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TRAFFIC
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Introduction

Recognizing that the WCPFC is now in its fifth year of existence, WWF and TRAFFIC believe that the time for significant action is well overdue in collectively agreeing to and implementing conservation and management measures for the sustainable exploitation of the Pacific's tuna resources.

The concern over the decline in bigeye tuna (BET) and yellowfin tuna (YFT) is not fully reflected in the management of fishing behavior. We must recognize that our inaction will make a mockery of our ability to take firm decisions and implement them when they matter most. The level of actions undertaken by the Commission over the last five years does not reflect the seriousness of the declining tuna stocks.

WWF and TRAFFIC support the proposed Conservation Management Measure (CMM) for BET and YFT in the Western and Central Pacific Ocean (WCPO) to reduce fishing mortality of BET and YFT by the 30% recommended by the Scientific Committee.

This position statement provides brief comment on all those matters that WWF and TRAFFIC believe are essential elements in order to achieve the required conservation outcomes with regard to reducing the overall fishing mortality of BET and YFT across all fishing sectors operating within the WCPFC convention area, including bycatch of non-target species.

Comprehensive Spatial and Temporal Closures

WWF and TRAFFIC strongly support the implementation of a series of comprehensive flexible and adaptable temporal and spatial closures. These closures are urgently required to help protect key tuna spawning events within the Convention Area.

WWF and TRAFFIC recognize that the timing and area for such closures will vary for each population. However, the Commission needs to establish a standing obligation to introduce and maintain such closures whilst allowing the Scientific Committee to advise the Commission on the optimal location and period for such closures each year.

Furthermore, WWF and TRAFFIC strongly support the following proposed closures:

- 3 month purse seine closure on the high seas;

WWF and TRAFFIC believe that permanent closures of these areas to all fishing vessels must be considered in the near future, unless fishing is subject to measures that meet fishing nations' obligations in international law to impose controls on their vessels fishing on the high seas 'compatible' with those imposed by adjacent coastal states within their EEZs.

- 3-month FAD closure

WWF and TRAFFIC further calls for an overall reduction of FADs used by catching vessels throughout the entire fishing year. It is essential to have 100% observer coverage during any FAD closure periods. If this cannot be agreed, then the alternative recommended by WWF and TRAFFIC is that all purse seine vessels must be confined to port during FAD closures. This is essential if compliance with FAD closures is to be ensured.

Regional Observer Program

WWF and TRAFFIC consider that all CMM's must be underpinned by a comprehensive and strong Regional Observer Program (ROP) with 100% coverage of all fishing vessels (including both catching and support vessels). WWF and TRAFFIC consider that there are no reasonable impediments to immediate introduction of 100% observer coverage for purse seine catcher vessels and all support vessels while full observer coverage for longliners should be phased in over no more than five years.

WWF and TRAFFIC suggests the following timetable for a 5-year phase-in of 100% ROP coverage for all fishing vessels:

- 2009 All support vessels (resupply, refueling, reefers) for all high seas fishing have 100% ROP coverage;

- 2009 All purse seine vessels have 100% observer coverage;
- 2009 10% of all longliners (including at least one from each flag state) have an ROP observer on board;
- 2010 25% of all longliners (including at least one from each flag state) have an ROP observer on board;
- 2011 50% of all longliners (including more than half of all vessels from each flag state) have an ROP observer on board;
- 2012 100% of all longliners have an ROP observer on board.

Catch Documentation Scheme

WWF and TRAFFIC consider the failure to implement a catch documentation scheme (CDS) is a significant problem. Without an electronic CDS (eCDS), major gaps will exist in the management framework for fisheries regulated by WCPFC.

WWF and TRAFFIC International recently tabled a joint report (*The Case for a Catch Documentation Scheme in the Western and Central Pacific - WCPFC-TCC4-2008/OP-01*) at TCC 4. The paper examines experiences in the application of TDS/CDS by other RFMOs and reviews current international thinking on the relative merits of the two types of schemes as a basis for making firm recommendations in favour of eCDS as the appropriately effective documentation program for BET in the WCPFC. There is an emerging consensus in global fisheries fora that it is catch, rather than trade, documentation schemes that are required in order to verify catch data, to monitor catch against catch limits and to reliably inform markets and to minimize opportunities for the marketing of product derived from IUU fishing.

This paper provides a clear direction for the WCPFC in its consideration of the appropriate form of documentation scheme for BET in the WCPFC. It would be shortsighted, and potentially compromise the status of stocks under its management, if the WCPFC were to ignore this direction.

It is time for the WCPFC to take urgent action to address overfishing and to support and enforce that action by the introduction of a eCDS. WCPFC needs to ensure that all high seas fish stocks managed by RFMOs be subject to the eCDS as a proactive precautionary measure. WWF and TRAFFIC recognize that the introduction of an eCDS will pose some challenges to the WCPFC in the context of the nature of the fisheries for BET. However the WCPFC must work to overcome these challenges rather than using them as an excuse to implement second-best solutions in the form of a TDS.

WWF and TRAFFIC recommend that the WCPFC must:

1. Agree at its December 2008 meeting to adopt a CDS measure for BET at the 2009 meeting (including any intercessional work to meet that timetable) with a date of implementation of 1 July 2010;

2. Implement a eCDS that requires documentation to accompany all catch harvested, landed, transshipped, traded domestically, exported, processed, imported and re-exported and which relies on electronic documentation;

3. Ensure that complementary measures are in place to maximize the effectiveness of the eCDS by:

- bringing forward the implementation schedule for the ROP;
- ensuring that a Commission VMS measure is implemented in 2009;
- ensuring that transshipment at sea does not compromise the effectiveness of the eCDS;
- adopting Port State measures (consistent with any global agreement likely to be agreed pursuant to the FAO-hosted negotiations currently underway) to take effect at the same time as the BET CDS; and
- adopting measures that provide for trade-restrictive measures to be taken against flag States with vessels on the IUU list.

4. Acknowledge the need to implement eCDS for other tunas and billfish managed by the Commission and, in particular, commit to the introduction of an eCDS for YFT and Swordfish *Xiphias gladius* by 1 January 2010;

5. Commit to continuous improvement of the eCDS by investigation for example, of the benefits and feasibility of verification systems such as tagging and the use of biotechnology;

6. Establish a capacity development fund to act as a cost-sharing mechanism to provide for cross subsidisation across wealthy and less-wealthy members to ensure the effective implementation and administration of the eCDS; and

7. Maximize retailer and public access to CDS data.

Bycatch Performance Measures

This is a critical issue of concern to WWF and TRAFFIC. WWF and TRAFFIC are keen to ensure that the same urgency is given to developing and implementing corrective measures to recover populations of high conservation value non-target species as is being given to preventing collapse of populations of target fish stocks of high commercial value. WWF and TRAFFIC are particularly concerned at the impact of WCFPC regulated fisheries on sea turtles, sharks, rays and sea birds.

Sea Turtles

WWF and TRAFFIC recognize that sea turtle by-catch in longline fishing operations continues to be a problem in the Western and Central Pacific. Already a range of progressive measures have been introduced globally including the use of circle hooks in place of j-hooks.

WWF and TRAFFIC further recognize that while trials and experiments on the use of circle hooks to reduce turtle by-catch have been, and are being undertaken around the world, the use of circle hooks as a turtle mitigation measure in the WCPFC area may be undermined by their impact on sharks. However, WWF and TRAFFIC believe that by using a combination of mitigation techniques, such as prohibition on the use of wire trace, could further mitigate sea turtle bycatch concerns while also decreasing the impact of circle hooks on shark bycatch. While insufficient data exists on the by-catch levels in the Western and Central Pacific, WWF and TRAFFIC urge the Commission to undertake precautionary measures in the absence of such data.

In addition, we urge the WCPFC to mandate the carriage on all vessels and use of the following mitigation gears currently available to the fishery. This list is not exhaustive and there may be additional devices that should be included on this list:

- turtle de-hookers;
- line cutters;
- circle hooks;
- whole fish baits;
- prohibition on the use of wire trace;
- identification of sea turtle 'hotspots' and implement spatial and temporal closures as appropriate;
- development of performance measures (bycatch trigger limit) for all sea turtle species;
- Implementation of comprehensive management action if trigger limit activated. Such measures for adoption to include move on provisions, short term spatial and temporal closures, and restrictions on gear types (primarily longline) used in certain areas;
- 100% observer coverage on longliners in EEZs and on the high seas.

Sharks

Sharks play a crucial role in the balance and health of marine ecosystems. They are slow-growing, longlived, and produce few young, which leaves them extremely vulnerable to overfishing. Most sharks also play an important role as top predators in the ecosystem and significant reductions in their numbers are likely to have impacts on other elements of those ecosystems. The extent and nature of those impacts are largely unknown.

Given the role of sharks in ocean ecosystems it is essential that any fishery impacting on their populations must adopt Ecosystem Based Management (EBM) principles and be applied rigorously to the management of those fisheries. WWF and TRAFFIC note the fact that the WCPFC has adopted a conservation and management measure that came into effect as of 1 January 2008.

However, recent evidence from SC4, based on the ecological risk assessment, indicates that there is no difference in catch rates for sharks by longliners above and below 24 m overall length. The SC stated that there appears to be no scientific basis to justify the current exemption for small vessels and recommended that the shark measure be revised to include vessels under 24 m.

WWF and TRAFFIC strongly support the advice and recommendation of SC4 on this measure. Furthermore WWF and TRAFFIC recommend that any fin ratio must be based on wet weight, not dry weight, for both trunk and fins. This exemption makes the CMM adopted by the WCPFC the weakest of all shark measures adopted by any of the tuna RFMO's. Hence WWF and TRAFFIC wish to see this exemption removed immediately at the upcoming Commission meeting.

WWF and TRAFFIC recommend that the following action be taken immediately at this Commission meeting:

- prohibition on the use of wire trace;
- prohibition on the take of any shark, ray or shark, ray product by any WCPFC vessel until such time that specific shark and or ray species can be demonstrated to be harvested sustainably in terms of EBM;
- development of performance measures (bycatch trigger limit) for all shark and ray species;
- implementation of comprehensive management action if trigger limit activated. Such measures for adoption to include move-on provisions, short term spatial and temporal closures, and restrictions on gear types (primarily longline) used in certain areas;
- identification of shark and ray bycatch 'hotspots' within the Convention area; and
- 100% observer coverage on longliners in EEZs and on the high seas.

Further information regarding the critical plight of sharks and recommendations to mitigate this issue is contained in the TRAFFIC report titled '*Confronting Shark Conservation Head On*' located at the following URL - http://www.traffic.org/species-reports/traffic_species_fish4.pdf .

Seabirds

WWF and TRAFFIC are concerned at the outcome and lack of the seabird discussion at previous meetings. WWF and TRAFFIC believe that the seabird bycatch mitigation specifications should be minimum standards binding measures, not merely guidelines. The outcomes of SC3, SC4 and TCC3 have shown that the following actions need to be undertaken:

- collaborative research must be encouraged on specifications that are not fully understood by CCMs;
- ensure that tori lines include branch streamers along the aerial extent of the line and that the branch streamers are of a length that ensures that

- they would touch the surface of the water in the absence of wind and swell.
- information and data sharing among CCMs;
 - stop using guidelines and specifications as negotiating tools either to buy time or to stall progress in agreeing to specific measures;
 - fishers must be clearly informed regarding operation of the specification of seabird mitigation measures; and
 - 100% observer coverage on longliners in EEZs and on the high seas.

WWF and TRAFFIC believe that effective reporting measures (bycatch performance measures, trigger points and reference limits) coupled with appropriate action and timeframes if triggered (particularly with respect to sharks/rays, seabirds and turtles) are an essential element of any CMM for the sustainability of fisheries.

CONCLUSION

This Commission must be prepared to take the hard decisions to prevent fisheries collapse now. Scientists have been calling for large reductions in bigeye tuna catch for over a decade. Past performance of the Commission is, at best; slow to respond to such advice. This wavering could lead to the commercial extinction of the bigeye and yellowfin tuna fishery in the WCPO if effective management action isn't adopted at this year's Commission meeting. If the Commission doesn't move fast on restoring stocks and preventing illegal, unreported and unregulated fishing, it will directly impact the viability of the region's tuna fisheries, and the economies of developing countries.