



TECHNICAL AND COMPLIANCE COMMITTEE
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**BIRDLIFE INTERNATIONAL STATEMENT & FOLLOW-UP QUESTIONS TO THE
TECHNICAL AND COMPLIANCE COMMITTEE (TCC17)**

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Paper by Birdlife International

¹ Rev 1 replaces the version posted on 3 September 2021

Birdlife International

Statement & Follow up questions to the Technical and Compliance Committee (TCC17) Western and Central Pacific Fisheries Commission 22nd-28th September 2021, online.

BirdLife International thanks the WCPFC Secretariat and Members for continuing progress to improve fisheries management in the WCPO. We recognise the difficulties that the COVID-19 pandemic presents and sincerely appreciate the efforts that have been made to continue work and hold meetings at this time.

We acknowledge the improved reporting of compliance with CMM-2018-03 by Chinese Taipei and China for the increase in observer coverage on vessels fishing south of 30°S, as well as China's first-time reporting of seabird bycatch mitigation measure compliance. We note China's recent changes to their deep-water fishery rules, which included the deployment of five observers to monitor high seas transshipment this year¹. With the world's largest deep-water fishing fleet², we look forward to China's fisheries rule changes that will increase the transparency of its fishing practices. We support the continued efforts by all Members to implement seabird bycatch mitigation measures and the monitoring and evaluation of compliance to CMM-2018-03 as a priority for the WCPFC Secretariat.

Unfortunately, annual reports from Members for the 2020 fishing year demonstrate ongoing significant seabird bycatch, and low compliance with CMM2018-03. Noting that BirdLife is aware of at least seven tracked critically endangered Antipodean albatross that have stopped transmitting shortly after an interaction with longline vessels operating in the WCPO in 2020 and 2021, suggesting seabird mitigation measures were not being used. These data are freely available from the New Zealand Seabird Tracking tool and Global Fishing Watch websites.

We re-emphasize the responsibilities of the WCPFC to minimise bycatch on populations as established under the UN Fish Stocks Agreement and committed to in member's National Plans of Actions for Seabirds, and Conservation and Management Measures adopted by the WCPFC.

Annual Report of the Regional Observer Programme

The Secretariat estimates that the observer coverage on longline vessels was 3% in 2020 and will not reach the 5% coverage set out in CMM 2018-05 Annex C, para 6 (WCPFC-SC17-2021/ST-IP-02, para 23). While the Regional Observer Programme (ROP) suspension was born of necessity, the impact on compliance is a serious concern and undermines the legitimacy of the WCPFC to fulfill its mandate to minimize impacts on ecologically related species, an issue which urgently needs to be resolved.

¹ Godfrey, M. (2021). Milestone reached as China assigns first on-board observers to distant-water fishing fleet. <https://bit.ly/3mNIEsm>

² Gutierrez, M., Daniels, A., Jobbins, G., Gutierrez Almazor, G., & Montenegro, C. (2021). China's distant water fishing fleet-Scale, impact, and governance. https://cdn.odi.org/media/documents/chinesedistantwaterfishing_web.pdf

Noting in the Annual Report of the ROP ([WCPFC-TCC17-2021-RP02](#)), some Members data are missing from summary table 5 (page 6) of seabird bycatch.

The Annual Report of the ROP also highlights that data collection fields for observers do not correspond to the recently implemented changes to CMM2018-03. For example, there is no data field for hook-shielding devices. E-reporting would facilitate easier data collection and reporting to the Secretariat of these new data fields.

BirdLife International recommends the TCC to:

- ❖ **Increase observer coverage in long-line fisheries to 100% by 2026 using human observers and electronic monitoring³ to support the ROP in compliance monitoring of CMM2018-03.**
- ❖ **Refine the relevant ROP data fields to facilitate the verification and review of the implementation of seabird mitigation measures under CMM 2018-03.**

Annual Report on Port State Inspections

Given the already low observer coverage requirements on long line vessels prior to the COVID pandemic, and subsequent reduction in observer coverage because of it – when port inspections do occur, they can serve as an important compliance check for seabird and other ERS related CMMs. Indeed, on page 3 of the Annual Report on Port State Inspections ([WCPFC-TCC17-2021-RP07](#)), we note that a new infringement case was raised in relation to compliance with CMM2019-04 (mitigating impacts of fishing on species of special interest: Sharks) in 2020 (table 1). Compliance checks on seabird mitigation CMM2018-03 should be prioritised in future port inspections, again E-reporting would facilitate easier data collection and reporting to the Secretariat. We acknowledge that there are reduced numbers of port inspections because of COVID-19, however, health protocols can be followed including evidence of inspectors being vaccinated, that will increase the number of port inspections able to be undertaken.

BirdLife International recommends the TCC:

- ❖ **Add data fields to port inspection forms to check for the presence of line weighting and tori lines, and that they meet the technical specifications outlined in CMM2018-03 by 2023.**
- ❖ **As the recommencement of observers is phased in, we recommend that port inspections be used to check for compliance to CMM2018-03.**

2020 Annual Country Reports: CMM-2018-03 Compliance

We highlight that seabird bycatch north of 23°N was concerningly high in 2019 and data collected in 2020 is sparse, such that understanding the impact of the implementation of seabird bycatch mitigation measures that came into force in January of 2020 cannot be properly assessed. Given this situation, we seek clarifications from the Secretariat and Members as outlined below. Please respond to stephanie.borrelle@birdlife.org.

- To the **Secretariat**, following TCC16 BirdLife requested further information on the 2 vessels that reported a total of 785 birds caught between them in the 2019 fishing year. We request again for

³ WWF Position Statement to TCC17 2021 <https://meetings.wcpfc.int/node/13716>

further information related to the circumstances of these incidents: what mitigation, if any, was being used at the time? and are there any corrective actions planned or in place?

Member's Annual Reports:

- Can **China** please clarify the source of the data reporting 100% compliance with SBMM north of 23°N (100%) shown in Table 4 below, when there was no observer coverage in 2020 for that region, as shown in Table 3?
- Acknowledging the high level of detail in **China's** annual report for bycatch of sharks and rays, including vessel name and location, are these details for seabirds (total of 5 bycaught), specifically species level information as required under CMM2018-03 also able to be shared with the TCC?
- Noting the low levels of compliance with the seabird measure does **Japan** have a plan for improving compliance with seabird bycatch mitigations measures such as the plan currently underway in the CCSBT?
- To the **USA**, seabird bycatch in the Hawai'i fishery north of 23°N is consistently high over the last few years, as per our question to Japan, does the USA have a plan for improving seabird bycatch mitigation measures to reduce the number of birds incidentally caught in that fishery?
- To **Vanuatu**, there are missing data on seabird interactions, and the calculations for observed proportion of hooks is incorrect for previous years ([Table 1, page 23](#)), can this information please be provided to the TCC?
- To **Vanuatu**, thank you for providing a high level of detail in the 2020 Annual report for the 2019 fishing year. For this fishing year, it was reported that Vanuatu flagged vessels had zero compliance with CMM-2018-03 south of 30° S, and high observation interactions between 30° S and 23°N, does Vanuatu have a plan for improving seabird bycatch mitigation measures across the fleet?

Table 1. Effort observed and reported seabird captures in 2018-2020 [South of 30°S]

Country	Year	Fishing effort			Observed seabirds hooked	
		Number of vessels	Number of hooks ('000s)	% hooks observed	Capture number	Capture rate (birds/1000 hooks)
Australia	2018	37	3,084	11.4	8	0.023
	2019	33	2,537	12.1	8	0.026
	2020	30	1,721	9.8	9	0.005
China	2018	19	5,025	3.48	0	0
	2019	22	2,312	0	0	0
	2020	26	3,121	9.42	1	0.003
Chinese Taipei	2018	44	6,508	3.3	0	0
	2019	41	9,577	5.6	7	0.013
	2020	58 [†]	10,172 [†]	5.0 [†]	4 [†]	0.008 [†]
Japan [§]	2018	27	7,003	2.4*	37	0.217
	2019	27	5,500	17.5	1140	1.185
	2020	21 [^]	3,706	17.9	13	0.063
New Zealand	2018	33	2,233	13.1	98	0.34
	2019	28	1,978	8.4	56	0.34
	2020	28	1,949	9.9	24	0.124

*Observer coverage may be low due to some data having been removed.

[†] Preliminary data

[§] combined data for vessels larger than 20GRT (>=24m) and less than 20GRT (<24m)

[^]Vessels larger than 20 GRT only

Table 2. Effort observed and reported seabird captures 2018-2020 [between 25°S - 30°S]

Country	Fishing effort				Observed seabirds bycaught	
	Year	Number of vessels	Number of hooks ('000s)	% hooks observed	Capture number	Capture rate (birds/1000 hooks)
Australia*	2018	49	4,814	10.7	6	0.011
	2019	44	6,393	11.45	3	0.004
	2020	40	6,399	10	2	0.005
China	2018	335	140,011	4.59	1	0.00015
	2019	339	159,311	6.3	6	0.0006
	2020*	349	10,792	7.06	5	0.00046
Chinese Taipei*	2018	870	148,857	4.72	8	0.008
	2019	45	6,637	7.0	11	0.024
	2020	99	15,393	7.4	0	0
Japan	2018	228	42,889	3.58	7	0.251
	2019	214	43,548	4.03	5	0.200
	2020§	177	29,670	0.002	2	0.039
	2020^	14	1,618	8.2	0	0.00

* Combined data for 23°N – 25°S and 25°S – 30°S

† Preliminary data

§ 23°N – 25°S and combined data for vessels larger than 20GRT (>=24m) and less than 20GRT (<24m)

^ 25°S – 30°S long liners <20GRT

Table 3. Effort observed and reported seabird captures in 2018-2020 [North of 23°N]

Country	Year	Fishing effort			Observed seabirds bycaught	
		Number of vessels	Number of hooks ('000s)	% of hooks observed	Capture number	Capture rate (birds/1000 hooks)
China	2018	10	779	15.15	6	0.05
	2019	9	144	8.33	0	0
	2020	10	745	0	0	0
Chinese Taipei	2018	521	26,173	5.5	3	0.002
	2019	603	31,762	2.2	2	0.003
	2020	205	28,843	4.3	42	0.034
Japan§	2018	241	61,994	2.25	116	0.125
	2019	233	63,373	3.08	520	0.249
	2020	209	72,074	0.1	28	0.703
USA* (Hawai'i only)	2018	142	54,482	20.40	249	0.02
	2019	146	63,350	21.03	226	0.02
	2020	143	58,763	15.87	188	0.02

* Reports effort north of 23° N and 23° N – 30° S areas combined.

§ combined data for vessels larger than 20GRT (>=24m) and less than 20GRT (<24m)

Table 4: Bycatch mitigation compliance 2018 -2020.

Country	Year	Observed effort (% of total hooks)	Has mitigation use been reported according to area fished?	South of 30°S (% observed effort using at least 2/3 mitigation measures)	25°S – 30°S (% observed effort using at least 1/2 mitigation measures)	North of 23°N (% observed effort using at least 2/3 mitigation measures)
Australia	2018	11.4 (south of 30° S) / 10.7 (23°N-30°S)	No		100	N/A

	2019	12.1 (south of 30° S) / 11.5 (23°N-30°S)	No	100	N/A	
	2020	9.8 (south of 30° S) / 10.2 (25°S-30°S) / 9.8 (23°N- 25°S)	No	100	N/A	
China	2018	3.48 (south of 30° S) / 4.59 (23°N-30°S) / 15.15 (north of 23° N)	Mitigation not reported	Unknown	Unknown	Unknown
	2019	0 (south of 30° S) / 6.3 (23°N-30°S) / 15.15 (north of 23° N)	Mitigation not reported	Unknown	Unknown	Unknown
	2020	9.42 (south of 30° S) / 7.06 (23°N-30°S) / 0 (north of 23° N)	Yes	100	100	100
Chinese Taipei	2018	3.3 (south of 30° S) / 4.72 (23°-30°S) / 5.5 (north of 23° N)	Yes	93.6	100	87.6
	2019	5.6 (south of 30° S) / 7 (23°N-30°S) / 2.2 (north of 23° N)	Yes	70	91.1	87.5
	2020	5.0 (south of 30° S) / 7.4 (25°S-30°S) / 4.3 (north of 23° N)	Yes	59.2	100	88
Japan	2018	2.4 (south of 30° S) / 2.8 (3.1 (23°S-30°S) / 2.6 (north of 23° N)	No	Unknown	Unknown	Unknown
	2019	17.5 (south of 30° S) / 3.6 (23°S-30°S) / 3.08 (north of 23° N)	Partial	35.7	NA	74.6
	2020	17.9 (south of 30° S) / 4.2 (23°S-30°S) / 0 (north of 23° N)	Yes	42.6	1.9	5.2
New Zealand	2018	13.1 (south of 30° S)	Yes	95	N/A	N/A
	2019	8.4 (south of 30° S)	Yes	100	N/A	N/A
	2020	9.9 (south of 30° S)	Yes	97.8	N/A	N/A
USA	2018	20.4 (across all fished areas)	Combined	N/A	100	
	2019* Hawai'i only	21.03 (across all fished areas)	Combined	N/A	100	
	2020	15.87 (across all fished areas)	Combined	N/A	100	

* Reports effort north of 23° N and 23° N – 30° S areas combined, only reported for Hawai'i fleet.