



## **ADVICE**

# **Recommendations for the 21<sup>st</sup> Regular Session of the Commission of the Western and Central Pacific Fisheries Commission (WCPFC21)**

**Suva, Fiji Islands – 28<sup>th</sup> November- 3<sup>rd</sup> December 2024**

**Date of adoption: 8 November 2024**

**Ref.: R-04-Ej.18(2024-2025)/LDACWG1**

## **1. Management of tropical tunas**

### **1.1. Management procedures**

The Interim Skipjack Management Procedure (CMM 2022-01) calls for the review of the performance of the Management Procedure in 2025, which would require a re-estimation of the skipjack estimation method.

#### **RECOMMENDATIONS**

***The LDAC recommends that following the Scientific Committee recommendation, the EU supports the review of the performance of the Management Procedure in 2025.***

***The LDAC also recommends speeding up the work on management strategy evaluation towards the adoption of a multi-species management procedure, covering the three stocks of tropical tunas in the WCPFC area.***

In addition, the second Science-Management Dialogue meeting took place online from September 10<sup>th</sup> to 12<sup>th</sup>, 2024, in order to improve coordination between IATTC and WCPFC, including with respect to ensuring accurate counting of catches in the overlap area. While most of the work relates to South Albacore Tuna, there were some exchanges about the development of bigeye and yellowfin Innovative Tuna Research Programs (iTRP) and about the application of the skipjack tuna management procedure and monitoring strategy.

#### **RECOMMENDATIONS**

***The LDAC supports the continuation of the Science-Management Dialogue (SMD), furthering cooperation between IATTC and WCPFC in other areas and for a meeting to be held in 2025, as this format has proven to be valuable to making progress on management procedures.***

***The LDAC recommends fully extending the multi-species process to tropical tunas, taking into account that RFMOs cooperation is paramount to ensure consistency between management objectives, reference points and pan-Pacific stock assessments where required.***



## 1.2. Observer coverage

At WCPFC 20 in 2023 there was a proposal from The Parties to the Nauru Agreement (PNA) to improve monitoring and control measures for skipjack, yellowfin, and bigeye tuna stocks in the Western and Central Pacific Ocean (in Tropical Tuna measure CMM 2023-01), introducing an increase for longline observer coverage, through on-board or electronic observers, up to 30%.

However, it was finally agreed in WCPFC 20 that observer coverage would need to be increased proportionally, up to 10%, to catch increases for bigeye tuna. CPCs that did not plan to increase their catches would not need to go beyond 5% observer coverage<sup>1</sup>.

The LDAC notes that though WCPFC wanted it as incentive, observer coverage is a necessity, and there is a risk for under reporting to evade the increase.

### RECOMMENDATIONS

***The LDAC recommends that, rather than the measures that have been adopted for the bigeye tuna, the EU demand expand the Commission's regional observer and to prioritise application by those fleets where the collection of independent data is low, such as longliners. This can be done by integrating national programmes into the regional one, and gradually increasing annually observer coverage combining on-board and/or electronic monitoring, for skipjack, yellowfin, and bigeye tuna fisheries, independently from any catch increase.***

***To make the above recommendation operational, the LDAC recommends developing and adopting the proposed definitions, as well as further minimum technical standards and minimum data fields for electronic monitoring, especially regarding confidentiality policy, in order to increase electronic monitoring share.***

***Furthermore, the LDAC recommends the EU to support the adoption of a workplan to develop a CMM for a WCPFC Electronic Monitoring Program this year and for the draft CMM to be presented to WCPFC22.***

***In order to preserve level playing field for its longline fleet, the LDAC recommends that the EU puts pressure to all CPCs to respect and fully implement the current observer coverage rules or otherwise face the consequences as per CMM 2023-01.***

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<sup>1</sup> Table 3 of CMM 2023-01 on bigeye, yellowfin and skipjack tuna in the WCPO, p.15



## 2. Management of Sharks

### 2.1. Silky Shark stock assessment

***The LDAC welcomes the progress the WCPFC has made concerning the stock assessment of silky shark and recommends to extent this approach to other RFMOs and other shark by-catch species.***

The LDAC notes the WCPFC Scientific committee management advice<sup>2</sup>:

- SC20 noted that due to challenges fitting the stock assessment models, no projections were provided to the SC, and recommended that if possible projections be included in future assessment reports.
- SC20 recommended interpreting the results of the silky shark stock assessment with caution due to the large amount of uncertainty in catch, stock structure, life history, and other important components of the assessment, but it noted that all of the models presented resulted in a positive trend in stock status for silky sharks.
- SC20 noted that further research is necessary to continue the improvement of this and other shark stock assessments and that current mitigation measures do appear to be effective for silky sharks.

#### RECOMMENDATIONS

***The LDAC acknowledges the improvements in stock status, although the silky shark population extent is still unknown and uncertainties in the stock assessment remain.***

***The LDAC recommends maintaining the retention ban for this stock in the WCPFC, considering that silky sharks are not at present a target of WCPFC fisheries.***

### 2.2. General remarks on Management Procedures for Commercially Fished Species of Sharks

Aware that this year the WCPFC will not be taking any measures regarding the management of sharks' stocks of commercial interest, that both blues shark and mako shark require CITES certification for international trade. While the blue shark population is not overfished nor experiencing overfishing in the Pacific Ocean (Poseidon 2022 executive summary) it is important to note that shark catches continue to be substantially underreported (including for key shark species).

#### RECOMMENDATION

***Therefore, the LDAC encourages the EU to advocate for compliance of all CPCs with current reporting requirements for sharks and to remind the Commission that***

WCPFC is obliged to sustainably manage "highly migratory fish stocks" i.e. all species listed in Annex 1 of UNCLOS occurring in the Convention Area, including the commercially valuable blue shark and shortfin mako, in accordance with the obligations laid down in the UNFSA for target stocks.

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<sup>2</sup> WCPFC SC20 Outcomes Document (30 August 2024), paragraphs 73 to 75



## RECOMMENDATIONS

***Beyond the need for full implementation of “fins naturally attached” which is further detailed below, the LDAC recommends:***

- ***Advocating the acquisition of better data: to avoid gaps in global catch data that would hinder future assessments, further measures to avoid unreported (IUU or transshipped) catches are necessary.***
- ***Supporting the observers scheme implementation in all CPCs targeting economically valuable shark species.***

### 2.3. Fins naturally attached policy

The most recent WCPFC CMM 2022-04 conservation and management measure for sharks foresees that “CPCs shall take measures necessary to require that all sharks retained on board their vessels are fully utilized. CPCs shall ensure that the practice of finning is prohibited.” And for 2022, 2023 and 2024, CPCs shall require their vessels to land sharks with fins naturally attached to the carcass. However, the measure expires this year.

In addition, it is indicated in title IV on Full utilization of shark and prohibition of finning of the CMM that:

9. [...] CPCs may take alternative measures as listed below to ensure that individual shark carcasses and their corresponding fins can be easily identified on board the vessel at any time:

- 1) Each individual shark carcass and its corresponding fins are stored in the same bag, preferably biodegradable one;
- 2) Each individual shark carcass is bound to the corresponding fins using rope or wire;
- 3) Identical and uniquely numbered tags are attached to each shark carcass and its corresponding fins in a manner that inspectors can easily identify the matching of the carcass and fins at any time. Both the carcasses and fins shall be stored on board in the same hold. Notwithstanding this requirement, a CPC may allow its fishing vessels to store the carcasses and corresponding fins in different holds if the fishing vessel maintains a record or logbook that shows where the tagged fins and correspondingly tagged carcasses are stored, in a manner that they are easily identified by inspectors.

10. In case a CPC wishes to allow its fishing vessels operating on the high seas to use any measure other than the three alternatives in paragraph 9 (1) – (3), it shall present it to TCC. If TCC endorses it, it shall be submitted to the subsequent annual meeting for endorsement.

## RECOMMENDATIONS

***As this measure expires this year, the LDAC requests the EU to strongly advocate at the Commission Meeting for a continuation of this measure.***

***The LDAC finally advocates that the EU should request transparency from the Commission on which alternative measures CPCs apply and how these are implemented and enforced in their fleets, and also whether a CPC has applied at TCC to use alternate measures than the three options described in the CMM. The EU should furthermore request that this overview is made public.***



***The LDAC also recommends removing the exceptions that CCMs could revert to and to implement Fins Naturally Attached without exemptions, as none of these present acceptable alternatives, lacking transparency, the ability of enforcement and successful prosecution of offenses.***

### 3. Monitoring of transshipments at sea

#### RECOMMENDATIONS

***As requested in previous years, the LDAC reiterates its support to a process to eliminate transshipments at sea as soon as possible. However, for practical reasons, the LDAC promotes as a minimum requirement to start with the adoption of the following measures to better monitor transshipment at sea:***

- Implement real time, or near real-time, reporting requirements for all components of transshipments, including electronic verification and validation tools.
- Ensure data fields on IMO numbers, date, location, catch and duration of the transshipment (start/stop times) are added to those fields in an oversight, those critical data fields were not included in the forms.
- Support 100% observer coverage on delivering and receiving vessels engaged in at-sea transshipment.
- Prioritise the development and application of EM for transshipment monitoring.
- Support or endorse the use of technology to verify and validate transshipment activity.
- Notify the Secretariat of non-fish transfers (e.g. exchanges of goods, crew, fuel etc.) involving registered WCPFC carriers.

### 4. Deep sea mining

As indicated in the recent joint LDAC-NWWAC-PELAC-SWWAC advice on this matter<sup>3</sup>, the LDAC notes that the risks of deep sea mining for fisheries are alarming. Several studies have documented the significant negative impacts that DSM could have on marine ecosystems, including fisheries. Sediment plumes in different parts of the water column, noise pollution, and discharge from mining vessels could severely impact commercial species, in particular to highly migratory and widely distributed stocks such as tropical tuna, as noted in recent studies in the Pacific ([van der Grient and Drazen, 2021](#); [Amon et al., 2023](#)). These activities pose a threat not only to the species directly affected but also to the broader food webs and ecosystem services on which sustainable fisheries depend ([Drazen et al., 2021](#)).

#### RECOMMENDATIONS

**The LDAC urges the European Commission to stay firm in their position to DSM to avoid taking premature steps into deep-sea mining, the risks of irreversible harm to marine ecosystems and long-term disruptions to fisheries being too great.**

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<sup>3</sup> [https://ldac.eu/images/EN\\_LDAC-NWWAC-PELAC-SWWAC\\_Advice\\_on\\_DSM\\_and\\_Fisheries\\_4Nov2024.pdf](https://ldac.eu/images/EN_LDAC-NWWAC-PELAC-SWWAC_Advice_on_DSM_and_Fisheries_4Nov2024.pdf)



The LDAC reiterates its calls for a moratorium on DSM until robust scientific evidence can demonstrate that it will not negatively impact marine ecosystems or jeopardise the livelihoods of those who depend on the sea, including fisheries. The precautionary principle must guide our decisions. By prioritising the reduction of mineral demand, the reuse of materials and the implementation of circular economy strategies, the EU should focus on enhancing competitiveness through truly sustainable and responsible practices.

## 5. Catch documentation scheme

Electronic Catch Documentation Schemes (e-CDS) are one of the most effective mechanisms for monitoring catches and preventing IUU fishing. They offer a cooperative, systematic and collaborative way to ensure the legality of catches throughout the supply chain and are key to achieving a level playing field as also indicated in previous LDAC advice, including of July 2021 for a Level Playing Field for EU and non-EU fish products<sup>4</sup>. Other regional fisheries bodies, such as CCAMLR, CCSBT and ICCAT, have successfully deployed such schemes for years, with the latter in advance discussions on expanding it to cover more stocks. Furthermore, other tuna RFMOs, such as IOTC, have adopted a workplan on gradually introducing an e-CDS.

In December 2019, WCPFC<sup>19</sup> updated the workplan for the Technical and Compliance Committee for the 2022-2024 and included in its core tasks the review of the work of Intersessional Working Groups (IWG) which includes the CDS IWG. We note with regret that this was not thoroughly discussed and the CDS IWG has remained essentially defunct, not convening since 2016.

### RECOMMENDATION

***The LDAC recommends the revitalisation of the CDS IWG with the ultimate goal of introducing electronic CDS in WCPFC and for the EU to ensure this is reflected in the 2025-2027 workplan of the Technical and Compliance Committee.***

## 6. Coordination with other international treaties

The LDAC notes that ICCAT took a decision on 2023<sup>5</sup> on how to articulate its work on the international legal instruments such as the WTO Fisheries Subsidies Agreement, the Global Framework on Biodiversity Kunming-Montreal and the UN BBNJ Treaty.

### RECOMMENDATIONS

***The LDAC shows concern on how the implementation of these three international agreements may overlap with the work of the RFMOs and emphasizes the need for adequate coordination. The LDAC recommends therefore that a similar process be initiated in WCPFC.***

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<sup>4</sup> LDAC Advice on LPF (2021): [https://ldac.eu/images/EN\\_LDAC\\_Advice\\_LPF\\_25May2021.pdf](https://ldac.eu/images/EN_LDAC_Advice_LPF_25May2021.pdf)

<sup>5</sup> **ICCAT Doc. PLE 121/2023**