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## **WCPFC AND SPC-OFP: A key partnership**

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## WCPFC AND SPC-OFP: A key partnership

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Paper prepared by the WCPFC Secretariat

### PURPOSE OF THIS PAPER

To briefly summarize recent outcomes of the work of the Western and Central Pacific Fisheries Commission (WCPFC) and highlight the relationship with the Secretariat of the Pacific Community's Oceanic Fisheries Programme (SPC-OFP) that generates mutual benefits for both organizations.

## 1. ESTABLISHMENT OF THE WCPFC AND ITS OPERATION

### 1.1 WCPFC Establishment and Structure

The WCPFC was established by the *Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean* (WCPFC Convention) which entered into force in June 2004 when the required number of ratifications by signatory States was achieved. The Convention was concluded after six years of negotiation which commenced in 1994.

The WCPFC Convention generally reflects the provisions of the UN Fish Stocks Agreement [UNFSA] while, at the same time, reflecting the special political, socio-economic, geographical and environmental characteristics of the western and central Pacific Ocean (WCPO) region. The WCPFC Convention seeks to address problems in the management of high seas fisheries resulting from unregulated fishing, over-capitalization, excessive fleet capacity in some fisheries, vessel re-flagging to escape controls, insufficiently selective gear, unreliable databases and insufficient multilateral cooperation in respect to conservation and management of highly migratory fish stocks. A framework for the participation of fishing entities in the Commission, which legally binds fishing entities to the provisions of the Convention, participation by territories and possessions in the work of the Commission, recognition of special requirements of developing States, and cooperation with other Regional Fisheries Management Organizations (RFMO) whose respective areas of competence overlap with the WCPFC reflect the unique geo-political environment in which the Commission operates.

The Commission supports four subsidiary bodies; a Finance and Administration Committee, a Scientific Committee, Technical and Compliance Committee, and a Northern Committee, that each meet once during each year. The meetings of the subsidiary bodies are followed by a full session of the Commission. In addition, in 2006, the Commission established an ad-hoc task group to develop the Commission's data management policies (AHTG [Data]) and, in 2007, established an inter-sessional working group to facilitate the development of the Regional Observer Programme (ROP).

## 1.2 WCPFC Membership

The Commission has 34 members and participating territories and, following decisions at the Fifth Regular Session at Busan, Korea in December 2008, five cooperating non-members<sup>1</sup>.

## 2. THE COMMISSION'S WORK

### 2.1 Conservation and Management Measures adopted by the Commission with a summary of 2008 decisions

#### *Target Species*

Participants in the MHLC and Preparatory Conference that establish WCPFC first agreed to limit fishing capacity for tunas in the WCPO in 1999. When the fleets continued to grow, particularly the purse seine fleet, the Preparatory Conference adopted an additional resolution which committed participants to the 1999 Resolution to cap capacity. Nevertheless, since 1999, the WCPO purse seine fleet has grown by more than 30 vessels.

Increasing concern that overfishing of WCPO bigeye and yellowfin was occurring and that the status of the stocks was approaching an overfished state led the Second Regular Session of the Commission, in December 2005, to adopt Conservation and Management Measure-2005-01 (CMM-2005-01) that limited capacity of vessels operating in the WCPO purse seine fishery, and the effort they could expend, and the catch by the longline fleet. The implementation of the applicable provisions of this Measure within waters under national jurisdiction is to be achieved through the Vessel Day Scheme (VDS), which manages effort in terms of fishing days, that became operational on 1 December 2007.

In a similar vein, in 2005, the Commission agreed to limit the number of vessels operating in the South Pacific albacore fishery (CMM-2005-02) and the effort applied in the North Pacific albacore fishery (CMM-2005-03). These decisions provided certain exemptions to support the development aspirations of domestic fleets based in small island States.

At the Third Regular Session of the Commission in December 2006, the Commission adopted a supplementary Measure for yellowfin and bigeye that focused on the total capacity of commercial fleets, other than longline and purse seine fleets, and committed members to the adoption of future Measures to reduce the catch of juvenile yellowfin and bigeye tuna taken in association with floating objects (CMM-2006-01).

At its Fifth annual session, at Busan, Korea in December 2008, the Commission adopted a new CMM for yellowfin and bigeye – replacing those measures adopted for yellowfin and bigeye in 2005 and 2006. The Measure (CMM 2008-01) responds to the advice provided to the Commission by the Scientific Committee by supporting an objective of reducing fishing mortality of bigeye by 30%. This will be achieved by a range of actions implemented over three years (2009-2011). They include, *inter alia*, actions in the EEZs of coastal States and on the high seas to prohibit sets on FADs for 2 months (in 2009) and 3 months (in 2010 and 2011), retain all catch, reduce catches of bigeye taken by longliners, to not increase yellowfin catches and implement the ROP to monitor compliance. The Measure also provides for consideration of the closure of high seas pockets in 2010 and 2011.

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<sup>1</sup> American Samoa, Australia, Belize, Canada, Commonwealth of Northern Mariana Islands, Cook Islands, People's Republic of China, European Union, Federated States of Micronesia, Fiji, France, French Polynesia, Guam, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Caledonia, New Zealand, Niue, Palau, Papua New Guinea, Philippines, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, Chinese Taipei, United States of America, Vanuatu, and Wallis and Futuna. Belize, Ecuador, El Salvador, Indonesia, Mexico, and Senegal are Cooperating Non-Members.

### ***Regulatory matters***

In addition to receiving reports from members regarding their successful implementation of the Commission's procedures for boarding and inspection on the high seas during its first year of operation, the 2008 annual session of the Commission received a progress report on the design and implementation status of the Commission's regional ROP. Good progress was made during 2008 agreeing to the data that will be collected by observers, authorisation procedures, briefing and debriefing requirements, dispute settlement, a code of conduct for observers and measuring the performance, including through periodic audits, of both individual observers and national or sub-regional programmes that provide observers to the ROP. Some work remains to be done in early 2009 in relation to costs for the Programme, the minimum size of vessels required to participate and vessel and observer safety issues.

A significant decision at Bussan was the adoption of standards, specifications and procedures for the operation of the Commission's near-real time satellite-based vessel monitoring system for the high seas in the Convention Area. The Commission agreed that the VMS become operational on 1<sup>st</sup> April 2009. Rather than build a new stand alone system from scratch, the Commission accepted an offer by the Pacific Islands Forum Fisheries Agency (FFA) to utilize FFA's existing infrastructure that supports the VMS for FFA members in their national waters. The high seas and coastal State VMS data will be completely quarantined from each other within the system.

### ***Other measures***

After four years of effort, during which only a non-binding measure was agreed in 2005, the Bussan session of the Commission was also able to adopt a binding measure aimed at mitigating the incidental catch of sea turtles in western and central Pacific tuna fisheries. Based around implementation of the FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations the Measure provides for sea turtle by-catch mitigation in purse seine and shallow-set swordfish and other longline fisheries. It includes support for release and recuperation actions, mitigation research, including circle hook trials, and the reporting of interactions with sea turtles in tuna fisheries.

The Commission also adopted a Measure prohibiting the use of large-scale driftnets, greater than 2.5 km in length, on the high seas within the Convention Area, strengthened an existing Measure constraining the number of vessels and catch of swordfish taken south of 20°S and also revised an existing Measure relating to the by-catch of sharks taken in tuna fisheries not directed at sharks. While further encouraging implementation of the FAO International Plan of Action for the Conservation and Management of Sharks the revised Measure calls for complete catch and effort reporting, by gear type, for key shark species (blue, oceanic whitetip, mako and thresher) and a requirement that the weight of fins on board vessels do not exceed 5% of the weight of carcasses on board (a provision that will be periodically reviewed on the basis of further advice from the Scientific Committee). The Measures proposes joint work with the Inter-American Tropical Tuna Commission of shark stock assessments. Importantly, the revised Measure is no longer confined to vessels greater than 24m.

### ***Future initiatives***

Three initiatives were identified by the Commission for dedicated attention during the next several years. The first relates to the development of a programme of work for the specification of management objectives, the application of reference points and, eventually, the application of management strategy evaluation in WCPO tuna fisheries.

The second concerns the implementation of recommendations of a 2008 independent review of the structure and function of the science services that have applied in the Commission during its first four years of operation – an item of particular relevance to the WCPFC/SPC relationship (see below).

Finally, in recognition that complete and timely data is critical to the effective operations of an RFMO such as WCPFC, the Commission encouraged the Secretariat and individual members to sustain their efforts to address current gaps that are prevalent for many of the fisheries managed by WCPFC. The WCPFC Secretariat and the SPC-OFP have been applying considerable effort to address data gaps for WCPO tuna fisheries for several years.

## **WCPFC AND SPC**

The exclusive economic zones of almost half the WCPFC membership, which are also members of the SPC, support the majority of tuna fishing activity in the WCPO. These countries thus have a key role in any activity that is concerned with the management and conservation of regional tuna stocks. For many years all SPC members have worked with, and received capacity building and technical support from, the SPC Secretariat, through the SPC-OFP, on data administration, biological research and stock assessment for the region's tuna fisheries.

It was logical that, once Multilateral High Level Conference (MHLC) negotiations started on new institutional arrangements to support broad multilateral collaboration for the management, conservation and sustainable use of the region's tuna resource in 1994, that the experience of the SPC-OFP would be called upon to provide necessary scientific advice – not only to SPC members participating in those negotiations individually and collectively, but to the negotiation process as a whole.

During MHLC, that spanned the period 1994 to 2000, participants reviewed various models for the provision of scientific advice to RFMOs. The options available include the ICCAT-type arrangement, which operates in the Atlantic, where each member supports its own science programme and periodically meets with other members of the RFMO to compare methods and results to develop a consensus view to provide advice to the management body. In such arrangements the Commission secretariat has a limited science function. On the other hand, an IATTC-type arrangement, which applies in the eastern Pacific, supports a dedicated science function within the Commission secretariat with data managers and scientists on the Secretariat staff.

MHLC participants decided that neither option quite suited the WCPO tuna fishery and, instead, selected a hybrid of both of the science structures described above, making most effective use of existing capacity in the region, while at the same time setting up the more traditional RFMO-type structure of a Scientific Committee and its subsidiary working groups. Under this approach, rather than build a large science function within the Secretariat at Pohnpei, it was agreed that the Commission enter into a formal arrangement with SPC for the OFP to provide the majority of the Commission's science services.

This arrangement was formalized at the First Regular Session of the Commission in December 2005. Since then, the SPC-OFP has been contracted to provide a broad range of administrative and technical services to the Commission, for target and non-target species, including data administration, biological research, stock assessment and website administration. The funds provided by WCPFC to support of this contract include costs for the equivalent of two professional staff at the OFP. The programme of work to be achieved under this arrangement is reviewed annually by all WCPFC members under the auspices of the Commission's Scientific Committee.

In 2008 the Commission arranged for an independent review of the arrangements for its science structure and function. The Review made a large number of recommendations for stocks that fall under the purview of the Commission's Northern Committee and those other stocks that are monitored by the Scientific Committee. The main recommendations of the Review focused on the operations of the Commission's Scientific Committee, the merits or otherwise of alternative models for the provision of scientific advice to RFMOs such as the WCPFC, and the harmonization of data standards,

data management and stock assessment procedures, including peer review arrangements, for all stocks management under the WCPFC mandate.

The Review acknowledged that existing arrangements for the outsourcing of science services from the SPC-OFP are working well in terms of the quality and scope of outputs generated for Commission members. The Commission is provided with a high quality science service that draws on a long history of work in western and central Pacific tuna fisheries. It includes datasets and knowledge that would take a newly established Commission many years, and enormous financial resources, to replicate. The Review recommends that the existing service provider arrangement be formalised in a longer term service agreement (at least three years) that allows SPC to undertake longer term fiscal planning, thereby enabling more efficient allocation of resources. The recommendations of the Review will be further considered by Commission members during 2009.

While the existing arrangement provides Commission with high quality sciences services and so supports the effective implementation, by all Commission Members, of the WCPF Convention, the arrangement also generates additional benefits for SPC members. The intimate relationship between SPC-OFP and the Commission builds a capacity within the SPC-OFP secretariat in understanding, and responding to, Commission-related obligations and developments. This means that SPC-OFP is better placed to assist SPC member countries and territories, and other key stakeholders, such as the FFA secretariat, in supporting the participation of island States and territories in the Commission in relation to science and data matters. This occurs in the form of capacity building exercises that SPC runs through workshops and country visits and providing a monitoring service to assist States meet their obligations in the Commission – such as in respect of data submission. In this respect the WCPFC-SPC relationship supports a key regional function for SPC member countries and territories.