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Introduction

The World Wide Fund for Nature (WWF) sincerely thanks the Western and Central Pacific Fisheries Commission (WCPFC) Scientific Committee (SC) for again allowing WWF to attend and contribute to the 14th Regular Session of the SC (SC14) as an observer and to address the important role it plays the management of the Western Central Pacific Ocean (WCPO) fisheries.

These recommendations are not comprehensive and are not meant to exclude or diminish other important work currently considered by the SC. However, WWF would like to offer the following position and recommendations to the SC regarding significant scientific issues that WWF believes to be priority.

Reference Points, Harvest Control Rules, and Harvest Strategies

WWF strongly supports the commitment of the WCPFC to timelines for Limit and Target Reference Points (LRPs and TRPs) and Harvest Control Rules (HCRs) for all fish stocks in the WCPO, as proposed under the *Conservation and Management Measure* (*CMM) 2014-06: Conservation and Management Measure to develop and implement a harvest strategy approach for key fisheries and stocks in the WCPO*[1] and outlined further under *CMM 2017-01: Conservation and Management Measure for Bigeye, Yellowfin and Skipjack Tuna in the Western and Central Pacific Ocean.*[2] WWF encourages members to remain firmly committed to the timelines for development and continued implementation of Harvest Strategy elements.

WWF specifically recommends SC14 prioritize development and confirmation of TRP options for South Pacific albacore (SPALB) to support WCPFC commitments to consider a SPALB TRP in 2018. WWF also supports further development of TRPs for bigeye (BET) and yellowfin (YFT) consistent with the Harvest Strategy Workplan (Workplan) objectives. WWF encourages SC14 to further endorse and support the adoption of explicit TRPs for all fish stocks under WCPFC's authority as well as

consider further steps toward implementation of effective HCRs in accordance with the agreed Workplan.

The adoption of explicit TRPs for SPALB, YFT, and BET must remain a priority for the sustainable management of these resources in the WCPO. SC14 must also consider additional steps to further develop and establish LRPs and TRPs for other non-tuna species under its authority. Consistent with previous WCPFC advice, WWF encourages SC14 to review available information on this topic and provide advice on the progress toward establishing RPs and HCRs for the WCPFC's consideration.

While WWF appreciates the WCPFC's position to establish an interim level of risk of breaching any LRP at 20%, we also remain concerned that the risk of breaching the LRP for BET remains greater than 20% at an actual approximated level of 29%.[3] While this risk is conditional on the currently-used uncertainty framework as adopted by SC13, which is subject to review this year, it still remains excessive under UNFSA recommendations.[4] WWF continues to believe that levels of risk should be set at a sufficiently precautionary level of 10%.

WWF recommends the SC:

- **Supports the designation of TRPs as a priority for proper management of all stocks under WCPFC authority;**
- **Recommends interim precautionary TRPs as a benchmark for further consideration by the WCPFC in 2018, specifically recommending options for a SPALB TRP;**
- **Further develops and recommends proposed HCRs for consideration by the TCC and WCPFC; and**
- **Considers the probability of breaching the Limit Reference Points and limiting this to 10% or less as a precautionary measure.[5]**

Sharks and Rays

Sharks play a critical role in the WCPO marine ecosystem as apex predators and indicators of ecosystem health.[6] Sharks and Rays also continue to make up a large percentage of annual bycatch.[7] Thus, many shark species in the WCPO remain subject to high levels of fishing mortality that current stock assessment trends suggest is unsustainable.[8] WWF remains 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. WWF remains concerned that the illegal practice of finning is still being carried out by some CCMs, as highlighted in Paragraph 20 of the 8th Annual Regional Observer Report (WCPFC13-2016-IP10), including on species under a retention prohibition CMMs. Therefore, WCPFC must also recognise the needs of coastal states in the WCPFC region to manage their shark populations.

WWF supports the efforts by the Inter-sessional Working Group to develop *EP-WP_05* (Comprehensive Shark CMM) and recognises the work of the IWG Chair to further improve the CMM throughout 2018. WWF encourages SC14 to prioritize finalizing a Comprehensive Shark CMM that ensures key shark and ray species, including those prioritized by the Convention on the international Trade of Endangered Species (CITES), are effectively managed.[9] WWF continues to support recommendations within proposed CMM to include methods to eliminate finning and incorporate language to encourage CCMs to land sharks with their fins naturally attached to their bodies, as well as supporting recommendations made previously by the SC and drawn from the discussion regarding a proposed comprehensive and integrated shark CMM.[10]

WWF also notes that shark conservation and management is further frustrated due to poor data collection exacerbated by inconsistent bycatch definitions as well as retention policies that can prevent adequate data collection. Several RFMOs, including the WCPFC, maintain incomplete records concerning bycatch discards due in part to inconsistent definitions of bycatch.[11] Adequate

catch information is also frustrated by poor data collection policies such as the continued use of the fin-to-carcass ratio, which scientists have repeatedly shown to be an unsuccessful deterrent to the wasteful practice of finning as well as creating poor accounting due to inconsistent application of the policy across the region.[12] WWF again recommends the implementation of a fins naturally attached (FNA) policy as the only method to ensure both proper catch accounting as well as compliance with shark retention measures.

Furthermore, WWF again endorses the previous action taken by the Inter-American Tropical Tuna Commission (IATTC) to support best practices for safe handling and release manta rays (genus *Mobula* and *Manta*) aboard purse seiners. WWF once again encourages the SC to pursue equivalent or consistent measures for manta rays in the WCPFC.

WWF recommends the SC:

- **Develops, endorses, and recommends adoption of a Comprehensive Shark CMM that includes efforts to:**
    - **Apply to all sharks and rays caught in association with fisheries managed under the WCPF Convention;**
    - **Includes measures to eliminate finning through recommendations to land all sharks with their fins naturally attached to their bodies;**
    - **Adopts measures to eliminate bycatch and practice safe release of sharks and rays;**
    - **Requires, 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;**
    - **Reviews and amends CMM 2014-05 to prohibit vessels carrying wire trace and the use of wire trace branch lines; and**
    - **Requires, through observer 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;**
- **Provides updates on the progress of including mobula and manta rays to be considered as a key shark species;**
- **Encourages the development of reference points and management for non-target species, including all shark and ray species, as envisaged under Articles 5 and 10 of the WCPF Convention;**
- **Considers developing a definition of 'targeted shark fishing' to include all fishing methods that catch and land any shark species;**
- **Develops uniform bycatch definitions to support comprehensive and accurate records of annual bycatch discards; and**
- **Encourages CCMs to develop NPOAs with measures to report all shark and ray catches from domestic fleets operating in territorial and archipelagic waters to assist CCMs to meet obligations for shark and ray species incorporated under CITES Appendix II, including making any non-detriment finding publicly available.**

Pacific Bluefin Tuna

Technical reports of all scientific and management bodies responsible for management of the Pacific bluefin tuna stock, including the International Scientific Committee for Tuna and Tuna-like Species in

the North Pacific Ocean (ISC) and the IATTC, indicate that the Pacific Bluefin tuna stock remains in extremely poor condition. The updated stock assessment by the ISC confirmed that the fishing mortality of small Pacific bluefin tuna (<30kg) has declined and that reaching the first rebuilding target is likely (≥ 98%) *if* current fishing and environmental conditions continue. However, it also confirmed that the stock remains overfished and subject to overfishing. Furthermore, Japan, as the largest Pacific bluefin tuna fishing country, again failed to monitor and control the catch limit in its waters while discards of small fish were also reported.

As a result, WWF maintains deep concerns regarding the health of the Pacific bluefin tuna stock and remains committed to restoring and rebuilding this ecologically, sociologically, and economically important fishery resource. Therefore, WWF strongly recommends the SC take a precautionary approach for rebuilding this stock and discourage proposals that modify the current CMM 2017-08 to increase current catch limits until the next full assessment of the Pacific bluefin tuna stock is conducted.

.Absent such precautionary action, WWF again recommends a moratorium on all harvest of Pacific bluefin until a rigorous and transparent MCS system are agreed and implemented.

WWF recommends that the SC:

- **Supports establishing a precautionary Limit and Target Reference Point for Pacific bluefin tuna;**
- **Discourage increases in catch limits for Pacific bluefin tuna**
- **Support the development of a Catch Documentation Scheme (CDS) for the thorough monitoring of Pacific bluefin tuna to ensure proper stock assessment; and**
- **In the absence of a precautionary approach and rigorous MCS system , recommends a moratorium on all harvest of Pacific bluefin until such time as those measures are agreed and implemented.**

Sea Turtles

WWF is encouraged that the WCPFC indicates renewed interest in addressing the effectiveness of *CMM 2008-03 for the Conservation and Management of Sea Turtles*. WWF maintains that this CMM must be revised immediately with interim measures. We remind the SC that the cumulative impact of increasing numbers of longline vessels in the WCPO on sea turtles remains problematic, and there has been insufficient uptake of proven bycatch mitigation measures such as circle hook and/or finfish bait.

We note with interest the commentary in the WCPFC-SPC report following the **Workshop on Joint Analysis of Sea Turtle Mitigation** that "*most of the evidence suggests that circle hooks, particularly those which have large minimum widths and are large relative to mouth size of susceptible sea turtles, can reduce hooking interactions or mortality or both. Use of finfish bait, rather than squid bait, is also a promising mitigation technique*".

Accordingly, WWF proposes that the language of CMM 2008-03 is revised to: (1) ensure requirements for the determination of optimal bycatch mitigation packages (*i.e.* circle hooks and/or other measures, such as finfish bait) are undertaken for individual fisheries; (2) reduce the ambiguity in language; and (3) 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."[13]

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.[14]

WWF recommends the SC:

- **Endorse revisions to CMM 2008-3 aimed at:**
  - **Mandating bycatch best practices consistent with those found in the Compendium of Best Practice of Conservation and Management Measures (CMMs) for sea turtles;**
  - **Clarifying 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;**
  - **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 for the use of circle hooks in all longline fleets, exempted only if an equally effective solution for the mortality of sea turtles can be demonstrated;**
- **Encourage member state involvement and participation in the research conducted under the analysis of sea turtle mitigation measure effectiveness in tuna longline fisheries described in EB-WP-05 and further developed in the Workshop on Joint Analysis of Sea Turtle Mitigation Effectiveness and its ensuing outcomes**

Conclusion

WWF calls on SC14 to continue to address scientific issues in the WCPFC such that they ensure the quality, objectivity, utility, and integrity of information used in management decisions. With respect to each of the agenda items addressed at the SC14 meeting, we call on the SC members to carefully and genuinely address each issue with logic, intellectual rigor, personal integrity, and an uncompromising respect for the scientific process and the truth.

The WCPFC currently maintains the ability and opportunity to chart the course towards sustainable fishery resources in the WCPO. Science plays an irreplaceable role in the WCPFC process by representing the foundation of all decision making by the WCPFC.[15,16] The WCPFC and its subsidiary bodies must continually promote and adopt strong and effective conservation and management action to maintain and rebuild tuna stocks, implement appropriate monitoring and enforcement measures, promote a viable tuna industry, and support vibrant coastal communities throughout the South Pacific.

For more information

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[1] WCPFC (2014) Summary Report of the Eleventh Regular Session of the Western Central Pacific Fisheries Commission (Adopted version) – 29 July 2015, WCPFC, Apia, Samoa, 1-5 December 2014. Attachment T.
[2] WCPFC (2017) Summary Report of the Fourteenth Regular Session of the Western Central Pacific Fisheries Commission (Adopted version) – 16 March 2018, WCPFC, Manila, Philippines, 2-6 December 2017. Attachment M. p.180.
[3] *Id* at 43.
[4] *Id* at 164, fn7.
[5] United Nations Fish Stocks Agreement, 34 ILM 1542 (1995); 2167 UNTS 88. (Fishery management strategies shall ensure that the risk of exceeding limit reference points is very low. If a stock falls below a limit reference point or is at risk of falling below such a reference point, conservation and management action should be initiated to facilitate stock recovery. Fishery management strategies shall ensure that target reference points are not exceeded on average. (Annex II UNFSA 1995)).
[6] *See* Stevenson, C., *et al*. (2007). High apex predator biomass on remote Pacific islands. Coral Reefs 26: 47-51; *See also* Friedlander, A.M. and DeMartini, E.E. (2002). Contrasts on density, size, and biomass of reef fishes between the northwestern and the main Hawaiian islands: the effects of fishing down apex predators. Marine Ecology Progress Series 230: 253-264.
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[8] Clarke, Shelley C., *et al*. (2013). Population Trends in Pacific Oceanic Sharks and the Utility of Regulations on Shark Finning. Conservation Biology, Volume 27, Issue 4, pages 197–209, February.
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[11] Discards by Global Tuna Fisheries, Eric Gilman, Petri Suuronan, Milani Chaloupka, Marine Ecology Progress Series 582: 231-252, WCPFC-SC14-2018/EB-IP-09
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[14] *See e.g*. Lewison, Rebecca L. *et al*. (2014). Global patterns of marine mammal, seabird, and sea turtle bycatch reveal taxa-specific and cumulative megafauna hotspots. PNAS 2014 ; published ahead of print March 17, 2014, doi:10.1073/pnas.131896011, March; Wallace, Bryan P. *et al*. (2013). Impacts of fisheries bycatch on marine turtle populations worldwide: toward conservation and research priorities. Ecosphere 4:art40. http://dx.doi.org/10.1890/ES12-00388.1, March; Shamblin B.M., *et al*. (2014) Geographic Patterns of Genetic Variation in a Broadly Distributed Marine Vertebrate: New Insights into Loggerhead Turtle Stock Structure from Expanded Mitochondrial DNA Sequences. PLoS ONE 9(1): e85956. doi:10.1371/journal.pone.0085956. January.; Beverly, Steve, and Mark Schreffler. (2012). Preliminary comparison of fishing efficiency of circle hooks and Japan tuna hooks in the Port Moresby, Papua New Guinea-based longline fishery. *Unpublished. Available on request*.; WWF. (2011). Results of Testing Circle Hook in the Tuna Long Line Fisheries in the Offshore Waters of Central and Southeast Vietnam, Ministry of Agriculture and Rural Development, Research Institute of Marine Fisheries. *Unpublished. Available on request*.
[15] WCPFC, Resolution 2012–01, Resolution on the Best Available Science (2012).
[16] *See also* Chris Wold, Emi Kondo, & Erika Hamilton, A Review of the Provision of Scientific Advice in the Western and Central Pacific Fisheries Commission, WCPFC-SC10-2014/ MI-IP-03 (2014).