



**DEVELOPMENT OF A NEW WCPFC TROPICAL TUNA MEASURE
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**DISCUSSION PAPER ON MANAGEMENT OBJECTIVES FOR THE NEW TROPICAL TUNAS
CONSERVATION AND MANAGEMENT MEASURE**

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DELEGATION PAPER

Submitted by the European Union

Discussion paper on management objectives for the new tropical tunas conservation and management measure

Explanatory Memorandum

In the context of the forthcoming discussions on the management objectives of the new tropical tunas conservation and management measure (CMM) it is important to recall some key fundamental principles and objectives established by the WCPFC Convention and strive at ensuring that these founding commitments guide our deliberations. These principles and objectives can be considered as baseline, hence they need to remain in our minds while we are navigating towards bridging a wide range of interests and needs. Moreover, while recognising the specificities of the region and acknowledging the significant progress made so far towards the establishment of harvest strategies for key WCPFC stocks, it is also important to take stock of experiences and practices in other parts of the world and in particular in organisations involved in the management of highly migratory stocks (HMS), for deciding on the most appropriate management objectives for the new tropical tunas measure.

1. WCPFC Convention

The WCPFC Convention, and more generally the founding texts of many RFMOs, is largely inspired by the United Nations Law of the Sea (UNCLOS¹) and among others Articles 64 “*Highly migratory species*” and 119 “*Conservation of the living resources of the high seas*”.

The Convention also endorsed common standards agreed under the United Nations Fish Stocks Agreement (UNFSA²), such as those under Articles 5 “*General principles*”, 6 “*Precautionary approach*”, 7 “*Compatibility of conservation and management measures*”, etc.

The WCPFC Convention provides clear guidance in relation to the management objectives that were agreed for HMS under its remit, such as:

¹ https://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf

² <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N95/274/67/PDF/N9527467.pdf?OpenElement>

- Article 2 establishes as an objective “*to ensure, through effective management, the long-term conservation and sustainable use of highly migratory fish stocks in the western and central Pacific Ocean in accordance with the 1982 Convention and the Agreement.*”
- Article 5 lays down the principles and measures for ensuring the conservation and management of highly migratory fish stocks in the Convention Area in their entirety. In order to give effect to CCMs duty to cooperate in accordance with the 1982 Convention, the Agreement and the WCPFC Convention the Commission can:
 - a) *adopt measures to ensure long-term sustainability of highly migratory fish stocks in the Convention Area and promote the objective of their **optimum utilization**;[emphasis added]*
 - b) *ensure that such measures are based on the best scientific evidence available and are designed to maintain or restore stocks at **levels capable of producing maximum sustainable yield**, as qualified by relevant environmental and economic factors, including the special requirements of developing States in the Convention Area, particularly small island developing States, and taking into account fishing patterns, the interdependence of stocks and any generally recommended international minimum standards, whether subregional, regional or global; [emphasis added]*
 - c) *apply the precautionary approach in accordance with this Convention and all relevant internationally agreed standards and recommended practices and procedures;*

From the above, it can be derived that among the baseline criteria that any proposed management objective should fulfil as a minimum in the WCPFC context, “*optimum utilization of HMS*”, “*maintain or restore the stocks at levels capable of producing maximum sustainable yield*” as qualified by a range of factors, “*application of the precautionary principle and relevant internationally agreed standards and recommended practices*” are.

2. Other internationally recognised standards related to fisheries management objectives

In recent years, the international community has agreed on a range of legal and political commitments that supplement the provisions of UNCLOS, including the Rio Declaration on Environment and Development³ and Chapter 17 of Agenda 21⁴ (1992), the Reykjavik Declaration on responsible fisheries in the marine ecosystem⁵ (2001), or more recently the Sustainable Development Goals (2015)⁶.

³https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_C_ONF.151_26_Vol.I_Declaration.pdf

⁴ <https://sustainabledevelopment.un.org/outcomedocuments/agenda21>

⁵ www.fao.org/fishery/docs/DOCUMENT/reykjavik/y2198t00_dec.pdf

⁶ <https://sdgs.un.org/goals>

The adoption of the Sustainable Development Goals (SDGs) was a universal call to action to end poverty, protect the planet and ensure that all people enjoy peace and prosperity by 2030. In particular, SDG 14 “Life below water” addresses the need for careful management of the oceans as prerequisite for a sustainable future. The specific target 14.4 reiterates a globally recognised management objective for fisheries: “*By 2020, effectively regulate harvesting and end overfishing, illegal, unreported and unregulated fishing and destructive fishing practices and implement science-based management plans, in order to restore fish stocks in the shortest time feasible, at least to levels that can produce maximum sustainable yield as determined by their biological characteristics*”.

In general, most if not all RFMOs have adopted management objectives inspired by the international standards mentioned above and most of them strive at achieving “long term conservation” and/or “optimal/sustainable use of marine resources” and/or “maintaining/restoring stocks” at or above “levels capable of producing maximum sustainable yield”.

3. WCPFC approach to management objectives

WCPFC has been implementing MSY ($F/F_{MSY} \leq 1$) as management objective until 2017 (CMM 2016-01) for all tropical tunas. CMM 2017-01 introduced a transitional management objective aiming at maintaining the stocks’ biomass above a reference period level in the absence of any management options proposed by the Scientific Committee of WCPFC. This was supposed to bridge the gap until the adoption of management objectives and target reference points for tropical tunas in line with the harvest strategies for key fisheries and stocks in the WCPO (CMM 2014-06).

This CMM provides that “*for each harvest strategy, the Commission shall determine agreed conceptual management objectives for that fishery or stock. In determining these objectives, the trade-offs between each objective, as well as trade-offs between objectives for different fisheries or stocks and harvest strategies shall be considered and any contradictions and tensions between competing objectives should be reconciled to the extent possible.*” It also indicates that these conceptual management objectives might need to be translated “[...] *into operational objectives that have a direct and practical interpretation in the context of the fishery or stock and against which performance can be evaluated (‘operational management objectives’)*[...]”.

Subsequent discussions in the definition of management objectives resulted in a list of biological, economic and social management objectives for PS and LL fisheries that have the merit of representing the diversity of CCMs aspirations. However, these discussions have not been conclusive for various reasons, including the lack of common understanding, the uncertainties about their operationalisation or the capacity to assess trade-offs and performance towards their achievement.

Lengthy discussions have also taken place in view of agreeing on target reference points (TRPs) for tropical tunas, including for reviewing the SKJ TRP adopted in 2015 (CMM 2015-06). The complexity of the implications and trade-offs between different types and levels of TRPs and of their operationalisation is delaying the conclusion of these discussion and the agreement on the choice of TRPs. At this point of time, the risk-based approach, although it can be highly sensitive to the assumptions made for its calculation, seems to be the one that is better understood from many points of view, except maybe for the implications of the trade-offs in the context of a multispecies and multigear fisheries despite the preliminary work already done on this aspect.

Concluding remarks

Against this background, the choice of meaningful and implementable management objectives is a key decision in the context of the development of the tropical tuna measure that needs to be consistent with the WCPFC Convention, that established our common standards. In our view, any proposed management objective that does not fulfil these standards should not be acceptable and therefore should not be agreed. This introduces as a prerequisite to benchmark any proposed management objective against the requirements laid down in the Convention. Any management objective satisfying this criterion would be acceptable for consideration, as that it would imply that it is more conservative than the requirements set by the Convention. Obviously, the key question in that case would be to define the new threshold and to ensure that the additional conservation efforts to reach more conservative management objectives is shared equally among CCMs.

In addition, it is important to ensure that any management objectives proposed for consideration are (1) consistent with the WCPFC Convention, (2) are inclusive, (3) have a clear rationale and are well-understood, (4) can be translated scientifically into measurable levels of harvest and (5) performance towards their achievement can be systematically monitored. Therefore, aspirational or, more generally, non-implementable management objectives, despite any merits they might have, might not constitute the most appropriate choice for guiding our action and fulfilling our joint pledge to ensure the long-term conservation and sustainable use of highly migratory stocks in the Convention area. Finally, the management quantities used in the provision of stock status by the Scientific Committee could be also considered as source of inspiration in these discussions.