



**TECHNICAL AND COMPLIANCE COMMITTEE
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26th September – 1 October 2013
Pohnpei,
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Greenpeace Position Paper

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Western and Central Pacific Fisheries Commission
**Ninth Regular Session of the Technical and Compliance Committee
(TCC9)**

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Introduction

This year's subsidiary and annual meetings of the Western and Central Pacific Fisheries Commission (WCPFC) have the important task of steering the vital tuna fisheries of the Western and Central Pacific Ocean (WCPO) away from an impending crisis. The Commission is responsible for ensuring that Pacific Islanders, fishers, and consumers of tuna from the WCPO have secure food supplies and sustainable livelihoods. This Commission must have the fortitude and will to make the hard decisions necessary to finally put in place a science-based and effective conservation and management measure that will reverse past mistakes and return tuna fisheries of the WCPO to sustainability and economic viability for the long-term. Parties must be prepared to make compromises to reach agreement – what cannot be compromised is the future of Pacific tuna stocks.

This Commission began negotiations to implement an effective replacement Conservation and Management Measure (CMM) for tropical tunas - namely bigeye, yellowfin and skipjack tuna - more than two years ago. Whilst the value of these deliberations is commendable the dire status of the region's at-risk tuna stocks cannot be ignored any longer. Overfishing of adult bigeye in the longline fishery, compounded by the increased catches of juveniles as bycatch in purse seine FAD fishing, has continued to reduce the bigeye stock to low levels. The Scientific Committee warned this year that ever-increasing catches are exacerbating this problem.

Commission members must heed the advice of their Scientific Committee and adopt a CMM that builds upon efforts taken since 2008, but is strengthened to eliminate overfishing and restore tuna stocks, well above levels that can produce MSY and support viable fisheries into the long-term future.

Greenpeace calls on TCC9 to recommend to the Commission that the following components be included in the bigeye recovery plan and replacement CMM for tropical tuna in the Western and Central Pacific Ocean:

- 1. Adopt precautionary and ecosystem-based limit and target reference points for all major tuna species.**
- 2. Reduce fishing mortality of bigeye by 50% from 2011 assessment levels to reflect the uncertainty in assessments including further cuts to longline bigeye catches.**
- 3. Close the four high seas pockets to all fishing as a permanent measure, in order to strengthen the benefits derived from existing closures, complement initiatives to create a network of marine reserves in adjacent waters, and to eradicate IUU fishing.**
- 4. Apply the Vessel Day Scheme (VDS) to the tropical longline fleet to control and reduce fishing effort.**

5. *Adopt and implement a year-round ban on the use of FADs in association with purse seine fishing in order to help address excess fishing capacity, reduce catches of juvenile bigeye and yellowfin tuna, and reduce bycatch of other vulnerable species including oceanic whitetip and silky sharks.*
6. *Immediately halt any increase in effort in the southern albacore fishery until precautionary, zone-based catch limits, are established by the Commission that takes into account the rights of adjacent small island coastal states whose small economies are dependent on this fishery.*
7. *Adopt fleet capacity management strategies including a freeze on the number of purse seine and longline vessels operating in the convention area and agree to criteria and time line for capacity reduction in line with reference points and taking into account the rights of Small Pacific Island Coastal States to develop their fisheries.*
8. *Ban at-sea transshipments and bunkering.*

Reduce Capacity NOW

The elimination of fishing overcapacity in the WCPO is one of the most serious challenges facing this Commission. Overcapacity is a driver of overfishing. It is not only biologically unsustainable, but given the heavy reliance of the fishing industry on subsidies, it is also economically unsustainable. TCC9 must recognise the urgency of the situation and prioritise the development of a clear time-bound plan to eliminate overcapacity in the WCPO.

Indicators from SC9 have revealed an alarming picture of fishing capacity in the convention area. Purse seine and longline vessel numbers, capacity and overall fishing effort are at an all-time high. Greenpeace welcomes the efforts and opportunity to seriously address the issue of overcapacity in the WCPO during the revision of the tropical tuna CMM and supports the recommendation to freeze the number of purse seine and longline vessels operating in the convention area.

However, work must simultaneously occur to strengthen the delivery of accurate and reliable data to the Commission, in order for active fishing capacity to be properly assessed. In addition, eliminating overcapacity will not be possible without compliance and enforcement – the Commission’s Compliance Monitoring Scheme (CMS), currently in its third trial year, must be strengthened and a strict penalty and sanctions regime must be applied in all cases of non-compliance. Failure to comply must be linked to loss of access (see criteria below), thereby contributing to the process of fishing capacity reduction.

Eliminating overcapacity in the WCPO also requires addressing the rights and needs of developing coastal States, and should set fishing mortality and capacity limits and fleet composition based on the precautionary and ecosystem-based approaches. Work to eliminate overcapacity must provide for an equitable allocation of access to resources using a set of transparent and equitable environmental and social criteria that ensure the rights of developing coastal States and communities to participate in and benefit from tuna fisheries.

Greenpeace calls on TCC9 to take into consideration these general social and environmental criteria for reducing overcapacity in global fisheries to assist the Commission in assessing and removing overcapacity in the region:

1. **Selectivity** – Different fishing methods result in different amounts of bycatch which are (currently) often discarded. Fishing methods with low bycatch should be given priority access to the available resources;
2. **Environmental impact** – The impact of different gears and practices on the environment vary widely. Less destructive fishing methods should be given priority access;
3. **Energy consumption** – Some gear and vessel types require enormous amounts of energy compared to the fish they catch. Vessels and fishing methods consuming less energy per tonne of fish caught should be given priority access as long as they also meet other environmental and social criteria;
4. **Employment and working conditions** – Fishing methods that provide more and better employment conditions, as long as they are also less damaging for the environment, should be given priority access. Working conditions should comply with relevant international standards, notably the 2007 International Labour Organisation (ILO) Work in Fishing Convention;
5. **Socio economic benefits** – Vessels that bring direct income to and investment in the region derived from their fishing operations should receive priority access;
6. **Quality of product** – Gear type affects the quality of the fish caught. Gear types providing the best quality of fish for human consumption should be given priority access; and
7. **History of compliance** – Past compliance with applicable rules, including quality of data provided by fishers as well as compliance with CCMs and national regulations should be considered when granting access to a fishery.

The Road to Recovery – Tropical Tuna CMM

CMM-2008-01 and subsequent amendments aimed to reduce the high fishing mortality on bigeye tuna by 30% from the 2001–2004 average level and limit yellowfin tuna fishing mortality to its 2001–2004 level. There is now general consensus that the measure was unlikely to achieve its goals.’

A number of concerns have been raised at the recent SC:

Longline catches of bigeye have been reduced from 2001–2004 levels; however, in the core area of the tropical longline fishery, catch reductions have occurred alongside a decline in catch-per-unit-effort (CPUE), and therefore recent catch declines may be, at least in part, due to a further decline in the adult bigeye abundance.

Rather than a reduction in purse seine effort, there has been an increase since the introduction of CMM-2008-01. According to reported data, effort peaked in 2011. On the other hand however, VMS data show that effort in 2012 was 8% higher than 2010 levels, and similar to 2011 effort levels. Furthermore, there appears to have been a change in how days are reported – i.e. days that were previously reported as ‘searching days’ (counted as fishing days) are now reported as ‘transit days’ (counted as non-fishing days).

The FAD closures in 2009–2012 resulted in moderately reduced yellowfin and skipjack catches and strongly reduced bigeye catches during the closure periods. However, despite the closures, the total estimated number of FAD sets made in 2011 was a record high, mainly due to increased purse seine effort overall and heavy FAD use outside the closure period, with a slight decline in set numbers for 2012.

More effective action required:

Scientific advice indicates that a combination of prohibiting FADs in the purse seine fishery and restricting longline fishing in bigeye spawning areas will have the greatest impact on the recovery of bigeye tuna.

Any proposed replacement of current FAD measures must take into account the burdens of monitoring and enforcing FAD closures and the impact FADs may be having during the closure period in terms of ‘ghost fishing’. Similarly, the drastic reduction in bigeye catches during FAD closure months should be the single most important factor to consider when deliberating the new measure.

Greenpeace believes that emphasis must be placed on eliminating the use of FADs from purse seine fisheries (which take over half of the region’s bigeye catch, for predominantly low-value uses). The ban must be year-round, to ensure that the benefit of reduced bigeye tuna mortality gained during a short-term ban are not lost over the remainder of the year if FAD fishing resumes at a high rate, as was seen in 2011. As well as addressing bigeye mortality, a full ban will reduce the bycatch of juvenile yellowfin and assist in the overall reduction of shark bycatch, most importantly for depleted oceanic whitetip sharks and silky sharks.

However, the action to achieve sustainability must be shared with the longline fishery, which is best achieved through a combination of prohibiting longlining in bigeye spawning areas; closing the high seas pockets to all longline fishing and further reducing fishing effort and capacity within all longline fleets within the remaining high seas and EEZs.

Close High Seas Pockets to ALL fishing

The closure of two high seas pockets (HSPs) to purse seine fishing since 1 January 2010 has largely been respected, and until 2012 purse seine fishing effort remained concentrated in EEZs, without transferring effort to the eastern high seas. In 2012 there was a relatively small increase in the amount of effort in the HSPs, which has been attributed to transit activity and/or to effort by the Philippines catcher vessels permitted to fish in HSP1 from October 2012 by the CMM 2011-01. In 2012 there was an increase in purse seine effort in more easterly waters, consistent with the change to more ENSO-neutral conditions. This is of concern given the eastern pockets remain open to fishing activity.

Governments and domestic longline fleets in the central Pacific have indicated their concern over international fleets operating solely in the eastern high seas pocket or pocket 3 (refer to figure 1 below) and using this as a platform to tranship catch out of the region.

Pacific Island leaders called for the further closure of high seas pocket three in a bid to tackle overfishing and Illegal, Unreported and Unregulated (IUU) fishing activities at the Forty Third Pacific Island (Leaders) Forum. Greenpeace ship expeditions in 2006, 2008, 2009, 2011 and 2012

repeatedly demonstrated the extensive and pernicious nature of IUU fishing in the region and the role that these high seas areas play in facilitating these illegal activities. According to the Annual Report on Eastern High Seas Pocket Special Management Area Reporting in 2012, a High Seas Boarding and Inspection in pocket 3 and 11 boarding were undertaken, 6 of which detected violations including non-reporting of entry. In 2013, further inspections were carried out in pocket 3 and 11 vessels were boarded and 6 of these vessels were found in violations of the CMMs again for non-reporting of entry.

A Greenpeace ship tour in 2009 revealed that pocket 3 was being used as a platform for IUU fishing activity being carried out in nearby waters. Greenpeace believes that the decision to reopen the pockets at the WCPFC8 was a short-sighted mistake. The opening of the high seas pockets also came with a number of pre-conditions including the need for better monitoring of fleets and strict implementation of and compliance with monitoring, control and surveillance (MCS) measures. The reporting on compliance by flag States at TCC8 revealed that the pre-conditions for reopening HSP1 to Philippine vessels are not being met.

Greenpeace calls on TCC9 to recommend that all four high seas pockets be closed to all forms of fishing, as part of a new conservation measure for skipjack, yellowfin and bigeye. The closure of the high seas pockets to all fishing must be made permanent in order to strengthen the benefits derived from existing closures, complement initiatives to create a network of marine reserves in adjacent waters, and to eradicate IUU fishing.

Safeguarding Albacore Tuna

Greenpeace again reiterates concern over the increasing number of small to medium scale longliners operating only on the high seas in the albacore fishery. These vessels place an increasing burden on this stock and contribute very little to the economies of adjacent Pacific coastal States.

High seas longline vessels in the albacore fishery are competing with domestic and locally-owned fleets and undermine the development rights of small island coastal State members that are safeguarded by the WCPFC convention. Although albacore stocks are seen as healthy, stock assessments have consistently cautioned against further increases in catch on the basis that they would reduce vulnerable biomass (larger adults) and therefore decrease catch rates and profitability. Despite these warnings, both catch and effort have increased significantly in recent years. Stock assessments have shown reductions in spawning biomass.

Greenpeace is concerned with the increasing number of longline vessels entering the fishery as high-seas-only fleets. This is creating significant distortions in both the ecological and economic viability of the fishery.

Greenpeace calls on TCC9 to ensure that precautionary reference points must be adopted to maintain this stock at a sustainable target level. Given the dependence of coastal States and absence of appropriate data on the stock, Greenpeace urges the Commission to immediately halt any increase in effort in the southern albacore fishery until precautionary, zone-based catch limits,

are established by the Commission that takes into account the rights of adjacent small island coastal states whose small economies are dependent on this fishery.

Ban at-sea Transhipments

Evidence from Greenpeace at-sea work continues to show how transshipment at sea plays an integral role in laundering illegally caught fish. Fish caught in an area can be transferred to another vessel at sea, and not be landed until the catch is far from the vessel that caught it and the fishing grounds in which it was caught. This enables vessels to hide illegal catch, catch much greater amounts than they report, or catch fish in one area and report it as caught in another.

Under WCPFC current transshipment rules, fishing vessels are required to notify the secretariat if transshipping tuna on the high seas; however, evidence shows that this is not taking place and that a large number of transshipments are occurring on the high seas in direct contravention of the Commission's rules. Transshipment and bunkering at sea are supporting the plunder of the region's tuna stocks.

Greenpeace urges TCC9 to recommend banning all at-seas transhipments and bunkering and to alternatively require transhipments in port in order to close the net on IUU fishing in the WCPFC convention area.

Figure 1: Map of high seas pockets 1 – 4; High seas enclaves require special attention under international law.

