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FFA Members' Positions on Key Issues for WCPFC21

WCPFC21-2024-DP01¹
28 October 2024

Submitted by FFA Member CCMs

¹ **Attachment 1** referenced in the FFA Members' letter is found at WCPFC21-2024-DP02. **Attachment 2** referenced in the FFA Members' letter is found at WCPFC21-2024-DP03.



25th October 2024

Dr Josie Tamate
Chair
Western and Central Pacific Fisheries Commission
PO Box 2356, Kolonia
Pohnpei, Federated States of Micronesia

Dear Chair,

FFA MEMBERS' POSITIONS ON KEY ISSUES FOR WCPFC21

I write on behalf of the 17 Members of the Pacific Islands Forum Fisheries Agency to share our positions on key issues for the 21st Regular Session of the Western and Central Pacific Fisheries Commission. This is without prejudice to the positions of FFA Members individually or collectively.

1. Special Requirements of Small Island Developing States and Territories

The full recognition of the special requirements of Small Islands Developing States and Territories is at the core of fisheries conservation and management in the region. During the negotiation of the Western and Central Pacific Fisheries Convention, FFA Members asserted that Article 30 is the “foundation” upon which the Convention is built.

The necessary and effective participation of Small Island Developing States and Territories in the Commission’s work, including in its meetings, must be facilitated through sustained and committed means. As such, FFA Members submit the proposal in **Attachment 1** to ensure sustainability of the SRF.

2. Climate Change

Pacific Leaders have long recognised that climate change presents the single greatest threat to the livelihood, security and wellbeing of Pacific people, and reaffirmed the importance of immediate urgent action to combat climate change. Climate change poses a significant threat to the benefits that Small Island Developing States and Territories in the Pacific derive from the region’s valuable tuna fisheries.

FFA Members reaffirm their commitment to developing robust harvest strategies that build resilience to ecosystem changes. We urge all CCMs to maintain their commitment and engage in good faith on this critical work. Furthermore, we continue to advocate for the development of allocation frameworks within the Commission that account for the projected impacts of climate change, ensuring that the rights of Small Island Developing States and Territories in these fisheries are fully protected.

FFA Members acknowledge the substantial efforts of the co-leads in formulating a Commission workplan to address climate change impacts on WCPFC fisheries within the Convention Area. It is imperative that this workplan remains a living and evolving document, continuously updated to ensure the effective implementation of the 2019-01 Resolution on Climate Change. In doing so, it must consistently reflect the principles outlined in Article 30, recognising the disproportionate impacts on SIDS and addressing existing imbalances within the Commission.

Moreover, FFA Members acknowledge the [International Tribunal for the Law of the Sea Advisory Opinion on Climate Change](#), which: (i) clarified States' obligations to prevent, reduce, and control marine pollution from greenhouse gas (GHG) emissions, ensuring they do not harm other States or extend beyond their sovereign areas (paras. 173, 243, 258); (ii) noted the need for international cooperation in countering the effects of GHG emissions on the marine environment (para. 295); and (iii) highlighted the importance of technical assistance to developing States to address the impacts of climate change (para. 327). We urge the Commission to address these focus areas as a matter of priority.

3. South Pacific albacore

The FFA Members are committed to advancing the management of the South Pacific albacore fishery.

FFA Members are seeking to advance the harvest strategy work for south Pacific albacore, strengthening the Commission's MCS measures for this fishery and in particular the high seas, collaborating with the IATTC, and engaging with other CCM's to make meaningful progress. FFA members are working towards a management framework that provides improved catch rates and stability in catch and effort for both our domestic fleets and DWFN partners.

4. Labour Standards

FFA Members remain committed to the adoption of a CMM on Labour Standards for Fishing Crew. We welcome the progress made by the Co-Chairs in refining the draft text of the proposed Measure and are hopeful that a Measure can be adopted at the upcoming session of the Commission. We recognise that implementation will pose a challenge for all Members including FFA Members, and therefore note the need to consider carefully the commencement date of the proposed measure consistent with paragraph 4 of CMM2013-06.

5. Electronic Reporting and Electronic Monitoring Working Group (ERandEM WG)

FFA Members recognised the potential for EM to support the work of the Commission as highlighted by the outcome of Project 93. The outcome of this work shows the potential of EM in areas where there is a lack of independent verifiable data, in particular in the longline fisheries and in the high seas. In addition, FFA Members support the TCC20's recommendation emphasising the importance of an agreement on interim EM standards at WCPFC21, to ensure that relevant CCMs can use EM to fulfill their obligations under CMM 2023-01. As FFA Members stated at SC20 and TCC20, in the absence of agreed EM standards and framework, CCMs must use ROP (human) observers to meet the increased observer coverage requirements under CMM 2023-01.

FFA Members thank the Chair of the ERandEM WG for advancing this work. We have actively engaged in this work throughout the year and have provided feedback to the ERandEM WG Chair following the circular issued on 11 October 2024. We look forward to further engagement on this matter, with the aim of adoption at WCPFC21.

FFA Members have recently endorsed our EM Longline Minimum Data Requirements for use by our membership. We are submitting this document to the Commission as an information paper (**Attachment 2**) to support the efforts of the ERandEM Working Group. We note that an earlier version of this was submitted to the Scientific Committee in 2020 (see [SC16-ST-IP-07](#)).

6. Transshipment

FFA Members reiterate that we place a high priority on the review of the transshipment measure CMM 2009-06. Our fundamental and long-standing position is to strengthen regulation of transshipment activities in the high seas. While CMM 2009-06 allows such activities by exception, they have, in practice, become the norm and this is inconsistent with the measure and the Convention.

Several issues are under discussion in the draft revised measure. However, measures currently on the table that will strengthen the monitoring of high seas transshipment activities is having observers on both vessels or using Electronic Monitoring (EM); as well as involving the Commission in determining impracticability. According to CMM 2009-06, paragraph 34, “there shall be no transshipment on the high seas except where a CCM has determined, in accordance with the guidelines described in paragraph 37 below, that it is impracticable for certain vessels that it is responsible for to operate without being able to transship on the high seas, and has advised the Commission of such.” Currently, no additional guidelines have been developed or adopted beyond those specified in paragraph 37 (a) and (b).

In the absence of other agreed guidelines, CCMs are expected to apply the two guidelines in CMM 2009-06 paragraph 37 (a) and (b). To assist with the interpretation and application of paragraph 37 (a), the RMI with support of FFA Members has tabled delegation papers in the past on this (see [WCPFC-TCC20-2024-DP07](#) and [WCPFC-TCC14-2018-DP05](#)). On the other hand, paragraph 37 (b) is clear and straightforward. However, data from the RFV indicates that 59% of vessels are “authorized to transship on the high seas,” with 30% of these vessels built in the year 2010 or later. This clearly highlights an abuse of the measure’s regulation of transshipment, and undermines Article 29(1) of the Convention. The current regulation of transshipment is therefore ineffective. In response, FFA Members have proposed that the Commission take an active role in determining impracticability. This could be through an application process, similar to the existing process for purse seine vessels outlined in Section 2 of CMM 2009-06. This process will also make visible to CCMs the reasons that flag CCMs have indicated that it is impracticable for certain vessels not to transship in the high seas, as currently this is not the case.

FFA Members reaffirm our fundamental position to strengthen the regulation and monitoring of high seas transshipment activities. Accordingly, we will not support any provisions that weaken the current measure or fail to improve the monitoring of transshipment, simply for the sake of reaching an agreement.

7. Bigeye and Yellowfin Tuna Target Reference Points

FFA Members are committed to advancing the adoption of Target Reference Points for bigeye and yellowfin tuna. In doing so, we prefer a sequenced approach, where the Commission first addresses the TRP for bigeye tuna and then evaluates its implications for achieving management outcomes for yellowfin tuna. We reiterate our concerns raised at WCPFC20, SC20, and SMD02 regarding the significant and growing impact of 'other fisheries' on tropical tuna stocks, particularly yellowfin tuna in Region 2, as highlighted in the 2023 yellowfin tuna stock assessment.

FFA Members look forward to reviewing the outcomes of the additional analyses requested by SC20, once available, to determine our position on appropriate levels and approaches for TRPs for bigeye tuna at WCPFC21. This is without prejudice to the positions of individual FFA Members or groups of FFA Members on a TRP for these tuna stocks.

8. Fish Aggregating Devices

The use of fish aggregating devices (FAD) in fisheries is of importance to FFA Members. FADs enhance the efficiency of a fishery and contribute to lower food prices, reduced fuel consumption and decreased greenhouse gas emissions. Compared to the millions of tonnes of other plastic pollution, the contribution by FADs is minimal. FFA Members are collaborating with the SPC and other organisations on trialing biodegradable FADs, aiming for bioFADS that are both environmentally friendly and effective in use. Additionally, the PNA has implemented new measures for FAD buoy registration and tracking for all FAD buoys in PNA waters, which is a first of its kind. We recognise that it will take time for this system to produce enough information which will be vital in informing the Commission discussions for improved management of FADs.

9. Charter Notification Scheme (CMM 2021-04)

FFA Members acknowledge that CMM 2021-04 is set to expire on 28 February 2025 and support the TCC20 recommendation for its renewal. In preparation, it would be beneficial for the WCPFC Secretariat to prepare a revised measure for consideration at WCPFC21, incorporating any necessary editorial updates.

10. Agenda for WCPFC21

FFA Members have reviewed the agenda for the upcoming session of the Commission and, as in previous sessions, request that agenda item 8 Introduction of New Proposals be considered on the first day of the session.

Chair, we are prepared to collaborate with you and other CCMs to advance the Commission's conservation and management efforts at this year's meeting.

Yours sincerely,



Krana Aliklik

Chair

Forum Fisheries Committee

cc: Ms. Rhea Moss-Christian, WCPFC Executive Director.