

KEY ISSUES OF INTEREST AT THE WESTERN AND CENTRAL PACIFIC FISHERIES  
COMMISSION SIXTEENTH REGULAR SESSION (WCPFC15)

This paper summarizes issues to be discussed and decided at the upcoming WCPFC16 meeting that are likely to be of most interest to the Council. Issues are presented according to the agenda numbers in the provisional annotated agenda for WCPFC16 (Agenda Item J.2, Attachment 2). This report may be read in conjunction with the recommendations from the Permanent Advisory Committee to the U.S. Commissioners to the Western and Central Pacific Fisheries Commission, or PAC (Agenda Item J.2, Attachment 1). This document references meetings of the following subsidiary bodies: Science Committee (SC), Northern Committee (NC), and Technical and Compliance Committee (TCC)

Additional materials may be downloaded from the WCPFC16 [meeting webpage](#).

**Agenda Item 6 Harvest Strategy**

Further development of harvest strategies for South Pacific albacore, skipjack, bigeye, and yellowfin under CMM 2014-06 (to develop and implement a harvest strategy approach for key fisheries and stocks in the WCPO) will be discussed. The Northern Committee will also provide updates on harvest strategies relating to northern stocks under Agenda Item 7

The science provider (South Pacific Commission Oceanic Fisheries Program) will demonstrate the use of the Performance Indicators and Management Procedures Explorer (PIMPLE) software considered by SC15 to explore performance indicators for skipjack.

WCPFC15 considered draft TORs for a science/management dialogue, but was ultimately unable to reach consensus on when the dialogue would occur. This led to the extension of WCPFC16 by one additional day to allow for greater discussion on harvest strategies.

*PAC recommendations 46 and 47 are relevant to this topic.*

**Agenda Item 7.2.2.1. Purse seine limits for high seas**

Paragraph 28 of CMM 2018-01 (tropical tuna measure) requires that the Commission shall by 2020 agree on hard effort or catch limits for purse seine in the high seas and a framework to allocate those limits to all Members and Participating Territories. The U.S. proposes considering high seas limits that are, or could be, combined with limits in EEZs ([DP10](#)). In contrast, the Forum Fisheries Agency (FFA) submitted a proposal ([DP06](#)) expressing their view that "... we do not expect any high seas allocation framework for purse seine fisheries to include any consideration of currently limits that apply within the EEZs of FFA members." The FFA also proposes a two-day workshop in 2020 to develop such effort limits.<sup>1</sup>

69. Paragraph 44 of CMM 2018-01 requires that the Commission shall by 2020 agree on hard limits for bigeye for the longline fishery and a framework to allocate those limits. In this regard, the U.S. proposes ([DP10](#)) retaining flag-based catch limits that apply throughout the Convention

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<sup>1</sup> The FFA coordinates positions of its 17 small island developing state (SIDS) members.

Area while the FFA proposes catch limits that would not apply to catches taken inside EEZs ([DP06](#)).

#### **Agenda Item 7.2.2.6 New CMM for tropical tunas**

Korea and the United States (have submitted proposals ([DP16](#), [DP10](#)) defining floating objects that would be exempt for the purpose of FAD closures. While the objective of both proposals is to exempt small, untracked objects from the FAD-setting closure period, Korea's proposal goes about it by listing the types of untracked objects to be exempted while the U.S. proposal defines a maximum size of an exempted, untracked object.

The FFA and U.S. proposals also address the process to be used in 2020 to negotiate a new tropical tuna CMM for 2021 onwards

*PAC recommendations 1 through 22 are relevant to this topic.*

#### **Agenda Item 7.3.1 Roadmap for effective conservation and management of South Pacific albacore**

WCPFC14 established a virtual intersessional working group to develop a Roadmap to implement elements needed for the effective conservation and management for South Pacific albacore. The group was tasked with developing the elements of a harvest strategy for the stock including an allocation process and monitoring and reporting priorities. FFA submitted [DP-05](#), which recommends revising the Roadmap work plan to focus on an overall hard catch limit and necessary catch reductions, an allocation agreement, and zone-based management principals, to be implemented through a CMM in the interim before the harvest strategy is agreed to.

*PAC recommendations 35 through 41 are relevant to this topic.*

#### **Agenda Item 7.4 Pacific bluefin**

As discussed at the September 2019 Council meeting (Agenda Item I.2), NC15 is expected to recommend changes to CMM 2018-02 (Attachment D to the [provisional report of NC15](#)).

*PAC recommendations 32 through 34 are relevant to this topic.*

#### **Agenda Item 7.5 North Pacific albacore**

NC15 entertained a proposal to revise CMM 2005-03 to align the reporting requirement with IATTC Resolution C-18-03 (annual reporting only), which will likely be forwarded for adoption by WCPFC16. See Attachment G to the [provisional report of NC15](#).

#### **Agenda Item 7.6.1 Harvest strategy for North Pacific swordfish fisheries**

NC15 is expected to recommend a harvest strategy for NP swordfish fisheries (Attachment H to the [provisional report of NC15](#)).

#### **Agenda Item 7.7.2 Consideration of any proposal for a rebuilding plan for North Pacific**

## **striped marlin**

At NC 15 the U.S. submitted a consultative draft rebuilding plan for North Pacific striped marlin incorporating alternative stock recovery projections based on the two alternative future recruitment scenarios presented in the most recent stock assessment (ISC19, Annex 11). The likelihood of reaching the rebuilding target varied greatly between the two alternative projections. The ISC was not in a position to recommend which scenario is more plausible so the U.S., in consultation with agency scientists, has submitted a proposal using the “short-term” scenario ([DP-12](#)), which, other things being equal, requires steeper catch reductions compared to the “long-term” scenario. In consequence, the U.S. proposal extends the rebuilding timeline to 20 years.

*PAC recommendations 52 through 55 are relevant to this topic.*

## **Agenda Item 8.2 Proposal for a Comprehensive CMM for Sharks and Rays**

The chair of the Shark Intersessional Working Group submitted a revised draft of the comprehensive CMM for sharks ([WCPFC16-2019-IWGSharks](#)) based on comments received on a draft submitted for review at TCC16. The key provisions (in Section IV) concern the prohibition on shark finning. This draft offers fins naturally attached as an option and several alternatives including storing the fins and corresponding carcass together in a bag, binding the fins to the corresponding carcass, or identically tagging the fins and corresponding carcass. (The draft measure would also allow a CCM to propose other alternative methods subject to endorsement by the TCC.) U.S. domestic law requires landing sharks with fins naturally attached.

*PAC recommendations 42 through 45 are relevant to this topic.*

## **Agenda Item 8.3 Review of CMM 2018-03 on Seabirds**

New Zealand submitted [DP07](#), Proposal on Guidelines for Safe Handling and Release of Seabirds, which would adopt the ACAP (Agreement on the Conservation of Albatrosses and Petrels) best practices on hook removal from seabirds as safe release guidelines for WCPFC pelagic longline and other hook fisheries. The guidelines would be nonbinding.

## **Agenda Item 8.4 Other bycatch mitigation**

FFA submitted [DP02](#), Proposed CMM on Mobulid Rays Caught in Association with Fisheries in the WCPFC Convention Area, which would prohibit targeting or setting on rays, prohibit retention of rays, and promote live release of rays through safe release guidelines.<sup>2</sup> The proposal was originally tabled by Australia as an information paper during TCC15 ([TCC15-2019-DP05\\_rev1](#)), which included language that would make the best handling practices mandatory. DP02 is nonbinding in this regard.

Korea submitted [DP15](#), Proposed Amendments to Conservation and Management Measure for Protection of Cetaceans from Purse Seine Fishing Operations, expanding existing protections in [CMM 2011-03](#) to include longline fisheries.

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<sup>2</sup> Manta and devil rays of the genus [Mobula](#).

*PAC recommendation 56 is relevant to this topic.*

### **Agenda Item 9.2 Northern Committee**

The NC15 meeting in September lacked a quorum. The Chair has proposed an additional, short meeting on December 4 to formally adopt the recommendations contained in the [Draft NC Summary Report](#). The quorum issue also will be discussed at this meeting. The U.S. submitted [DP11](#), Northern Committee quorum rule, which would reduce the proportion of members required for a quorum from three-quarters to a simple majority.

The draft summary report contains recommendations on a revised CMM on Pacific Bluefin Tuna (NC15 Report Attachment D), terms of reference for the Pacific bluefin tuna MSE (Attachment E), a revised CMM replacing CMM 2005-03 for North Pacific albacore (Attachment G), and a harvest strategy for North Pacific swordfish fisheries (Attachment H).

### **Agenda Item 10 Compliance Monitoring Scheme**

WCPFC16 will consider the provisional Compliance Monitoring Report as recommended by TCC15 and taking into account any additional information provided by CCMs. A small working group will be established to consider the provisional Compliance Monitoring Report and compile the final Compliance Monitoring Report for adoption by WCPFC16. WCPFC16 will also review the multi-year work plan of tasks to enhance the Compliance Monitoring Scheme described section IX of the CMM.

FFA submitted [DP03](#), Proposal for a process to assess CCM actions in accordance with paragraph 7(ii)(b) to replace paragraph 27 of CMM 2018-07. The work plan in section IX of the measure includes the 2019 task of developing “a process for assessing CCM action in accordance with para 7(ii)(b) to replace para 27.” This paragraph has to do with flag state investigations of potential violations by their flagged vessels. FFA favors a process “focused on CCM-level implementation of obligations, rather than on individual vessel’s activities.” In their proposed language to replace paragraph 27 “individual vessel-level cases of non-compliance identified through the online compliance case file system shall not get assessed under the [Compliance Monitoring Scheme].” The U.S. is likely to raise concerns about whether such a change would weaken member accountability.

*PAC recommendations 23 through 31 are relevant to this topic.*

### **Agenda Item 11 Adoption of the 2020 IUU Vessel List**

WCPFC will consider and adopt the WCPFC 2020 IUU Vessel List.

European Union submitted [DP08](#), Proposal to amend CMM 2010-06 (establishes a list of vessels presumed to have carried out IUU fishing activities in the WCPO) based on a recommendation from TCC15. This proposal would amend CMM 2010-06 to include a procedure for cross-checking IUU listed vessels from other RFMOs.