Thank you, Chair.

I make this intervention on behalf of WWF, Pew Charitable Trusts, Sustainable Fisheries Partnership, and Greenpeace.  As NGOs that believe strongly in the *scientific process*, we believe that it is important to intervene on this issue to ensure that the integrity and validity of *not only the scientific process*, but also the *Scientific Committee itself*, is maintained.

By reference, I would like to direct you to the legal analysis titled A Review of the Provision of Scientific Advice in the Western and Central Pacific Fisheries Commission.  This document was submitted to WCPFC11, has since undergone peer review in a prominent legal journal, and is available as WCPFC11-2014-OP02 on the Commission website.  It is a comprehensive review of the legal requirements and obligations of the SC to review, assess, and make scientific recommendations to the Commission.

With regard to the SC’s responsibilities, the WCPFC Convention is unambiguous.  Under Part II, Article 5, Paragraph (b), it states that “*Commission members* *ensure* that measures are based on the best scientific evidence available.”  Further, under Part III, Section 2, Article 12, Part 1, it states that “the *Scientific Committee* is established to *ensure* that the *Commission obtains for its consideration* the best scientific information available.”  Further, under paragraph 2(g), the Convention states that, “the SC make reports and recommendations to the Commission as directed, *or on its own initiative*, on matters concerning the conservation and management of and research on *target stocks* or non-target or associated or dependent species in the Convention Area.”

This responsibility is further confirmed under Commission Resolution 2012–01, on the Best Available Science, which states that the *SC* has the authority and responsibility for determining what constitutes “best scientific information available” generally *and* for determining whether the WCPFC is receiving the “best available scientific information.”

What constitutes “the best available scientific evidence” is not defined in any Commission literature.   However, it is described in several science publications, including Sullivan, *et al*, Defining and implementing best available science for fisheries and environmental science, policy, and management in 2006. A simple understanding of the word “*best*” infers that if there is *any* research that is well supported by data and sound analytical procedures and alternative information that is not as robust, such as largely anecdotal accounts, it is the duty and responsibility of the SC to use the best of those studies for review and consideration.  The decision of the SC should be even easier in the complete absence of a competing study or analysis. Furthermore, in 2013 the Peer Review of the ISC provided additional clarification for distinguishing the best available science by noting that “personal or institutional opinions *do not* constitute [best available scientific information]” and that “[d]ata that form the basis of [analyses] must absolutely be supported by scientific documentation of substance."  Most importantly, the SC’s obligation to observe the precautionary approach under Part II Articles 5 and 6 of the Convention bolsters its obligation to use and provide advice to the Commission based on well-supported scientific evidence and not sit on its hands if science does not support the personal or institutional goals or objectives of any Commission member.

In summary, the SC has the responsibility and obligation…or rather a *duty*…to independently assess the evidence before it and make recommendations to the WCPFC. Moreover, it does not need the approval or review of the Northern Committee or the ISC or the IATTC to do so. As a scientific body, if the SC fails to provide substantive and actionable scientific advice to the WCPFC because of political or institutional obstruction at these meetings, it risks, at best, losing the confidence of the WCPFC in the SC and the Scientific Service Providers and, at worst, failing in its responsibilities and becoming irrelevant overall.

Thank you, Chair.