To: Western Pacific Fisheries Management Council  
From: Michael Brakke, U.S. Department of State, Office of Marine Conservation  
Subject: State Department Report for 181st Council Meeting

I intend to attend one of the next two Council meetings to consult with members and staff regarding international fisheries issues. Unfortunately, I cannot attend all meetings due to travel budget constraints and restrictions.

**South Pacific Tuna Treaty**

The Annual Consultation on the 1987 Treaty on Fisheries that had been scheduled for February 27-28 in Nauru has been postponed due to the COVID-19 outbreak and related travel restrictions in the Pacific Islands region. The Department is coordinating with the Pacific Islands Forum Fisheries Agency and Pacific Island parties to reschedule the meeting. Aside from discussing issues related to implementation of the Treaty, the United States and Pacific Islands parties will seek to make progress this year on clarifying the terms of fishing access under the Treaty for 2021 and beyond.

**The Pacific Community (SPC) Heads of Fisheries Meeting**

SPC’s 12th Heads of Fisheries meeting, which had been scheduled for March 16-20 in Noumea, New Caledonia, has been postponed due to the COVID-19 outbreak. The meeting is now tentatively scheduled to convene May 11-15, 2020. The SPC Heads of Fisheries Meeting provides technical oversight of all SPC work in the field of fisheries and aquaculture, as well as an opportunity to discuss in detail topics of special interest, including as it relates to both oceanic and coastal fisheries. U.S. territories are encouraged to attend the Heads of Fisheries meeting, though may be ineligible for SPC-financed travel if they are in arrears on their contributions to the organization.

**BBNJ Negotiations at the United Nations**

The fourth session of the Intergovernmental Conference (IGC) on an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ) will convene in New York March 23-April 3, 2020. The Department convened a public meeting and teleconference to solicit input from U.S. stakeholders regarding the BBNJ process on Tuesday, February 25. A summary of U.S. positions from the third session of the IGC is attached for your awareness. Additional information and documentation on the BBNJ process, including revised draft text, is available at [https://www.un.org/bbnj/](https://www.un.org/bbnj/).

**UN Fish Stocks Agreement and UN General Assembly**

The United Nations continues to convene annual informal consultations of States Parties (ICSP) to the UN Fish Stocks Agreement (UNFSA) to consider specific issues arising from the
implementation of the Agreement, with a view to improving understanding, sharing experiences, and identifying best practices. The ICSP in 2019 focused on RFMO performance reviews. The fifteenth round of the ICSP will convene May 19-21, 2020 at the United Nations in New York City. Two days of the meeting will focus on “implementation of an ecosystem approach to fisheries management” and one day will be devoted to preparing for the resumed Review Conference of the UNFSA that is expected to convene in 2021.

The United Nations will convene a workshop August 5-6, 2020 on the implementation of UN General Assembly resolution paragraphs regarding the impacts of bottom fishing on vulnerable marine ecosystems (VMEs) and the long-term sustainability of deep-sea fish stocks. The UN General Assembly will consider information from the workshop and review guidance related to bottom fishing and the prevention of significant adverse impacts on VMEs during annual negotiations of the UNGA sustainable fisheries resolution in November 2020.

**Bilateral Outreach**

The Department is working with other agencies to engage with foreign authorities regarding potential illegal fishing in the U.S. EEZ, alleged safety incidents involving foreign-flagged vessels, and other recent issues related to maritime activities.

**RFMO Updates**

The State Department participated in several relevant RFMO meetings since the last Council meeting, including the Western and Central Pacific Fisheries Commission and the South Pacific Regional Fisheries Management Organization. Aside from the outcomes already reported by NOAA Fisheries, WCPFC adopted a non-binding resolution related to the potential impacts of climate change in the context of WCPFC. The U.S. delegation took into consideration the comments of Council staff related to the text of that resolution, including to ensure the language was generalized to consider potential impacts of climate change on all members (including the United States and its states and territories), and not just small island developing states. I was elected co-chair of the WCPFC Finance and Administration Committee and will be serving in that capacity this year.

At SPRFMO, the United States made progress in developing its proposal on high seas boarding and inspection with other members. The U.S. delegation also positively influenced Commission deliberations regarding jack mackerel allocations, a conservation and management measure for squid, provisions in the bottom fishing measure related to preventing significant adverse impacts on vulnerable marine ecosystems, and a consensus budget that funds U.S. objectives.