



Recommendations to the 12th Regular Session of the Western and Central Pacific Fisheries Commission

3-8 December 2015, Bali, Indonesia

Overview

The Western and Central Pacific Fisheries Commission (WCPFC) has a mandate to manage all highly migratory fish stocks, including tuna and sharks, in the western and central Pacific Ocean. Despite strong scientific and management advice to the Commission, the conservation and management measures (CMMs) now in place are inadequate to end or prevent overfishing of some stocks. Although some progress has been made on the conservation and management of sharks, much more is needed to guarantee that unsustainable shark fishing does not occur.

Ensuring healthy fisheries requires strong conservation and management actions and strict compliance. The Pew Charitable Trusts urges all Commission Members, Cooperating Non-Members, and Participating Territories—known collectively as CCMs—to cooperate in order to:

- Adopt timelines to develop and implement harvest strategies for tunas.
- Rebuild the Pacific bluefin tuna population.
- End bigeye tuna overfishing and effectively manage fish aggregating devices (FADs).
- Refine current management measures to reduce shark mortality in fisheries targeting other species.
- Develop a comprehensive list of requirements for shark management plans.
- Prohibit retention of mobulid rays and adopt live release guidance.
- Enact measures to improve data collection for key shark species.
- Adopt minimum standards for port inspections.
- Enhance the effectiveness of the WCPFC Record of Fishing Vessels and the Illegal, Unreported and Unregulated (IUU) Fishing Vessel List.
- Ban transshipment at sea.
- Strengthen the Commission compliance monitoring scheme and provide greater transparency.

End overfishing, rebuild overfished stocks, and implement sustainable management of tunas

Fishing pressure continues to increase in the Western and Central Pacific. In 2014, the overall catch of tuna in WCPFC waters was the highest on record (more than 2.8 million metric tons, representing 60 per cent of the global tuna catch). In addition, the catch of skipjack and yellowfin reached all-time highs. The overall catch by purse seine vessels was also the highest on record, with a skipjack haul 6 percent bigger than the previous record in 2013. With Pacific bluefin and bigeye tunas both overfished, it is clear that fishery management actions to date are insufficient.

Factors driving these increased catches include the long-term trend toward greater fishing capacity, as well as greater technological capability and the more efficient use of drifting FADs, human-made objects that attract fish. The use of FADs has led to more tuna being caught in a “fishing day,” and CCMs have not sufficiently addressed the impact of these devices, particularly on the catch of juvenile bigeye tuna.

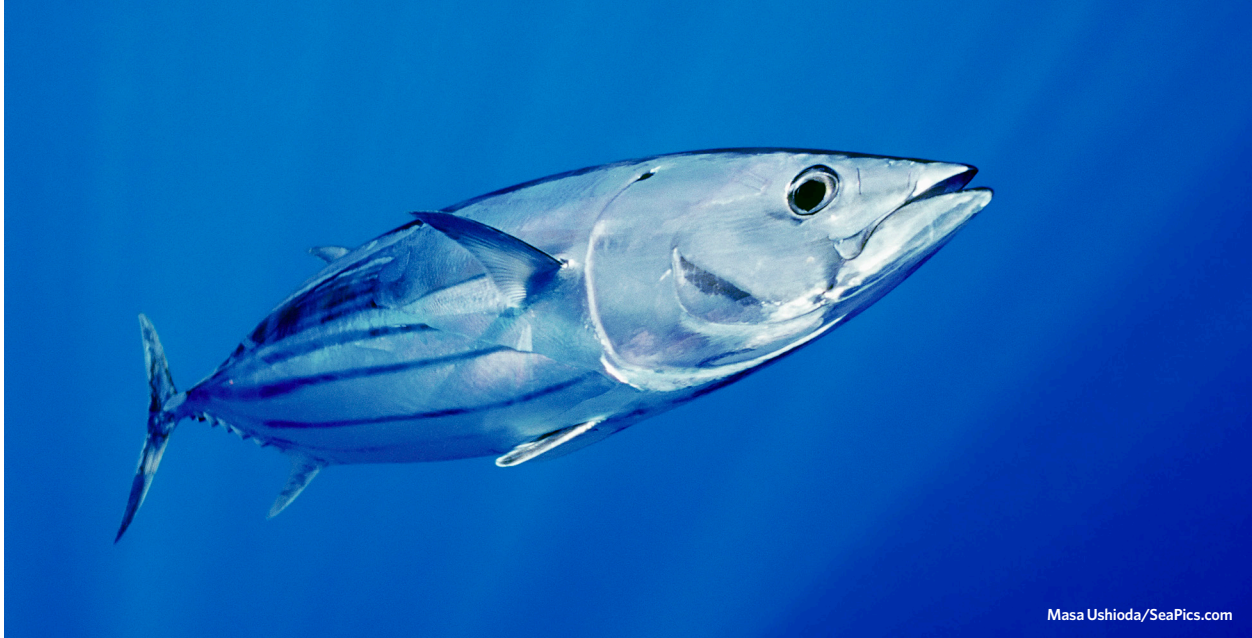
CCMs have committed to ensuring the long-term conservation and sustainable use of tuna stocks. In doing so, they agreed to set reference points for tuna species, apply the precautionary approach, and take measures to prevent or eliminate overfishing, among other actions. Because they have not yet taken these actions, stocks continue to experience overfishing, or approach the limits of sustainability. As a matter of urgency, CCMs must cooperate and compromise on basic management immediately to end overfishing and ensure sustainable management of stocks in the Convention Area.

Adopt timelines to develop and implement harvest strategies for tunas

Last year, CCMs took a significant step forward by adopting measure CMM 2014-06. In that measure, they committed to developing and implementing a six-part harvest strategy approach for each of the key tuna fisheries or stocks to ensure that Commission objectives are met and prevent biological limits from being exceeded. The measure requires the Commission to agree, no later than this year’s annual meeting, on a workplan that contains an indicative time frame for adoption of harvest strategies. Earlier this year, the Scientific Committee reviewed a draft workplan for four tuna species—skipjack, yellowfin, bigeye and South Pacific albacore—and strongly supported its continued development.

As an element of the harvest strategy approach, the Parties to the Nauru Agreement and the New Zealand territory of Tokelau have proposed a target reference point for skipjack equivalent to twice the biomass that would produce maximum sustainable yield. The Pacific Islands Forum Fisheries Agency (FFA) has proposed a target reference point for South Pacific albacore that is greater than maximum sustainable yield. Pew strongly supports adoption of both of these target reference points to ensure the sustainability of these key stocks.

Given the increasing threats to the sustainability of tuna populations, the WCPFC should adopt a harvest strategy workplan with timelines for reaching agreement on management objectives, reference points and harvest control rules as quickly as possible, but no later than 2018. As a first step, the WCPFC should adopt the proposed skipjack and South Pacific albacore target reference points this year.



Skipjack tuna.

Rebuild the Pacific bluefin tuna population

Urgent action is needed to reverse the declining stock status of Pacific bluefin. The 2014 stock assessment update conducted by the International Scientific Committee confirmed that decades of overfishing have severely depleted the population to 4 percent of its unfished biomass. In 2015, an analysis by Japan's National Research Institute of Far Seas Fisheries concluded that even with full implementation of existing conservation measures, the Pacific bluefin population will continue to decline through 2018. The analysis found that over the next decade, there is a 1 in 3 chance that this population will drop to the lowest level ever recorded.

CMM 2014-06 requires the Northern Committee to develop and recommend a workplan and indicative time frames for a harvest strategy for Pacific bluefin by no later than the Committee's 2015 meeting. Despite that direction, the parties did not reach agreement on either at the Northern Committee meeting recently held in Sapporo, Japan. That means they have not met the measure's requirements, which are a high priority due to the fragile state of the population. At this point, the Northern Committee's lack of response could irreversibly jeopardize the Pacific bluefin recovery.¹ The full WCPFC must take a more proactive role in overseeing the Northern Committee, and the management and conservation of Pacific bluefin tuna.

The WCPFC should directly task the Northern Committee with developing, by the Committee's 2016 meeting, a workplan for Pacific bluefin that will return the population to a level capable of producing maximum sustainable yield by 2030.

End bigeye tuna overfishing and effectively manage fish aggregating devices (FADs)

Pacific bigeye tuna is overfished, and overfishing has occurred for many years, beginning before the Commission was established. The status of the stock continues to worsen, despite clear scientific advice to reduce bigeye mortality. The 2014 assessment found that the stock had declined to 16 per cent of its unfished size, and the

Scientific Committee recommended reducing overall fishing mortality by 36 per cent from 2008-2011 levels. Even with updated scientific data that show the stock's continued decline, the Commission last year failed to act to improve its status. This year, the WCPFC has new information that proves the urgent need to improve bigeye management: a sensitivity analysis of the stock assessment reaffirming the dire status of bigeye, and an increase of 5 per cent in the overall catch of bigeye in 2014.

Given that catches of bigeye are not yet being reduced to the levels recommended by the Scientific Committee,² the WCPFC needs to strengthen the tropical tuna conservation measure (CMM 2014-01). Currently, the measure is not meeting its goal of ending overfishing by the end of 2017 by reducing catch in the FAD purse seine fishery and by major longline fleets.

Nearly all of the bigeye harvested by purse seiners are juvenile fish caught on FADs. The goal of Commission-ordered FAD closures was to reduce the number of FAD sets and, by doing so, to reduce bigeye mortality. However, although the WCPFC doubled the closure period from two months in 2009 to four months starting in 2013, more bigeye are being caught in the purse seine fishery than in earlier years (67,367 metric tons in 2014 compared with 57,906 in 2009). The number of FAD sets in 2014 was the third-highest on record, well above a 2010 benchmark level previously recommended by the Scientific Committee.

Technical changes to improve implementation and compliance with the FAD closure will not be enough to generate real reductions in bigeye mortality to protect this billion-dollar fishery.

Given the increasing fishing pressure on bigeye tuna and the poor status of the stock, the WCPFC should immediately reduce bigeye mortality and replace ineffective FAD closure periods with measures that directly control the catch in the purse seine fishery, such as FAD set limits or quotas. The WCPFC should task the FAD Working Group, established last year, to provide advice on structuring and implementing such measures.

Strengthen conservation and management of sharks

Every year, about 100 million sharks, an unsustainable number, are caught and killed in commercial fisheries.³ Regardless of whether this catch is highly sought after or unintended and unwanted, managers must take immediate action to counter declining shark populations and mitigate the damage it causes to marine ecosystems.

Until measures are in place to ensure that both targeted and incidental catch of sharks is sustainable, their capture with fishing gear should be avoided, and they should be released alive whenever possible. Fishing gear that increases the likelihood of shark catch, such as wire leaders and shark lines, should be prohibited, and research should be undertaken to determine the best means of avoiding shark catch.

If WCPFC Members are to continue to target sharks, or to retain sharks caught as bycatch, then management measures must be enacted that reflect the precautionary principle. Such measures would ensure that all sharks in the Convention Area are sustainably caught and that WCPFC fisheries are not contributing to the global overfishing of sharks.

Refine current management measures in order to reduce shark mortality in fisheries targeting other species

The Scientific Committee this year highlighted concerns about the effectiveness of, and compliance with, existing shark conservation management measures. Although CMM 2014-05 is an important step in reducing shark

mortality, giving CCMs a choice to use either wire trace or shark lines does not do enough to reduce overall shark mortality at the rate needed to ensure that catches are sustainable. Under current rules, CCMs may simply ban the gear that is not commonly used by their fleets, and the targeting of sharks can continue without effective management.

The recommendation by the Scientific Committee (SC11) to ban both wire trace and shark lines would be a stronger and more robust approach to reducing the mortality of vulnerable shark species. Prohibiting both gears in fisheries that do not target sharks would reduce bycatch of species, such as oceanic whitetip and silky sharks, which suffer mortality even though their retention is prohibited.

This year, the WCPFC should adopt an updated CMM that prohibits the use of wire leaders and shark lines in fisheries targeting other species.

Develop a comprehensive list of requirements for shark management plans

Under CMM 2014-05, CCMs must develop management plans for fisheries that target sharks as part of other WCPFC fisheries. Although this measure is important to ensuring sustainable stocks, it provides little guidance on what the plans should include. To ensure that sharks are not overfished, shark management plans should contain a comprehensive list of requirements, not just a minimum set. The WCPFC also must properly define a targeted fishery to ensure that all shark catch is properly managed.

The WCPFC should develop a clear definition of a targeted shark fishery, a comprehensive list of requirements for all shark management plans, and guidelines for how the management plans will be reviewed.

Prohibit retention of mobulid rays and adopt live release guidance

The family Mobulidae, which includes manta rays and mobula rays, are extremely vulnerable to overfishing and are caught as bycatch in tuna purse seine fisheries. Observer reports show that manta and mobula rays are often killed as bycatch in WCPFC purse seine fisheries; 284 metric tons were recorded from 1994 to 2009.⁴ In 2015, the Inter-American Tropical Tuna Commission prohibited retention of mobulid rays and approved recommendations on how best to release these rays alive when they are caught incidentally. The WCPFC should adopt a similar measure to ensure that these species are protected throughout the Pacific.

Because of the vulnerability of these rays, the WCPFC should prohibit retention of all mobulid species and adopt live release guidance.

Enact measures to improve data collection for key shark species

Getting accurate assessments of the status of shark stocks in the western and central Pacific remains difficult because of limited data recording and reporting on the catch of shark species. Such information gaps inhibit development of comprehensive scientific advice.

The WCPFC should adopt a “no data, no fish” measure for sharks, similar to one put in place by the International Commission for the Conservation of Atlantic Tunas. Such a policy would improve data collection by prohibiting CCMs from retaining or landing any of 14 key shark species identified by the Commission if they have not submitted landing data on any catch of that species from the previous year.

Enhance CCMs' transparency and accountability

As in other parts of the world, illegal, unreported and unregulated (IUU) fishing remains a threat in the WCPFC Convention Area. The Commission has taken important steps to improve compliance with its management measures, but the WCPFC cannot do its job effectively unless it requires complete transparency from all CCMs and imposes serious consequences for any lack of compliance with these requirements.

Adopt minimum standards for port inspections

Port State Measures (PSMs) are cost-effective tools to monitor compliance with management arrangements and prevent illegally caught fish from entering the market. In 2013, the WCPFC Performance Review recommended that “a new CMM on port State measures be adopted and implemented within the Convention Area at the earliest opportunity.”

The review acknowledged that the WCPFC is “lagging behind other [regional fisheries management organizations] in adopting port State measures.”⁵ In 2013 and 2014, the Commission considered a proposal from FFA for a CMM on Port State Measures to Prevent, Deter and Eliminate IUU fishing, which provided minimum standards for port inspections, with regard for the special requirements of Small Island Developing States and Participating Territories. This proposal reflected a compromise among CCMs' positions and offered a good basis for progress towards a regional scheme. Unfortunately, the proposal did not receive support from all CCMs. Pew hopes that such a proposal can be reconsidered and adopted at the upcoming Commission meeting.

To help monitor compliance and prevent illegal fish from entering the market, the WCPFC should adopt a CMM on Port State Measures.

Enhance the effectiveness of the WCPFC Record of Fishing Vessels and the IUU Vessel List

On 1 January 2016, CMM 2013-10, requiring the mandatory use of International Maritime Organization (IMO) numbers for large WCPFC vessels, enters into force. CCMs must ensure their vessels' timely compliance with this requirement. In addition, to increase the transparency of fishing operations, relevant vessel information, such as any administrative or judicial actions, should be included in the Record of Fishing Vessels.

The WCPFC should require that CCMs provide to the Secretariat public information on any final administrative or judicial action taken in cases of non-compliance with fisheries regulations by their flagged vessels that are listed on the WCPFC Record of Fishing Vessels. This requirement would apply to all flagged vessels that operate in the Convention Area in waters beyond their national jurisdiction. Such public information should be provided as soon as possible, and be published as part of the Record of Fishing Vessels. Such pioneering transparency would showcase the efforts of CCMs and the WCPFC Secretariat to foster greater compliance.

To enhance the effectiveness of the WCPFC Record of Fishing Vessels, the WCPFC should require by 1 January 2016 submission of actions taken in cases of non-compliance.

Placing vessels found to have fished illegally on the WCPFC's IUU vessel list highlights and helps deter unacceptable practices in the Convention Area. Current rules, however, allow IUU vessels to be added to the list only once a year, diminishing the effectiveness of the listing. As a result, IUU vessels operate unhindered until the Commission acts at its annual meeting to place new vessels on the list. The WCPFC has already established a procedure that permits removing vessels from the IUU vessel list between meetings. It should amend its procedures to allow vessels to be listed between sessions as well.

The WCPFC should establish a procedure that permits the listing of IUU vessels at times other than its annual meeting.

Ban transshipment at sea

Transshipment at sea continues to provide opportunities for illegal fishers to avoid proper catch reporting and to launder illicitly caught fish. The WCPFC should introduce a ban on all forms of transshipment at sea until it can be assured that transshipment operations do not contribute to IUU fishing. This would require a robust monitoring system that ensures full transparency, including observers and/or fisheries officers on board both the offloading and receiving vessels, and notification of all transshipment operations occurring at sea in the Convention Area.

The WCPFC should ban transshipment at sea until the Commission can be assured, through proper and effective monitoring, that transshipment operations cannot facilitate IUU fishing.

Strengthen the Commission compliance monitoring scheme and provide greater transparency

Article 23 of the Convention obliges Members of the Commission, to the greatest extent possible, to take measures to ensure that their nationals, and fishing vessels owned or controlled by their nationals, comply with Convention provisions. Likewise, Article 24⁶ requires Members to take the necessary measures to ensure that fishing vessels flying their flags comply with Convention provisions and CMMs.

The joint meeting of tuna regional fisheries management organizations in 2009 recommended that the organizations develop robust compliance review mechanisms so that the records of each Party could be examined in depth on an annual basis.⁷

As a result, the WCPFC established a Compliance Monitoring Scheme (CMS) to ensure that CCMs comply with their obligations. The CMS is designed to assess CCMs' compliance and identify areas where technical assistance or capacity building may be needed to help boost compliance and identify aspects of conservation and management measures that may require refinement or amendment for effective implementation.

In establishing the compliance monitoring scheme, CCMs said the process would be conducted in a responsible, open, transparent and non-discriminatory manner so that the Commission could be made aware of all available information relevant to its work in identifying instances of non-compliance and holding parties accountable.

This year, the WCPFC should again take steps to refine the CMS to increase its effectiveness in identifying and holding CCMs accountable for instances of non-compliance. The scheme should be able to respond to non-compliance with a range of options that take into account the reason for and degree of non-compliance. It should include cooperative capacity-building initiatives and, in cases of serious non-compliance, allow for penalties and other actions that promote compliance, and include methods to monitor and resolve outstanding instances of non-compliance. To help meet transparency requirements detailed in Article 21 of the Convention and Rule 15 of the Rules of Procedures, it also should allow observer access to Compliance Monitoring Review discussions related to development of both Provisional and Final Compliance Monitoring Reports.

The WCPFC should consider making the CMS a permanent CMM and improve transparency by allowing observer access to Compliance Monitoring Review discussions related to development of Compliance Monitoring Reports.

Endnotes

- 1 The current rebuilding target equates to just 6.9 percent of unfished levels. The Northern Committee is attempting to restrict the scientific analyses conducted as part of the 2016 assessment.
- 2 In 2015, the Scientific Committee reiterated its advice from 2014. A 36 percent reduction in fishing mortality from the average levels for 2008-2011 would be expected to return the fishing mortality rate to F_{MSY} and allow the stock to rebuild above the limit reference point.
- 3 Boris Worm et al., "Global Catches, Exploitation Rates, and Rebuilding Options for Sharks," *Marine Policy* 40 (2013): 194–204, <http://www.sciencedirect.com/science/article/pii/S0308597X13000055>.
- 4 Western and Central Pacific Fisheries Commission, *Non-Target Species Interactions With the Tuna Fisheries of the Western and Central Pacific Ocean*, WCPFC SC6-2010/EB-IP-8 (2010), http://www.wcpfc.int/system/files/WCPFC-SC6-2010-EB-IP-08_Non_target_spp_interactions.pdf.
- 5 Western and Central Pacific Fisheries Commission, *Performance Review of the Commission*, WCPFC 10-2013-14 (November 2013), Rec. 6.3. See also Rec. 3.2.5 on the FAO Port State Measures Agreement.
- 6 Western and Central Pacific Fisheries Commission, *Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean* (September 2000), <https://www.wcpfc.int/doc/convention-conservation-and-management-highly-migratory-fish-stocks-western-and-central-pacific>.
- 7 European Community, "Report of the Second Joint Meeting of the Tuna Regional Fisheries Management Organizations" (July 2009), <http://www.tuna-org.org/Documents/TRFMO2/01%2002%20Report%20and%20Appendix%201%20San%20Sebastian.pdf>.

For further information, please visit:
pewtrusts.org/ip

Contact: Amanda Nickson, director, global tuna conservation
Email: anickson@pewtrusts.org
Project website: pewtrusts.org/ip

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