

4. US WESTERN PACIFIC FISHERIES – PAST TO PRESENT

within the EEZ is also poorly understood. Furthermore, there is controversy over the unknown degree of adverse effect a NWHI precious coral fishery would have on populations of endangered Hawaiian monk seal. Monk seals have been observed preying on eels found among precious coral colonies. The importance of eels found among precious coral colonies in the monk seal diet is poorly understood

4.6. INDIGENOUS PROGRAMS

Indigenous cultures in the Western Pacific developed in isolation over long periods of time. The earliest evidence of settlement in Samoa dates to 3,600 years ago, in Guam and the Mariana Islands to 3,100 years ago, and in Hawaii 1,700 years ago. These earliest travelers brought a suite of traditions and beliefs that supported an island lifestyle—an oceanic culture dependent on the oceanic environment to meet their nutritional and other needs. Wise natural resource management ensured survival of the culture. These values continue to be nurtured and encouraged by the Council through its indigenous program, which seeks to address the right of the aboriginal people of the US Western Pacific to demonstrate and exercise their traditional and customary practices.

The 1996 re-authorization of the Magnuson-Stevens Act confirms these unique characteristics by stating, “*Pacific Island Areas contain*

unique historical, cultural, legal, political, and geographical circumstances which make fisheries resources important in sustaining their economic growth.” New provisions contained within the Act allow for establishment of Western Pacific Community Demonstration Projects, Community Development Programs and Pacific Islands Area (foreign) Fishery Agreements (PIAFA).

The goals of the Demonstration and Development Programs are to provide greater access for native communities to their fishery resources. In addition to providing greater access, capacity is now being developed in native communities to use federal programs effectively and efficiently to advance their customary, traditional and cultural practices. Grant writing, project planning and monitoring, and community organizing and mobilization are skills now being fostered.

The Magnuson-Stevens Act recognizes that the US territories and commonwealth in the Western Pacific Region have little in the way of economic opportunities, compared to the mainland. Consequently, the Act permits territorial and commonwealth governments to request that the Department of State enter into negotiations with DWFNs wishing to fish in EEZ waters around American Samoa, Guam and the Northern Mariana Islands to develop PIAFAs. A unique feature of the PIAFA arrangement is that all the revenues from the fishing agreement, including fines and penalties, accrue to the territorial government.

5. PRIORITIES FOR THE FUTURE

5.1. INTERNATIONAL MANAGEMENT

The Western Pacific Council’s role in the multilateral management of the highly migratory pelagic stocks in the EEZ and adjacent high seas of the Western Pacific Region has been significant and is likely to increase in the future.

The Western Pacific Council assisted in hosting four of the Multilateral High-Level Conferences (MHLCS) in Honolulu, which led towards the establishment of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Central and Western Pacific Region (Western and Central Pacific Fisheries Convention). Developed to be consistent with the 1982 United Nations Convention on the Law of the Sea and follow the framework of the United Nations Implementing Agreement, this Convention was adopted on September 4, 2000, to establish a regional mechanism for the conservation and management of highly migratory fish stocks in the central and western Pacific Ocean. The Convention provides for the establishment of an international fishery commission to implement the provisions of the Convention. The Council participates in Preparatory Conference meetings, convened to lay the groundwork to establish the Commission. Specifically the Preparatory Conference is to establish the organizational and financial framework for the new Commission and its subsidiary

bodies, as well as facilitate the future work of the Commission. It is to begin the process of collecting and analyzing data on the status of the fish stocks and, if necessary, recommend conservation and management measures. The Preparatory Conference will continue until the Convention enters into force in late 2004. The Convention applies to all species of highly migratory fish stocks within the Convention Area (defined as all fish stocks of the species listed in Annex I of the 1982 Convention occurring in the Convention Area and such other species of fish as the Commission may determine). Conservation and management measures under the Convention are to be applied throughout the range of the stocks or to specific areas within the Convention Area, as determined by the Commission. The

Apart from Hawaii, Guam, the Northern Mariana Islands and American Samoa there are a further 18 nations and territories in the western Pacific, each with an EEZ and with different political affiliations.

The 14 independent Pacific Island nations are members of the South Pacific Forum, which also includes Australia and New Zealand. The secretariat for the Forum is based in Fiji, with its fisheries administration, the Forum Fisheries Agency (FFA) in the Solomon Islands. The FFA was established to negotiate access agreements by foreign fleets for the Forum member countries, to