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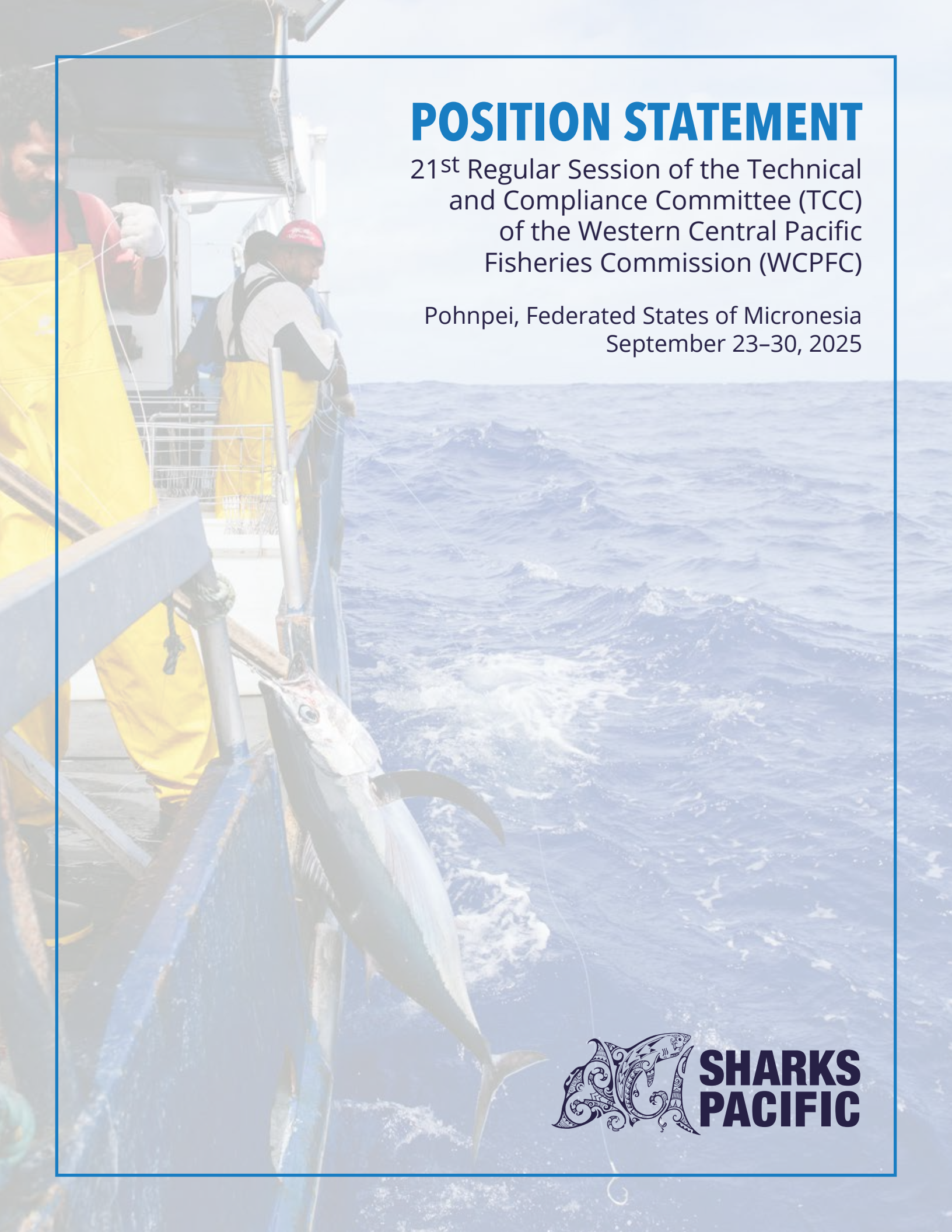
Pohnpei, Federated States of Micronesia (Hybrid)

POSITION STATEMENT TO TCC21

WCPFC-TCC21-2025-OP02
17 September 2025

Submitted by Sharks Pacific



POSITION STATEMENT

21st Regular Session of the Technical and Compliance Committee (TCC) of the Western Central Pacific Fisheries Commission (WCPFC)

Pohnpei, Federated States of Micronesia
September 23–30, 2025

SHARKS PACIFIC

POSITION STATEMENT

21st Regular Session of the Technical and Compliance Committee (TCC) of the Western Central Pacific Fisheries Commission (WCPFC):

Pohnpei, Federated States of Micronesia | September 23–30, 2025

Sharks Pacific wishes to express its appreciation to the Technical and Compliance Committee (TCC) of the Western and Central Pacific Fisheries Commission (WCPFC) for the opportunity to participate in the 21st Regular Session (TCC21). We are grateful for the chance to engage with the TCC in our new capacity as an accredited observer and contribute to its vital role in the sustainable management of fisheries within the Western and Central Pacific Ocean (WCPO).

The positions that follow reflect key priorities for Sharks Pacific, which we believe warrant particular technical focus and attention at this session.

OBSERVER COVERAGE

Aligned with other NGO observer organisations, Sharks Pacific believes that robust observer coverage, by human or electronic means, remains a key priority for fisheries conservation and management of all species in the WCPO, but particularly for vulnerable endangered, threatened, and protected species [1]. The best available science suggests that data collected by observers remains critically important to ensure that scientists and managers possess the information they need to make appropriate decisions for everything from stock assessments to non-target species impacts [2,3]. **At least four analyses reviewed by SC21 indicated that the lack of data provided through ineffective levels of observer coverage represented a primary reason for weak scientific conclusions of those analyses** [4,5,6,7]. Additionally, observers play an indispensable role in monitoring and documenting compliance with key Conservation and Management Measures (CMMs) in the WCPO [8]. Recent research has also demonstrated strong social and economic support for robust observer coverage [9]. Therefore, the WCPFC must consider securing increased observer coverage levels as a top priority, and member states must make a concerted effort to achieve that coverage.

Over 18 years ago, the WCPFC established CMM 2007-01, which specified that coverage is to be 5% of effort in each non-purse seine fishery under the jurisdiction of the Commission and shall be achieved no later than 30 June 2012 [10]. For clarity, when we reference "non-purse seine fisheries," as a matter of priority, we mean the longline fishery because it represents the highest risk gear type in terms of both economic and ecological impact. Some members and observers have repeatedly called for action to meet the commitment imposed by CMM 2007-01, while also acknowledging that the 5% coverage level for non-purse seine fisheries was only considered a starting point for a stepwise progression to more appropriate coverage. The Scientific Committee has made repeated and increasing calls over the last three years to improve observer coverage, culminating this year in "urging" the TCC and Commission to increase observer coverage [11]. Despite these calls and justification for improving observer coverage based on the best science, several members continue to fail to meet appropriate coverage levels [12].

Additionally, the WCPFC continues to allow four different methodologies (days at sea, days fished, number of trips, and number of hooks) to calculate observer coverage rates, which does not reflect best practice and frustrates effective analysis by creating unnecessary analytical complexity. Allowing multiple methodologies of varying statistical reliability allows members to "methodology shop," selecting the practice that results in the most favourable assessment of observer coverage, ultimately creating an unfair burden on other members using a more precise and scientifically defensible methodology. The best scientific information available suggests that "number of hooks" represents the best method for achieving multiple objectives, including effectively calculating effort and accurately assessing relatively rare bycatch events [13,14,15].

Furthermore, the best available scientific evidence continues to indicate that even a consistently applied level of 5% coverage is statistically and functionally useless to effectively achieve most management [16,17] or compliance objectives [18,19]. Low observer coverage also leads to bias, uncertainty, and, ultimately, management failures [20]. Poor data quality and quantity resulting from inadequate observer coverage represents the single largest obstacle to establishing appropriate and effective conservation and management measures [21]. This was specifically noted during SC21 when the Science Services Provider (SSP) emphasised that any improvement in stock assessments, including reductions in management uncertainty, cannot be achieved without substantial improvements in baseline data that supports the models, which includes, specifically, observer data [22].

The WCPFC must take action to meet its obligations and implement scientifically valid and consistent observer coverage levels across all longline vessels operating in the WCPFC Convention Area.

Therefore, Sharks Pacific supports and urges the TCC to:

- **Acknowledge that 5% observer coverage does not meet technical or compliance objectives necessary to properly manage most fisheries;**
- **Reaffirm calculation of observer coverage on the basis of "number of hooks" as best practice;**
- **Recommend a staged and required transition for all longline fleets to calculate observer coverage based on "number of hooks"; and**
- **Endorse a plan to increase observer coverage, by human observers or electronic monitoring, across all longline vessels operating in the WCPFC Convention Area on an annual basis to achieve 100% coverage as soon as possible.**

SHARKS AND RAYS

As key predators and vital indicators of ecosystem health, sharks and rays (collectively "elasmobranchs") are fundamental to maintaining the balance of marine ecosystems globally and across the Western and Central Pacific Ocean (WCPO) [23,24,25]. However, elasmobranchs continue to represent a disproportionately large component of annual bycatch in regional fisheries [26]. This persistent fishing impact has resulted in unsustainable mortality rates for many elasmobranchs, as evidenced by current stock assessment trends that paint a concerning picture for the future of many species [27,28]. While Sharks Pacific acknowledges the WCPFC's recent positive steps to prohibit shark lines and wire trace, along with guidelines promoting safe handling procedures and the use of line cutters to minimize trailing gear, we remain deeply concerned about the inadequate conservation and management of elasmobranchs throughout the WCPO region.

Specifically, Sharks Pacific maintains substantial concerns with other provisions of the Shark Conservation and Management Measure (CMM) 2024-05. We believe provisions to "stow" wire leads when "targeting tuna and tuna-like species" create unnecessary monitoring and enforcement challenges that could be avoided by simply not possessing wire leads on board. The ambiguous stowage requirements combined with low levels of monitoring, control, and enforcement result in a largely ineffective regulatory prohibition on wire leads. Sharks Pacific believes that an appropriate prohibition should be clear and unambiguous, with no provision for wire leads to be kept onboard the vessel.

Sharks Pacific would also like to raise the issue of continued shark finning in the WCPO longline fishery and the need to strengthen requirements in CMM 2024-05 to ensure shark finning does not occur [29,30]. Alternative measures contained in CMM 2024-05 that allow binding fins to a carcass, or corresponding numbered tags on fins and carcasses, effectively prevent effective monitoring and compliance. Further, these provisions present opportunities to high-grade fins or obscure landings of prohibited species and create other substantive opportunities that incentivize finning as evidenced in the recent MCS operation North Pacific Guard [31]. We concur with other NGO and member suggestions that if any fleets are able to deliver sharks with fins naturally attached (FNA) then all should be able to, leaving no need for alternative measures. Any provision that requires counting or matching fins inherently makes enforcement and compliance more difficult. The most effective solution, which is also confirmed as best practice in peer reviewed literature, is to simply require FNA, with a minimal allowance for a partial cut and fold technique to address unsubstantiated claims of crew injuries [32,33]. Most importantly, an FNA requirement would make the jobs of our MCS professionals easier, rather than harder, which should be a primary objective of the TCC.

Lastly, as indicated in the recent IATTC 2nd Circle Hook Workshop (April 29-May 1, 2025), there is a growing body of evidence indicating that circle or "C" hooks perform better than equivalent standard "J" hooks at reducing mortality of vulnerable bycatch species, which, on balance, offer an overall conservation benefit based on the best science [34]. Specifically, the use of large "C" hooks results in a reduction in sea turtle mortality, particularly of highly endangered leatherback turtles [35–41]. Additionally, several studies indicate mortality reduction across other ETP species, including elasmobranchs, due to hook design. Elasmobranchs get hooked more frequently in the jaw (externally) with "C" hooks, rather than the gills or guts (internally), which reduces post-release mortality [42–45]. As a technical matter, there is strong evidence that a transition to "C" hooks would translate to improved bycatch mortality detection and mitigation as well as better overall fisheries management outcomes for most species.

Therefore, Sharks Pacific strongly recommends and urges the TCC to:

- **Acknowledge ongoing shark finning in the WCPFC Convention Area is incentivized and exacerbated by allowing alternative measures as evidenced by recent MCS operations;**
- **Require fins naturally attached with no exceptions;**
- **Revise the Conservation Management Measure for Sharks (CMM 2024-05), to explicitly prohibit carrying wire trace on board vessels operating in the WCPO; and**
- **Transition to circle or "C" hooks as best practice mitigation to increase post-release survivorship for elasmobranchs and other non-target species.**

COMPLIANCE CASE FILE SYSTEM

Sharks Pacific welcomes the submission WCPFC-TCC21-2025-DP02: US Paper on Proposed Improvements to the Compliance Case File System (CCFS). We note that the paper identifies significant operational challenges

within the CCFS, such as cases remaining unresolved for extended periods, delays in accessing observer reports, and a lack of clear procedures, which hinder effective enforcement and proposes nine reasonable and targeted improvements that could effectively improve both transparency and performance of the system. Overall, Sharks Pacific agrees with the US that these reforms are practical, not burdensome, and will strengthen the CCFS as a cornerstone of the WCPFC's compliance framework, noting that regulations without effective compliance are simply words on paper.

Specifically, Sharks Pacific strongly supports provisions related to the Observer-Initiated CCFS cases. The absence of observer reports often represents a major obstacle to enforcement, and when they are provided, they are often incomplete. Detailed observer data on unlawful bycatch retention and other alleged illegal activity is crucial for successful prosecution. Consequently, we strongly support the proposal for an Automatic Observer Report Provision, which would guarantee timely access to critical evidence that is essential for successful prosecution.

We also support the proposal to align Case Type identifiers with ROP-IWG categories and to introduce new identifiers for species like mobulid rays (RAY) and sharks (SHK), which would standardize data and simplify tracking and analysis of alleged infringements, noting that it will improve the monitoring of conservation measures for highly vulnerable species such as sharks and rays.

Lastly, we support recommendations to improve Pre-CCFS Process Flow because we agree that a lack of transparency in how observer data is screened and cases are created can lead to inconsistencies and, ultimately, unfairness and inequity in the application of the law. The publication of clear criteria would help ensure that alleged infringements related bycatch species are not being overlooked or improperly categorized before they even enter the CCFS.

Therefore, Sharks Pacific strongly recommends and urges the TCC to:

- **Consider and adopt the recommendations of WCPFC-TCC21-2025-DP02.**

TRANSHIPMENT

Transhipment remains one of the most prominent weaknesses in catch documentation and verification that leads to Illegal, Unreported, and Unregulated (IUU) catch in the WCPO [46]. Sharks Pacific agrees with other NGOs that the most simple, efficient, and effective solution to the challenges of transhipment-related IUU is to simply prohibit all at-sea transhipment and require all fishing vessels to land their catch at the nearest available designated port in the WCPO following the conclusion of fishing activity. At minimum, in the interim Sharks Pacific supports "common sense" reforms and improvements for all current at-sea transhipment practices, including:

- 100% monitoring through human observers or EM provided by a 3rd party ROP observer provider on all delivering and receiving vessels;
- 24 hours advance notification of all transhipments;
- monitoring and reporting of all non-fish transfers;
- timely delivery of all transhipment reports to the WCPFC; and
- strong sanctions for non-compliance.

As noted in WCPFC-TCC21-2025-RP03: Annual Report on Transhipment Reporting, an estimated 25% of the longline catch of albacore, 33% of bigeye, and 37% of yellowfin were transhipped in 2024 [47]. Given the high value of this catch and the increased risk of IUU, the report highlights the importance of the need for effective monitoring and emphasises that observer protocols and data fields must be improved. The report also raises concerns about the independence of data, as in some cases an observer from the offloading vessel may also act as the observer for the receiving carrier vessel.

Sharks Pacific further notes that transhipment reform represents a simple and achievable step because a relatively small proportion of vessels and flags operating in the WCPO region comprise a large proportion of the transhipment activity [48]. Globally, 130 carrier vessels are responsible for more than 70% of RFMO-related transhipment activities, with the vast majority of transhipments conducted by China and Panama according to a recent study [49,50]. More specifically, a study conducted by the Republic of the Marshall Islands submitted to TCC20 last year indicates two vessels alone dominate transhipment in the WCPO, both flagged to Panama and one owned by a Japanese company while the other is owned by a Chinese Taipei company [51].

Therefore, Sharks Pacific strongly recommends and urges the TCC to:

- **Endorse a pathway forward to either ban or heavily reform at-sea transhipment practices;**
- **Support 100% observer coverage provided by a 3rd party ROP observer provider on all delivering and receiving vessels engaged in at-sea transhipment;**
- **Prioritise the development and application of EM for transhipment monitoring; and**
- **Support or endorse the use of technology to verify and validate transhipment activity.**

[1] Leading Environmental NGOs Stand Together to Call for 100% Observer Coverage on Industrial Tuna Fishing Vessels (June 29, 2019) retrievable at https://www.prnewswire.com/news-releases/leading-environmental-ngos-stand-together-to-call-for-100-observer-coverage-on-industrial-tuna-fishing-vessels-300873686.html.

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[4] WCPFC, Overview of Tuna Fisheries in the Western and Central Pacific Ocean (WCPO), WCPFC-SC21-2025/GN-WP-01rev1, at 21, (July 29, 2025).

[5] WCPFC, Strengthening Scientific Data Reporting to Support Sea Turtle Conservation (CMM 2018-04), WCPFC-SC21-2025/ST-WP-05, at 4,5, and 7, (August 13, 2025).

[6] WCPFC, Coverage Levels for Operational Data Fields Submitted to the WCPFC, WCPFC-SC21-2025/ST-IP-02rev1, at 21, (August 13, 2025).

[7] WCPFC, Summary of bycatch in WCPFC longline fisheries at a regional scale, 2003–2023, WCPFC-SC21-2025/ST-WP-09 Rev-1, at 2, 4, 9, and 11, (August 14, 2025).

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[10] WCPFC, Conservation and Management Measure for the Regional Observer Programme, at 9, CMM 2007–01 (Dec. 2-7, 2007), https://www.wcpfc.int/doc/cmm-2007-01/conservation-and-management-measure-regional-observer-programme [Superseded by CMM 2018–05, which consolidated other observer related issues into a single measure].

[11] WCPFC, Outcomes Document, Scientific Committee Twenty-First Regular Session, at 4 (September 1, 2025).

[12] WCPFC, Status of Observer Data Management, SC20-2022/ SC20-ST-IP-03, Status of Observer Data Management, at 18-20, Tables 3 and 4 (July 16, 2025).

[13] Dietrich, K. *et al.* (2007). Best Practices for the Collection of Longline Data to Facilitate Research and Analysis to Reduce Bycatch of Protected Species, NOAA Technical Memorandum NMFS-OPR-35 March 2007. at 25, March 2007. ("Fishing effort can be derived from information collected on number of hooks deployed or retrieved. The number of hooks deployed was ranked as critical or preferred by 81% of data user[s]…")

[14] IATTC (2019), Scientific Advisory Committee, SAC-10-04 – Longline observer program reports, at 2 (13-17 May 2019)("Number of hooks is considered a more accurate measure of longline effort.")

[15] IATTC (2019). Scientific Advisory Committee, SAC-10 INF-H - Standardization of Reporting Formats and Effort Reporting for Longline Fisheries (Resolution C-11-08), at 3, (13-17 May 2019) ("…number of hooks is the most precise, and is the standard metric used both by the other tuna RFMOs and by the IATTC for scientific purposes.")

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[29] *See* A. Asnawi, Indonesian illegal shark and ray exports remain rampant amid poor monitoring, Mongabay.com (August 8, 2023), https://news.mongabay.com/2023/08/indonesian-illegal-shark-and-ray-exports-remain-rampant-amid-poor-monitoring/.

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[48] See e.g. G.A. Petrossian, B. Barthuly, and M.C. Sosnowski, "Identifying Central Carriers and Detecting Key Communities Within the Global Fish Transshipment Network" (2022), https://doi.org/10.3389/fmars.2022.798893.

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[50] *See also* The Pew Charitable Trusts, "Most Global At-Sea Transshipment Involves a Small Group of Key Carriers," (2023), https://www.pewtrusts.org/-/media/assets/2023/04/global-at-sea-transshipment.pdf.

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