operate in the purse seiner fishery activities.

Background

Earlier this year the South-Korean transport vessel Sun Flower 7 was denied port entrance in Bangkok and fined for having illegally fished tuna aboard that was caught with the help of FADs. The investigative work of the Environmental Justice Foundation (EJF) had previously shown that this was not an exceptional case of reefers deploying FADs, but a frequent practice. A practice that continued after the case of the Sun Flower 7 came out in the open. This practice and seeming loophole is very harmful to the interests of various stakeholders and the public in general. The lack of on-board fisheries observers on reefers in the purse seiner fisheries complicates the monitoring of a responsible FAD management. This even more the case if these FADs are deployed next to marine protected areas. The BBNJ Treaty on biodiversity protection in such areas now ready for ratification only underlines the urgency to clarify the rules.

Market stakeholders run the risk of being obliged to recall the tuna that they offer to their customers when the catch turns out to be of an illegal character. This can cause major damage to their trade, but also to the reputation of the sustainability certificate and the holder of such certificate, including small island states, as well as the certifier itself.

The issue can be considered as an important example of lacking transparency and accountability in the management of the fisheries in the WCPFC. There seems to be room for different interpretations of the definitions and applicable regulations. Reefer-related companies argue that the legal character of their practice is being confirmed by their government and by the WCPFC.

There are also important questions around the opacity of the compliance process of the WCPFC itself because the rulings form part of 'secured content' in sessions closed for observers.

Call for action

There is an urgent call from different stakeholders for transparency and accountability in the compliance of FAD management. It would be a big step forward if these issues were further discussed in at the 20th Regular Session of the WCPFC. The rulings and definitions of the WCPFC of legal and illegal fisheries related with deployment FADs by transport vessels should not leave any room for doubt or wiggling. The stakeholders in the chain must be able to rely on the legal and sustainable quality of the catches.

The improvement of transparency includes the use of FADs crossing marine protected areas, an issue that only will gain even more importance under the new BBNJ treaty for establishing marine protected areas on High Seas.

The monitoring of FADs as well as transport vessels should be improved by technical devices and independent observers. This is not only a matter for the WCPFC in isolation, but also in relation with other RFMOs, including an urgent synchronization of the management rulings concerning crossing RFMO border areas. The process of the compliance of the rulings should be open for observers and the broader group of stakeholders to guarantee an accountability of the responsible stakeholders and an assurance of the legality of catches.

Finally, the WCPFC need an up-to-date concept for sustainable fisheries management that is not limited by only guarding fisheries interest, but considering a broader range of ecologic, economic, and social interests in a transparent and accountable way.