



**TECHNICAL AND COMPLIANCE COMMITTEE**  
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**POSITION STATEMENT TO TCC16**  
**AND CLARIFICATIONS SOUGHT FOR PAPERS TCC16-2020-RP02 / TCC16-2020-OP01\_Rev1**

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**WCPFC-TCC16-2020-OP04**  
**21 September 2020**

**Submitted by Birdlife International**

## BirdLife International

### Position Statement to the Western and Central Pacific Fisheries Commission 16th Regular Session of the Technical and Compliance Committee

#### and Annex 1: Clarifications sought for papers WCPFC-2020-TCC-RP02/WCPFC-2020-TCC-OP01

BirdLife International would like to thank the Western and Central Pacific Fisheries Commission (WCPFC) Technical and Compliance Committee (TCC) for the opportunity to participate once again as an observer to this important decision-making meeting. We appreciate that 2020 has been a challenging year and we are grateful to the Secretariat for their work to make this year's meeting possible.

Firstly, BirdLife wishes to acknowledge and welcome the improvement in observer coverage, data quality and reporting by Japan for the fishing year 2019, and we are pleased to see that issues identified in previous compliance reports have begun to be addressed with such expediency. However, we also express deep concern at the high levels of bycatch reported by Japan, and low compliance with seabird mitigation measures required by CMM 2018-03, with this improvement in reporting. We also have concerns over non-compliance with mitigation measures reported by other fleets including Chinese Taipei, and the high reported seabird bycatch rates of others including New Zealand.

Despite Conservation Management Measures (CMMs) being introduced to WCPFC in 2006, seabird bycatch remains concerningly high (WCPFC-SC15-2019/EB-WP-03 pg11 and Members Annual Reports 2019). BirdLife would like to remind Members that 15 of the 22 albatross species remain threatened with extinction – and that longline fisheries in high risk areas, authorised by tuna RFMOs, continue to be the principal cause of this conservation crisis. It's now more than twenty years since CCAMLR members took effective steps to fix this same albatross bycatch problem in sub-Antarctic toothfish fisheries, and it is time that the tuna RFMOs, including WCPFC take further actions to solve this entirely avoidable issue.

We would also remind WCPFC that a body of [scientific evidence](#) exists that shows mitigation measures are highly effective when employed correctly and so the numbers of birds bycaught should be extremely rare.

BirdLife particularly wishes to emphasize two specific major cases of concern; firstly, the plight of the Antipodean albatross which is predicted to be functionally extinct within 20 years<sup>1</sup>. In WCPFC-TCC16-2020-RP02 (pg 5), two Antipodean albatross were reported as bycatch, which is of grave concern given their low population numbers. This species is known to overlap with long-line fishing vessels and is particularly susceptible to being caught incidentally. Secondly, WCPFC-TCC16-2020-RP02 reported that just two vessels caught 785 seabirds between them in 2019—a huge number. It was reported that these vessels were using tori poles but there was no indication if they were compliant with CMM 2018-03, or where these incidents occurred. BirdLife reiterates that it is the duty of WCPFC and its Members to minimise bycatch and the impacts on populations as established under the UN Fish Stocks Agreement and as committed to in Members National Plans of Action for Seabirds (NPOA-S).

We would like to highlight that there continues to be significant discrepancies in seabird bycatch rates reported among fleets that need to be further investigated and resolved. We support the continued monitoring and evaluation of these discrepancies as a priority for the WCPFC Secretariat.

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<sup>1</sup> Elliot & Walker 2019. Antipodean wandering albatross census and population study on Antipodes island 2019: <https://www.doc.govt.nz/globalassets/documents/conservation/marine-and-coastal/marine-conservation-services/reports/2019-antipodean-albatross-research-report.pdf>

BirdLife notes that the submitted annual reports indicate a number of WCPFC vessels are not employing the required CMMs and the impetus to do so has further been decreased because of the reduction in observer coverage, which was below the 5% requirement in 2019 (4.6%; WCPFC-TCC16-2020-RP02, page 4). We are very concerned that the additional reductions in observer coverage due to COVID-19 will exacerbate non-compliance of CMMs further, while also creating a lack of data to monitor bycatch levels.

BirdLife acknowledges that COVID-19 is an unprecedented situation, but emphasizes that the need for WCPFC members to meet their obligations to implement CMMs and fulfil observer data requirements remains. With that in mind, BirdLife notes the urgent need for Electronic Monitoring on vessels to meet WCPFC obligations moving into the future and to ensure that CMMs are being deployed correctly in order to minimise the impact to threatened seabird populations. In regard to this issue, BirdLife expresses its support for WCPFC-TCC16-2020-OP02 position statement from WWF and WCPFC-TCC-2020-OP03 position statement from PEW for improvement to the observer program and data standardisation.

**BirdLife recommends to TCC:**

- **A full investigation into bycatch on the two vessels that caught 785 seabirds is conducted and the results are reported back to the TCC.**
- **That CMM 2018-03 is added to the list of measures to be reviewed in 2021.**
- **That all Members fulfil their obligations to implement mitigation measures as per CMM requirements, and Members currently not compliant, or with bycatch rates > 0.05 birds/1000 hooks produce plan for improving compliance and reducing bycatch.**
- **A plan for increasing observer coverage (human and/or Electronic Monitoring) should be created for all longline vessels operating in the WCPFC convention area.**

## **Annex 1: Clarifications sought for WCPFC-2020-TCC-RP02/WCPFC-2020-TCC-OP01\_rev1**

In the Annual Report for the Regional Observer Programme (WCPFC-TCC16-2020-RP02) (page 5), two Antipodean Albatross were reported bycaught by Chinese Taipei, BirdLife would like to reiterate that this species is Critically Endangered on the IUCN Red List, and any bycatch of this species is extremely problematic. Further, it was reported that just two vessels caught a total of 785 birds. These vessels were reported to be using tori poles. BirdLife requests that a full investigation into the circumstances of these bycatch events and clarification on the following:

1. Which flag state(s) were these vessels?
2. At what latitude were these vessels fishing when these captures occurred?
3. What time period did these capture events occur?
4. Did the seabird mitigation used meet the full requirements of CMM 2018-03, including in design?
5. Were any further measures/actions taken when this level of bycatch was seen to reduce the rate?
6. What was the bycatch rate of each vessel?
7. Does the Flag state(s) of these vessels plant to take any further corrective actions with these specific vessels?

Further, BirdLife requests further clarification on the table of observed seabird bycatch (Page 5), as there may be discrepancies to the fishing entity annual reports due to low numbers of seabird bycatch and low compliance of mitigation measures.

- **Clarifications on China's report**

BirdLife notes that in 2019 China reported no observer coverage south of 30°S, despite having 22 vessels fishing in this area. As this is an area with high risk of seabird bycatch, can China please explain:

- Why they have not reported on compliance with seabird mitigation as per CMM 2018-03?
- What actions will be taken to ensure that reporting occurs in future years?
- What measures will be taken to ensure that observer coverage is representative of its fleet?

- **Clarifications on Chinese Taipei's report**

We seek clarification on the reason for observer coverage decreasing from 5.5% in 2018 to 2.2% in 2019 for areas north of 23°N for the Chinese Taipei fleet. Further, the reported seabird bycatch was very low considering the level of effort,

- What is the protocol for recording bycatch, including if birds are brought on board, and if photographs are taken of all birds caught?
- There were a number of non-compliant bycatch mitigation measures were reported including the use of a double tori line without use of other measures, can Chinese Taipei please clarify for the secretariat the process of ensuring vessel operators are aware of compliant mitigation measures?
- Between 2017 and 2018 there was a significant increase in the proportion of observed effort using weighted branch lines as a mitigation measures south of 30°S (2017- 14.9%, 2018- 93.6%). In correspondence Chinese Taipei indicated that this increase was due to the

adoption of Sekiyama lines (a type of lead braided line). CMM 2018-03 Annex 1 requires that the minimum weight specifications required are as follows:

- a) one weight greater than or equal to 40g within 50cm of the hook; or
- b) greater than or equal to a total of 45g attached to within 1 m of the hook; or
- c) greater than or equal to a total of 60 g attached to within 3.5 m of the hook; or
- d) greater than or equal to a total of 98 g weight attached to within 4 m of the hook.

We request Chinese Taipei to provide clarification on the specifications and evidence that Sekiyama lines comply with Annex 1. If this cannot be shown Table's 18 and 19 of Chinese Taipei's Annual Report to the Commission (WCPFC-SC16-AR/CCM-23) should be amended to remove this information.

- **Clarifications on Japan's report**

BirdLife would like to acknowledge Japan for acting expediently to correct issues identified with observer coverage reporting, and for accurately reporting bycatch and mitigation use. However, we are deeply concerned that observed seabird bycatch was extremely high (1.185 birds/1000 hooks), and that in 2019 only 35.7% of observed effort was compliant with seabird measures south of 30°S.

- Can you please advise the corrective actions you have already taken and plan to take to address the non-compliance issues?
- Does Japan intend to implement a similar corrective action plan to their CCSBT fleet?
  - As a follow up point of clarification– would Japan consider any repercussions such as reducing fishing quotas or suspending fishing rights of vessels that do not demonstrate compliance as part of that corrective action plan?
- We note that there was a high number of unidentified seabird species reported in 2019 (251), in correspondence we were told that this was because not all observer took photographs of bycaught birds, does Japan have a plan to address these identification issues?

## **Compliance Monitoring Scheme proposal 2021**

BirdLife would like to emphasize that if there was CMM compliance then the aforementioned level of bycatch may warrant an update of mitigation requirements in that fishing area, and therefore makes a review of the seabird CMMs necessary, as per paragraph 10 of CMM 2018-03, which states *"The SC and TCC will annually review any new information on new or existing mitigation measures or on seabird interactions from observer or other monitoring programmes. Where necessary, an updated suite of mitigation measures, specifications for mitigation measures, or recommendations for areas of application will then be provided to the Commission for its consideration and review as appropriate."*

We request that seabird measures be reviewed in the proposed Compliance Monitoring Scheme (eTCC16: Topic C4) to ensure that mitigation measures are fit for purpose.