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Smart Fishing Initiative

WWF POSITION

10th Regular Session of the Technical and Compliance Committee (TCC) of the Western Central Pacific Fisheries Commission (WCPFC): Pohnpei, Federated States of Micronesia – September 25-30, 2014

Introduction and Summary

The World Wide Fund for Nature (WWF) would like to thank the Western and Central Pacific Fisheries Commission (WCPFC) Technical and Compliance Committee (TCC) for the opportunity to attend the 10th Regular Session of the TCC (TCC10) as an observer and to address the critically important role that it plays in the proper management of the (Western Central Pacific Ocean) WCPO fisheries. Conservation and management of these ecologically and socio-economically important fishery resources ultimately depends on the timely and efficient collection, assessment, and analysis of fisheries data and information provided through the Scientific Committee (SC). However, the conservation and management of these important resources is also no less dependent on the TCC's ability to consider, implement, assess, and monitor Conservation and Management Measures (CMMs) based on that scientific advice. Therefore, TCC plays a vital role in ensuring the development and implementation of appropriate and effective CMMs. WWF supports the efforts of the TCC to forward recommendations for CMMs for consideration by the WCPFC as well as its role in ensuring compliance by member states with those measures.

WWF would like to offer the following position and recommendations to the TCC regarding significant management and compliance issues that WWF deems important. WWF wishes to reiterate its position offered in Cairns in December 2013 (WCPFC10) and, taking into account the WCPFC-related meetings held since, offer the recommendations listed below.

Reference Points, Harvest Control Rules, and Harvest Strategies

WWF remains supportive of the work of the WCPFC and subsidiary bodies in pursuing the implementation of Reference Points (RP), Harvest Control Rules (HCR), and Harvest Strategies (HS). Consistent with previous WWF position statements and recommendations, WWF continues to encourage TCC10 to further endorse and support the adoption of explicit Limit and Target Reference Points (LRP/TRP), HCRs, and HSs for all WCPO fishery stocks under WCPFC authority.

Therefore, WWF welcomes the proposal by Australia for a draft CMM on establishing a harvest strategy for key tuna species in the WCPO. We support the approach that the draft CMM will seek the Commission's agreement to formally develop a HS approach to fisheries for the major tuna stocks under the Commission's purview with a goal toward achieving individual harvest strategies for specific fisheries developed in accordance with this CMM that, in turn, set out the management actions necessary to achieve defined biological, economic, and social objectives for each fishery. If the WCPFC11 takes appropriate action on this CMM, it will provide a sufficient framework for moving forward management based on valid LTRPs and HCRs.

Nonetheless, WWF also agrees with the Parties to the Nauru Agreement (PNA) that the CMM must also consider the intention of the Commission to adopt a TRP for skipjack at WCPFC11 that is compatible with actions taken by the PNA. WWF notes the SC10 support for the analyses of these important management measures as well as their recommendation that WCPFC11 take the results of the papers presented at this meeting into consideration when considering the adoption of TRPs and HCRs for the key target species. Lastly, WWF supports and encourages the further development of the next Management Objectives Workshop (MOW3) along with further analyses required to inform the Commission's consideration and adoption of a TRPs and HCRs at WCPFC11.

With respect to RPs, HCRs, and HSs, WWF recommends that the TCC:

- Support and endorse further development of the Draft CMM on Establishing a Harvest Strategy for Key Tuna Species in the WCPO;
- Support the organisation and execution of MOW3 prior to WCPFC11;
- Support the continued development and implementation of LRPs and TRPs as a priority for proper management of all stocks;
- interim precautionary TRPs as a benchmark for further consideration by the WCPFC in 2014; and
- Support the continued development and implementation of HCRs that ensure the transparent and efficient management of stocks in relation to LRPs and TRPs.

Sharks

Many shark species in the WCPO remain subject to high levels of fishing mortality that current stock assessment trends suggest could be unsustainable.¹ Sharks play a critical role in the WCPO marine ecosystem as apex predators and indicators of ecosystem health.² WWF is concerned with shark conservation and sustainability in the WCPFC region as a whole and considers responsible management, trade, and consumption where shark mortality occurs in all fishing activities, not just in circumstances where tuna fishing is

occurring. Therefore, WCPFC must also recognise the needs of coastal States in the WCPFC region to manage their shark populations.

WWF recommends the TCC endorse measures proposed during 2013 to ensure that sharks stocks are not adversely impacted in the region, while also ensuring that some key shark species are not being substantially depleted. Therefore, we encourage the TCC to recommend precautionary measures to reduce fishing mortality consistent with recommendations made previously by the SC and drawn from the discussion regarding a proposed integrated shark CMM.³ By way of reference, we again endorse the recommendations contained in sections 4.1 and 4.2 of the paper presented by Dr. Shelley Clarke to the WCPFC in 2013 in addition to measures recommended below.⁴

With respect to sharks, WWF recommends the TCC:

- Endorse and recommend adoption of a Comprehensive Shark CMM that includes efforts to:
 - Mandate bycatch best practices consistent with those found in the Compendium of Best Practice of Conservation and Management Measures (CMMs) for the of Species Bycatch in Tuna RFMOs;
 - Implement the recommendations for bycatch that were endorsed at Kobe III and adopt an annually updated report card system against these recommendations for all of the WCPFC fisheries;
 - Require, through data collected from observer programs and other means, estimation of the number of captures and releases of all sharks and rays, including the status upon release (dead or alive), and reporting of this information to the WCPFC;
 - Require, through observers programs, recording what gear is used in longline activities including the use of wire traces and any multi-monofilament traces in order to avoid bite-off by sharks.
 - Introduce a scheme to document the capture and trade of sharks whereby it allows for traceability through to the final market state; and
 - Ensure the implementation requirements for CITES listed sharks are fully understood and planned for in preparation for CITES Parties and Non-Parties trading with CITES Parties needing to make Non-detriment (Sustainability) and legal findings in order to issue export permits for trade in these species by September 2014.⁵ Where WCPFC members make non-detriment findings for shark species they should share with the WCPFC details of the basis of those findings.⁶
- Encourage the development of reference points and management for non-target species, including all shark species, as envisaged under Articles 5 and 10 of the WCPF Convention.
- Encourage CCM's to report all shark catches from domestic fleets operating in territorial and archipelagic waters.

Turtles

WWF continues to believe that CMM 2008-03 for the Conservation and Management of Sea Turtles has not demonstrably reduced bycatch impacts on threatened and endangered sea turtles in the region, and that the cumulative impact of increasing numbers of longline vessels in the WCPO on sea turtles remains problematic. With no evidence of CMM 2008-03 having slowed or reversed negative trends on threatened and endangered sea turtle populations, the burden of proof remains on the WCPFC to demonstrate that sea turtle bycatch impacts in tuna operations are being minimized.

WWF believes that there exists a strong basis for revising CMM 2008-03 to: ensure more suitable requirements for the determination of optimal bycatch mitigation packages (i.e. circle hooks and/or other measures) for individual fisheries; reduce the ambiguity in language; and improve the definition of the desired outcomes of the CMM. Moreover, evidence suggests that the WCPFC and member states have not suitably monitored the CMM for effectiveness with some parts of the CMM distinguished as providing “excessive room for creative compliance.”⁷ While CMM 2008-03 requires all longline vessels to carry turtle de-hookers and line cutters, WCPFC has provided no monitoring and evaluation of the effectiveness of this requirement, and only a small fraction of member countries have conducted dedicated research on sea turtle mitigation techniques.⁸ Indeed, as recently as 2010 over three quarters of CCMs either did not report on compliance with CMM 2008-03 or did not meet all the CMM measures. Furthermore, only a small fraction of member countries have conducted dedicated research on sea turtle mitigation techniques, and current observer coverage falls well below the recommended level for effectively determining optimal mitigation approaches (i.e. 10% coverage over 3 years).

The precautionary principle requires that all CCMs must determine optimal bycatch mitigation strategies based on research and sound science. Most importantly, WWF believes that the WCPFC should reconsider CMM 2008-03 in light of new information available regarding fisheries impacts on sea turtles and the impacts of various mitigation measures on turtle bycatch.⁹ Specifically, recent studies in the Eastern Pacific Ocean further confirm the positive impact of turtle bycatch mitigation using circle hooks, thereby indicating a need for further consideration and adoption of circle hooks in the WCPO longline fisheries.¹⁰

With respect to sea turtles, WWF recommends the TCC:

- Review all pertinent scientific data and reporting related to sea turtle bycatch and clarify whether a scientifically defensible interim catch rate can be assigned, in particular, to consideration of sea turtle population status and recovery requirements, and if such a determination cannot be made, to recommend a catch rate as close to zero as possible;
- Endorse the consideration of CMM 2008-3 revisions aimed at:
 - reducing the ambiguity in language, strengthening key language and reducing the vagueness in desired outcomes of the CMM, thereby enabling better monitoring of CMM effectiveness.
 - introducing new binding measures, including stronger measures for conducting research on mitigation techniques and reporting on sea turtle impacts, to be implemented on an interim basis pending the determination of optimal mitigation packages.
 - setting an appropriate interim catch rate that would trigger move-on provisions.

Seabirds

WWF also believes that more can be done to protect critically endangered seabirds. The paper EB-WP-14 presented at SC9 illustrated a significantly high overlap of longline fishing activity with black-footed albatross and Laysan albatross, much of which occurs on the high seas.¹¹ These interactions represent a particular concern given that more than 60% of the longline fleet in the Northern WCPO is smaller than 24m and, hence, exempt from using seabird bycatch mitigation. However, no evidence exists indicating that small vessels do not catch seabirds. Additionally, the U.S. paper EB-IP-10 presented to SC10 showed that all U.S. longline vessels operating in the North Pacific are required to use seabird bycatch mitigation regardless of size. Analysis of bycatch rates between the different sized vessels presented in EB-IP-10 indicated no appreciable difference in bycatch rates by size.¹² Many Japanese vessels already use seabird mitigation on their small vessels.¹³ Further investigation of effectiveness of small vessel mitigation options will enable recommendations for technical specifications for small vessels to be made to TCC 11.

With respect to seabirds, WWF recommends the TCC:

- Recommend that the small vessel exemption be lifted and technical specifications for mitigation requirements for small vessels be presented to TCC11 for incorporation into an updated seabird bycatch mitigation measure.

Regional Observer Programme

Information collected as part of an appropriate observer programme is critically important to the proper management of a fishery. Data collected by observers plays a central role in informing fisheries scientists on everything ranging from stock assessments to non-target species impacts. Furthermore, observers play an indispensable role in monitoring and enforcing very important conservation and management measures in the WCPO. Indeed, observers represent the vanguard of fisheries management through the science and service that they provide. Consequently, observer coverage must be considered a top priority and greater support must be provided to the relevant authority to see that the capacity of the ROP is strengthened.

Observer Programme Management and Administration

The WCPFC must ensure, through appropriate guidance, that national observer programmes administered under the ROP are fully resourced in terms of human and financial capital as well as governed under appropriate administrative and management structures. Within that consideration, the TCC should endorse an analysis that considers and presents not only a cost-benefit analysis of the observer programme in the context of proper management, but also different funding models that CCMs could consider for ensuring proper administration and management of the observer program at a national level, including those that incorporate sustainable financing through a valid and functional cost recovery system. In any event, more attention must be given to the development and full funding of minimum standards that ensure a national programme can perform to ROP standards, including such efforts as annual reviews of the national programs under pre-agreed performance standards.

Observer Coverage on Longline Vessels

WWF notes that observer coverage on longline vessels operating in the WCPO remains abysmally low at less than 3% region-wide, which is statistically and practically useless for either management or monitoring, control, and surveillance (MCS) purposes. Therefore, WWF supports any and all efforts to improve the observer coverage of all longline fisheries in the WCPO. As such, WWF supports the proposed hierarchy of four metrics for assessing observer coverage (in descending order) suggested by the Informal Small Group (ISG) 7 of SC10, including:

1. number of hooks deployed
2. number of days fished
3. number of days-at-sea
4. number of trips

WWF also notes that different levels of observer coverage may be required for management or compliance purposes and recommends that appropriate analyses be conducted to determine each of those levels respectively. Moreover, the TCC should take steps to harmonise the required methodologies to ensure that appropriate comparative analyses can ultimately be conducted. Most importantly, regardless of the metric used the TCC must demand that the level of observer coverage on longline vessels be improved immediately.

Observer Misconduct

WWF believes that establishing minimum standards in relation to mechanisms designed to prevent and deter misconduct of observers is prudent. WWF recommends starting with well-established standards, such as those contained within the International Observer Bill of Rights¹⁴ and associated Codes of Conduct^{15,16}, developed by the Association for Professional Observers, an International non-profit, non-governmental organization dedicated to strengthening fisheries observer programs through advocacy and education. By protecting the health, safety, and welfare of observers while promoting greater training opportunities and professionalism, observer programmes and providers fundamentally undercut the primary causes of misconduct by observers. WWF also supports many of the recommendations developed by the WCPFC Secretariat to address observer misconduct, especially those related to improvements in training requirements.

Transshipment Monitoring

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. WWF notes that the most simple, efficient, and effective solution to the challenges of transshipment related IUU is to simply prohibit all transshipment and require all fishing vessels to land their catch at the nearest available designated port in the WCPO following the conclusion of fishing activity. However, acknowledging that a prohibition on transshipment is unlikely at this point, WWF supports a 100% observer monitoring requirement for all transshipments that is buttressed by verification and validation of transshipment activities through the use of a vessel monitoring system (VMS) and supplemented by an operating automated identification system (AIS). If through investigation of suspected unreported transshipment activity indicated by VMS and corroborated by AIS, it is determined that transshipment activity was conducted without an observer present, the offending vessel should be subject to sanctions up to and including listing on the IUU vessel blacklist.

Electronic Monitoring

WWF generally supports current efforts throughout the WCPO in pursuit of Electronic Monitoring (EM). Other fisheries around the world have demonstrated varying levels of success using EM in limited circumstances, depending on the goal of the observation and data collection program. Therefore, each application of EM is contextual and must be subject to thorough analysis, comprehensive testing, and careful monitoring to ensure the technology and program is functioning as designed. WWF would like to acknowledge the important role that EM could potentially play in ensuring observer coverage throughout the WCPFC CA, possibly even at a reduced cost, but noting that there will always be a need for human observers to perform certain analytical tasks that a camera, sensor, or computer simply cannot accomplish.

With respect to the ROP, WWF recommends:

- Further implementation of a binding, consistent, and consolidated set of standards for the ROP;
- Developing an analysis of the observer programme in the context of proper management, including an analysis of different funding models;
- Endorsing an analysis of levels of observer coverage required to achieve management or compliance purposes while ensuring that the metrics and methodologies used support development of appropriate comparative analyses;
- Endorsing the WCPFC Secretariat recommendations for minimum standards designed to prevent and deter misconduct of observers;
- Supporting or endorsing the use of VMS and AIS to verify and validate 100% observer coverage on all transshipments as well as supporting strong penalties and sanctions for violations;
- Developing and implementing a comprehensive analysis and design plan for spatially and temporally representative observer coverage of each fishery operating in the WCPFC CA., including thorough consideration and assessment of EM as a component of full observer coverage; and
- Supporting or endorsing a peer review process for the various EM programs in progress or currently planned for implementation in the WCPO.

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Our Smart Fishing Vision and Goals:

Vision: The world's oceans are healthy, well-managed and full of life, providing valuable resources for the welfare of humanity.

2020 Goals: The responsible management and trade of four key fishery populations results in recovering and resilient marine eco-systems, improved livelihoods for coastal communities and strengthened food security for the Planet.



Why we are here
To stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature.
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For more information

Alfred "Bubba" Cook
WCP Tuna Programme Manager
acook@wwf.panda.org
Tel: +6799035008

WWF Smart Fishing Initiative
Moenckebergstr. 27
20095 Hamburg

Tel. +49 40 530 200 310

www.panda.org/smartfishing