

*Draft WCPFC16 Summary Report for review and comments
Draft as at 18 February 2020*



**The Commission for the Conservation and Management of
Highly Migratory Fish Stocks in the Western and Central Pacific Ocean**

**Sixteenth Regular Session of the Commission
Port Moresby, Papua New Guinea
5–11 December 2019**

DRAFT SUMMARY REPORT

DRAFT SUMMARY REPORT_as at 18 February 2020

Could you please review the text and provide your comments to the Secretariat as soon as possible and no later than **Tuesday 17th March 2020** for incorporation in the final record. CCM and Observers are reminded that the text for the recommendations placed in the decision boxes are based on the provisional outcomes document (**WCPFC16-2019-outcomes-final** dated 18 December 2019). In keeping with past practice we ask participants to comment on their own text and not that of others.

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SUMMARY REPORT

AGENDA ITEM 1 — OPENING OF MEETING

1. The sixteenth Regular Session of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC16) took place from 5–11 December 2019 in Port Moresby, Papua New Guinea (PNG).
2. The following Members and Participating Territories attended WCPFC16: American Samoa, Australia, Canada, the People’s Republic of China, the Cook Islands, the European Union (EU), the Federated States of Micronesia (FSM), Fiji, France, French Polynesia, Indonesia, Japan, Kiribati, the Republic of Korea, the Republic of the Marshall Islands (RMI), Nauru, New Caledonia, New Zealand, Niue, Palau, Papua New Guinea (PNG), the Philippines, Samoa, the Solomon Islands, Chinese Taipei, Tokelau, Tonga, Tuvalu, the United States of America (USA) and Vanuatu.
3. The following non-party countries attended WCPFC16 as Cooperating Non-Members (CNMs): Ecuador, El Salvador, Liberia, Nicaragua, Panama, Thailand and Vietnam.
4. The following non-Party State observers attended WCPFC16: Curaçao.
5. Observers from the following intergovernmental organizations attended WCPFC16: African, Caribbean and Pacific Group of States; Agreement for the Conservation of Albatross and Petrels (ACAP); Food and Agriculture Organisation of the United Nations (FAO), North Pacific Fisheries Commission (NPFC); Pacific Islands Forum Fisheries Agency (FFA); Pacific Islands Forum Secretariat (PIFS); Parties to the Nauru Agreement (PNA); Secretariat of the Pacific Community (SPC) and The World Bank.
6. Observers from the following non-governmental organizations (NGOs) attended WCPFC16: American Tunaboat Association, Australian National Centre for Ocean Resources and Security (ANCORS), Conservation International, International Environmental Law Project (IELP), International Pole and Line Foundation (IPNLF), Marine Stewardship Council, Pew Charitable Trust, Seafood Legacy,

The Ocean Foundation (TOF), World Tuna Purse Seine Organisation (WTPO) and World Wide Fund for Nature (WWF).

7. A full list of all participants is provided in **Attachment A**.

8. The Reverend Tony Dalaka offered a prayer.

9. The WCPFC Executive Director, Feleti P Teo, OBE in his welcoming remarks welcomed participants to the opening ceremony of WCPFC16. He extended, on behalf of the WCPFC and all delegates, appreciation and gratitude for the attendance at the meeting of the Honourable James Marape, Prime Minister of the Independent State of Papua New Guinea and looked forward to the prime Minister's address and insights. The Executive Director thanked the government and people of PNG for the warmth of their welcome and for hosting WCPFC16, and acknowledged with gratitude PNG's Minister for Fisheries, the Hon. Dr. Lino Tom and his officials and staff for the excellent meeting arrangements. He also acknowledged the presence of other ministers of fisheries from member states of the Commission, particularly Pacific Island developing states, and noted that their continued attendance was sending a powerful message regarding the serious concern of Pacific Island states regarding the health and sustainability of tuna and other highly migratory fish stocks in the western and central Pacific Ocean (WCPO). He further noted that the Pacific has the world's richest tuna resources and production, contributing over half of global tuna catch in 2018. He also highlighted that all the key commercial tuna stocks in the WCPF Convention Area are assessed as being managed and maintained above agreed sustainable levels, an accomplishment not matched in any other region. He cautioned, however, that there was a temptation to be complacent and less vigilant with regard to conservation efforts, and reminded CCMs that the WCPFC is first and foremost a conservation organisation, which must have as its central focus the biological sustainability of the fish stocks, with all other considerations and interests — whether financial, economic or commercial — remaining subservient to that central focus. The Executive Director's full remarks are attached as **Attachment B**.

10. The Commission Chair, Ms. Jung-re Riley Kim, welcomed the Prime Minister of PNG, as well as honourable ministers, delegates, representatives, and attendees to WCPFC16. She expressed her gratitude to the government of PNG, remarking on the professionalism and efficiency which the government of PNG had demonstrated as host of the WCPFC. She also remarked in particular the significance of the attendance by the Prime Minister of PNG at the opening of WCPFC16. She stated her immense pleasure and honour to lead the discussions that would contribute to shaping the future of resource conservation and management in the WCPO. The Chair noted that critical issues facing WCPFC16 included making further progress on harvest strategies; improving the Compliance Monitoring Scheme (CMS), which is set to expire in 2019; discussing and producing a workplan to develop high seas purse seine catch or effort limits and longline bigeye limits and relevant allocations as set out in the WCPFC's tropical tuna measure; and discussing ways to ensure effective conservation and management of South Pacific albacore. She drew particular attention to the harvest strategy, which is a core objective of the Commission, and stated that WCPFC15 agreed on a 6-day annual meeting for WCPFC16 to enable the Commission to move forward with discussions and development of a harvest strategy in accordance with Conservation and Management Measure (CMM) 2014-06, and noted her expectation that WCPFC16 would make meaningful progress in that regard. She highlighted the significant contribution by SPC-OFP in providing science and data inputs into this work, and their innovative efforts and initiatives for engaging with and building the capacity of CCMs with respect to harvest strategies. She also noted the importance of giving consideration to the special requirements of small island developing states (SIDS) and appreciated the efforts by all CCMs to uphold this important principle. The Chair offered special thanks to the Executive Director and his team for their support in preparation for WCPFC16; and thanked the Commission Vice Chair, and chairs and vice chairs of the subsidiary bodies of the Commission for their hard work and leadership. She also offered congratulations to FFA members on their 40th anniversary. The Chair closed by expressing thanks

and acknowledgement to the former WCPFC Chair Ms. Rhea Moss-Christian, who she said led the Commission with dedication, focus and stewardship; the Chair emphasized her intention to carry on that legacy. The WCPFC Chair's full remarks are attached as **Attachment C**.

11. The Honourable James Marape, MP, Prime Minister of the Independent State of Papua New Guinea, gave the keynote opening address. On behalf of his government and the people of PNG he extended a very warm welcome to his country, which he noted is a land of many cultures, tradition and languages, with over 8 million people, 800 languages and 1000 tribes. He observed that PNG was not new to United Nations (UN) processes, recalling that PNG hosted a PrepCom conference in Madang preceding the first WCPFC conference. He recalled the importance of UN Sustainable Development Goal (SDG) 14 and the declaration by Pacific Island Forum Leaders of a Blue Pacific, in recognition of the region's shared stewardship of the Pacific. He observed that the WCPO contains the world's most productive tuna fisheries, which are unique in that they occur mostly under national jurisdiction, largely within the exclusive economic zones (EEZs) of Pacific SIDS, where about half of the global supply of skipjack is caught. He highlighted that there are issues and challenges affecting the sustainability of tuna and other highly migratory stocks in the WCPO, noting in particular illegal, unreported and unregulated (IUU) fishing, with its far-reaching consequences for long-term sustainable fisheries management. Among the other pressing issues facing WCPFC16 he mentioned the need to develop harvest strategies for key commercial tuna species; controlling high seas fishing effort and transshipment; the special requirements for SIDS; and an effective CMS. However, he observed WCPFC's actions have helped ensure that all major tuna stocks in the WCPFC Convention Area are currently at sustainable levels, which is not the case in any other regional fisheries management organization (RFMO). He stated the need for all CCMs to work together in true partnership to ensure WCPFC's fish stocks remain healthy, noting PNG's commitment in that endeavour, and his government's vision to encourage growth through onshore and downstream processing in the fisheries sector in the region, providing jobs, livelihoods, foreign exchange and food security, with the goal of seeing the region recognized in the global market as the home of sustainable fishing and catch. He also called upon WCPFC to address climate change and its impact on the low-lying islands of the Pacific, its waters, and fish stocks; the growing impacts of pollution from plastics and marine debris; harmful fisheries subsidies that impacting fragile Pacific economies; and social accountability standards for those employed by fisheries. He stated that such issues are real for Pacific peoples, and they must be properly managed. He expressed confidence that WCPFC's deliberations would strengthen existing measures and reach consensus on adoption of new CMMs, noting the reality that the Pacific islands could not move on to new regions if they soiled their resources. He wished participants success in their deliberations and declared the 16th Annual Regular Session of the WCPFC open. The Prime Minister's full remarks are attached as **Attachment D**.

1.1 Adoption of Agenda

12. The Chair presented the revised Provisional Agenda (**WCPFC16-2019-01**) for consideration and adoption of the Commission. She noted the addition of agenda Item 13.2A, as discussed at the Heads of Delegation meeting.

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| 13. The Agenda was adopted (Attachment E*). |
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1.2 Statements from Members and Participating Territories

14. The Hon. Semi Koroilavesau, Minister for Fisheries of Fiji, acknowledged the Prime Minister of PNG for his address, and gave tribute to the traditional owners of Papua New Guinea for their hospitality. He stressed that the shared ocean and its resources formed an identity that had sustained Pacific Islanders

for generations, and that Fiji and its Pacific Island neighbours were thus passionate about voicing their concerns during WCPFC meetings. He reviewed several items of concern to Fiji:

- i. Finalising the preferred South Pacific albacore target reference point (TRP), with a focus on an overall hard limit split between the high seas and EEZs, and implementing overall hard limits that recognise zone-based management, EEZ limits, data collection and reporting requirements until a harvest strategy is agreed upon;
- ii. Developing control measures on effort in the high seas through limits and an allocation framework for purse seine and longline fisheries;
- iii. Improving current coverage and more effectively implementing broader monitoring, control and surveillance (MCS) priorities;
- iv. Recognising the adverse impacts of climate change in the WCPO, and collectively taking stronger action on climate change in the form of better science, robust measures that help mitigate impacts of climate change, and a general reduction of the WCPFC's carbon footprint; and
- v. Recognising the limitations of SIDS and what needs to be undertaken to ensure that CMMs are not burdensome and are passed through consensus.

15. The Hon. Dennis P. Momotaro, Minister of Natural Resources and Commerce, and Chairman of the Marshall Islands Marine Resources Authority, expressed gratitude for the excellent hosting of the meetings, and for the Prime Minister's address. He also congratulated the WCPFC Chair for her new role, and acknowledged the prior Chair, Ms. Rhea Moss-Christian. He addressed three key issues, in addition to supporting the comments raised by Fiji:

- i. the ongoing challenges of IUU fishing, and work toward achieving an IUU-free Pacific by 2023;
- ii. the immediate need to address marine pollution through effective implementation of CMM 2017-04; and
- iii. the response to the impacts of climate change, as expressed in WCPFC16-2019-DP04.

16. The Hon. Esa Sharon-Mona AINU'u (Niue) wished the Chair all the best in her leadership; acknowledged the Vice Chair of WCPFC, Dr Josie Tamate, from Niue; and expressed appreciation and thanks to Ms. Rhea Moss Christian for her dedication and hard work during her term as Chair of WCPFC. She thanked the host government of PNG for the warm hospitality accorded to her delegation and stated that her presence was an indication of Niue's continual commitment to the management and sustainable development of its vital fisheries. She stressed the responsibility CCMs have to ensure the tuna resources in the WCPO are managed sustainably. She noted three particular concerns Niue would focus on at WCPFC16:

- i. Climate change, which she stated was an existential threat to the region, and directly threatens Pacific livelihoods, security and wellbeing. She stated that action on climate change needs to be a primary concern in all areas and called on WCPFC to adopt the FFA resolution that would be introduced;
- ii. The need to agree and implement a process and workplan to establish limits and allocations for high seas purse seine and longline fisheries that specifically recognizes the special circumstances of SIDS, and the rights of SIDS to develop fisheries in the high seas; and
- iii. The South Pacific albacore roadmap, as albacore is the key species of interest for Niue's EEZ.

She stated that she looked forward to cooperating with Niue's regional partners to strengthen management of the high seas in order to cater for future generations.

17. The Hon. Lino Tom, Minister for Fisheries and Marine Resources, PNG, welcomed all delegations to PNG, congratulated the Chair of WCPFC, and looked forward to working with her as chair.

He noted that measures adopted by the Commission had resulted in demonstrated sustainable management of tuna and other highly migratory fish stocks in the WCPO, and that the Commission's legacy was achieving cooperation between the competing interests of its various members. He mentioned some significant issues on the agenda, including high seas allocation, the harvest strategy, CMS, and climate change. He stated that the outcomes of the discussions should continue to strengthen and enhance existing management regimes, in particular CMMs adopted for the high seas. He referenced the need to ensure that measures adopted did not have a disproportionate impact on SIDS and the need to adopt a skipjack TRP and noted with concern the approach being taken by the Commission regarding harvest strategies. He stressed the importance of addressing climate change, and of ensuring the need to comply with and be vigilant in maintaining the integrity of the Commission's CMMs.

18. The Hon. Tetabo Nakara, Minister of Fisheries and Marine Resources Development, Kiribati, offered warm gratitude to the government and people of PNG for hosting WCPFC16, and thanked the Secretariat and NFA for their support for WCPFC16. He acknowledged Commission members in recognizing Kiribati's unfortunate situation with three non-contiguous EEZs across vast areas of high seas, and the accommodations made to Kiribati in recognition of this. He noted the dependence of Kiribati on the region's shared tuna stocks and noted the need to honour and respect each other's interest and sovereignty, in a spirit of good faith and cooperation. He noted that the success of the WCPFC's CMMs was encouraging, while calling for more work on the science and economics of the fisheries to enable informed and active participation in decision-making. He also asked that developed CCMs recognise the Third Implementing Arrangement of the Parties to the Nauru Agreement, which he stated was embedded in the CMM for tropical tunas, and thus form part of the institutional structure of tuna management in the WCPO.

19. The Hon. Minute Alapati Taupo, Deputy Prime Minister and Minister for Fisheries and Trade of Tuvalu, thanked the government and people of PNG for the excellent hospitality and courtesy accorded to their delegation, and congratulated the Chair, while assuring her that his delegation would support and work with her in her tenure as chair of WCPFC. He also conveyed thanks and congratulations to the outgoing Chair, Ms Rhea Moss Christian. On behalf of the government of Tuvalu he noted the following priorities.

- i. Climate change, which he described as threatening the very survival of Tuvalu. Tuvalu strongly supported the views expressed by FFA member countries in **WCPFC16-2019-DP04**, and urged WCPFC members to work towards effective and equitable solutions to address climate change impacts on the management of fisheries resources in this region;
- ii. The review of the TRP for skipjack, which accounts for about 90% of the commercial tuna catches in Tuvalu's waters. He noted Tuvalu favours a TRP that will maintain stocks and effort at or near 2012 levels. He also addressed the need to reach agreement on TRPs for yellowfin and bigeye, while suggesting a better understanding of the practical and economic impacts on Tuvalu's multi-species fisheries was needed for setting TRPs for these tunas, observing that experience with the skipjack TRP also showed the need for caution;
- iii. The process for setting limits for high seas purse seine and longline fisheries, while not re-opening the effective systems that PNA members have in place to manage the fisheries in their EEZs; and
- iv. Concerns regarding the definition FADs. He noted that although Tuvalu would benefit from relaxing the FAD definition as proposed by two CCMs, it opposed it at WCPFC15 because of concerns over the impact on bigeye tuna stocks. Tuvalu also stated concern that the new exemption for "small items of garbage", which was trialled in 2019, caused confusion for Tuvaluan observers. While always willing to consider measures to improve FAD management, Tuvalu was not inclined to agree to simply extend the arrangement.

He looked forward to further discussion on the issues before the Commission and stated his hope that CCMs could reach consensus. He closed by expressing sincere sympathies and condolences to the countries affected by the recent outbreak of measles which caused sad and unexpected casualties.

20. Mr. Eugene Pangelinan, Executive Director of FSM's National Oceanic Resource Management Authority, and Chair of the Forum Fisheries Committee (FFC), spoke on behalf of the 17 members of FFA. He congratulated the Commission Chair, stating that she had the full support of the FFA membership, and again thanked the outgoing Chair, Ms. Rhea Moss-Christian for her past leadership. He thanked the PNG government for hosting the meeting and NFA for the excellent arrangements. He stated that at their 2019 annual meeting Pacific Island Forum Leaders highlighted that climate change is the single greatest threat to the livelihoods, security and wellbeing of the people of the Pacific, and reaffirmed their commitment to progress the implementation of the Paris Agreement. He stated that it is an unprecedented global challenge — the impacts of climate change are particularly severe in Pacific Island countries, where for many the threat posed by climate change is existential. He stated that climate change places the benefits to Pacific SIDS from the region's tuna fisheries at great risk; for many countries, tuna fisheries are their most critical renewable resource, one that provides essential social, cultural and economic benefits, and tuna stocks are increasingly important for food security in the region and essential for the achievement of all SDGs by Pacific Island countries. He stated that as outlined in **WCPFC16-2019-DP04**, FFA members called on WCPFC to take stronger action on climate change, and that FFA members' broader priorities for WCPFC16 were outlined in **WCPFC16-2019-DP01** and other delegation papers. He closed by highlighting several other issues of concern to FFA members:

- i. The lack of thought in the CMM 2013-06 assessments on the impacts of new proposals on SIDS, noting the need for better advance consultation between proponents of measures and SIDS CCMs;
- ii. The status of certain stocks, with North Pacific striped marlin being the most critical, noting that management of these stocks must be a priority; and
- iii. The need to resolve some longstanding issues, including the consolidated shark CMM.

21. France stated that their primary concern at WCPFC16 was the fight against IUU fishing, which requires continued improvement. It referred to enforcement actions taken by French authorities, stating that France will maintain the highest level of inspections possible near New Caledonia, French Polynesia, and Wallis and Futuna. France looked forward to efforts to increase Port State control and strengthen CMM 2017-02 (*Conservation and Management Measure on Minimum Standards for Port State Measures*). As of 1 January 2020, France stated it will apply the International Maritime Organization (IMO) Port State measures in Papeete. France stated it would support adoption of a CMM ensuring transshipment is conducted in port instead of at sea, and supported cooperation with other tuna (t)-RFMOs, especially with regard to inspections at sea and in port.

22. Mr. Va'amua Henry Sesepasara, Director of the Department of Marine and Wildlife Resources in American Samoa stated that, like Fiji, American Samoa identifies very closely with tuna — its culture and economy are tuna dependent, and American Samoa therefore supports the effective management of the tuna resources under the stewardship of the Commission. He looked forward to discussing all of the potentially contentious management issues such as high seas allocations, TRPs and harvest strategies, reflecting that, thanks to the good work of the Commission, tropical tunas in the WCPO are in good condition, but observed that the same cannot be said for tuna-dependent economies. He stated that there was simply too much tuna being caught, and the oversupply of purse seine-caught tuna had reduced the value of tuna for canning, noting that the current tuna fishery was simply not economically sustainable for any CCM. Therefore, like the albacore fishery, American Samoa believed economic considerations should be included when developing management measures for the purse seine tuna fishery.

1.3 Meeting Arrangements

23. The Commission reviewed the meeting arrangements, the indicative meeting schedule, and confirmed decisions made at the Heads of Delegation meeting held on 4 December.

1.3.1 Establishment of small working groups

24. The Commission agreed to progress work on specific issues through the following small working groups: (i) CNM SWG, led by Nauru; (ii) SWG to finalise the CMR, led by the TCC Chair (RMI); (iii) , SWG to consider the E-Monitoring Concept Paper, led by ERandEM WG Chair (Australia); (iv) Review of Transshipment CMM IWG terms of reference, led by IWG Cho-Chairs (RMI and USA); (v) Draft CMM for Sharks, led by the Shark IWG Chair (Japan); (vi) Considering enhancements to the CMM on CMS in accordance with the future work in Section IX of CMM 2018-07, led by the TCC Vice Chair (Canada); (vii) SWG on the list of obligations to be assessed by the CMS in 2020, led by the WCPFC Vice-Chair (Niue); (viii) Harvest Strategy Workplan SWG, led by Australia; and (ix) SWG to develop a terms of reference for a workshop on high seas purse seine effort limits and bigeye longline limit allocation, led by Papua New Guinea.

AGENDA ITEM 2 — ANNUAL REPORT OF THE EXECUTIVE DIRECTOR

25. The Executive Director introduced **WCPFC16-2019-04: 2019 Annual Report of the Executive Director**, which is a requirement under Rule 13 of the Commission's Rules of Procedure. He indicated that if the Corporate Plan was approved, future annual reports would address the requirements of that plan. He stated that WCPFC15 key outcomes included approval for the continuation of the tropical tuna CMM, a TRP for South Pacific Albacore, and bycatch CMMs (for seabirds, turtles, etc). He observed that the lack of agreement regarding a science-management dialogue resulted in a 6-day meeting for WCPFC16. The Executive Director reviewed the work of SC15, which was undertaken under four thematic areas, and thanked the theme conveners for their efforts on behalf of the Commission. He reminded CCMs that the WCPO catch totals 81% of the Pacific Ocean catch, and 51% of the global catch. The services of the SPC-OPF supports the work of the SC, and he noted that the outcomes of their assessments would be addressed at WCPFC16. He reviewed the work of the NC during 2019, noting the joint activities undertaken with IATTC. He also reviewed the work by TCC15, which adopted a provisional CMR, while work on streamlining reporting requirements and development of audit points would continue into 2020. Terms of Reference (TORs) were adopted for the work of the transshipment review IWG, while the working groups addressing the flow of observer reports and electronic reporting and electronic monitoring were able to meet in the margins of TCC15. Institutional issues raised by the Executive Director included strategic planning; a summary of staffing matters; and financial and administrative arrangements, in particular, he highlighted the healthy financial status of the Commission as expressed in the unqualified auditor's report. The Executive Director noted WCPFC's trust funds and thanked the CCMs responsible for funding these (a list of voluntary contributions is provided in para 37 of his report). The Executive Director also noted the tremendous contributions made by SPC (scientific services provider), FFA (as Vessel Monitoring System [VMS] services provider), and ISC (scientific services provider to NC). The Executive Director also highlighted the relations of WCPFC with other organisations (including the UN and FAO, tuna and non-tuna RFMOs, and other Pacific regional organisations) and touched on the ABNJ Common Oceans and WPEA projects. Among key future activities, he highlighted the harvest strategy development work, and work on the new tropical tuna CMM.

26. FSM, on behalf of FFA members, thanked the Executive Director for the report, and noted that the Secretariat had tabled a draft Corporate Plan for consideration at WCPFC16, which they considered good progress, and looked forward to commenting on it later in the meeting. FFA members thanked the Commission for allocating an extra day at WCPFC16 to allow discussions on harvest strategies and noted

with concern that Southwest Pacific striped marlin is likely overfished and that North Pacific striped marlin is overfished and subject to overfishing. FFA members encouraged all CCMs to take the required collective action to start rebuilding these stocks. FFA members also thanked the Secretariat staff that have moved on and welcomed new staff, noting that good staff are critical to supporting the work of the Commission.

27. The Commission accepted the 2019 Annual Report of the Executive Director (**WCPFC16-2019-04**).

AGENDA ITEM 3 — MEMBERSHIP AND OTHER APPLICATIONS

3.1 Status of the Convention

28. New Zealand, as the Depositary of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, presented **WCPFC16-2019-05: Status of the Convention**. It advised that since its last report in December 2018, New Zealand had not received notification of any instruments of ratification or accession to the Convention.

29. The Commission noted the report on the Status of the Convention (**WCPFC16-2019-05**).

3.2 Update on Observer Status

30. The Executive Director referred the meeting to **WCPFC16-2019-06: List of Observers** that provided the full list of observer delegations. The Executive Director noted that Curaçao sought CNM status for 2020, and observer status for WCPFC16, explaining Curaçao needed to be formerly invited as a non-party state observer to attend WCPFC16. The Executive Director also explained that Rule 36 of the Rules of Procedure (regarding Observers) was adopted in 2018, but that issues with implementation of paragraph 1(e) were raised at the Heads of Delegation meeting.

31. The Commission accepted Curaçao as a Non-Party State Observer.

32. The Commission agreed to exclude Inter-governmental Organisations from the application of Rule 36 (5) of the Commission Rules of Procedure and agreed to amend Rule 36(5) to omit the cross-reference to subparagraph 36 (1 e).

33. The Commission confirmed that the Secretariat should use 2017, 2018 and 2019 as the base years for the initial application for Rule 36 (5) of the Commission Rules of Procedure.

34. The Commission noted the updated list of observers to the Commission (**WCPFC16-2019-06**).

3.3 Applications for Cooperating Non-Member (CNM) status

35. The Commission considered applications for CNM status for 2020 in accordance with CMM 2009-11, including recommendations from the TCC15. As outlined in **WCPFC16-2019-07: Cooperating Non-Member Requests for 2020**, eight applications for CNM status were received in 2019 from Curaçao, Ecuador, El Salvador, Liberia, Nicaragua, Panama, Thailand and Vietnam.

36. Kiribati, on behalf of FFA members, stated that it is a privilege to fish and engage in related activities within the WCPO, and that renewal of CNM status was conditional upon full compliance with the national laws and regulations of any licensing CCM, and all WCPFC CMMs, and provisions of the WCPF Convention. FFA members stated that the Commission should consider the question of whether a failure to comply with established requirements should be rewarded with renewal of CNM status. They noted the difficulty in determining appropriate action when a CNM has been found non-compliant until “Actions in response to non-compliance” were progressed as part of the overall CMS. As identified by TCC15, issues of non-attendance (at least for the TCC and Commission meetings), late financial contributions, and compliance and data gaps were to be addressed at WCPFC16. FFA members sought guidance from the Secretariat on issues and information gaps identified at TCC15 and to be reported to the Commission before a decision to grant CNM status to an applicant is made. They noted that CNM applicants should at the least participate in the meetings of the Commission and the TCC and must be available to respond to any questions relating to their application, stating that the Commission and TCC could not receive information from a person who does not represent the CNM applicant, and that the Commission must remind CNMs that there is an expectation that CNMs participate actively to respond to queries and rectify issues in a timely manner. FFA members thanked all CNMs for payment of financial contributions. On the issue of late payment of financial contributions, TCC15 recommended that the Commission apply the same expectations regarding payment deadlines and outstanding payments that are applied to full members of the Commission.

37. Solomon Islands, on behalf of FFA members, noted that certain CNM applicants were identified as non-compliant or priority non-compliant with respect to a number of CMMs during the CMS process in 2019. Where a compliance issue is priority non-compliant, CNMs are required to provide an explanation as to how these repeated instances of non-compliance will be addressed and not repeated each year so that this can be critically assessed by the Commission in determining whether or not to grant CNM status to each applicant. The issue of non-compliance must be addressed before a decision is taken. With regards to Curaçao, FFA members requested they provide information on their compliance record in other RFMOs.

38. The Compliance Manager noted that para. 10 of **WCPFC16-2019-07** contained the additional information received by the Secretariat.

39. The representative of Curaçao thanked the Commission for granting it non-party observer status for WCPFC16. Curaçao related that it is a member of ICCAT and has been a full member since 2014. Curaçao attended ICCAT’s last meeting, when only one item was notified (no information received regarding fishing in the EEZ of Curaçao). Curaçao indicated that no information had been received because no fishing licenses had been issued for Curaçao’s EEZ, and thus no data was provided. Curaçao stated it has been a member of SPRFMO for 2 years but was not fishing in that area. Regarding the Northeast Atlantic Fisheries Commission (of which Curaçao is a cooperating non-contracting party), Curaçao stated there were no compliance issues.

40. Tuvalu, on behalf of FFA members, noted that considerations in the grant of participatory rights to a CNM are captured in paragraph 12 of the CNM CMM. Rights may also be reviewed in accordance with the measure. They noted that where a CNM has failed to comply with any of the CMMs, it “shall be deemed to have undermined the effectiveness of the conservation and management measures adopted by the Commission” (para. 15 CMM 2009-11).

41. FSM sought clarification regarding the interest of Curaçao in the WCPFC area, noting that while there appears to be a focus on providing supporting services to fishing vessels, Curaçao also has fishing vessels. Curaçao stated that they do have purse seine vessels and trawlers operating in other areas and have six carrier vessels and two supply vessels flagged. Curaçao stated it has no intention of becoming engaged in fishing activities in the WCPF Convention Area and is only interested in conducting

transshipment in ports within the Convention Area. Curaçao would seek to comply with all CMMs and CMS (e.g., with VMS) to align with the WCPFC Convention.

42. The EU stated that they had fishing relations with some countries that were applying for CNM status and noted that some had been listed as non-cooperating with respect to IUU fishing, but that the situation was improving. The EU stated that despite some problems with compliance, it would agree to accord CNM status, but that this was the last time it would do so, stating that countries without full compliance status should not continue to be CNMs in the future.

43. The Commission agreed to accept the applications for CNM status in 2020 submitted by Curaçao, Ecuador, El Salvador, Liberia, Nicaragua, Panama, Thailand, and Vietnam.

44. The Chair noted that Ecuador was registered but not present at WCPFC16. Palau inquired why the Commission should entertain CNM applications if parties were not present. The Chair stated they would provide an update on Ecuador's attendance at WCPFC16 and sought input from CCMs regarding the granting or renewal of CNM status to CNMs who were not present. The United States noted that CNM status had been granted by the Commission for 2020 through the preceding discussion, noting it was important to look at the rules for CNM applications. The United States suggested it might be possible to change the rules for consideration of future applications. RMI stated that it was hard to assess applications if representatives were not present, and that it was not inclined to support applications when representatives were absent. Japan agreed that more time should be taken to consider changing the CNM CMM. It agreed with the USA's position, while observing that other RFMOs are not inclined to give CNM status if a representative is not present. Japan suggested one approach would be to give existing CNMs a warning but in the case of new applicant warnings would not be needed.

45. Nauru stated that, as the chair of the CNM SWG, and in light of the preceding discussion, the SWG would not consider El Salvador's non-attendance, and would only take up the matter of participatory rights for the approved CNMs.

46. China requested that, to assist the SWG in its work, the Secretariat provide a reference paper regarding participatory rights that have been granted in the past.

47. The SWG considering the CNM participatory rights made the following recommendations and observations:

- i. The SWG noted with appreciation the attendance and participation of Curaçao, Ecuador, Liberia, Nicaragua, Panama, Thailand, and Vietnam.
- ii. The SWG was made aware that El Salvador would be arriving the following day. The SWG delayed consideration of El Salvador's participatory rights until they arrived.
- iii. The SWG agreed to recommend that the participatory rights of Ecuador, El Salvador, Liberia, Nicaragua, Panama, Thailand, and Vietnam remain the same in 2020 as they were in 2019.
- iv. Curaçao clarified for the SWG that they would only be seeking participation for carrier and bunker vessels in the WCPO. The SWG agreed to recommend that the participatory rights of Curaçao would be limited to the provision of carrier and bunker vessels.

48. China inquired regarding supply vessels, noting that in other RFMOs this covered vessels deploying FADs to help purse seine vessels, and asked if that was the Curaçao's intent. It asked for specific details regarding the vessels, and their number. The representative from Curaçao stated that it did not foresee deploying any supply vessels in the Convention area, and that it was comfortable with eliminating the reference if desired by the Commission. Curaçao stated that it has 6 carrier vessels.

49. The Chair inquired of Liberia if any FAD deployment was planned, and the representative of Liberia stated that it was engaged only in transshipment activities.

50. The Chair addressed the issue that had been raised by CCMs regarding non-attendance of CNMs at relevant meetings and the annual meeting. The Chair and Secretariat proposed changes to CMM 2009-11, in the form of a new para. 3(b) and an amendment to para 6.

51. The Commission agreed to amend paragraph 3 and paragraph 6 of CMM 2009-11 to include consideration of the attendance by an applicant for CNM status at the TCC and Commission meetings where its application is considered, subject to the applicant being able to attend the meeting as an observer (**Conservation and Management Measure 2019-01, Attachment F***).

52. The Commission approved the applications for CNM status for 2020 from Curaçao, Ecuador, El Salvador, Liberia, Nicaragua, Panama, Thailand and Vietnam.

53. Ecuador thanked the Commission for again approving Ecuador's application as a CNM, a status it has been granted for more than 10 years. Ecuador stated that, along with other CNMs, it had been waiting for a long time for a legal, clear, fair and transparent procedure to become full WCPFC members. It recalled the discussion paper (**WCPFC14-2017-DP18**) presented by the United States to WCPFC14, which it stated could have represented a good start point for dealing with the issue, but that the Commission expressed very little interest in changing the situation. The CNM application template was changed in 2015, asking applicant countries whether they had interest in becoming a full member. Ecuador stated it wondered why the change was made, if the information was not being used. Ecuador observed that it and most WCPFC members are members of the United Nations Convention on the Law of the Sea (UNCLOS) and the United Nations Fish Stocks Agreement (UNFSA), which are pillars of the legal international framework for oceans and fisheries, and state that RFMOs shall not discriminate against any state or groups of states having a real interest in the fisheries concerned. Ecuador stated that attending annual Commission meetings year after year, asking WCPFC to address the issue, and not being listened to, undoubtedly constituted discrimination, and was a violation of UNCLOS and UNFSA. It noted this was quite different than what had happened following adoption of the new IATTC Convention (The Antigua Convention) in 2003, where several non-EPO coastal states (e.g., China, Belize and Kiribati) became IATTC members without any barriers. Ecuador again encouraged the Commission to set up a transparent framework and conditions to allow CNM countries to become full members, and specifically asked the Commission to accept Ecuador as a full member.

54. The EU supported Ecuador's statement, noting that the Commission was failing to fully respect UNCLOS with respect to countries who have an interest in membership, and stated that this could result in problems in the future.

55. Nauru, on behalf of the PNA stated that they did not support the expansion of the Commission to include new members. PNA members joined the Commission with the understanding that the WCPFC is a closed Commission, which they stated is reflected in the Convention, where the Commission has a different and less open process for considering new members compared to some other commissions. The WCPF Convention provides that new members can only join by invitation, and that invitation has to be decided by consensus. Nauru stated that the process reflected the nature of the Commission, where over 85% of the catch was made in the waters of developing countries, especially SIDS, which are highly dependent on those resources. PNA members believe it is misleading to invite applicants for CNM status to indicate whether they are interested in becoming a member of the Commission.

56. The United States stated that this was not a new issue which had been previously debated at length. The United States confirmed it had tried previously to provide information to support a process to consider under what conditions a decision would be made. It stated it shared some of the concerns raised by the EU, stressing that Commission discussions should at least be consistent with the UNFSA, and looked forward to developing a way forward. The United States noted its concern was with process, and the need to at least have a process that enabled respectful discussion of expressions of interest. The United States stressed it was not in a position to say that the Commission should be expanded, but that there should at least be a process in place to have that discussion.

57. Palau stated that PNA members considered that the CNM process provided adequate opportunities for participation by countries that had not been engaged in the process of drawing up the Convention.

3.3.1 Participatory rights of CNMs

58. The Commission agreed to the following limits to be applied to the participatory rights of CNMs (Convention / CMM 2009-11):

- a. In accordance with the WCPF Convention and WCPFC conservation and management measures and resolutions, the following participatory rights apply to Cooperating Non- Members (CNMs) for fisheries in the high seas within the WCPFC Convention Area;
- b. In addition, unless otherwise specified below, CNMs may fish in waters under their national jurisdiction or other CCMs' national jurisdiction, in accordance with appropriate bilateral arrangements;
- c. CNMs shall ensure vessels flying their flags comply with all provisions of the WCPF Convention and the WCPFC conservation and management measures. In addition, CNM vessels will be placed on the WCPFC Record of Fishing Vessels (WCPFC RFV);
- d. CCMs shall ensure that CNM fishing activities that are conducted in waters under their national jurisdiction in accordance with bilateral arrangements are consistent with all relevant conservation and management measures and provisions of the WCPF Convention; and
- e. Renewal of CNM status by the Commission will take into account compliance with the national laws and regulations of any licensing CCM, and all conservation and management measures and provisions of the WCPFC Convention. CCMs shall identify any violations by vessels flagged to a CNM and report on any investigations of such violations to the Secretariat for attention by TCC.

Participatory rights of each CNM in 2020

59. **Curaçao:** The participatory rights of Curaçao are limited to carrier vessels to engage in transshipment activities in the Convention area.

60. **Ecuador:** The participatory rights of Ecuador for fishing in the WCPO are limited to purse seine fishing, with no participatory rights for fishing on the high seas for highly migratory fish stocks in the Convention Area. Any introduction of purse seine fishing capacity is to be in accordance with paragraph 12 of CMM 2019-01 and CMM 2018-01 or its replacement measure.

61. **El Salvador:** The participatory rights of El Salvador for fishing in the WCPO are limited to purse seine fishing only. The total level of effort by purse seine vessels of El Salvador on the high seas shall not exceed 29 days in the Convention Area. Any introduction of purse seine fishing capacity is to

be in accordance with paragraph 12 of CMM 2019-01 and CMM 2018-01 or its replacement measure

62. **Liberia:** The participatory rights of Liberia are limited to carrier vessels to engage in transshipment activities in the Convention area.

63. **Nicaragua:** The participatory rights of Nicaragua are limited to purse seine fishing for one vessel, with no participatory rights for fishing on the high seas for highly migratory fish stocks in the Convention Area. Any introduction of fishing capacity is to be in accordance with paragraph 12 of CMM 2019-01 and CMM 2018-01 or its replacement measure.

64. **Panama:** The participatory rights of Panama in the WCPO are limited to the provision of carrier and bunker vessels. Panama's participatory rights also apply to vessels that supply food, water and spare parts to carrier vessels that engage in transshipment activities, provided that these vessels do not engage in activities supporting fishing vessels, including providing and/or servicing FADs.

65. **Thailand:** The participatory rights of Thailand in the WCPO are limited to the provision of carrier and bunker vessels only.

66. **Vietnam:** The participatory rights of Vietnam in the WCPO are limited to the provision of carrier and bunker vessels only.

WCPFC/IATTC Overlap Area

67. In accordance with the decision of WCPFC9 regarding the management of the overlap area of 4°S and between 130°W and 150°W, vessels flagged to Ecuador, El Salvador, Nicaragua and Panama will be governed by the IATTC when fishing in the overlap area.

68. In accordance with the Data Exchange MOU agreed by both Commissions, fishing vessels flying the flag of a member of either the IATTC or WCPFC shall cooperate with the RFMO to which they are not a member by voluntarily providing operational catch and effort data for its fishing activities for highly migratory species in the overlap area.

69. For the purpose of investigation of possible IUU fishing activities and consistent with international and domestic laws, vessels flying the flag of a CNM that is a Contracting Party to the IATTC will cooperate with those coastal State members of the WCPFC whose EEZs occur in the overlap area by voluntarily providing VMS reports (date, time and position) to those coastal States when operating in the overlap area.

AGENDA ITEM 4 — NEW PROPOSALS

DP01

70. FSM as the FFC Chair introduced **WCPFC16-2019-DP01** *FFA key priorities for WCPFC16*. The FFC Chair called attention to CMM 2013-06 on SIDS assessment and the Harvest Strategy Work Plan and the need for more consideration of implications of harvest strategies and associated capacity building needs (addressed under agenda item 6.1). He also noted the skipjack TRP review, with a specific proposal for revising the wording of CMM 2015-06 on the skipjack TRP, which needs to be adjusted to reflect the

revised skipjack stock assessment, observing that the updated analysis indicates that, with the new assessment model, a spawning biomass depletion ratio of 42% is projected to achieve roughly the same fishery outcomes as the 50% TRP was projected to achieve when it was adopted in 2015; therefore FFA proposes the TRP be adjusted from 50% to 42%; and that the text describe the TRP in terms of the conditions of the fishery in 2012 to avoid a similar problem in the future. Other items highlighted by the FFC Chair included yellowfin and bigeye tuna TRPs, timing of the management-science dialogue, the review of the Transshipment CMM, the work of the ERandEM Working Group, SW Pacific swordfish, renewal of CMM 2016-05 (Charter Notification Scheme), and fisheries subsidies.

DP02

71. Palau on behalf of FFA members introduced **WCPFC-2019-DP02** *Proposal for a CMM on Mobulid Rays caught in Association with fisheries in the WCPFC Convention Area*. It stated that the proposal was presented to TCC15 and acknowledged the feedback received from many CCMs. As noted by SC12, Mobulid rays are particularly vulnerable to the impacts of fishing, both as a target and bycatch species. There are insufficient data to properly monitor their status, meaning that a precautionary approach to management is required. For that reason, mobulid rays are already protected under the Convention on Migratory Species, CITES and by both the IATTC and the IOTC. The proposal would provide an equivalent level of protection in WCPFC fisheries. The proposal implements a prohibition on targeting and retaining mobulid rays, requires the prompt release of unintentionally caught rays, and the collection and submission of scientific data, obtained through interactions with these rays, to the Commission for an assessment of mobulid rays by 2023. It also incorporates best practice voluntary handling guidelines for the safe release of mantas and mobulid rays.

72. The EU stated it was fully supportive of the measure and reminded CCMs of its prior offer (at TCC15) to be a co-sponsor of the measure. The EU inquired whether extending the measure to recreational fisheries was appropriate. It was agreed that this proposal would be addressed under Agenda Item 8.4.

DP03

73. Australia, on behalf of FFA members, introduced **WCPFC16-2019-DP03** *Proposal on CMM 2018-07, Section XI: Future Work, para 46(i): development of a process for assessing CCM actions in accordance with para 7(ii)(b) to replace para 27*, which seeks to resolve the issue of conducting compliance assessments against CCMs based on individual vessel-level infringements identified in the WCPFC Secretariat's online compliance case file system (CCFS). Australia stated that for several years the Commission had invested considerable effort to scrutinize CCM's implementation, monitoring, and enforcement of certain obligations based on the activities of single vessels. The result is a compliance status for "Flag State Investigation" and a required accompanying report, "Investigation Status Report" that CCMs must submit yearly to update their internal actions with respect to specific cases involving each flagged vessel. This is counter to the purpose of the CMS (in paragraph 1 of the CMM): "...The purpose of the CMS is also to assess flag CCM action in relation to alleged violations by its vessels, not to assess compliance by individual vessels." Australia stated that while the CCFS is an important tool for all CCMs to track and manage alleged infringements by their vessels and persons, their proposal would change the way in which information coming from the CCFS is used, by making the aggregated report provided by the WCPFC Executive Director pursuant to paragraph 26(ii) of the CMS measure the main report used by TCC in assessing implementation by CCMs of their obligations. That aggregated report provides a broad overview of systemic implementation issues across obligations, by flag CCMs, enabling identification of particular issues that require further attention, with a view to providing CCMs with needed support and assistance. Australia reiterated that resolving the issue at WCPFC16 was the highest CMS priority for FFA members and looked forward to working with other CCMs to reach a suitable outcome. The proposal was further discussed under Agenda Item 10.2.

DP04

74. Tonga, on behalf of FFA members, introduced **WCPFC16-2019-DP04** *Climate Change*. FFA members, proposed action on three fronts:

- i. Increased focus and attention under SC's Ecosystem and Bycatch Theme on the implications of climate change for the region's tuna stocks;

- ii. Active consideration by the Commission of how, through appropriate CMMs, it can:
 - a. mitigate the impacts of climate change on Pacific Island countries arising from the influence of climate change on regional tuna stocks;
 - b. reduce the carbon footprint of fishing in the Convention Area for fish stocks managed by the Commission; and
- iii. Ongoing action by the WCPFC Secretariat and members, as well as other participants to Commission meetings, to reduce their collective carbon footprint, and the carbon footprint associated with WCPFC meetings.

FFA members stated that they looked forward to working with fellow CCMs to respond proactively to the threat of climate change.

75. The EU noted for the record that having the delegation proposals shortly before the meeting made it difficult for CCMs to take a position, referring in particular to the paper on climate change, given the need to have time to consult with stakeholders, and its member states.

76. The proposal was further discussed under Agenda Item 13.2A.

DP05

77. Samoa, on behalf of FFA members, introduced **WCPFC16-2019-DP05** *South Pacific Albacore Roadmap and Harvest Strategy*. They stated that the much needed work to recover the fishery to the TRP as soon as economically possible should begin in earnest, and that zone-based management would be a key component in management of the stock and ensuring that FFA members' sovereign rights were preserved within regionally-compatible limits. FFA members stated that they would reinvigorate the Albacore Roadmap Work Plan to clearly lay out realistic timelines for development of a revised South Pacific albacore CMM, including timely implementation and monitoring. FFA members nominated Fiji to take over the chairing of the Roadmap process and thanked New Zealand for their prior work in that role. The proposal was further discussed under Agenda Item 7.3.1.

DP06

78. Niue, on behalf of FFA members, introduced **WCPFC16-2019-DP06** *Views on high seas limits and allocation in the tropical tuna CMM*, which presents FFA members' views on high seas limits and allocation. Specifically, the paper provides the FFA position on the provisions of CMM 2018-01 that commit to agree on limits and an allocation framework for the purse seine fishery in the high seas and the longline bigeye fishery. The proposals were discussed under Agenda Items 7.2.2.1, 7.2.2.3 and 7.2.2.

DP07

79. New Zealand introduced **WCPFC16-2019-DP07**, *Proposal on guidelines for the safe-handling and release of seabirds*. New Zealand stated that it has the highest global diversity of albatross and petrel species in the world, with several species assessed as being at high or very high risk from commercial fisheries bycatch; accordingly, protection of seabirds is of great importance to New Zealand. Bycatch in pelagic longline fisheries is one of the greatest threats to seabirds, particularly albatrosses and petrels. New Zealand proposed adoption of non-binding guidelines for the handling and safe release of seabirds, which represent best practice advice developed by ACAP. The guidelines were endorsed by SC15, highlighted at TCC15, and supported by FFA members. The issue was further discussed under Agenda Item 8.3.

DP08

80. The EU introduced **WCPFC16-2019-DP08** *Proposal to amend CMM 2010-06 (WCPFC IUU List)*, stating that the proposal includes two key components: it introduces procedures for cross-listing and delisting of vessels engaged in IUU activities, and actions to be taken by CCMs against their nationals who are involved in IUU activities. It follows up on discussions at TCC15 (**TCC15-2019-06a**). The EU stated its belief that the proposed amendments would allow WCPFC to more effectively combat IUU, and that cross-listing could effectively close the door in all regions to all vessels involved in IUU fishing, which would help reduce incentives to become involved in IUU activities.

81. Australia on behalf of FFA members affirmed their commitment to combating IUU fishing, including through information sharing and cooperative responses to IUU. They acknowledged the risk posed by vessels that undermine international fisheries frameworks when they come into the Pacific region and that IUU fishing can only be effectively controlled by the cooperative actions of coastal states, port states, market states, states with nationals involved and regional bodies such as WCPFC. FFA members noted the proposal introduced two issues: the recognition of the IUU lists of other RFMOs, and a mechanism for the sharing of information on nationals engaged in IUU fishing. FFA members recognised and supported the principle the EU sought to achieve but raised concerns regarding the proposal's administrative impact and implementation and noted their finding that the proposal would have significantly more impact on national administrations than suggested by the EU's CMM 2013-06 assessment. They noted that the process is operational in other RFMOs and welcomed further explanations and guidance from the EU, and requested a proper analysis and assessment of the legal and institutional implications associated with recognition of IUU vessel lists of other RFMOs, especially non-tuna RFMOs, in order to enable a discussion of the potential risks for and liability of the Commission and CCMs. Regarding the control of nationals and reciprocal and cooperative arrangements for the exchange of information, FFA members requested that the EU provide a proper analysis/assessment of the legal and institutional implications, including but not limited to risks and liability associated with confidential information. FFA members stated that while control of nationals is important, as is information sharing, it must be subject to domestic laws and regulations.

82. The proposal was further addressed under Agenda Item 11.

DP09

83. The EU introduced **WCPFC16-2019-DP09**, *Joint T-RFMO FAD Work Group recommendations for consideration by WCPFC*. The main recommendations focussed on effectively managing the use of FADs and sharing information among RFMOs. The EU stated that given the importance of FAD fisheries in the WCPFC it suggested that the FAD management options WG consider the recommendations and continue engaging with the joint t-RFMO FAD working group. The issue was further discussed under Agenda Item 7.2.2.4.

DP10

84. The United States introduced **WCPFC16-2019-DP10** *Proposals on Tropical Tunas*, containing three discrete proposals relating to the Commission's CMMs for the tropical tuna stocks as follow:

- i. A proposal to establish a plan of work for the Commission to move forward on its task, under paragraph 44 of CMM 2018-01, of agreeing on hard limits for bigeye tuna in the longline fishery. This was further considered under Agenda Item 7.2.2.3;

- ii. A proposal to establish a plan of work for the Commission to move forward on its task, under paragraph 28 of CMM 2018-01, of agreeing on purse seine fishing effort or catch limits in the high seas of the Convention Area. This was further considered under Agenda Item 7.2.2.1; and
- iii. A proposal to (a) revise paragraph 18 of CMM 2018-01 with respect to the treatment of floating objects for the purpose of the FAD closures, (b) revise paragraph 4 of CMM 2009-02 with respect to the distance from FADs that must be maintained during FAD closures, and (c) request SPC to undertake work to inform consideration by the SC and the Commission of narrowing the definition of a FAD to objects with tracking buoys for the purpose of the FAD closures. This was further considered under Agenda Item 7.2.2.4.

DP11

85. The United States introduced **WCPFC16-2019-DP11** *Rules of Procedure Relating to the Northern Committee*. It noted that the NC has twice failed to obtain a quorum at its long-planned and properly noticed regular annual sessions. To enable those engaged in the NC to take timely decisions and to help ensure that the NC can fulfill its functions in a cost-effective manner, the United States proposed that the Commission reduce the proportion of NC members that must be present to open meetings and permit debate.

86. FSM on behalf of FFA members stated their view that the same threshold for quorum should apply to all meetings of the Commission and its subsidiary bodies, and that to allow for a lower threshold for a quorum in NC was not agreeable. FFA members encouraged the members of the NC to consider how they could incentivise participation in NC meetings, noting that the meetings often take place outside the region and attendance can be a challenge for administrations that are already stretched with their regional meeting agenda and tackling domestic fisheries priorities. They suggested that one possibility was to hold NC meetings alongside one of the meetings of a subsidiary body of the Commission.

87. The proposal was further discussed under Agenda Item 9.2.

DP12

88. The United States introduced **WCPFC16-2019-DP12**, *Rebuilding Plan for North Pacific Striped Marlin*, noting that because North Pacific striped marlin is generally not targeted, it was more appropriate to develop a rebuilding plan for the stock than a harvest strategy, and that the rebuilding plan could be incorporated as appropriate into harvest strategies for other fisheries. The United States stated that the primary objective in any rebuilding plan is to rebuild the stock to a specific level in a specific time, and for the purpose of designing CMMs to achieve that objective, the plan included a specific probability for achieving the objective. Given the WCPFC's hierarchical approach for setting reference points, and because the stock recruitment relationship for North Pacific striped marlin is not well known, the rebuilding target was expressed in terms relative to the size of the estimated unfished spawning stock.

89. China inquired what the intention was for the format of the rebuilding plan — whether this would be part of the meeting record, or in the form of a CMM? The United States stated that a rebuilding plan stands alone and is posted on the website. It is an obligation of the Commission to reach it; the specific requirements of how this would be done would be in the form of CMMs.

90. The EU stated that while the proposal was a very good idea, the very depleted state of the stock required urgent action. The EU stated it understood the difficulty in managing North Pacific striped marlin, which is caught as bycatch, but stressed the need to do more in the form of actions based on the rebuilding plan. The EU noted the need to discuss potential actions that would contribute to the rebuilding when the issue was discussed later in the agenda.

91. In response to an inquiry from PNG, the United States confirmed that the last benchmark assessment was in 2019, using figures up to 2017.

92. The proposal was further discussed under Agenda Item 7.7.1.

DP13

93. United States introduced **WCPFC16-2019-DP13** *Proposal for CMM for Charter Notification Scheme*. It noted that the current WCPFC Charter Notification Scheme, CMM 2016-05, would expire on 31 December 2019 unless renewed by the Commission. SC15 (Summary Report, para. 71) and TCC15 (Workplan 2019–2021) identified potential issues with the management of chartered vessels under the current CMM. To allow time to identify and fully consider these issues, the United States stated it was proposing that the Commission roll the current measure over for a period of two years during which time the Commission and its subsidiary bodies should fully consider outstanding issues with the measure and explore potential improvements. The proposal was further discussed under Agenda Item 13.2.A

DP14

94. The United States introduced **WCPFC16-2019-DP14** *Draft guidelines for participation of observers in closed meetings of the Commission and its subsidiary bodies which consider the compliance monitoring report*. The United States stated that at WCFPC13, the Commission agreed to develop and adopt guidelines to enable the participation of NGO observers at closed meetings of the Commission and its subsidiary bodies, in advance of TCC13 (WCPFC13 Summary Report, para. 658). The United States volunteered to develop a set of draft guidelines as well as a draft confidentiality agreement to be signed by observer representatives for their participation in closed sessions that consider the compliance monitoring report. CCMs provided comments on early versions of the draft guidelines and a final version was circulated for intersessional adoption in advance of TCC13. However, CCMs were unable to agree on the proposed guidelines. Some CCMs indicated that it would be more appropriate to wait for the final report from the Independent Panel to review the CMS prior to making a final decision on the adoption of guidelines. The final recommendations from the Independent Panel to review the CMS were circulated in March 2018 (**WCPFC Circular 2018-15**) and included a recommendation to adopt a phased process for observers to participate in all CMS discussions (Final Report from the Independent Panel to review the Compliance Monitoring Scheme, para. 34). In 2018, the Commission adopted CMM 2018-07, (CMM for the CMS), which commits the Commission to a multi-year work plan, including the development of guidelines for participation of observers in closed meetings of the Commission and its subsidiary bodies that consider the CMR. The measure specifies that the work will take place during 2020–2021. During TCC15, in an effort to ensure that the work progresses during 2020, the United States offered to recirculate the previously drafted guidelines for the participation of observers in closed TCC and Commission sessions that consider the CMR. **WCPFC16-2019-DP14** comprises the draft guidelines and draft confidentiality agreement as circulated in WCFPC Circular 2017-40. As agreed at TCC15, the United States stated it was offering the same draft guidelines for consideration by WCFPC16, where they could be considered under Agenda Item 10.2, review of the work plan tasks to enhance the CMS.

95. Vanuatu, on behalf of FFA members, thanked the United States for their work on this issue, and recognised it as a constructive effort to address the concerns that CCMs, including FFA members, had raised with respect to the participation of observers in sessions dealing with the CMR. FFA members stated they would be ready to consider the issue once they had collectively agreed to a revised CMS measure that FFA members are comfortable was working as intended. They noted there was much work yet to be done, particularly on the issue of removing the “Flag State Investigation” elements of CMM 2018-07.

96. The issue was further discussed under Agenda Item 10.2

DP15

97. Korea introduced **WCPFC16-2019-DP15** *Proposed amendment to CMM for protection of cetaceans from purse seine fishing operations (CMM 2011-03)*, noting that according to a technical paper by FAO (*Bycatch in longline fisheries for tuna and tuna-like species: A global review of status and mitigation measures*, presented in draft form to SC10 as **SC10-2014/EB-IP04**), marine mammals such as cetaceans and seals are known to interact with longline gear, although information on marine mammal interaction with longline fisheries is limited. Korea stated that CMM 2011-03 addresses protection of cetaceans from purse seine fishing operations but no WCPFC CMMs pertain to the issue of operational interactions between marine mammals and longline fisheries. There is no specific advice from SC regarding the population of cetacean species or bycatch mitigation measure but Korea stated that this is a result of the lack of information and data on cetacean interactions with longline as well as purse seine fisheries, and that it was crucial for the Commission to collect as much information and data as possible while protecting all cetacean species to the extent practicable, as a precautionary and comprehensive ecosystem approach. Korea stated it believes that, once sufficient information and data are accumulated, SC may produce specific recommendations for cetaceans, preferably by species. In that context, the proposal seeks to expand the scope of application of CMM 2011-03 to longline fisheries. Because no fishery under the purview of WCPFC is known to target cetaceans, Korea stated that in its view the new obligation would not create practical difficulties for CCMs.

98. Fiji, on behalf of FFA members, stated it supported the intent of the proposal to improve the information available on potential interaction of cetaceans with longline fisheries, which in the long term could help the Commission to understand these interactions and enact effective measures to prevent incidental catches of these species, some of which are endangered. With this understanding FFA members stated they believed the information collected should be that which is of value to SPC's work, and therefore referred the proposal to SC for their analyses on the type of information that should be collected.

99. The proposal was further addressed under Agenda Item 8.4.

DP16

100. Korea introduced **WCPFC16-2019-DP16**, *Proposed changes to the Rules for the FAD Closure*, noting that periodic FAD closures had been in place between 20°N and 20°S since 2009, following the adoption of CMM 2008-01. However, Korea raised the issue of compliance resulting from observer-reported alleged FAD sets during FAD closures (i.e. vessels setting on FADs when they assumed they were setting on a free school), which required effort and at times money to address. Korea stated that other tuna-RFMOs (e.g., IATTC and IOTC) had adopted much clearer FAD definitions, and Korea stated those organizations had been able to implement FAD-related measures more effectively and systematically, and avoided many unnecessary disputes that would have arisen in the absence of such definitions. Korea submitted a proposal to WCPFC15 to change the existing rules for FAD closures with a proposed FAD definition very similar to that in place in IATTC. However, the Commission adopted compromise text (paragraph 18 of CMM 2018-01) as a result of diverging views on the proposal. Nevertheless, Korea stated that in its view there was still room for improvement. Analysis by SPC (**WCPFC-SC15-2019/MI-WP-11**) suggested the potential impacts of paragraph 18 of CMM 2018-01 on the measure's performance could be assumed to be negligible, although it was challenging for SPC to evaluate impacts precisely as key words (e.g., 'garbage' and 'small') in the paragraph were not defined. Korea raised this as one reason the Commission should revisit the issue and further refine the paragraph. Korea suggested a definition of FAD such as that used by IATTC would be much clearer and enforceable, but acknowledged this could be a drastic change for some CCMs, and stated that it shared their concerns to some extent. Consequently, Korea submitted the proposal in DP16 as an interim measure and looked forward to its adoption by the

Commission; it stated its view that it was highly inappropriate to regress to the previous definition of FAD or rules for FAD closure — i.e. the provisions in CMM 2017-01 — and that at a minimum the current text of paragraph 18 of CMM 2018-01 should be retained until the Commission agreed with and adopted an alternative definition of FAD.

101. The proposal was further discussed under Agenda Item 7.2.2.4.

DP17

102. Japan introduced **WCPFC16-2019-DP17** *Proposed research project to compare WCPFC aggregated historical VMS data with AIS data on the WCPFC high seas*, stating that Japan's Fisheries Research and Education Agency, the Australian National Centre for Ocean Resources and Security (ANCORS) at the University of Wollongong and Global Fishing Watch (GFW) had entered into a collaborative partnership agreement to investigate IUU fishing and strengthen transparency and governance of fisheries. Japan drew attention of CCMs to a research project proposed by GFW and ANCORS, which intends to compare AIS data and aggregated WCPFC high seas VMS data. The research project seeks to estimate AIS data coverage, identify data gaps in WCPFC VMS data, and estimate total fishing effort in the WCPFC high seas area. Japan stated that the proposed project would increase the transparency of high seas fishing activities and enable the further development of methodologies for estimating and verifying fishing effort estimates, which would bring significant benefits to the understanding of high seas fishing operations and improve the accuracy of AIS data used for scientific studies.

103. PNG and Indonesia thanked Japan for making the information available in the delegation paper.

104. The EU inquired why the project was limited to the high seas and noted that VMS data would be aggregated to flag. It stated that given the EU has just 2 vessels, aggregated data was not suitable in terms of the data rules. Japan stated that under the current data rules (2009) paragraph 13.5 stipulates that high seas VMS data will be made available, and thus the data rule allows use of VMS data for the high seas only.

105. The issue was further addressed under Agenda Item 13.2A.

DP20

106. Indonesia introduced **WCPFC16-2019-DP20** *Harvest Strategies for Tropical Tuna in Archipelagic Waters of Indonesia*. It reminded that the WCPFC adopted CMM 2014-06 on establishing a harvest strategy for key fisheries and stocks in the WCPO, and agreed to a work plan for the adoption of harvest strategies in 2015. Indonesia stated that it intends to develop harvest strategies for its archipelagic waters that are compatible with measures mandated by WCPFC and IOTC. The paper provides an update on Indonesia's progress to develop harvest strategies for its archipelagic waters.

DP21

107. Indonesia introduced **WCPFC16-2019-DP21** *Improvement on data collection for shark as bycatch in tuna fisheries*, which details Indonesia's challenges and capacity building needs. Indonesia related that provision of shark catch data (by species and gear) remains challenging for Indonesia to provide to the Commission. Indonesia submitted a capacity development plan to the Secretariat on 28 September 2017, with progress reported to the TCC15. Previous national annual catch estimate workshops focused on the catch by gear of the main tuna species, while shark catch data (by gear and species) were not discussed in detail. Discussion of the catch estimate on sharks (by species and gear) using available

statistical fisheries data, port sampling data, log book and observer data have been proposed to be included in the next annual catch estimates workshop, which may require extending the workshop; it will also discuss issues related to the provision of bycatch and discarded data. It is expected that the workshop will provide an estimation of shark catch (per species and gear) as well as catch of shark from logbooks and the observer program.

IWG Sharks

108. The IWG Sharks Chair (Japan) introduced the work of the IWG Sharks, which began in 2018. During WCPFC15 many discussions were held on the comprehensive shark CMM. Disagreements were reduced until only one issue remained: addressing the issue of “fins naturally attached”. An 8th version of the CMM was submitted to TCC15, and the comments received were incorporated in a new 9th version of the CMM (**WCPFC16-2019-IWGSharks-01**) submitted for consideration by WCPFC16.

109. The issue was addressed further under Agenda Item 8.2.

IWG-CMS Audit Points

110. The IWG-CMS Audit Points Chair (FSM) introduced the work of the IWG, which agreed at TCC15 to use a template. The IWG report (**WCPFC16-2019-IWG_CMSAuditPoints-01**) provides a side by side comparison of the former method used by WCPFC and the template, the work of which will continue through 2020 to enable a proper review.

111. The issue was further discussed under Agenda Item 10.2.

ERandEM WG

112. The ERandEM WG Chair (Australia) presented **WCPFC16-2019-ERandEMWG-01**, which delivers against a TCC15 outcome for the ERandEM WG Chair to present a revised EM concept paper to WCPFC16, taking into consideration Project 93 and relevant discussions as well as input from CCMs. The paper proposes a goal, including subobjectives, for Electronic Monitoring in the WCPFC and includes revisions to the draft minimum standards informed by discussions at ERandEM WG3, an FFA-led EM Workshop in Honiara in October 2019, and information provided by CCMs as requested in Commission Circular 2019/70.

113. The issue was further discussed under Agenda Item 9.4.2

DP22

114. Indonesia introduced **WCPFC16-2019-DP22** *Information on Database of Indonesian Vessels Authorized to Fish for Tuna*, noting that in accordance with CMM 2018-06 (Record of Fishing Vessels and Authorization to Fish), and Indonesia’s Presidential Regulation No. 61 of 2013, the WCPFC Convention applies only to that portion of Indonesia’s EEZ within the Pacific Ocean (as defined by Article 3 of the Convention), and does not cover archipelagic waters, territorial waters, and internal waters. Therefore, Indonesia’s fishing vessels that are authorized to fish in archipelagic waters, territorial waters, and internal waters of Indonesia have no obligation to register in the WCPFC Record of Fishing Vessels (ROFV). However, Indonesia faces a marketing issue, whereby a few importing countries were questioning the registration status of Indonesian fishing vessels that fish within Indonesian waters but are not under the jurisdiction of the Commission, and were not accepting Indonesian tuna products from these vessels. To address this issue Indonesia is developing a *Database of Indonesia Vessels Authorized to Fish*

for Tuna (DIVA-TUNA), a database of authorized fishing vessels that catch tuna and neritic tuna within Indonesian waters, which includes archipelagic waters, territorial waters, EEZ waters, and fishing vessels authorized to fish in the convention area and registered in the RFV. The aim is to register, verify and monitor all Indonesian fishing vessel that are authorized to fish for tuna, with the objective of applying and ensuring the traceability of tuna products throughout the tuna supply chain for better acceptance by international and high-value markets, to implement the management practices according to RFMO standards, to have transparency of tuna fishery management within Indonesian waters, and help combat IUU fishing activities. In establishing DIVA-TUNA Indonesia is seeking compatibility with CMM 2018-06, and DIVA-TUNA will serve as a complete repository of fishing vessels that are legal to operate within Indonesian waters.

DP23

115. Indonesia introduced **WCPFC16-2019-DP23** *Information Paper on Labour Rights in the Fishing Industry (The Case of Unpaid Salary Disputes on Fishing Vessels)*, stating that on 13 November 2019 Indonesia was notified via email by the WCPFC Secretariat regarding an unpaid salary dispute at Apia Port in Samoa concerning several Indonesian crew members who tried to retrieve their salary from a fishing company based in one of the member countries of the WCPFC. Indonesia stated its belief that the company was breaking the law, and running a salary scam by not paying salary dues for at least 97 crewmen since January, 2019. In the hope of resolving the situation, the crewing agency sent correspondence via e-mail to UNESCO, UNDP, and UN-ILO offices in the area. In the same spirit Indonesia stated it was raising this concern to the Commission, and it considered the dispute an issue of labour abuse, particularly in terms where crews are forced to work intensely, over long periods of time, in difficult and dangerous conditions, with low or no pay. Indonesia stated that it hoped that the case could be resolved immediately to ensure the safety and the wellbeing of all the fishing crews, and that various actions, as detailed in WCPFC16-2019-DP23, could be taken to reduce the potential for such problems in the future.

116. Samoa thanked Indonesia for its statement explaining DP23 relating to an unpaid salary dispute involving a vessel and its crew that called in to Apia Port in Samoa. Samoa also thanked the Chair for considering Samoa's paper notwithstanding Rule 20 of the Commission Procedures. Samoa stated that it was very concerned that such incidents and reports relating to the welfare of crews, and in this case, alleged labour abuse were being reported in relation to fishing vessels operating in the Pacific region. The matter was brought to the attention of the Samoan government through an email communication from an agent of the crew working on the vessels. The government looked into the matter when the fishing vessels in question visited Samoa's port. Samoa noted that the vessels concerned are not licensed to fish in Samoa and primarily operate in the high seas. Samoa raised the matter with the relevant flag state for necessary attention and corrective actions through government-to-government processes, and also raised this matter with both the WCPFC and FFA Secretariats. Samoa reiterated the importance of the responsibilities of flag states as well as the collective effort of all CCMs as these relate to WCPFC Resolution 2018-01 to ensure the wellbeing of crews on fishing vessels operating in the WCPO. The FFA Minimum Terms and Conditions for Access by Fishing Vessels (MTCs) is also a fundamental mechanism to regulate access, and Samoa called for stronger actions by the WCPFC in this regard.

117. New Zealand on behalf of FFA members thanked Indonesia for submitting DP23 and supported the statement by Samoa. New Zealand stated that DP23 highlighted the serious labour issues occurring on vessels in the region, and the need for CCMs to take stronger action to address these issues; as well as to take steps to prevent further human rights abuses occurring on vessels in the Convention area. New Zealand encouraged other CCMs to follow Indonesia's example and report similar incidents to the Commission, consistent with paragraph 5 of Resolution 2018-01 on Labour Standards for Crew on Fishing Vessels. FFA members noted that Resolution 2018-01 was an important step for the Commission and

highlighted the decision by FFA Ministers in June 2019 to include labour standards in the region's - harmonised Minimum Terms and Conditions for access to commercial tuna vessels fishing in FFA members waters. They looked forward to working with CCMs to further strengthen WCPFC's efforts to promote fair working conditions for crews on fishing vessels, including a safe and secure working environment with minimum risk to health and wellbeing; fair terms of employment; decent working and living conditions on board vessels; decent and regular remuneration; and the opportunity to disembark, and seek repatriation if so entitled.

118. Cook Islands updated CCMs regarding its efforts regarding Resolution 2018-01, which they supported to ensure that working conditions on fishing vessels operating in its waters and of vessels flying its flag would be consistent with international best practice. Cook Islands acceded in November 2019 to the IMO's 2012 Cape Town Agreement and encouraged other CCMs to do the same, and stated that Cook Islands' Accession to the Maritime Labour Convention, 2006, which would take place in December 2019, would mean that Cook Islands would implement a suite of international legislation and take specific measures to ensure that the rights of all seafarers are protected within their waters, and further abroad for vessels flying its flag.

119. Indonesia thanked Samoa, New Zealand and Cook Islands for addressing the labour issue, which it stated it had sought to raise because similar problems had been ongoing for years. It noted that Resolution 2018-01 was not binding, and that Indonesia would seek to collect evidence and propose to discuss and adopt a CMM that is binding for all members. Indonesia noted that the incident described in DP23 involved WCPFC-registered vessels and was therefore appropriately addressed by WCPFC.

DP24

120. Indonesia introduced **WCPFC16-2019-DP24** *Vessel Monitoring System in Indonesia*, detailing the situation in Indonesia with respect to VMS reporting. Indonesia confirmed at WCPFC14 that some vessels are still using Argos units, as well as another type of MTU that was not in the WCPFC approved list. Indonesia stated that it is not easy to replace VMS systems for a country the size of Indonesia, given the replacement costs; it is still being decided whether the replacement costs will be covered by the government or by the fishing industry and fishers. At WCPFC14 the Commission agreed that CCMs shall ensure vessels flying their flag do not purchase, install or transfer several VMS units and that they be removed from the WCPFC approved ALC/MTU list. The Commission further agreed that existing units on vessels shall be allowed to continue to operate for 5 years (until 1 January 2023). CCMs whose vessels use these models shall provide a list of vessels that are using the units to the Secretariat and shall update the list annually. Indonesia stated that additional details are provided in **WCPFC16-2019-DP24**.

121. All proposals tabled for WCPFC16 consideration were introduced and proponents of proposals were encouraged to discuss them at the margins of the meeting and to report back on their progress to plenary.

AGENDA ITEM 5 — SPECIAL REQUIREMENTS OF DEVELOPING STATES

5.1 Implementation of Article 30 of WCPFC Convention and CMM 2013-07 (SIDS special requirements)

122. The Chair noted that para. 20 of CMM 2013-07 requires an annual review of implementation of this measure, and referenced **WCPFC16-2019-IP01: Summary from Part 2 CMM 2013-07 paragraph 19 annual reports (WCPFC-TCC15-2019-11)** and **WCPFC16-2019-DP18: Report of the European Union on Article 30 of the Convention and Resolution 2008-01 of WCPFC (EU)**.

123. Tuvalu, on behalf of FFA members, stated that implementation of Article 30 of the WCPFC Convention is fundamental to the success of the Commission. FFA members recalled the decision taken at WCPFC15 to establish a separate page on the WCPFC website dedicated to information relating to the Implementation of Article 30 and were pleased to see that the WCPFC Secretariat has completed that task. The webpage contains useful information that all CCMs and Observers can regularly consult. FFA members stated that the discussion under this agenda item was the foundation of all of work at WCPFC16, in ensuring that the principles in the Convention relating to the special needs and requirements of developing States are at the forefront of Commission decisions. Equally important is the need to ensure that the Commission's processes are supporting both the capacity limitations and needs of SIDS CCMs. FFA members noted with appreciation the efforts by non-SIDS CCMs to report against CMM 2013-07 in their Annual Report Part 2. They stated that in the future it would be helpful for everyone if a standardized reporting format was adopted, and stated FFA members would seek to provide some guidance at WCPFC17. Given the busy agenda FFA members reminded CCMs to be mindful of small delegations and their fundamental right, not just to participate, but to participate effectively in the Commission's work, which in some cases, relies on the support and cooperation of other CCMs.

124. The EU stated its main source of funding for development is the European Development Fund (EDF), through the Pacific-European Union Marine Partnership Programme, funded by the EU and Sweden, and totalling about \$50 million. The objective is to improve economic, social and environmental benefits through stronger regional economic integration and the sustainable management of natural resources and the environment. The program has several components—on oceanic fisheries, coastal fisheries, IUU fishing, and capacity development through capacity building on education, training and research. It is primarily implemented by SPC and FFA, with involvement by SPREP and USP. The program started in 2018, and some developments are directly related to WCPFC. In terms of IUU fishing, support was provided to enhance MCS efforts, both oceanic and coastal, and provide support for surveillance capabilities to support regular MCS exercises. The EU contribution also includes three initiatives on climate change, with the objective of adaptation and reliance building for SIDS and Territories, and a programme for sustainable use of marine resources. A contract will also be signed soon with the Secretariat for research on FAD acoustics. The EU stated that the information should be reflected in the capacity needs table; it acknowledged this required additional work, but stated that was the objective of the Commission's new website, and would increase transparency. Regarding the suggestion for a template to provide information on different actions to address Article 35, the EU suggested it would like to receive reports from countries regarding how they are using the support.

125. RMI noted and thanked the EU for their report and supported the statement by Tuvalu. On behalf of FFA members RMI reminded CCMs of the obligation in CMM 2013-06 to conduct a SIDS impact assessment in respect of new proposals and to consult with FFA SIDS members in the development of that assessment. They noted with appreciation Japan's efforts over the last few years to consult directly with FFA members ahead of the Annual Meeting and encouraged other CCMs to do the same. RMI stated that the absence of CMM 2013-06 impact evaluations made it challenging for SIDS members to engage meaningfully in discussions on new proposals, which could delay or prevent their adoption, and stated that

implementation of CMM 2013-06 was not a checklist, but a process. They stated that over time various approaches have been used to conduct the CMM 2013-06 impact assessments, which has made it difficult for SIDS members to review the true impacts of proposed new measures. If CCMs are still unsure as to how the CMM 2013-06 evaluations should be completed, FFA members referred to **WCPFC15-2018-DP12_Rev1** available on the WCPFC web page under the [Article 30 Implementation](#) tab which provides guidance to CCMs on completing CMM 2013-06 evaluations. FFA members observed that CMM 2013-06 has been in place for six years and CCMs have had ample time to work with SIDS CCMs to understand the requirements of the CMM. They encouraged CCMs to engage early in consultations with SIDS CCMs as to any potential impacts of a proposal on SIDS so as to avoid situations where SIDS CCMs are forced to reject new proposals that lack adequate impact assessments.

126. Japan stated it fully recognized the importance of the CMM 2013-06 criteria, noting that FFA members, in DP01, stated that CMM 2013-06 can only be fully implemented through consultations with SIDS. It stressed the importance of multiple consultations through which an understanding between the parties could be developed. Japan thanked RMI for acknowledging Japan's efforts in this regard. Japan stated it provided SIDS with ODA and capacity building through the Japan International Cooperation Agency and the Overseas Fishery Cooperation Foundation (OFCF). Between 2008–2017 Japan provided \$1.1 billion in development assistance to the Pacific Islands, which included fishery-related projects, and cover conservation and management of highly migratory species and assistance to small-scale fishermen. In 2018 Japan's Prime Minister pledged to implement development cooperation over 3 years, with a particular focus on human resource development, including people-to-people exchanges. Japan also noted that in 2008 it established the Japan Trust Fund in WCPFC, which has been building the capacity of SIDS for fishery statistics and management. In November 2017 OFCF signed an agreement with FFA to continue cooperation through 2027. Japan stated its hope that these programs and funds would contribute to the development of SIDS.

127. Korea stated that if SIDS CCMs were unhappy with how CMM 2013-06 is implemented this should be addressed. Korea observed that paragraph 3 of the CMM 2013-06 states that only the Commission shall assess the impact of a proposed CMM on SIDS, and suggested the need for a procedure for how an assessment is carried out (i.e., when and where an assessment takes place). Korea noted that it had shared its view with FFA members and would undertake further consultation with FFA and SIDS.

128. Indonesia observed that although it is not a member of FFA, Indonesia is also a developing country. It acknowledged the aid provided by the EU and Japan to assist SIDS. Indonesia stated that it hoped that CCMs would recognize that Indonesia also has some capacity building needs in complying with new CMMs.

129. Cook Islands noted the comments from Korea regarding implementation of CMM 2013-06. It thanked the Secretariat for setting up the webpage and stated that it would prove very useful for evaluating CMM 2013-06 impacts.

130. RMI stated that they appreciated the efforts by all countries to provide assistance to Pacific countries and stressed that CMM 2013-06 focusses on the need to take into account the needs and capacity of SIDS. RMI thanked the Chair for her efforts to address the issue.

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| 131. WCPFC16 reaffirmed the importance of assessing the impact of proposals on SIDS and encouraged CCMs to undertake such assessment when submitting proposals to the Commission. |
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5.2 Updated Strategic Investment Plan

132. The Executive Director referred to **WCPFC16-2019-08**, stating that one of the mechanisms adopted by the Commission to increase support for SIDS was adoption of a strategic investment plan. The plan seeks to match capacity building needs with appropriate capacity building strategies. The Executive Director referred CCMs to the Commission's Article 30 webpage, which is a work in progress, and will continue to be updated.

133. The EU referred to Table 1 and asked if this could be enhanced to show what actions are under implementation. The EU acknowledged this would involve more work, and would require that each CCM that is providing funds also provides specific information on what how that funding is being used are, but stated it is important to know what is being done by all members. The EU also inquired regarding the funding source for the capacity building identified in Attachment A (about \$300,000 for meeting participation). The Finance and Administration Manager stated that funding comes from a number of different sources. About 50% is from CCMs (Canada, the United States, Australia, and Korea) via the Special Requirements Fund; other sources are the Working Capital Fund, the CNM Contribution Fund, and observer fees, as agreed to by WCPFC15.

134. Cook Islands, on behalf of FFA members, thanked the WCPFC Secretariat for their report on Strategic Investment Plan implementation in 2019. They thanked Australia, Canada, Korea, and the United States for their voluntary contributions to the Special Requirements Fund, which has provided critical support to SIDS CCMs in their ability to participate in important Commission work throughout the year. FFA members noted during the FAC discussions at WCPFC16 that the SRF balance is high and acknowledged this was unlikely to be the case in future years as meeting participation needs continue to grow and capacity assistance requests are increasingly matched to the SRF for support. Some SIDS members still had unmet needs for support to attendance at WCPFC16 and FFA members looked forward to working closely with the WCPFC Executive Director on how best to ensure that the Strategic Investment Plan is implemented as intended and appropriate assistance is provided through the Strategic Investment Plan, where needs are clearly identified. FFA members also thanked the governments of Japan and Chinese Taipei for establishment of their respective Trust Funds that provide important support to SIDS CCMs in their national efforts to more effectively manage their fisheries. They noted the requests from SIDS that have come through various sources and the potential avenues for assistance identified by the Secretariat. For future Strategic Investment Plan updates, they requested that further detail be provided on how and whether specific requests were met, including how the Secretariat assisted with any administrative support, where relevant. Overall, FFA SIDS members stated they were pleased with the adoption of the Strategic Investment Plan by WCPFC15 and they looked forward to its further development and to working with the WCPFC Secretariat and other CCMs on its continued successful implementation.

135. Australia supported the issues raised by Cook Islands, noting that the intent was to identify needs, and match those needs to potential funding sources. Australia looked forward to seeing improvements as outlined by the Cook Islands.

136. The Commission approved the Updated 2019 Strategic Investment Plan (**Attachment G***) and tasked the Secretariat to provide additional information and context to the revisions and updates made to the Strategic Investment Plan.

AGENDA ITEM 6 — HARVEST STRATEGY

137. The Chair introduced the agenda item by noting that the discussion would focus on progressing implementation of the Agreed Work Plan for the Adoption of Harvest Strategies under CMM 2014-06 covering South Pacific albacore, skipjack, bigeye and yellowfin. She noted that the species-specific elements of the Work Plan would be considered under Agenda Item 7, and that updates on harvest strategies relating to northern stocks would be considered in conjunction with those stocks under Agenda Item 7. She observed that the Commission had made some progress in implementing the work plan, but that progress has been rather slow. At WCPFC15 the Commission agreed to an extra day for WCPFC16 to progress discussion and development of elements of the work plan. She observed some CCMs expressed concern that they did not all have the same level of understanding of some of the complex issues under discussion, and noted that, in recognition of the need for capacity building, SPC-OFP was making significant effort to build CCM capacity, including through some innovative approaches. The Chair also thanked NGOs for their involvement in that process.

6.1 Overview of Harvest Strategy

138. Dr Rob Scott (SPC-OFP) introduced **WCPFC16-2019-09** *An overview of progress in developing WCPFC Harvest Strategies*, which outlines the elements of a harvest strategy and details the progress made to date in developing these elements for each of the four tuna stocks, as well as the outstanding issues that need to be addressed in order to meet the objectives of CMM 2014-06. In addition, a brief summary was provided of the measures taken to enable stakeholder consultation and capacity building on the subject of harvest strategies. The paper notes that work to date has focussed on developing single stock evaluation frameworks for skipjack and South Pacific albacore but that the development of frameworks for bigeye and yellowfin will require further consideration of mixed fisheries interactions. The paper concludes that, while substantial work has been completed and significant progress has been made, it will be necessary to revise and update some elements of the work plan.

139. PNG, on behalf of PNA members, thanked SPC for the important overview paper. PNA members stated that they have strongly supported work to develop harvest strategies for key tuna stocks, and continue to support that work because they believe that harvest strategies offer potential improvement in the management of WCPO tropical tuna stocks that are important to the PNA, and have already contributed to improving management of those stocks. In particular, PNA members see the potential benefits resulting from having pre-agreed rules for how fishing will be adjusted as the status of stocks changes, and from better taking into account uncertainty. However, for PNA members, this means that harvest strategies should not be seen as a way of reshaping arrangements and approaches that have already been agreed, except where this is necessary to ensure sustainability. PNG stated that if all CCMs try to use the harvest strategy to reshape existing arrangements to their own advantage, then the harvest strategy work will not progress, and the Commission will all lose the potential benefits from improved decision-making that harvest strategies offer. On this basis, PNA members looked forward to further progress on harvest strategies and would provide more specific comments on other elements of the Commission's work on harvest strategies during WCPFC16. PNG also remarked on the need for further capacity building to enable meaningful stakeholder engagement.

140. Indonesia acknowledged the work of SPC, and the effort to share details on the harvest strategy work. They noted that TRPs can be based on various management objectives, (biological, social and economic), which may sometimes conflict. Given that, Indonesia inquired how the Commission would assess the future success of the management of its stocks, particularly if the objectives result in a relatively ambitious TRP, such as 0.56 for albacore. Indonesia also inquired regarding the setting of catch limits and catch allocations in the harvest strategy process, and how decisions were made regarding the number of scenarios that were considered. The presenter stated that the TRP is often selected because it reflects

conditions that were favourable at some time in a fishery. Reaching the TRP would imply those other conditions are being achieved. However, he noted there may be additional objectives beyond those, and these can be in conflict. He noted this would be further discussed under Agenda Item 6.2. Regarding allocation, he noted SPC assumed some future distribution of fishing, but that its harvest strategy work did not reflect detailed negotiations regarding the allocation of catch into individual fisheries. Regarding the difference in the size of the grid of models, he agreed that 288 would be more than needed for skipjack, and that there was some redundancy. SPC seeks to capture major aspects of uncertainty over time using a factorial approach, with the result the grid can become very large. He noted some aspects of the skipjack model could be removed, while for albacore SPC had received requests for additional aspects to be examined.

141. Japan commented that in its view it would be best to use a multi-species approach. It was concerned regarding the presenter's comment that some performance indicators (PIs) cannot be calculated, noting that one social PI important to Japan is avoiding impacts on small scale fishers. Japan stated that while it understood this is not easy to calculate, it is of critical importance for Japan as it would be very hard for Japan to support the approach. Although the paper states that a "skipjack management strategy evaluation has been developed", but Japan stated its understanding that MSE is a process, which should include a dialog, but that has not taken place. Stakeholders need the opportunity to give feedback, and that has not occurred, and Japan inquired what would happen in that regard. Japan noted the presenter's suggestion that the harvest strategy process begin with skipjack in 2020. While understanding the difficulty in applying a multi-species approach, it inquired what the impact would be on outcomes for other species if this process began for skipjack, as there was the potential for unpredicted impacts on other species or ecosystems. Japan argued for the need to establish a multi-species approach over time. It agreed with PNG regarding the need for more stakeholder dialogue, and acknowledged that SPC was working on this, including discussing a possible workshop in Japan, and expressed its appreciation. It noted that the TRP combines biological and socioeconomic factors; for albacore the agreed value of 0.56 takes into account economic factors proposed by FFA members, and although high, Japan supported the level because it would mitigate the economic difficulties experienced by FFA members. Japan suggested that similar consideration should be given to the TRP for skipjack. Japan also asked whether allocation should be considered, noting that the IOTC does include allocation, and that some CCMs were opposed to this approach. Japan further inquired regarding how changes to SPC's assumed historical distribution between different gear types (e.g., between longline and purse seine) would be handled, and whether this would force calculations to be done again. Japan closed by observing that CCMs probably have a general fear of what will happen if harvest strategy is pursued, and advocated for taking a slow approach, and ensuring all CCMs understand the process. The presenter stated that under the approach being used the harvest control rule (HCR) applies to the entire fishery, and scales up and down, assuming a constant distribution of fishing. If this changes slightly, it may have a minimal impact; however, significant changes in allocation could produce very different evaluation results. SPC's expectation is that allocation changes would not change the HCR that was selected.

142. Australia stated it remained optimistic that the harvest strategy approach would be productive, and that there are clear implications for updating the harvest strategy workplan, and these would need to be considered. Australia noted the comments by Japan regarding allocation and stated its position that the harvest strategy process is separate and distinct from the allocation process, and should be run separately and in parallel. It noted it would discuss the multi-species issues separately. On behalf of FFA members Australia stated they remain committed and optimistic that the harvest strategy approach is a sound pathway to achieving collective objectives with a clear and long-term perspective, and that they stand ready to play their part in progressing this work and finding solutions. Australia noted that there were clear implications for updating the harvest strategy workplan, and the schedule of work for the coming years, that would need to be considered at WCPFC16. Australia stated that FFA members are increasingly conscious of the complexity of the issues that the Commission seeks to tackle through the harvest strategy

approach, noting the need to understand the full implications of decisions. Australia stated that FFA members would share additional points as WCPFC16 progressed.

143. The EU thanked SPC for their work, and agreed that the issue is complex, observing that not all members have same level of understanding. The EU highlighted that it is committed to the work, and has supported it over time through voluntary contributions. It stated that given the complexity, doing harvest strategies for multiple species at the same time complicates the Commission's work; other organisations have first focussed on a case study, to allow everyone to understand the process before expanding to other species, while WCPFC is taking a different approach. The EU stated it did not see how this could be achieved while remaining fully engaged on all aspects. It noted that SPC had stated the process must be driven by members but suggested this was not currently the case because of the complexity and a lack of time on the part of most CCMs to engage sufficiently with SPC on the process. The EU stated it would make suggestions during WCPFC16 on how to build capacity to enable CCMs to remain engaged.

144. Chinese Taipei noted that despite several years with significant discussion of harvest strategies, the process remained complex and complicated, and difficult for many CCMs to understand. Chinese Taipei encouraged more engagement and education of stakeholders and stated that 4 years ago the Commission had chosen an interim Target Reference Point for skipjack which could serve as an example for other species.

145. In response to an inquiry from the Chair, SPC stated there was an opportunity to further investigate TRPs for skipjack, and that this could be discussed later in the meeting.

146. Kiribati, on behalf of PNA members commented in detail on progress on harvest strategies at SC15. They stated their view that while important progress has been made, the harvest strategy work was not going according to plan, and it was time to look carefully at the workplan. They noted that SPC's comments and suggestions in **WCPFC16-2019-09** were very helpful and agreed regrettably that it was unlikely that the 2021 timing for the adoption of HCRs for bigeye and yellowfin would be met for a range of reasons. They noted that a review of the workplan was needed in part because some harvest strategy decisions produced the expected results, with the failure of the interim skipjack TRP being just one example. The PNA considered the outcomes to date as good experience before CCMs had committed to any harvest strategy decision-making processes. However, the experiences increased the awareness of PNA members regarding the uncertainty and complexity in the harvest strategy process, and their caution about committing to additional decisions without a clearer understanding regarding the results. PNA members stated they were moving to a more holistic view of the process and outcomes of harvest strategies, rather than dealing with individual elements sequentially; thus PNA members understanding that nothing is agreed until the whole package is agreed.

147. The Chair noted that the workplan would be discussed under Agenda Item 6.7, following discussion of the species-specific aspects.

148. Tuvalu, on behalf of the PNA, agreed with observation in **WCPFC16-2019-09** that developing harvest strategies that will address multi-species aspects is more complex than originally expected and that was a primary reason for the need to extend some timeframes in the workplan. They noted that two important principles would affect the outcomes of the multi-species work: first the need for the Commission to avoid transferring a disproportionate burden from the outcomes of harvest strategies onto SIDS — given the current structure of the purse seine and longline fisheries, it is impossible to have a harvest strategy for bigeye that constrains purse seine effort without transferring a disproportionate burden onto SIDS, and therefore that kind of outcome will not be possible; and second the need for trade-offs between the achievement of TRPs for different stocks — it will not usually be possible to achieve all the TRPs, and mixed fisheries harvest strategies will likely lead to one or two stocks being fished above or

below the TRP. Ultimately, the models need to be able to evaluate mixed fishery harvest strategies of this kind.

149. Korea stated that it sought to implement a harvest strategy as soon as possible. It agreed with the concerns voiced by prior speakers, regarding complex, multi-species fisheries, and the resulting challenges that should be tackled by all members. It inquired when a harvest strategy for bigeye and yellowfin might actually be implemented, considering their complexity and the scheduled harvest strategy for skipjack in 2021 (with bigeye and yellowfin scheduled for 2022 in the workplan). The Chair state that this was impossible to predict at present.

150. China observed that WCPFC had not yet agreed to holding a science-management dialogue, with the result that harvest strategies were being discussed at WCPFC16. China stated it requires more time to understand the implications of the new approach. It agreed with the EU that any management measures should be driven by CCMs; noting Australia's comment that harvest strategy should be pursued in parallel with allocation, China stated it could not devote sufficient time to do that. In general, it agreed with the PNA and Japan over the approach. At SC15, the conclusion was that more PIs are needed, but China stated it faces difficulty in providing the economic information needed for development of economic indicators. China stated it needed more time to consider the harvest strategy scenarios and the positions of various CMMS.

151. RMI stated that it had benefitted from capacity building in relation to harvest strategies, but that unfortunately there were new considerations that must be taken into account. It agreed regarding the complexity related to the consideration of new TRPs and a multi-species approach, including socioeconomic considerations, and noted that the workplan needed revision. RMI advocated for decisions to be made slowly, with allowance for differing capacity of CCMs accompanied by having the requisite resources to cater for those capacity building needs. RMI also noted the need to evaluate mixed fishery issues and looked forward to discussion of the workplan.

152. Japan recalled its previous advice to proceed with great caution. It noted that as long as harvest strategies remain a conceptual exercise CCMs would not be able to see what will happen, and suggested proceeding with a specific species; if the outcomes are unacceptable, the Commission could return to the starting point and try again through an iterative process. Japan suggested taking the approach that nothing is agreed until everything is agreed, and stressed the need to examine specific species, candidate management procedures, and actions.

153. FSM supported comments about capacity building and need for slow progress. It noted that SIDS economies are very dependent on fisheries and are just starting to see economic benefits. FSM stated that when HCRs are defined CCMs will be bound by these and stressed the need to ensure that the harvest strategy process will not have a negative impact on SIDS' economies. FSM stressed the complexity of multi-species, multi-gear fisheries, and stated there is much to take into account before making firm decisions.

154. The Chair stated that elements for individual species would be discussed under Agenda Item 7. Australia volunteered to revise the harvest strategy workplan as the discussion proceeded.

6.2 Harvest Strategy Display Software

155. Dr Finlay Scott (SPC-OPF) provided a presentation in reference to **WCPFC16-2019-10** *Using PIs to select a management procedure for skipjack* and **WCPFC16-2019-11** *Using the PIMPLE software to explore skipjack PIs*. He observed that developing a harvest strategy is a stakeholder-led process and stakeholder engagement is a key component of the approach. An important area of stakeholder

engagement is the communication of results. When developing a harvest strategy, candidate management procedures (MPs) are evaluated using management strategy evaluation (MSE). Performance indicators are used by stakeholders to evaluate the expected relative performance and trade-offs between candidate MPs, allowing preferred MPs to be identified. Not all indicators will be of interest to all stakeholders and different stakeholders will likely focus on different sets of indicators depending on their priorities for the fishery. It is important that the results from the evaluations, including the indicators, are communicated to stakeholders in a way that allows them to select their preferred MPs. In evaluating WCPO tuna stocks, each PI will be calculated over three time periods (short-, medium- and long-term). Additionally, to reflect the uncertainty in the results each indicator reports a distribution of values rather than a single value (except for the probability-based indicators, such as the probability of $SB/SB_{F=0}$ being above the LRP). Therefore, a lot of information can be presented through the PIs and other results from the MSE, making selecting a preferred MP difficult. For example, for the current preliminary results for the skipjack evaluations seven PIs are calculated and each indicator is calculated over the three time periods. This gives 21 indicators to consider for each candidate MP, nearly all of which are distributions rather than single values. As more MPs are evaluated and more indicators are included, the amount of information that needs to be communicated to stakeholders can become very large, potentially making it difficult to select a preferred MP. To assist in the communication of the evaluation results SPC is developing an interactive software tool: Performance Indicators and Management Procedures Explorer (PIMPLE). The aim is to facilitate the interactive exploration of the evaluation results, thereby making it easier to compare and evaluate the relative performance of candidate MPs. By selecting and deselecting from the list of available PIs and candidate MPs it is possible to “drill down” into the results. This makes it easier for each stakeholder to focus on the key indicators of interest and consequently identify their preferred MP. As different stakeholders have different preferences for how the results are presented, the tool includes a range of different plot types including bar charts, box plots, time series plots and radar plots, as well as summary tables. The development version of the tool is available online. To help stakeholders use PIMPLE, two reference sheets have been produced. One summarises the currently available PIs used in the skipjack evaluations, the other has an overview of how to use PIMPLE, including the different plot types that are available. These reference sheets are available through PIMPLE.

156. PNG acknowledged the work done by SPC to date and inquired whether this tool would be used in the in-country workshops, and if various harvest control rules (HCRs) (e.g., some with less drastic management responses than used in the examples previewed at WCPFC16) could be trialled. The presenter stated that PIMPLE was used in the last in-country workshop, and its use would continue. The HCRs were developed by SPC simply to explore the evaluation framework, and those currently in use were selected to offer contrasting results. He described the results displayed in PIMPLE as preliminary and stated that as work progresses SPC will seek for input from CCMs on trial HCRs.

157. Indonesia inquired regarding selection of HCRs and MPs when using PIMPLE, observing that there were no options provided to select different MPs. The presenter stated that at present all use the same data collection and estimation model, which, with the HCR, are the elements that make up the MP. Alternative MPs will be examined in the future. For South Pacific albacore (where the HCR is driven more by CPUE), enabling the use of differing analytical methods will be much more important.

158. Japan asked how the HCR would be affected when a new stock assessment model was employed. The presenter stated that SPC would recondition the current operating models using the current stock assessment. He noted that the HCR currently does not use either the 2016 or 2018 stock assessment model; it is similar to the 2016 model, but with different assumptions that make it more robust. He stated the same would be true for the management procedures.

159. The EU stated that it would be possible to have incompatible PIs when defining the model, which could produce bizarre results, because the PIs affect each, and asked what could be done in such a case,

and if this had to be taken into account when defining the model, or would be addressed when looking at the results? The presenter stated that this was related to the nature of trade-offs with regard to various indicators, and that it was unlikely a HCRs could be defined that would perform well across all indicators, meaning the trade-offs would always be present; he stated this trade-off process may not have been discussed in detail by the Commission.

160. Kiribati inquired whether PIMPLE was being used with actual or theoretical data for skipjack or other stocks, stating it would prefer that actual data was used. The presenter stated that the results displayed to date related only to skipjack evaluations, but that the tool could also be used for South Pacific albacore. He noted that the historical results were all based on real data, but that 2015 was the last year with real data, but that this would be updated using the 2018 skipjack model.

161. China stated that the current international price of tuna was very low and asked whether a PI reflecting the principle that fisheries should avoid oversupply was included, noting that most CCMs would be interested in including such an indicator. The presenter stated this was part of a broader discussion regarding what PIs various CCMs would be interested in using. He stated that it could be tricky to narrow down the underlying assumptions and associated calculations, but that it could be possible for SPC to work with FFA to develop some relevant PIs.

162. The Commission received a presentation from the Scientific Services Provider on the harvest strategy display software (PIMPLE) and encouraged CCMs to provide feedback to the Scientific Services Provider on the software.

6.3 Management Objectives

163. The Chair stated that the Commission needed to review management objectives annually and inquired whether CCMs were comfortable with the management objectives that have guided the Commission to date with respect to modelling, noting the management objectives from CMM 2018-01.

164. New Zealand, on behalf of FFA members, stated that they had concerns regarding the value of including discussions of management objectives and their associated PIs on the agenda, given that the Commission already had recorded its management objectives. It recognised that PIs may need to be adjusted as the Commission moves through harvest strategies, particularly depending on adopted TRPs, and that FFA members would like to discuss how best to align these topics within the Commission's harvest strategy development process, including if it is even necessary to discuss these issues in the future.

165. The United States observed that there is a disconnect between the recorded management objectives developed for the harvest strategy, which are a work in progress, and those already adopted objectives for the four main stocks, which would be in effect through 2020 (the life of the tropical tuna CMM). The United States stated there are therefore two discussions: regarding development of the objectives housed in the harvest strategies, and the objectives in the tropical tuna measure, which would be discussed in 2020, and become effective in 2021. The United States suggested that the current objectives in the tropical tuna measure could be somewhat outdated given that a good paper on minimum TRPs had been produced, and contained information that was critical to modification of the objectives for the next tropical tuna CMM.

166. The EU agreed with the USA, reflecting that discussion of the two sets of objectives did tend to become mixed. It suggested that the management objectives in place were somewhat arbitrary and precautionary, given the uncertainty in the stock assessments for the tropical tunas.

167. PNG, on behalf of the PNA, noted that it had been difficult to make progress on agreed management objectives and PIs, which was not surprising given CCMs' diversity of interests. As a result, the list of PIs is longer than SPC would like for analysis, and different PIs are going to be important for different Commission members. PNG noted the importance of a PI related to disproportionate burden, which might not be important for single species harvest strategies but would be critical for the multi-species work. Without this indicator, a lot of work might be done on alternative management procedures that are simply not feasible for the Commission to adopt, because of the disproportionate burden implications.

168. Indonesia stated its understanding that the management objectives in the tropical tuna measure are very broad, and stated it was difficult to address all management objectives, including the PIs. Indonesia suggested the need to prioritize which management objectives must be achieved, and to base the TRP on traceable, quantifiable scientific findings, although other factors may also contribute.

169. The Chair stated that the Commission would bear in mind the comment by FFA members, and the observation by PNG (and the PNA) regarding the importance of considering disproportionate burdens, issues that also related to PIs.

170. The Commission reviewed the Management Objectives for tropical tunas contained in CMM 2018-01 and for South Pacific albacore and considered that there was no need to review the Management Objectives on an annual basis, but they should be amended as required.

6.4 Performance Indicators and Monitoring Strategy

171. The Chair noted that CCMs had raised various issues regarding PIs in discussions under other agenda items, and that the Scientific Committee had reviewed various PIs for both skipjack (**SC14-MI-WP-03**) and South Pacific albacore (**SC15-MI-WP-03**).

172. Nauru, on behalf of FFA members, stated their concern that there were no direct indicators that measure the economic impact on SIDS. They expressed concerns about relegating such an important issue to the monitoring strategy. FFA members inquired whether the Scientific Services Provider felt this was adequate to minimise the risk of adverse economic effects to SIDS by a particular candidate management procedure. They also expressed concern about the issue of subsidies being taken into account in the PIs, observing that is not done at present; one indicator does address maximising economic yield from the fishery, but is not necessarily helpful because some CCMs may affect their economic yield in other ways (e.g., by employing subsidies).

173. Japan referenced its prior statement on the issue and observed that the specific PIs of interest to CCM should be included, but observed it is essential to be able to calculate the PIs. Japan noted that SPC has made efforts to calculate a range of PIs, including the disproportionate burden on SIDS, and impacts on small-scale fisheries, and that this is particularly important for multispecies fisheries. Japan suggested that CCMs assist SPC to develop ways to calculate specific PIs, whether through provision of data or sharing of ideas.

174. Indonesia noted this is a very challenging process, and that data and papers considered by SC that inform how to achieve the management objectives and measure the PIs are based only on catch and effort data, and lack other data, including regarding economics. Indonesia stated that the Commission was better able to address biological and ecological aspects of fisheries than the socioeconomic aspects; it suggested that it may not be possible to assess all the PIs and management objectives and proposed the Commission

should prioritize among the objectives. It suggested asking SPC which management objectives and PIs could be evaluated using available data.

175. RMI, on behalf of PNA members, stated they consider the discussion on PIs and management objectives for the tropical tuna measure and harvest strategies to be separate, and that the outstanding success of the existing tropical tuna measure shows why the major elements of this measure should not be changed.

176. China agreed with the statements by FFA and PNA.

177. The United States commented that what is missing in the PI checklist is some reference to the economic viability of the fishery. This issue is not simply sustainable, healthy fish stocks, but includes capacity and effort, as these impact the price of tuna. In 2012 (a reference point for the viability of the fishery) skipjack sold for \$2150/t; in 2019 the price was about \$750/t. Central to the theme of PIs is economic modelling that includes many aspects that allow it to be profitable for vessels to catch fish. The United States observed the need to define the factors that help the fishery remain profitable and include these as PIs.

178. The Chair summarised that CCMs agreed there is a clear distinction between management objectives and PIs, and that there is no need to review management objectives. Questions were raised over specific PIs and how these can be determined, and she noted Japan had proposed that members assist with provision of data.

179. SPC stated that with the MSE framework for skipjack, the assumption is that changes in the level of fishing are proportional across the fleet: allocation is not currently examined, so impacts on distant water fishing nation (DWFN) or Pacific Island fleets are proportional. Under multispecies approaches disproportionate burden could be calculated. SPC discussed the PIs in papers prepared for SC and welcomed further data and assistance from CCMs as works continues. SPC stated it had developed proxies for economic indicators, total catch, and catch rates, but lacked a detailed understanding of the economic costs within the fishery; such costs are currently calculated at the aggregate fleet level. Therefore, any economic data from CCMs would be welcomed. SPC stated it currently does not look at price elasticity but this could be done. Economic indicators should be included in the monitoring strategy, because many outcomes depend on how allocations are made. Monitoring changes in PIs is important, as it allows CCMs to compare the actual outcomes verses the model projections.

180. The Chair noted that some of these issues would be further addressed under Agenda Item 6.5.

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| 181. The Commission considered that it was important to consider economic indicators as performance indicators (PIs) and encouraged CCMs to assist the Scientific Services Provider by providing economic and other data to assist in development of PIs, including in relation to the disproportionate burden on SIDS, particularly with respect to multi-species fisheries. |
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6.5 Management Strategy Evaluation

182. Dr Rob Scott (SPC-OFP) presented **WCPFC16-2019-09** *An overview of progress in developing WCPFC Harvest Strategies*, which reviews the proposed approach for developing a mixed fishery and multi-species approach for the development of fishery-based harvest strategies. The approach has been devised to allow for the continued development of single species modelling frameworks for the four tuna stocks, which can be subsequently incorporated into a mixed fishery framework; this would investigate the implications of management procedures (MPs) for one stock on each of the other stocks. Under this

approach, management procedures would be developed for skipjack, south Pacific albacore and bigeye tuna. Yellowfin tuna would not have a dedicated species-based MP. Rather, the impact on yellowfin tuna would be evaluated from the application of the combined MPs for skipjack, bigeye and South Pacific albacore to all fisheries that significantly impact yellowfin. This framework would be used to identify those MP combinations that have an acceptably high chance of achieving management objectives for all stocks, including yellowfin. While the proposed approach would not fully capture mixed fishery/mixed species interactions in an integrated framework (which would require multi-species MPs), it provides a staged approach for developing fishery-based harvest strategies from a collection of single species modelling frameworks.

183. The Chair noted that the hierarchical approach introduced by SPC was endorsed by SC.

184. Japan referred to the prioritisation in the “Combined Modelling Framework”, which depicts the skipjack MP affecting bigeye management, and noted that prioritisation of species is important, and that SC had not agreed to prioritise skipjack over bigeye management procedures. The presenter agreed regarding Japan’s understanding of the SC outcomes.

185. Australia, on behalf of FFA members, noted that the SC endorsed the development of a hierarchical approach to dealing with multispecies harvest strategy issues and thanked SPC for their development of an example of a hierarchical approach that might meet this need. While some FFA members are not ready to endorse an approach that includes no management procedure for yellowfin, and need to understand the implications of these more clearly, they stated their recognition that this initial work was an exploratory analysis, and looked forward to further development.

186. Vanuatu stated that it required more time to fully understand the concept of management procedures and hoped capacity building options would be available to facilitate this. It stated its understanding regarding the need for harvest control rules, and indicated it had been supportive of that work, but needed to ensure a similar level of comfort with the evaluation of management procedures through the management strategy evaluation process.

187. PNG, on behalf of the PNA, thanked SPC for the large volume of work on the development of an MSE framework for skipjack, as reported in **WCPFC16-2019-09**. PNG stated that one of the elements that PNA members struggled with was the shift from the idea of testing alternative HCRs to testing alternative MPs. They stated their understanding was that the aim was not to adopt HCRs, as stated in the current workplan, but rather to adopt management procedures for each stock or fishery. PNG raised the following questions on this approach:

- i. Should the workplan be revised to refer to adopting management procedures instead of adopting HCRs? If so, PNA members suggested this may involve substantially more work and take longer than is currently provided for in the workplan.
- ii. As noted in **WCPFC16-2019-09**, various models may perform differently and CCMs will probably want to evaluate performance of models over time, which may take some time; would SPC agree with this assessment?
- iii. What information is available on the development of management procedures for other (non-WCPFC) tuna stocks, in terms of the volume of work and the process for completing it?

188. The presenter stated that under the workplan the intent had always been to develop management procedures for stocks, which comprises data collection methods to establish status, and HCRs. He noted that the discussion had focussed on HCRs, but the intention had always been to develop the management procedures. The shift to a multi-species framework and the additional work it requires may require changes to the harvest strategy workplan, with a second method to determine the status of a stock. The

primary requirement of the model is that it tracks the status of the stock through time and gives a good estimate of stock status. He agreed that there could be a need to evaluate the estimation model further. Regarding the experience with the development of management procedures in other RFMOs (in terms of the work volume and process), he noted that this was a lengthy process — for example, southern bluefin tuna took several years.

189. The EU thanked SPC, and supported continuation of the work.

190. Japan noted that in ICCAT it was estimated that to develop a single species management procedure five 5-day meetings were needed.

191. Indonesia acknowledged the process to address mixed fisheries, and noted the major catch figures, but observed that no specific procedures for yellowfin were proposed. For “other fisheries” the yellowfin catch is quite large, and Indonesia observed it will be important to develop specific yellowfin procedures in archipelagic waters; it looked forward to further consultations with SPC to develop such procedures.

192. FSM, on behalf of the PNA supported the SC15 endorsement of a hierarchical approach to developing a multi-species modelling framework, and agreed with the initial focus on developing a single species harvest strategy for skipjack, which would subsequently be incorporated into a mixed fishery and multi-species framework. The PNA reiterated their expectation that the framework would provide for an analysis of trade-offs between the achievement of TRPs for different stocks. SC15 was presented with some interesting examples of how these trade-offs are analysed in harvest strategy models for other multi-species mixed fisheries. Such models allow for analysis of the outcomes of different arrangements for making trade-offs between the TRPs for different stocks. These include options for determining outcomes that maximize yields, or the value of yields, across the stocks as a whole. They stated their expectation that multi-species models would ultimately include consideration of schemes that would involve such a trade-off analysis.

193. PNG stated that PNA members proposed that the workplan be considered an ‘Indicative’ Workplan so there is no sense of an obligation to meet the timelines.

194. The Chair noted that the Commission requires time to provide guidelines in terms of the multispecies approach.

195. The Commission agreed to task the Scientific Committee and the Scientific Services Provider with progressing work on a multispecies approach and to report back to the Commission.

6.6 Terms of Reference for a Management Dialogue

196. The Chair noted **WCPFC16-2019-12**, *Reference Document on Terms of Reference for Science-Management Dialogue* and encouraged CCMs to provide input on how to progress with harvest strategies in a way that would engage both scientists and managers.

197. Kiribati, on behalf of FFA members, reaffirmed their view that the dialogue be held immediately after SC. They noted that the intent of the dialogue as initially recommended by SC was to progress more expeditiously harvest strategy work, but stated that its increasingly complex nature meant more time was needed to ensure that all CCMs fully understand the concepts. FFA members requested more targeted capacity building at the national level on the concepts for their managers, noting that the existing national workshops by SPC, particularly on harvest strategies, were relevant for this. They stated that many FFA

members did not see the value of holding the dialogue in 2020, although they would be interested if the dialogue could be initiated in the form of capacity building exercises for all CCMs.

198. The Chair stated that SPC had advised that they are working with CCMs through workshops and would visit CCMs to undertake capacity assistance in 2020–2021. She asked CCMs to provide input on how best to progress the harvest strategy (e.g., through an extended Commission meeting or via a workshop or other standalone meeting).

199. Several members stated the extended Commission meeting was useful at WCPFC16 and gave tentative support for using the same approach in 2020 but noted the schedule would have to take into account the various working groups that were also planning to meet in 2020. Other mechanisms for enabling managers and scientists to interact, such as holding an extended pre-stock assessment workshop, or creating an electronic working group, were also suggested. The question was raised whether such a dialogue would make use of the TORs developed previously by the SWG, which had focussed on technical issues, and had envisioned a separate working group.

200. PNG, on behalf of PNA members, supported the prior comment by Kiribati regarding the need for significant capacity building prior to holding such a working group. PNG noted that the PNA agreed to the Harvest Strategy Workplan on the basis that it would not require additional Commission bodies or meetings such as the science-management dialogue, and would be integrated into the ongoing processes of the Commission. PNA members were reprioritising building their capacity to ensure they could participate effectively in the harvest strategy process and stated that they were not ready to engage in a separate science-management dialogue.

201. The EU stated its goal was to enable scientists to interact with SPC and failed to understand why this would be problematic for any CCMs. It referenced its proposal, as outlined elsewhere, including under Agenda Item 7.2.1.3. PNG restated its view that capacity building would be needed to enable all CCMs to discuss these issues, because of its increasing complexity. Kiribati supported PNG's statement, and stressed the need for national workshops before beginning processes such as the science-management dialogue.

202. In reference to suggestions from the EU regarding alternative mechanisms for CCM involvement, SPC noted that the SPC's pre-assessment workshop is designed to receive feedback to inform SPC's stock assessments and would not be suitable for discussing MSE work. It suggested there would technical issues to consider prior to conducting an electronic working group. The EU reiterated its interest in an enabling CCM scientists to be involved in the MSE work, which they suggested was a matter of sovereignty. The EU stated its desire to be involved on an ongoing basis and observed that other CCMs had the opportunity to interact with SPC throughout the year. SPC stated that it could look at technical approaches to enabling increased participation, and that it intends to make the code used for MSE work available to CCMs. It confirmed that the MSE process should be transparent, while being mindful that these are very technical issues, and some members would have more capacity to contribute than others. SPC stated it would look into ways CCMs and SPC could work together more closely and suggested the SC meeting could provide such an opportunity.

203. Japan stated that it generally shared the concern expressed by the EU. It noted that with respect to typical stock assessments, some very technical discussions were held at the pre-assessment meeting, but with respect to MSEs — which are more complex — there is no opportunity for in-depth technical discussions with SPC experts. Results of the MSE work are reviewed at SC, but some CCMs feel the information presented is insufficient to evaluate what is being done. Japan observed that the more that CCMs feel uncomfortable, the slower the process will be; at a minimum CCMs should feel they have good access to information. Japan reiterated that there is less inclusiveness in the MSE process than in the stock

assessment process, although there should be more, and encouraged SPC to consider how to improve the situation. SPC observed there had been further requests for provision of additional information at SC and suggested it might be possible for SPC to work with colleagues at ISC to come up with a common approach to making these methods more transparent.

204. Canada supported the comments by Japan and the EU, and noted the TORs developed by the working group were not for a management meeting, but for a joint meeting where all stakeholders are involved. Canada encouraged consideration of moving forward on a process such as that discussed at WCPFC15, if significant progress was to be made.

205. The Ocean Foundation (TOF), on behalf of Pew, TOF, and WWF, stated that the Commission had committed itself to developing harvest strategies for key stocks or fisheries. Despite difficulty in reaching decisions on some elements of the harvest strategy approach that were scheduled for adoption in the workplan in 2019, there was significant detailed and productive discussion at WCPFC16, and TOF supported continuation of these discussions, stating that NGOs support capacity building in any form because harvest strategy work requires frank and open discussions among scientists and managers, and they need adequate time to focus on this work. They observed that for that reason both SC14 and SC15 recommended creating a scientist-manager dialogue working group. Other RFMOs, such as NAFO, CCSBT, ICCAT and IOTC, are using or have used scientist-manager dialogue groups and found them essential to developing the harvest strategy process. TOF observed that CCMs agreed this work to be incredibly valuable to the future of the tuna fisheries in the WCPO, and stated that if such a body could not be created, the Commission should devote time and resources to continue to progress this work at WCPFC17, noting the discussions should continue, so as not to lose the momentum and consensus for the work that had been generated to date.

206. RMI fully agreed on the need to continue the discussion on building capacity regarding efforts to manage these stocks. It reminded the Commission that CCMs that are SIDS and coastal states need additional time, given the increasing number and complexity of issues being discussed. It supported the statements by PNG, Kiribati and others, noting the need for building capacity. RMI stated it was very important for processes such as the science-management dialogue to involve those who play a major part in the fishery and observed most of the fishery was in the waters of coastal states who depend very highly on these resources. It stated that all decisions made on the stocks affect each SIDS inhabitant, and thus SIDS need to be able to participate effectively.

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| 207. The Commission noted that the Scientific Services Provider is planning to continue to undertake workshops for individual CCMs to build capacity on harvest strategies. |
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6.7 Review of Work Plan

208. The Chair referenced **WCPFC16-2019-IP02** *Agreed Workplan for the adoption of Harvest Strategies under CMM 2014-06* and asked CCMs for their views on needed changes.

209. The United States stated that it was clear that the workplan would need adjustment, certainly in terms of the schedule, but that it did not see the need for large structural changes. It noted Australia had taken the lead in drafting some revisions. The United States observed that in terms of terminology “management procedure” is a new term, and that perhaps the next version of the workplan can explain what management procedure means if the term will continue to be used.

210. Japan noted its understanding that the Commission could proceed with skipjack management procedures, but establishment of a management procedure for skipjack did not mean it would be used, but

rather that the Commission would then go on to address multi-species management procedures. This was confirmed by the Chair.

211. Tokelau, on behalf of FFA members, stated that while the work plan was a critical document for guiding the Commission's development of harvest strategies, it clearly needed to be reframed, because development of harvest strategies for WCPO stocks is an ambitious task, particularly given the complexities of intersecting stocks and fisheries. FFA members considered it important that the workplan addresses those complexities in a way that provides clear guidance to the Commission, but the workplan must also be realistic. FFA members noted that Australia had offered to help update the workplan to reflect decisions at WCPFC16 and encouraged all members to provide inputs to that revision so it would remain a useful guide for the Commission.

212. PNG stated that it would be useful to frame the workplan as indicative, reflecting that some elements will change.

213. New Zealand stated that the goals for harvest strategy capacity building were described in **WCPFC16-2019-IP14** *National Harvest Strategy Capacity Building Workshops for WCPO tuna fisheries*. It noted that the workshops described were funded by New Zealand, and that the intention was not to include these in the workplan.

214. FSM on behalf of the PNA stated that on page 7 of **WCPFC16-2019-09**, SPC indicated that WCPFC remained on course for implementation of a single species harvest strategy for skipjack in 2020. However, PNA members stated that in their view it was not realistic to plan for completion of a skipjack harvest strategy in 2020. If a skipjack TRP was agreed at WCPFC16, it would still require a revision of the skipjack operating model and agreement on several elements of a skipjack management procedure; that work could take several years, especially taking into account that less progress is likely in 2020 because of the effort needed to renegotiate the tropical tuna CMM, thus making even 2021 an optimistic timeframe for a skipjack harvest strategy. In the absence of agreement regarding a revised skipjack TRP at WCPFC16, it almost certainly take longer than 2021 to complete the skipjack harvest strategy.

215. The EU reiterated that priority in the workplan should be on SKJ. It also reminded CCMs it had made suggestions regarding how to increase the participation of CCMs in the MSE work and encouraged CCMs to consider these.

216. The Chair observed that adoption of the harvest strategy would entail a long-term commitment by the Commission and stated that CCMs should take as much time as needed to consider capacity building and the special needs of members. The Chair confirmed that would be Australia work in the margins of WCPFC16 to update the Harvest Strategy Workplan.

217. After incorporating feedback and suggestions from CCMs, the Chair of the Harvest Strategy Workplan SWG (Australia) presented the Harvest Strategy Workplan. It was first developed in 2015, with an ambitious schedule, and was intended to be updated to reflect developments and progress. The workplan review planned for 2019 was intended to be thorough, and the SWG Chair stated CCMs had provided extensive comments, noting that CCMs were driving the process. The workplan is intended to be ambitious but realistic, and recognizes the need for time and capacity building, and learning from the collective experiences of CCMs. The SWG Chair thanked CCMs for their assistance with the update.

218. PNG, on behalf of PNA members, stated they supported the FFA statement regarding WCPFC16-2019-DP-01. They stated that the harvest strategy work had not gone according to plan in a number of important respects and required substantial amendments. Initial timeframes were clearly too short, and almost every element of the work is taking longer than in the initial plan, largely because the work is more

complex than expected (and not because of a lack of effort by CCMs or SPC). In addition, the nature of some of the work has changed, the original goal was to adopt harvest control rules (HCRs) for each major stock, while now the goal is to adopt management procedures for each stock, which seems to involve reaching agreement on a monitoring strategy, the settings of the estimation model, and HCRs. This could take several years even for skipjack, where progress has already been made. PNA members restated that 2020 was not a feasible completion date for that work. In addition, PNG observed that some elements simply did not work — for example, the skipjack TRP must be revised and reformulated. These developments have made PNA members much more cautious about agreeing to any further decisions on any elements of the harvest strategy work until the likely implications and outcomes are better understood. PNA members asserted that the harvest strategy must be approached as a package, rather than separate elements, and stressed the need to build CCMs' capacity to engage in the work and understand its implications. They noted that future sustainable development of PNA members was very heavily dependent on the tuna resources being managed. While harvest strategies can enhance the long-term value of those resources, PNA members cannot afford to take the risks associated with work on harvest strategies without being fully informed about the implications of the decisions that have to be made.

219. China thanked the Chair of the SWG and supported the comments by PNG on behalf of PNA members. The EU thanked the SWG Chair for the updated indicative workplan, and suggested that in the future it might be possible to organise a SWG with interested CCMs to assist the SWG Chair with updates. The United States thanked the SWG Chair for their work, and made some specific drafting suggestions.

220. FSM, on behalf of PNA members proposed that the timeline for development of a skipjack management procedure be extended to 2022. They noted their prior hope that the timeline of 2021 for completion of a skipjack HCR could be maintained, but in supporting the FFA proposal for a revised skipjack TRP PNA members made it clear that failure to agree on a revised skipjack TRP would put that timeline at risk. However, they recognised that the questions raised by FFA were important and needed more consideration than possible at WCPFC16. In addition, as previously noted, the management procedure for skipjack has additional elements, as well as the harvest control rule. PNA members stated they found the advice of SPC and Japan provided at WCPFC16 on the experience in other RFMOs of development of management procedures daunting but very helpful. Consequently, PNA members regretfully concluded that adoption of a skipjack management procedure will not happen in 2021. PNA members stated they did not want to be bound by an unrealistic timeline for adoption of elements of the skipjack harvest strategy and could not agree to an unrealistic timeline of 2021, rather they could accept 2022, with the proviso that it may take longer.

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| 221. The Commission adopted the Updated Indicative Workplan for the Adoption of Harvest Strategies under CMM 2014-06 (Attachment H*). |
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AGENDA ITEM 7 — WCPO TUNA AND BILLFISH STOCKS

7.1 General overview of stock status (bigeye, skipjack, South Pacific albacore, yellowfin, Pacific bluefin, North Pacific albacore and North Pacific swordfish)

222. Dr John Hampton (SPC-OFP) provided an overview of stock status, with reference to *SC15 outcomes on status of stocks* and **WCPFC16-2019-IP03_rev1 Western and Central Pacific Tuna Fishery:2018 Overview and Status of Stocks**. The total catch of main tuna species in 2018 was approximately 2.8 t, the second highest ever but within the range of catches over the past seven years. Purse seine catch in 2018 was approximately 1.9 t. Effort, as measured in vessel days, has been lower since 2015 compared to the record level in 2014. Total catch has also been slightly lower over the same period. Purse seine CPUE shows a long-term increasing trend, and was particularly high for most of 2019,

which will likely result in a record catch when all data are available. As in recent years, the purse seine catch is approximately equally distributed between associated and unassociated sets. Longline effort has tended to decline since 2012, and catch has also trended slightly downwards since 2010, primarily through reduced bigeye catches. CPUE of yellowfin and bigeye in the tropical longline fishery and albacore CPUE in the southern longline fishery have been stable or slightly increasing over recent years. None of the key tuna stocks in the WCPFC Convention Area are currently estimated to be overfished or experiencing overfishing, in contrast to other ocean areas. However, the spawning biomass in relation to unfished levels of all stocks has declined substantially over several decades as the fisheries developed, before stabilising, or increasing slightly, in the most recent years. All stocks are above the LRP with high probability, while skipjack and South Pacific albacore are slightly less than their respective interim TRPs. However, several other stocks of billfish (e.g. north and southwest striped marlin) and sharks (e.g. oceanic whitetip and silky sharks), as well as Pacific bluefin tuna are estimated to be either overfished, experiencing overfishing, or both. The recent evolution of the El Niño Southern Oscillation (ENSO) was reviewed, indicating that the WCPFC Convention Area continues to be in an ENSO-neutral state, with most forecasting models predicting maintenance of neutral conditions through the first half of 2020. Long term impacts of climate change continue to suggest overall negative impacts on skipjack, yellowfin and bigeye tuna in the WCPO, with projected eastwards displacement of these stocks towards the central and eastern Pacific, particularly in the second half of this century.

223. Tonga, on behalf of FFA members, thanked SPC for another comprehensive overview of the status of the four main tuna stocks, which shows that the WCPO produces over half the global supply of the larger tunas, and all four of the stocks that straddle the equator are sustainable.

224. The EU noted that WCPFC has management based on a zoned approach and suggested it would be valuable to see graphics showing the catches inside and outside of the EEZs, as it would help understand the dynamics of the fisheries. It also suggested it would be helpful to have additional graphs and tables on non-tuna species, including a figure showing the status of all species for all RFMOs. Regarding climate change, the EU inquired regarding the certainty of the projections? SPC referred to Figure 17 of **WCPFC16-2019-IP03_rev1**, which displays (with orange shading showing 5% and 95% uncertainty) SPC's best estimate of biomass, based on the use of a variety of models. SPC first estimates the impact of climate change on the oceans, and then projects the effect on tuna biomass. The uncertainty is quite high for some species, in particular albacore, which is driven by sensitivity to dissolved O₂; climate models are not good at predicting dissolved O₂.

225. Palau, on behalf of PNA members, stated that the continuing positive status of the major stocks was a good reflection of the quality of the management arrangements in place for tropical tunas. They noted that while this was encouraging, there is more to be done to address the gaps and weaknesses in those arrangements. They also noted that there are some other important stocks, particularly bluefin, where the Commission record is very poor; for PNA members a major priority continues to be the need to strengthen arrangements for FAD management, because uncontrolled growth in FAD use remains the biggest threat to the sustainability of the major tropical tuna stocks, and PNA members give high priority to measures to improve information on FADs and FAD tracking in PNA waters.

226. Japan stated that while the number of purse seine days has decreased, catch has fluctuated, meaning that fishing vessels are likely becoming more efficient, and inquired (i) regarding the reasons for the increase, (ii) whether the number of sets was increasing, (iii) the effects of echosounder use, which is apparently increasing. SPC noted there was a very large increase in the number of free school sets starting in 2008, when WCPFC introduced a FAD closure. Vessels were then relearning how to set on free schools. A project at SPC funded by the EU is looking at detail at purse seine fishery evolution; SPC is seeing an increase in the number of sets per day, which increases CPUE based on number. FAD

technological development is also a factor — vessels can select the most effective FADs, thereby increasing CPUE.

227. Kiribati, on behalf of the PNA, thanked SPC for the presentation and for the continuing high quality of the regional fishery overview paper on which the presentation was based. PNA members supported the EU's request relating to the breakdown of catches by national waters and high seas, stating this was important because of the importance for CCMs of trends in relation to high seas fishing, and of the relative balance of fishing between high seas and national waters.

228. China noted all tuna species are in good health, which is not the case in other t-RFMOs. It agreed with the EU's suggestion of the need for data to understand each CCM's catch by year and species and inquired regarding linking stock projections with TRPs and harvest strategies.

229. SPC noted that detailed annual information on fishing distribution and catch statistics by CCM are published in the WCPFC Tuna Fishery Yearbook, and that these include aggregate distributions. Stock status in relation to LRPs and TRPs is provided in the detailed stock assessment documents.

230. RMI on behalf of PNA members thanked SPC for the chart on the status of stocks managed by different RFMOs, and noted the information relating to climate change. RMI asked SPC to confirm their understanding that yellowfin stocks managed by other t-RFMOs were overfished or subject to overfishing and all bigeye stocks were in the same state. SPC indicated that it directly reports what the scientific bodies of other t-RFMOs have reported. The reasons for the WCPO's healthy stocks include the large component of the WCPFC fishery composed of skipjack, and the proportion of FAD versus free school catch (50/50); purse seine fisheries with a high FAD content will have a greater effect on yellowfin and bigeye. PNG inquired further on how estimates of stock status in other t-RFMOs was calculated. SPC stated that these reflect the standards used in those RFMOs. Not all use 20% $SB_{F=0}$ (e.g., limits in the EPO are related to MSY, or a fraction thereof). Japan stated that other t-RFMOs sometimes use MSY as a borderline between these categories, and that it was not possible to simply compare stock status directly between t-RFMOs.

231. Indonesia noted (i) the higher uncertainty for South Pacific albacore compared to skipjack, and inquired whether this had been incorporated into the harvest strategy models; (ii) the low number of model scenarios for South Pacific albacore (24) versus skipjack (288); and (iii) the issue of dissolved O_2 , and increased uncertainty for South Pacific albacore, and inquired whether uncertainty related to environmental factors would be included in the operating model for the MSE work. SPC stated that albacore differs in that most (90%) is exploited as large adult fish by the longline fishery, with only a small troll fishery around New Zealand, which means that SPC's data are less informative (there is a lot of tag data for tropical tunas, but not for albacore); this contributes to the uncertainty for albacore. SPC is considering how environmental impacts can be taken into account in the MSE, possibly using the Spatial Ecosystem and Populations Dynamics Model (SEAPODYM).

232. New Caledonia noted that 2019 was the third year of decline in its albacore catch. It has only 20 longline vessels fishing in its EEZ, with historically very low fishing pressure, but overall catch trends are down (30% in 3 years), including a 15% reduction in albacore, and the industry is suffering economically, and New Caledonia requested insights from SPC. SPC indicated it would follow up directly with New Caledonia. PNG asked how to reconcile the decline in stocks in New Caledonia, as reflected by their comment, and the possible 50% increase in albacore is projected over the next 50 years, based on climate change projections.

233. RMI stated that the indications of overfishing from other t-RFMOs provided an incentive for WCPFC to adopt the precautionary approach, while recognizing the need to be cautious in how overfishing is compared between regions.

Northern stocks

234. Dr S. Nakatsuka (Chair of the ISC Pacific Bluefin Working Group) provided an introduction regarding the work of the ISC. He noted regarding annual catch, that North Pacific albacore catch was stable or declining in the last two decades, with the primary catch taken by Japan; Pacific bluefin tuna stocks have declined, and catch is low, with protective measures in place; and swordfish stocks are stable. He also referenced the stock assessments being conducted by ISC.

235. In response to a query from the EU regarding supplementary information, the presenter and the Chair noted that **WCPFC16-2019-22, -23 and -24** and **WCPFC16-2019-IP10 and -IP11** had been prepared as reference documents for WCPFC16. The EU indicated it would share with Secretariat what additional information it was seeking.

236. The EU stated that the presenter mentioned that there are no reference points defined for the Commission that allow the ISC to derive stock status, and suggested where there is no defined reference point, that defined by the Convention (MSY) can be used. In response Japan stated that the evaluation was conducted against F_{MSY} as one of 7 reference points, to provide as much information as possible.

237. The United States stated its understanding that there is no automatic MSY-based limit if the Commission has not adopted an LRP for F. It noted that it is very useful to have status against potential reference points examined, and voiced appreciation for how this was done by ISC. The United States stated that if MSY-based measures are important for any CCMs, they should be among the potential candidates, as done by ISC. An F-based limit would likely reflect depletion (typically 20%).

238. Palau inquired how the bluefin stock could be rebuilding when there is still overfishing. Japan indicated that given a rebuilding target and projection, all that is possible is to take uncertainty into account, implement measures, and observe the results; with targets and measures it is necessary to see the interactions. SPC observed that some of the confusion on the part of CCMs regarding Pacific bluefin tuna is that there is a rebuilding strategy but overfishing is continuing, which raises the question of how these can be reconciled. The ISC WG Chair stated he is often asked this by fisheries managers: how can a stock rebuild when fishing mortality is over MSY? This can happen if stock levels are very low, but fishing mortality is lower than current biomass can support; as stock levels increase and catch level is maintained, the stock can rebuild, even given small increases in fishing mortality. Japan observed that despite the stock being shown to be overfished with overfishing occurring, stock size has been increasing since 2010, with the stock assessment indicating recovery will take place more rapidly than originally projected. Japan suggested ISC should consider altering the description so as to reduce confusion. The ISC WG Chair stated that the same could happen with any species covered by SPC stock assessments. He emphasised Kobe charts provide a snapshot but can be used with a threshold to indicate whether a stock is recovering; projections are useful as they provide an idea, albeit uncertain, of the future trend.

239. The EU noted that the discussion was very illustrative of how differently various CCMs understand key concepts regarding the status of the fisheries and the MSE framework. Regarding the United States' intervention, the EU stated its understanding that the use of the reference point was not as a limit, but a benchmark for understanding stock status. The EU stated that for all tuna stocks MSY is used in Kobe plots as a benchmark and suggested that this should be done for bluefin as it is for other species.

7.2 Bigeye, Skipjack and Yellowfin

7.2.1 Harvest Strategy Issues

7.2.1.1 Review of target reference point for skipjack

240. Dr Graham Pilling (SPC-OFP) presented **WCPFC16-2019-14, *Current and Projected Stock Status of WCPO Skipjack Tuna to Inform Consideration of an Updated Target Reference Point***, which describes the 2019 assessment of WCPO skipjack tuna agreed at SC15. It incorporates new information on skipjack biology and improved model settings similar to how the assessment of WCPO bigeye tuna performed in 2017 changed the perception of stock status and productivity compared to previous assessments. The paper also presents results of analyses requested by SC15 based upon the 2019 assessment to assist WCPFC16 in its review of the performance of the interim skipjack tuna TRP. Those analyses indicate changes in effort and biomass from 2012 and ‘recent’ levels, and median equilibrium yield (as a proportion of MSY) associated with strategies that maintain a median of spawning biomass depletion ($SB/SB_{F=0}$) of 40%, 45%, 50%, and 55%. These are compared to results under 2012 ‘baseline’ fishing levels.

Table 7.2.2.1: Median skipjack tuna depletion levels ($SB/SB_{F=0}$) and corresponding change in biomass from 2012 and 2015-18 average levels, change in purse seine effort (scalar), median equilibrium yield (total yield as % of MSY) and risk of falling below the LRP under baseline fishery conditions (shaded row) and for SC15-nominated depletion levels.

| Median depletion level ($SB_{F=0}$) | Change in spawning biomass ($SB_{F=0}$) from 2012 levels | Change in spawning biomass ($SB_{F=0}$) from 2015-2018 average | Change in PS effort from 2012 levels* | Median total equilibrium yield (%MSY) | Risk $SB/SB_{F=0} < LRP$ |
|---------------------------------------|--|--|---------------------------------------|---------------------------------------|--------------------------|
| 55% | +31% | +25% | -40% | 62% | 0% |
| 50% | +18% | +13% | -25% | 69% | 0% |
| 45% | +7% | +3% | -13% | 74% | 0% |
| 42% | -2% | -5% | 0% | 84% | 0% |
| 40% | -5% | -9% | +5% | 89% | 0% |

* '2012' conditions as described in the main text. No future 'effort creep' assumed, i.e. CPUE is assumed proportional to abundance.

241. Chinese Taipei addressed three issues: (i) the effect of effort creep, noting this was discussed in 2018, and stating that this has implications for understanding trends in fishing effort, with increases possibly related to technical improvements to existing vessels, or the addition of vessels. Chinese Taipei asked how much effect SPC considered this would have on the results. (ii) Regarding the baseline year (Fig 2. of the paper), the stock level in 2012 was much lower than in the 2014 stock assessment. The 2012 level in the new stock assessment is very close to lowest level of whole series. Chinese Taipei asked if it was still suitable to use 2012 as a baseline level for choosing a TRP? (iii) Chinese Taipei referenced (in Fig 2) the new stock assessment historical trend, which appears different from that presented by Dr John Hampton under Agenda item 7.1, and inquired why this was the case. The presenter replied (i) that effort creep is very hard to estimate. In **WCPFC16-2019-14** SPC assumes it is not happening in the future, which is OK for a TRP. The question is then how management adjusts if effort creep is detected and conditions diverge from the TRP in the future. The approach is to manage around the TRP in the face of uncertainties such as effort creep. (ii) Regarding the baseline year: the lowest level identified in a particular year is 41%. The level in 2012 was 42%. The decision regarding suitability for defining a TRP depends on whether this gives what is desired in terms of the social and economic aspects. (iii) For Fig. 2, the historical trend is different between models, probably because of the settings in the 2019 stock assessment. The difference with what was shown under Agenda item 7.1 is that it represents instantaneous depletion in one year relative to an unfished condition in that year, while the TRP is in relation to the previous 10 years; the figures and projections are consistent with how SPC would calculate the TRP.

242. Japan suggested the need to separate issues to be decided by the Commission and those that should be the focus of conversations with SC or SPC. Japan agreed that the TRP needs to be decided by the Commission, but raised the question whether the explanation was scientifically justifiable. Japan recalled that it previously posed several questions about effort creep, and the answers from SPC suggested there could be some increase in the number of sets per day, and possibly increased CPUE as a result of echosounder use. SPC had indicated it was trying to assess this, and Japan stated it looked forward to receiving that information, but that it was difficult for the Commission to make an informed decision regarding a TRP if effort creep is hard to identify and estimate, and is to be left up to the Commission to react to over time. Japan stated that given that vessels are becoming more efficient, assuming unchanging effort over 30 years is not a precautionary approach. Japan agreed that the decision regarding the use of 2012 as a baseline is up to the Commission and stated that if the existing TRP of 50% depletion ratio should be automatically converted to 42%, that would be acceptable. SC had stated that because the median spawning biomass has been below the TRP, the Commission should take measures to ensure this fluctuates around 50%; that is now 42%, and thus not in agreement with the SC recommendation, and

Japan stated it should be addressed again by SC. In addition, Japan noted that additional discussion was needed regarding changing the model maturity schedule so it could be compared directly with 2012. SPC stated it does not have a good estimate of how effort creep is impacting effective effort in the purse seine fishery, which is proving very difficult to estimate, and making it very hard to project what will happen in the future. The effective effort on the stock will go up with effort creep, resulting not in a level of 42%, but an even lower number. This is not included because if a stock size equivalent to the 2012 stock levels is desired, and effort creep is present, it will be necessary to lower F to maintain the stock. SPC stated it would be happy to engage with Japan on the modelling issues, which are also discussed in an appendix to the paper.

243. Solomon Islands, on behalf of PNA members, stated that in DP01, FFA members proposed an approach to reformulating the TRP following SC's advice: the TRP would be the spawning biomass depletion ratio consistent with the level of fishing effort for skipjack in 2012, and the condition of the skipjack stock in 2012. This percentage is estimated in the 2019 assessment at 42%. They acknowledged that this was a new approach that CCMs would need time to consider seriously because it was likely the Commission would need a similar approach for other TRPs.

244. New Zealand, on behalf of FFA members, noted that under the new skipjack stock assessment model, a spawning biomass depletion ratio of 42% is projected to achieve roughly the same outcomes as the 50% TRP was projected to achieve when it was adopted in 2015. FFA members stated they sought to avoid the need to revise the TRP in the future to reflect changes in the assessment model and model results not related to the state of the stock. SC pointed to the value of using a clearly stated reference period as the baseline for a skipjack TRP, comparable to the approach used for the South Pacific albacore TRP agreed in 2018. Therefore, FFA members suggested that the skipjack TRP be framed along the following lines as outlined in DP1 that: the target reference point for the WCPO skipjack tuna stock shall be the percentage of the estimated recent average spawning biomass in the absence of fishing ($SB_{F=0, t1-t2}$), calculated as the median across the grid of models agreed by the Scientific Committee, that is consistent with the level of fishing effort for skipjack in 2012 and the condition of the skipjack stock in 2012. This percentage is estimated in the 2019 assessment as 42%.

245. The United States concurred that effort creep assumptions should not be included in the stock assessment; referencing changes in purse seine catchability, the United States inquired if there was a better year to use than 2012 as a reference year.

246. China raised the following issues (i) inquired if climate change impacts (on recruitment and distribution) were considered; (ii) stated if a TRP of 42% was used, this would mean increasing fishing effort by 16%, and inquired if this would negatively impact juveniles; and (iii) observed that skipjack prices were sharply down, possibly because of oversupply, and suggested that increased effort may not be wise. The presenter stated that (i) climate change has not been factored into the projections. Similar to effort creep, it is very hard to know the impacts of climate change, as the key impacts start around 2050, beyond the time range examined. (ii) Regarding increasing the level of fishing relative to the more recent period, a 12% increase would maintain stock at 42%, but the pattern of effort has fluctuated, making it hard to know if this will be constant. Juveniles are taken largely through FAD sets, and the impact of increased effort on juveniles would depend on the proportion of FAD sets. (iii) Regarding oversupply, he stated it was not known if this is due to oversupply in the global market.

247. The EU stated that this was a mechanical process, and that there was no need to alter the limits and management, as fishing conditions could be maintained with no impact on the stock. The EU stated that catch would have to be reduced to keep the TRP at 50%, which was not justified, because the stock is exploited sustainably. The EU supported New Zealand's position, and suggested the TRP be adapted to fit the new data. It noted purse seine efficiency is improving, which is normal because of technological

development. Limits are based on fishing days, and as a fishing day becomes more efficient, the limit will become risky. The EU suggested there may be a need to change the methodology used to limit the fishery, which would impact allocation discussions.

248. Indonesia raised three issues namely (i) stated that the skipjack Majuro plot in the 2019 stock assessment uses different year ranges for spawning biomass (2015–2018) and the ratio of fishing mortality (2014–2017), and asked why; (ii) inquired why recent biomass and fishing levels are considered over a 4-year period, rather than a longer period (e.g. 5 years); and (iii) regarding Table 2 (change in purse seine effort from 2012 levels), Indonesia noted the wide range of fishing effort, and inquired whether this considered only fishing days, or other factors as well? The presenter stated that (i) SC used the last 4 years of the stock assessment for SB because the last year's data was acceptable, but that was not the case for fishing mortality, so the earlier period was used; (ii) the 4-year period for the TRP was decided by SC, and avoids yearly fluctuations; and (iii) regarding effort, in 2019 SPC switched from fishing days to fishing sets, which produce roughly equivalent results in the current data. Indonesia further inquired whether the tables provide targeting for purse seine operating in the high seas only or include others areas (EEZs), and whether small purse seine fisheries were included? The presenter stated that SPC manipulated the effort in the key industrial purse seine fisheries in the stock assessment model; both EEZs and high seas areas are included, and the industrial purse seine fisheries operating in those areas.

249. PNG stated that the interim TRP for skipjack was to progress the work on the harvest strategy, and is doing what was expected, and achieving the desired conditions. PNG suggested this view was likely supported by most delegations. PNG thanked the presenter and the team at SPC for their work, which was exactly what SC asked that they present.

250. The United States stated that the value of the fishery is one objective, and that there is a need to recognize the close connection between effort, catch and price. It noted that the price has crashed and is not sustainable. It looked forward to working with other CCMs to set an appropriate TRP.

251. Australia stated that it lacks an active skipjack fishery and thus was making its intervention from a scientific and technical perspective. As outlined by New Zealand on behalf of the FFA, Australia was lending further support to the FFA proposal to rescale the interim skipjack target reference point and tie it to a particular year rather than a fixed biomass, which would bring skipjack into line with the approach taken for the albacore TRP and that taken for the yellowfin and bigeye management objectives within the tropical tuna measure. Australia affirmed that each new stock assessment serves to update and improve the Commission's understanding of stock status; this is the case with the latest skipjack assessment and was the case with other recent assessments (e.g., South Pacific albacore and bigeye). In each case the understanding of historical biomass levels has changed substantially with the most recent assessment. The FFA proposal reflects updated understanding of skipjack biomass levels and also seeks to "future-proof" the reference point against future stock assessments outcomes.

252. Nauru, on behalf of PNA members, thanked Japan for sharing their ideas on the revised skipjack TRP, and expressed disappointment that Japan couldn't support the FFA approach, stating that while they could understand Japan's position, it was not the way FFA saw harvest strategies working. The aim of a harvest strategy is to have in place a stable means to keep the stock near the TRP, with effort fluctuating around the level associated with the TRP. FFA members expressed the hope they could work with Japan to find a way forward. Japan stated that it had not addressed the TRP, but rather the SPC presentation. It noted that there had not been an agreement "that the new 42% is equivalent to the old 50%", and suggested that given the series of questions posed, against some assumptions made, the matter should be discussed at SC.

253. Kiribati, on behalf of PNA members thanked China and Chinese Taipei for their questions regarding the FFA proposal for the revised TRP. They stated some questions could require further work by SPC and other CCMs and looked forward to making progress on those issues.

254. The EU inquired regarding the suggested tasking to SC, and what that would bring to the discussion. Japan stated its concerns regarding the assumptions, and whether this was a purely mechanical conversion. It reiterated its need to ensure the assumptions are valid.

255. China noted that the impact on the juvenile catch from an increase in effort depends on the proportion that is associated with FADs. China stated it would assume that if total effort increases by 12% there will be an equivalent impact on the juvenile catch.

256. The Chair noted that a number of members expressed a preference for a TRP based on a median depletion level of 42% of $SB_{F=0}$ in 2012. But some CCMs expressed concern whether this is indeed a simple mechanical exercise, and are concerned over the impact on juveniles.

257. The Commission requested the Scientific Committee to provide advice on:

- a. the formulation of TRPs for skipjack tuna, noting:
 - i. the SC15 advice on a skipjack tuna TRP “*that the Commission may identify a reference year, or set of years, which may be appropriate to use as a baseline for a skipjack TRP.*”; and
 - ii. the approach to the formulation of a skipjack tuna TRP proposed in **WCPFC162019-DP01**; and
- b. effort creep estimated in relation to the TRPs.

258. The Commission also requested the Scientific Service Provider to revise **WCPFC16-2019-15** using candidate revised interim skipjack TRPs of 42%, 44%, 46%, 48% and 50% of $SB/SBF=0$.

7.2.1.2 Target reference point for bigeye and yellowfin

259. Dr Rob Scott (SPC-OFP) presented **WCPFC16-2019-15**, Minimum Target Reference Points for WCPO yellowfin and bigeye tuna consistent with alternative LRP risk levels, and multispecies implications (an update of SC15-MI-WP01). The paper re-presents median levels of spawning biomass depletion ($SB/SB_{F=0}$) for bigeye and yellowfin tuna that are consistent with specified risk levels of breaching the LRP of $0.2SB_{F=0}$. The results are summarised in the tables below. Those tables present values of $SB/SB_{F=0}$ that, if achieved on average, are predicted to result in the specified levels of risk of breaching the LRP, and thus may be interpreted as minimum levels of $SB/SB_{F=0}$ consistent with specific risk levels. The outcomes associated with achieving the different risk levels, and the associated consequences for other stocks, were investigated and compared against the objectives of CMM 2018-01. The analyses were conducted across the uncertainty framework defined for the most recent assessments of yellowfin (2017), bigeye (2018) and skipjack tuna (2019).

Table 7.2.1.2a: Median levels of long-term yellowfin tuna $SB/SB_F=0$ for the four nominated levels of risk of breaching the LRP, and the stock level and risk under 2013-15 average fishing levels. Status of bigeye and skipjack stocks ($SB/SB_F=0$) under those conditions also presented in the final three columns. Shading indicates stock status relative to CMM 2018-01 objectives (dark grey = clearly not achieved; light grey = approximately achieved; clear = achieved).

| | Risk level | Yellowfin results | | | Bigeve $SB/SB_{F=0}$ | | Skipjack $SB/SB_{F=0}$ |
|---------------------------|------------|-------------------|---|---|----------------------|-----------------------|------------------------|
| | | $SB/SB_{F=0}$ | Scalar (relative to 2013-15 average conditions) | $SB/SB_{F=0}$ relative to $SB_{2012-15}/SB_{F=0}$ | Recent recruitment | Long term recruitment | |
| | 5% | 0.34 | 0.95 | 1.02 | 0.42 | 0.31 | 0.43 |
| Fishing @ 2013-15 average | 7% | 0.33 | 1.00 | 0.99 | 0.42 | 0.30 | 0.41 |
| | 10% | 0.32 | 1.05 | 0.96 | 0.39 | 0.29 | 0.40 |
| | 15% | 0.30 | 1.12 | 0.91 | 0.37 | 0.27 | 0.39 |
| | 20% | 0.28 | 1.20 | 0.84 | 0.35 | 0.26 | 0.38 |

Table 7.2.1.2b: Median levels of long-term bigeye tuna $SB/SB_F=0$ for the four nominated levels of risk of breaching the LRP, and stock level and risk under 2013-15 average fishing levels, under two future stock recruitment hypotheses (“recent” and “long-term”). Status of yellowfin and skipjack stocks ($SB/SB_F=0$) under those conditions also presented in the last two columns. Shading indicates stock status relative to CMM 2018-01 objectives (dark grey = clearly not achieved; light grey = approximately achieved; clear = achieved).

| “Recent” recruitment | | | | | | |
|---------------------------|------------|----------------|---|---|-------------------------|------------------------|
| | Risk level | Bigeve results | | | Yellowfin $SB/SB_{F=0}$ | Skipjack $SB/SB_{F=0}$ |
| | | $SB/SB_{F=0}$ | Scalar (relative to 2013-15 average conditions) | $SB/SB_{F=0}$ relative to $SB_{2012-15}/SB_{F=0}$ | | |
| Fishing @ 2013-15 average | (0%) | 0.42 | 1.00 | 1.18 | 0.33 | 0.41 |
| | 5% | 0.33 | 1.23 | 0.93 | 0.28 | 0.38 |
| | 10% | 0.30 | 1.33 | 0.85 | 0.26 | 0.36 |
| | 15% | 0.29 | 1.4 | 0.82 | 0.25 | 0.35 |
| | 20% | 0.28 | 1.46 | 0.79 | 0.24 | 0.35 |
| “Long-term” recruitment | | | | | | |
| | Risk level | Bigeve results | | | Yellowfin $SB/SB_{F=0}$ | Skipjack $SB/SB_{F=0}$ |
| | | $SB/SB_{F=0}$ | Scalar (relative to 2013-15 average conditions) | $SB/SB_{F=0}$ relative to $SB_{2012-15}/SB_{F=0}$ | | |
| | 5% | 0.38 | 0.80 | 1.07 | 0.38 | 0.47 |
| | 10% | 0.34 | 0.89 | 0.96 | 0.35 | 0.44 |
| | 15% | 0.32 | 0.97 | 0.90 | 0.33 | 0.42 |
| Fishing @ 2013-15 average | 17% | 0.30 | 1.00 | 0.84 | 0.33 | 0.41 |
| | 20% | 0.29 | 1.06 | 0.82 | 0.31 | 0.40 |

260. Japan stated that the approach examines the level of risk of breaching the LRP, and then determines the TRP, but observed that the TRP includes non-biological factors. Japan expressed concern about the current stock level, although in the “green zone”, because fishing is not currently economically viable for some longline fishing vessels. Japan stated it had made some investigation about what level is more appropriate by looking at the historical level of the stock, and suggested one approach would be to use the 2000–2005 depletion level, when the Japanese fleet was able to operate successfully. This would result in a TRP of 0.41 SB/SB_{F=0} for BET. However, a problem remains in terms of which scenario will be used for recruitment, with many cases where the result of the stock assessment diverges because of differing recruitment. Japan inquired what SPC was suggesting in this regard. The presenter stated that the impact of different recruitment levels is given in Table 2 of the paper. The recommendation from SC is that more recent recruitment is the preferred option, but SPC also had requests from CCMs that other scenarios be considered.

261. Solomon Islands, on behalf of FFA, noted that as stated by FFA to WCPFC15, an important purpose for TRPs is to maintain stocks above levels where there is a very low risk of breaching the LRP, consistent with the guidelines in the UNFSA; and secondly, preferably achieve modest increases to SB/SB_{F=0} compared to recent levels in order to support ongoing economic management of the purse seine fishery and facilitate development opportunities for SIDS longline fisheries. Generally, FFA members are comfortable with the state of the skipjack and bigeye stocks but see some possible future issues with yellowfin, especially given significant impact on yellowfin juveniles by Indonesian small-scale fisheries, where there are some large uncertainties, and this may need extra consideration with respect to a yellowfin TRP. FFA members welcomed the views of other CCMs on this issue. However, due to the high importance of these fisheries to the economies of most FFA members, they stated more time would be needed to consider the economic implications of any TRP decisions, and stated that therefore TRPs could not be agreed during WCPFC16. FFA members expressed their strongly held view that current objectives for yellowfin and bigeye tuna in the Tropical Tuna CMM be maintained.

262. Korea stated that in setting TRPs for bigeye and yellowfin all these considerations are necessary, as mentioned in WP15, but it may not be possible to achieve them simultaneously for all species. Korea suggested giving priority to the species with the lowest estimated TRP.

263. FSM on behalf of PNA members thanked SPC for the analysis and supported the statement made by Solomon Islands on behalf of FFA. They noted that this was another critically important issue for the Commission and PNA. They noted with regret they could not support the adoption of bigeye and yellowfin TRPs at WCPFC16, as a result of (i) the need for economic analysis of the implications; (ii) uncertainty about the skipjack TRP and the need to formulate these TRPs using a specific reference period; and (iii) new assessments of bigeye and yellowfin will be prepared in 2020, with possible implications for the TRPs. **WCPFC16-2019-15** will then need to be updated to take into account the results of these assessments and a revised skipjack TRP. FSM looked forward to progress on the work in 2020, to the extent allowed by the need to spend time on the tropical tuna CMM.

264. Chinese Taipei suggested using the minimum values (SB/SB_{F=0} is to be maintained at or above the average SB/SB_{F=0} for 2012–2015), as specified in CMM 2018-01 paragraphs 12 (for bigeye) and 14 (for yellowfin), as the interim minimum TRPs, which could be refined in the future.

265. The United States stated that the information in the paper was very informative for setting TRPs, but emphasised that TRPs should ideally include social and economic objectives, which could be applied now. The United States referenced the TRPs proposed by Japan and FFA, and indicated the United States would be happy to consider those and others. The United States noted the Commission had tasked itself with revisiting the purse seine and longline limits, and that the paper was an essential information source for this. The United States observed that FFA members had stated the current objectives for tropical tunas

should be maintained, and stated it would agree to keep the objectives through 2020, but not necessarily after that, as they could be outdated by then. The United States asked FFA members to clarify what they would like to see happen with respect to the tropical tuna measure.

266. The EU noted that the Commission had entered uncharted waters with the multispecies harvest strategy approach, noting it had already shared its views on the complexity of the one species approach. It observed that the risk-based approach is based on an extremely conservative LRP adopted by the Commission, and stated that it was clear that focussing on a TRP based only on the spawning stock biomass could lead to endless discussion every time a stock assessment is updated. The EU stressed the need to consider this for the future.

267. Tokelau, on behalf of PNA members, stated that discussions about how the TRP for one stock would affect the achievement of TRPs of other stocks was the wrong way to look at the issue. Given the current structure of the longline and purse seine fisheries, constraining purse seine effort and skipjack catches as a response to a harvest strategy for bigeye would involve the transfer of a very large burden of conservation action onto the SIDS in whose waters purse seining occurs. But practically that cannot occur because of the obligation on the Commission in Article 30 to avoid the transfer of a disproportionate burden onto SIDS. This obligation is repeated specifically in relation to harvest strategies in paragraph 12 of CMM 2014-06 on harvest strategies. PNA members stated that in practice this would mean that the achievement of the bigeye TRP would be related to the level of FAD effort and not the level of purse seine effort.

268. Indonesia inquired regarding the multispecies considerations for the TRP for bigeye and yellowfin, and whether these would also be considered for skipjack, and whether SPC had prepared a paper to more generally inform how the TRP is adopted for these species. The presenter stated that SPC had received no requests to extend this to approach to the skipjack TRP, and stated there was no plan to produce any further documents related to the skipjack TRP.

269. China observed that at WCPFC15, it agreed with the proposal for the South Pacific Albacore TRP, but received criticism internally because the proposal did not go through the SC.

270. Palau stated that its position was to maintain the current management objectives for the two stocks, and then revisit the issue at WCPFC17.

271. The Ocean Foundation (TOF), on behalf of TOF, Pew, and WWF, reiterated the importance of the harvest strategy process, which responds directly to the objectives in the WCPF Convention that all members share with respect to achieving sustainable fisheries. They stated that it was encouraging that CCMs generally agreed on the importance of the harvest strategy process in the WCPO, and that for bigeye and yellowfin, CCMs had the opportunity to make progress by adopting TRPs for those stocks. They stated their understanding that these decisions required careful consideration, but that the Commission could agree on interim points that could be used for future analysis. They also noted that despite significant previous investment in education and capacity building around harvest strategies development, over the course of several years, the discussion at WCPFC16 underscored the need to create a body such as the scientist–manager dialogue working group. This would help progress the process of developing harvest strategies and improve understanding by answering some questions via dialogue among managers, scientists and other stakeholders. It would also be another opportunity for members to take greater control of the process. If needed, the dialogue group could be configured to focus its first meeting or meetings on capacity building or informal discussions, to enable a greater understanding and comfort with the harvest strategy approach. They also emphasised that the Commission had a responsibility to ensure stocks are sustainably managed for the long term, and that each year of inaction risks their long-term sustainability.

272. The Commission requested the Scientific Committee to provide advice on the formulation of TRPs for bigeye and yellowfin tuna for other candidate TRP indicators other than depletion ratio, such as longline CPUE.

273. The Commission further requested the Scientific Service Provider to conduct an analysis for bigeye and yellowfin tuna similar to that undertaken in **WCPFC16-2019-14** for skipjack. It further tasked SC16 in 2020 to review the bigeye and yellowfin assessments, advise on the uncertainty grid and provide advice on the range of depletion for analysis. With regard to the range of depletion, the Commission tasked the Scientific Service Provider to conduct the analysis and present their outcomes in 2020 to the TCC16 and WCPFC17.

274. The Commission considered the development of target reference points for bigeye and yellowfin and agreed that in the interim paragraphs 12 and 14 of CMM 2018-01 be retained. It further tasked the Scientific Committee and the Scientific Service Provider to continue to explore potential candidate target reference points for the two stocks.

7.2.1.3 Harvest control rules and management strategy evaluation for skipjack

275. Dr Rob Scott (SPC-OFP) with reference to **WCPFC16-2019-16 Results of Initial Evaluations of Management Procedures for Skipjack**, provided a brief presentation on the current status of the Management Strategy Evaluation (MSE) framework for skipjack tuna and the design of the harvest control rules (HCRs) that are currently under investigation. It was noted that model-based management procedures (MPs) were currently being investigated but that the option to investigate empirical MPs had not been ruled out. The HCRs currently under investigation for skipjack are based on the level and distribution of fishing in 2012 and apply to all fisheries with the exception of the archipelagic waters of the Solomon Islands and PNG, for which status quo (2012) conditions are assumed. Members were invited to propose alternative HCRs that could also be evaluated within the framework.

276. Tuvalu, on behalf of FFA members emphasised the importance of including a PI for skipjack addressing disproportionate burden, and noted this was equally if not more important in multi-species analyses. It inquired whether SPC could reinstate this indicator for future analyses?

277. Japan suggested that in practice employing an HCR would entail some level of fluctuations (e.g., 10%) around a TRP; at present the limit for such fluctuations is set at a stock status of $0.4 SB/SB_{F=0}$, beyond which the Commission must take measures to regulate the stock. Japan made following points (i) inquired how that breaking point was decided, whether one criterion was the expected natural variation in the stock over the time, and whether other factors were involved; (ii) remarked on the importance of calculating various PIs (including the indicator on disproportionate burden mentioned by FFA members), and inquired if SPC could make another effort to calculate the PIs considered important by CCMs; (iii) noted, regarding a mixed fishery and MSE approach, that while SPC could conduct a MSE focussing only on skipjack, before applying management procedures it was important to examine the effect of skipjack management procedures on other species, to ensure they did not have a negative effect, and to at least be aware of and consider trade-offs; (iv) stated that if skipjack was the priority species, then procedures could maximize benefits with regard to skipjack, but that the Commission needed to be aware and clearly understand the trade-offs that could result; and (v) reiterated that it supported the process but wanted to look at all species before applying this approach to skipjack.

278. In response, the presenter stated that the value of 0.4 was fairly arbitrary, and a different assumption could be used. He noted that variability does enter through recruitment, and that under the HCR being discussed, effort was maintained at the 2012 level even if the stock was below the TRP. He

noted that achievement of the TRP was just one PI — others are stability in catch, yield and effort. This TRP would be better at maintaining stability in effort, and possibly in catches, with a small leeway around the target; it would then be compared with other TRPs. Regarding calculation of PIs, problems arise because of the degree to which fisheries are aggregated in the evaluation framework. The work presented is based on the current stock assessment, and the level of aggregation in the stock assessment thus determines what SPC can do with the TRP. Proxies are used, and the level of depletion of the stock may be a good proxy —if the stock level is maintained, it may indicate that small-scale fishers are not overly impacted. Regarding the mixed fishery component and the impact on other species, SPC has not looked at this to date, but will do so.

279. PNG supported the comments made by Japan regarding PIMPLE. It suggested the HCR design was possibly overly stark or drastic in terms of changes that are made once a point of inflection is reached and suggested more staggered points of inflection (and thus more gradual changes to the fishery) would be better. PNG agreed regarding the need to look at trade-offs in the future, and inquired what ratios would be used (50%, or 42%, which is FFA's preference). PNG noted that PNA members wanted to ensure that a failure to agree on a revised TRP did not bring the work on a skipjack management procedure to a halt. For PNA members, proceeding with MSE work on the basis of the previous interim TRP (based on a different characterisation of the skipjack stock than the model that will be used for the MSE) did not make sense, and suggested this would probably require identifying more than one candidate revised TRP to be used in further analyses. PNA members proposed that the MSE work should continue using a 42% depletion ratio, at least as one of the options for the TRP.

280. The EU stated it understood this was a work in progress, and that it was a priority. Given the Commission's limited resources, the EU suggested progressing this as a case study, and using the experience to better consider other species in the future, while improving the current process, especially by increasing the participation by CCMs. The EU proposed developing a process through which CCMs could be more involved in key issues (e.g., conditioning of the model, determination of key assumptions, and the design of the HCR). It suggested doing this either by extending the SPC's pre-assessment workshop to allow for more time and discussion on the MSC work, or by creating an electronic working group coordinated by SPC or a member, which would allow participation by CCM scientists in the MSC work. The EU stated it would be happy to consider other options but that a way to involve all members was needed.

281. Indonesia stated that the paper (Section 3.1) made the assumption that all fisheries are subject to HCRs, except fisheries in archipelagic waters in region 5, and stated their understanding that this included Indonesian waters. Indonesia noted there had been some efforts to develop harvest strategies for tropical tuna in Indonesia's archipelagic waters (discussed in **WCPFC16-2019-DP20**), and that further collaboration and consultation with SPC to develop a harvest strategy in their archipelagic waters was anticipated. Indonesia also asked for clarification on the reference to scalars in Section 3.1 of the paper. SPC affirmed that what was Area 4 in the 2016 stock assessment model was subject to the HCR, and that SPC was aware of the effort to develop harvest strategies for Indonesian waters, and that any future changes arising from this could be addressed, but for now SPC assumed that all fisheries in Region 4 of the 2016 stock assessment were subject to the HCR. Regarding scalars, it noted that large purse seine fisheries are scaled through effort, while others are scaled through catch, which corresponds to how the fisheries tend to be managed.

282. Samoa inquired regarding the use of a proxy for small-scale fisheries and wondered how that accounted for disparity in small scale fisheries between CCMs, which could significantly impact on the development of such fisheries in SIDS. SPC stated that currently the HCR applies across the entire stock and tries to maintain the stock against that in region. The assumption is that if the stock is maintained

around the TRP then fishery conditions should be stable around 2012 level in the region. But this is indeed a proxy, and more information may be revealed through monitoring of the PIs.

283. United States thanked the EU for their suggestion, which it said it would consider. It noted the importance of PIs, stating it understood the desire for specific PIs, with the understanding that some are hard to include. The United States noted CCMs should be aware of what PIs have been tentatively adopted — in addition to the six in the paper, others are referred to as “indicators that have been requested by CCMs”. However, the United States noted that a list of “interim” Commission PIs that have been adopted does exist, although it may be contained only in old reports. The United States suggested that this should be referred to and included to the extent possible. The United States suggested the need for a standalone document that includes all factors adopted to date, which is then made readily available on the harvest strategy webpage.

284. PNG, with regard to the EU’s suggestion, stated that while it may be technically more efficient to work on HCRs electronically, doing will not allow effective participation by all CCM. PNG referred to the amount of work that must happen before a more detailed discussion can be held among all CCMs.

285. The Chair noted the importance of ensuring effective participation by all CCMs and stated that the issue would be taken up later during WCPFC16.

286. SPC noted the question from Japan and stated that variability is addressed in PI 8, and this enables examination of how the HCR performs around the TRP. Regarding disproportionate burden, he stated that the current assumption is that any burden is spread evenly; the HCR does not examine allocation. However, this can be looked at in detail in the multispecies fisheries HCR. Regarding small-scale fisheries, the fisheries currently considered under the HCR are those included in the current stock assessment model. To incorporate small scale fisheries requires good data. If there is a strong desire to include these fisheries, and data is available to allow this, SPC can look at doing this.

7.2.2 Review of CMM 2018-01 (bigeye, yellowfin and skipjack)

287. Dr Graham Pilling (SPC-OFP) presented **WCPFC16-2019-17** *Evaluation of CMM 2018-01 for tropical tuna*, with the following documents prepared for reference: **WCPFC16-2019-13** Reference document for the review of CMM 2018-01 and development of harvest strategies under CMM 2014-06 (bigeye, yellowfin and skipjack tuna), **WCPFC16-2019-IP04** *Summary of the Reports received under Tropical Tuna CMMs - from 2017 to 2018*, and **WCPFC16-2019-IP05_rev1**, *Catch and effort tables on tropical tuna CMMs*. **WCPFC16-2019-17** evaluates the potential for CMM 2018-01 to achieve its objectives for each of the three WCPO tropical tuna stocks as specified in paragraphs 12 to 14. The evaluation was based upon the latest SC-agreed stock assessments. The paper evaluates the adjustments from CMM 2017-01 to CMM 2018-01, and finds that, overall, the changes do not materially affect the management conditions assumed under the evaluation. However, while paragraph 18 (FAD definition excluding “small amounts of garbage”) was found to have negligible impact on the evaluation, any increase in the number of “FAD sets” due to this paragraph will “result in increased catches of bigeye and small yellowfin tuna”. As in previous evaluations, it is difficult to identify exact future fishing conditions resulting from the CMM. Therefore, two future scenarios were evaluated, representing “optimistic” and “pessimistic” future fishing levels under the CMM. Overall, the ability of the CMM to achieve its objectives for bigeye tuna was dependent upon the assumption made for future recruitment to the stock. Under the more positive “recent recruitment” assumption, all scenarios for future fishing under the CMM achieved CMM objectives, while all failed to do so under the less positive “long term” assumption. For yellowfin tuna, the “optimistic” scenario approximately achieves CMM objectives, but the “pessimistic” scenario does not. For skipjack tuna, based upon the 2019 stock assessment, the CMM does not achieve

the corresponding objective, as the stock settles below the interim TRP of 50% $SB_{F=0}$. The paper also evaluates additional requests made by CCMs at SC15.

288. Korea noted that that in regard to high seas fishing effort Korea was working to reconcile differences between its own data and that of SPC and identify the origins of the differences. It stated that it would keep CCMs informed.

289. Tokelau, on behalf of FFA members stated their concern that SPC did not taken into account the requests made at TCC to evaluate the impact of all "special provisions" on the performance of CMM 2018-01, and that the evaluation still concentrates mainly on the SIDS special provisions. They stated that they understood SPC had not had time to complete the work but stated that the only equitable solution was for the review to be postponed to 2020. It suggested this involved politicisation of the SC, when some CCMs can ask for an analysis of the impact of certain exemptions and not others, and with no scientific rationale for making these distinctions. FFA members stated they had no interest in having the Commission's science processes used for "national point scoring", which they stated mars discussions in many RFMOs. They stated the special provisions for developing and small island states were not new, but were incorporated into the Convention for good reason and accepted by all signatories, including those invited to join the Commission following finalisation of the final text. They requested a review of the tropical tuna measure be postponed until all special provisions could be evaluated and considered by SC16, and stated that meanwhile the purpose of the measure is to provide a "robust transitional management regime that ensures the sustainability of bigeye, skipjack, and yellowfin tuna stocks" continues to be achieved.

290. The EU stated that the SC was not politicised, and that it was normal that the Commission evaluate the impact of exemptions in the fishery, and seek to base decisions on the relevant data. They stated that deciding on allocations in the high seas, especially for states with no limit, was important and would impact stock status. The EU also referenced the need to regulate FADs, and to harmonize FAD rules in the high seas and EEZs, because of increased FAD sets in EEZs.

291. Japan referenced effort creep, which it stated has clearly been seen in purse seine fisheries as a result of increased use of echo sounders and new technology, noting that almost all FADs were now equipped with echo sounders, which has not been taken into account. Japan noted the gap between the pessimistic and optimistic scenarios was narrow and requested SPC to take effort creep into account during the subsequent evaluation of the CMM.

292. Kiribati supported the statement by Tokelau and stressed that these were important issues for SIDS and were really the basis of having Article 30 in the Convention text.

293. Palau, on behalf of other PNA members, supported the FFA statement, and stated they were not in a position to consider the report, because, in their view, it was incomplete because (i) no scientific rationale was provided by SC for the choice of the specific provisions for which separate analyses were requested; and (ii) it does not deal in a comprehensive and balanced way with the various specific provisions in the CMM. Consequently, PNA members supported the FFA proposal that the report be referred back to the SC for further consideration.

294. SPC stated it was trying to get better analyse patterns of effort creep in the fishery, with a number of ongoing studies looking at FAD acoustic data, and thanked it partners in those efforts. It stated that although it was doing it best to examine the issue, it might not be able to incorporate this into the evaluation prepared in 2020.

295. The United States stated that while there were good reasons for including particular special provisions and exceptions, it was important for the Commission to understand the implications of its decisions.

296. The Commission acknowledged the need to negotiate a successor measure to replace CMM 2018-01 which will expire at end of 2020.

7.2.2.1 Purse seine limits for high seas

297. Niue, on behalf of FFA members, referenced **WCPFC2019-DP06** *Views on High Seas limits and Allocation in the Tropical Tuna CMM*, which presents the views of FFA members on high seas purse seine limits. FFA members stated that agreeing to a high seas limit and allocation for the tropical purse seine fishery was a priority as it was discussed in depth and agreed to in 2017, resulting in CMM 2018-01. FFA members stated that in their view a high seas allocation framework for purse seine fisheries would not include considerations of current limits that apply within the EEZs of FFA member countries. FFA members expected any high seas limits to be consistent with achieving the agreed TRPs and maintaining or reducing current catch and/or effort accordingly. They stated that the allocation framework should commence with setting an overall limit for the high seas, which is then divided to create a share of this limit that specifically recognises the special circumstances of SIDS as outlined in Article 30, and the rights of SIDS to develop fisheries in the high seas. To facilitate development of limits and an allocation framework, FFA members proposed that WCPFC hold a two-day workshop in conjunction with one of the meetings of its subsidiary bodies in 2020 with a view to the WCPFC reaching decisions at WCPFC 17. Sufficient budget should be allocated for the additional days to ensure SIDS are able to attend. In order to progress the workshop proposal, FFA members drew attention to the draft TORs for such a workshop developed by the WCPFC Chair (in her role as vice-Chair) during WCPFC15.

298. FSM on behalf of PNA members referenced paragraph 28 of CMM 2018-01, where CCMs committed to agreeing on hard effort or catch limits for the high seas, noting that such an agreement would close one of the major gaps in the Commission arrangements for management of the tropical tuna fisheries. They suggested some CCMs sought to go back on what was clearly agreed in paragraph 28 and considered it would be a serious lost opportunity for strengthening the management of purse seine in the high seas if that occurred.

299. Korea stated it sought additional fishing opportunities in the high seas, noting anecdotal evidence from its industry that indicated recent aggregations of tropical tuna appeared in the high seas more frequently compared to past years, and that the pattern is especially evident in El Nino seasons, and may reoccur any time in future. Under such a circumstance, Korea stated that if it had only allocations to fish in EEZs, and none for the high seas, it would be unable to fish, even if fish were present in the high seas. Korea stated its goal was not to change the existing system, but instead to explore the possibility of using vessel days purchased under bilateral fishing arrangements in the high seas, while making sure that such a system does not negatively affect the sovereign rights or aspirations of SIDS. If established, such a system would enable more flexible positions in future negotiations of high seas arrangements and allocations, and would give more flexibility to fishing operations. Korea stated that the Commission must ensure in any case that overall purse seine effort or catch limits are controlled within the upper limit that the Commission sets. Korea requested that FFA members carefully consider this idea and looked forward to in-depth technical discussions with FFA members and other interested CCMs.

300. The United States reemphasised that examining limits for the high seas necessitated looking at exploitation of purse seine across the entire Convention Area. It stated that the overall limit is driven

primarily by the TRP for skipjack; the Commission does not know if that TRP should be adjusted, so all aspects should be addressed together. It supported the FFA proposal to pursue that work.

301. The EU agreed allocation should be discussed prior to WCPFC17, but stated that this necessitated considering allocations in both the high seas and EEZs. The EU noted that these are highly migratory stocks; and allocation must take into account the dynamics of stocks and the fisheries on those stocks, in line with international law (UNCLOS and the UNFSA). The EU agreed that Article 30 must also be considered and suggested that all nations fishing in the high seas should be considered DWFNs, and be considered according to the same rules.

302. Japan agreed on the need to discuss the issues in 2020, but expressed concern that it would be difficult to find time for separate meetings.

303. American Samoa made a statement intended to explain the relationship between American Samoa and the United States as it relates to the workings of the WCPFC. It stated that American Samoa is a territory of the United States, similar to a number of members (e.g., French Polynesia, Wallis and Futuna, New Caledonia, and Tokelau). American Samoa relies on the United States to represent the interests of the Territory in many forums but in the specific case of tuna, feels it is very important to directly engage the Commission. Like all Pacific Islands, American Samoa depends on tuna to maintain the economic and social health of its people. It currently has one fully operational cannery that employs over 2000 workers and has worked hard over many years to develop a locally based United States-flagged fleet of purse seiners and longliners to supply that cannery. The EEZ of American Samoa is surrounded by the EEZs of other countries, territories and the high seas and its fleets are dependent on maintaining access to those areas. The high seas are especially important as it is one of the largest fishing areas that is within an economically viable area of operation for American Samoa's locally based fleet and has historically been very important to support the local canneries. American Samoa stressed that it had its own very specific needs to have access to the high seas for its locally based fleet.

304. Indonesia stated that according to CMM 2018-01, Indonesia has zero limit and that zero limit is in brackets, which means that Indonesia has the opportunity to utilize the high seas purse seine effort limit in the future. It also stated that in 2018-01 para 45 Indonesia is able to add flagged purse seine vessels larger than 24m with freezing capacity operating between 20°N and 20°S, by considering that Indonesia is a developing state that has the opportunity to develop its own domestic fishing fleet to fish in the Convention area. It also supported the FFA proposal to have a workshop to discuss high seas effort limit during WCPFC17.

305. China thanked FFA for its proposal and agreed such a meeting was needed to establish a common understanding of what the catch limit is. It suggested fishing days could be used as now applied for DWFN, but stated that fishing effort must not be increased, and negative impact must be avoided.

306. Kiribati stated it had already established a limit for its EEZ, and noted that as Palau and FSM stated, CCMs committed themselves in paragraph 28 of CMM 2018-01 to agreeing on hard effort or catch limits for the high seas. It stated that PNA members considered that it would be a serious lost opportunity for strengthening the management of purse seine in the high seas if CCMs go back on that agreement.

307. RMI reiterated the FFA proposal, emphasising it only wanted to look at a framework for allocation, and was not ready to discuss allocation at present. It emphasised the need to think broadly, beyond any meetings or workshops, and to use an equitable principle.

308. Tuvalu supported a workshop to address the issue, while noting that it is not in the same position as others in relation to fishing in the high seas, as the high seas are adjacent to Tuvalu's EEZ. Tuvalu stressed that it was unfair for high seas allocation to be based on historical catch.

309. PNG thanked Chinese Taipei and China for their comments on the success of the management regime applied by SIDS, while stating that the high seas were different, and urged CCMs to come together regarding their expectations from the proposed workshop.

310. CCMs held an extended discussion regarding whether and when to hold a dedicated workshop, and the TORs for a workshop. Reference was made to the TORs drafted at WCPFC15 (included in an annex to **WCPFC16-2019-DP06**). Discussion was continued by a SWG to develop a terms of reference for a workshop on high seas purse seine effort limits and bigeye longline limit allocation, led by Papua New Guinea,, which was unable to reach consensus and recommended that the Commission hold an extended meeting in 2020. The issue was further discussed under Agenda Item 7.2.2.3

311. The Commission agreed to consider the requirements of paragraph 28 of CMM 2018-01 at an extended WCPFC17 meeting which will be a seven (7) day regular annual session in 2020.

7.2.2.2 Purse seine EEZ limits for concerned CCMs yet to notify their limits

312. The Chair referenced **WCPFC16-2019-IP04**, Summary of the Reports received under Tropical Tuna CMMs from 2018 to 2019.

313. The Philippines stated that it was required to submit the limits of its purse seine effort and/or catch of skipjack, yellowfin and bigeye within its EEZ in accordance with the effort limits established and notified to the Commission as required under paragraph 25 of CMM 2017-01. During TCC15, the submission was considered unclear because the effort limit was in number of fishing vessels instead of fishing vessel days. The Philippines received guidance on the issue at TCC15 from other CCMs and stated that it sincerely appreciated that assistance. The Philippines finalized, after consulting with its stakeholders, its purse seine limits in its EEZ. This is set at 42,000 fishing vessel days in lieu of the original submission, based on the current capacities and conditions of the small purse seine fishing vessels operating in the Philippines Pacific seaboard EEZ. These include wooden hulled ring net/purse seine fishing vessels. The Philippines referred the meeting to **WCPFC16-2019-DP25** for the latest notification.

314. Indonesia stated that it is in the process of formulating the effort or catch limit of its purse seine fishery, with several areas still outstanding to calculate total purse seine effort in its EEZ and territorial waters, noting there is an overlap of effort for these areas. Two consultation workshops were held to determine the EEZ purse seine catch limit using the historical data of annual catch estimates and it was estimated at 68,935 tons, including skipjack 54,817 tons, yellowfin 13,850 tons and bigeye 633 tons (with a standard deviation of 20%).

315. The Commission noted the notifications in reference to paragraph 25 of CMM 2018-01 on purse seine EEZ limits that were submitted by the Philippines, Korea and Chinese Taipei (in **WCPFC16-2019-IP04**) and the subsequent update from Philippines (**WCPFC16-2019-DP25**).

7.2.2.3 Longline limits for bigeye

316. The Chair referenced two papers introduced under Agenda Item 4: **WCPFC16-2019-DP06**, Views on High Seas limits and Allocation in the Tropical Tuna CMM and **WCPFC16-2019-DP10**, Proposals on Conservation and Management Measures on Tropical Tunas.

DP06

317. Tonga, on behalf of FFA members, stated that work should begin on determining high seas longline bigeye allocations. FFA members thanked the United States for their proposal (**WCPFC16-2019-DP10**) on the matter and the process they suggested. FFA members sought to clarify that before agreeing to any process and in particular to the allocation process, they would not agree to a continuation of flag-based, convention-wide bigeye limits for longline, stating that agreement must be reached to pursue area-based limits that treat EEZs and high seas separately before embarking on any longline bigeye limit-setting and allocation process. FFA members proposed that para 44 be considered together with para 28 (discussed under Agenda Item 7.2.2.1) to be discussed in a workshop in 2020 on the margins of one of the meetings of the Commission's subsidiary bodies. FFA members looked forward to working closely and constructively with all CCMs to agreeing on hard limits for the longline bigeye fishery in the high seas in the next 12 months, stating that such limits would have to be compatible with limits put in place by FFA members to manage longline fishing within their EEZs.

318. Japan stated that the situation surrounding the longline fishery was different from the purse seine fishery. Most of Japan's purse seine fishing is in EEZs, but it undertakes substantial longline fishing on the high seas. Japan stated it was difficult to agree to such a drastic change from flag-based to zone-based allocation for longline catch. Japan agreed limits would have to be determined in 2020 and looked forward to an exchange of views.

319. China stated that flag-based catch limit on the high seas was a long-standing practice, both in the WCPO and other areas. China stated it was happy to discuss the issue. It stated its understanding that allocations could only be to members and stated the need for fairness. New Caledonia asked for clarification regarding China's intervention. China stated that if tropical tuna was allocated to French Polynesia, New Caledonia, or Wallis and Futuna, it should be under France. French Polynesia stated that they preferred to keep each territories allocation separate, noting that the Commission should consider the needs of each SIDS and developing territory, as their needs and aspirations are completely different, and stated that France supported this view. New Caledonia supported the statement by French Polynesia, noting they have specific economic conditions, and wanted to preserve their right to fish in their EEZ. New Zealand stated that in relation to the points raised by China, under Article 43 of the Convention New Zealand had granted Tokelau full participatory rights in the work of the Convention and that further detail was provided in the Annex to the Rules of Procedure.

320. Korea referenced DP06, and its statement that "work should also begin on determination of high seas longline bigeye allocations. This will require changes to the current flag based big eye catch limits which should be re-engineered so as not to apply to catches taken inside EEZs." Korea inquired whether this was intended to mean that (i) historical catch taken in EEZs should be attributed to coastal states? If so, Korea stated it could not agree, as it would entail drastic changes in catch limits for CCMs; or (ii) does it mean in future catch taken in EEZs will be attributed to coastal states? If the latter, Korea stated that was subject to negotiations between coastal states and fishing nations.

321. Chinese Taipei stated that its longstanding position on longline fishery management was clear, and that it could not accept a change from flag to zone-based management. However, it welcomed the chance to discuss the issue in 2020.

322. Indonesia stated it favoured the current arrangement with regard to the bigeye longline catch limit. Allocations would apply only to the high seas and not apply to catches in EEZs and territorial waters.

323. The EU agreed with the plan of work proposed by the USA. It did not see the need for drastic changes in the allocations for bigeye longline fisheries, noting that even if changes were made it was not clear how this would impact the current fishery. The EU argued for the need to avoid drastic change to the rights of those involved.

324. FSM on behalf of PNA members supported the FFA proposal to replace the current bigeye catch limits with a more effective set of limits for fishing for bigeye. It stated that the current limits are of little value, being partial, with no effective monitoring; because they are based on historical catch levels, the current flag-based limits inevitably come with a SIDS exemption, and any other arrangement would mean that the Commission is effectively determining who could fish in EEZs, and obstructing SIDS from developing the capacity to harvest their fair share of the resources, even in their own waters. FSM stated that the only fair and effective way forward was to move to zone-based limits, with limits for each EEZ, and a separate scheme of limits for the high seas. For PNA members, EEZ limits would be based on the longline VDS; the limits should be associated with a comprehensive scheme, to ensure robust monitoring and independent verification.

DP10

325. The United States referenced **WCPFC16-2019-DP10**, noting that other than adding limits for some CCMs, it was not proposing significant changes to the scheme for the longline industry. It stated that the intent was to establish catch limits for all CCMs. This would be done by first determining a bigeye longline total allowable catch (TAC), which would be based on (i) determination of a target or allowable exploitation for bigeye by all sectors, tied to a TRP, or informed by the risk of breaching the LRP; (ii) determining the proportion of this target to be allocated to the longline sector, using fishery impact on SSB as the unit of measurement; and (iii) converting the longline allocation into a TAC. It would then be necessary to specify how shares of the longline TAC are allocated among CCMs and provide a scheme for transfer of TAC shares among CCMs.

326. Japan stated that the proposal by the United States was an option that should be considered. It noted its support for a continued flag-based approach, and also referenced the option it provides for sharing between gears. Japan inquired how to proceed with this idea, and if the Commission could receive scientific input on how this might work, noting the need to discuss how to manage bigeye longline catch in 2020.

327. The Chair addressed the need for CCMs to determine the data needs for the proposed workshop, noting the suggestion to estimate how to share TAC between different gear types.

328. Korea stated its position that the proposal appeared reasonable, but expressed the concern that in case of purse seine fisheries, it is very hard to estimate bigeye catch in a timely manner, with the result that RFMOs control bigeye catch through effort rather than catch limits. It suggested that any new system should not bring too drastic a change to the existing system.

329. RMI asked for clarification that the proposal applied to the high seas, and inquired how the United States proposed to consider the FFA proposal in the context of its proposal.

330. United States stated that it was proposing a new idea, but one that was very similar to what the Commission has done in the past, which led to the combination of catch limits and FAD closures. In that case SPC provided tables with various combinations of FAD limits and bigeye limits; the result was

specific catch limits for the longline fishery, and FAD limits for the purse seine fishery. In DP10 the United States stated it was suggesting using a common unit of measurement for specific sectors, which is converted as appropriate for each sector, providing an effective allocation of exploitation for longline fisheries. Regarding the question posed by RMI, the United States stated this was not a high seas-specific task; its understanding is that the task is to establish limits across the Convention Area. The United States stated that to accommodate the FFA proposal was hard, as it was proposing something very different. The United States welcomed further discussion, but stated these were very different ideas.

331. Kiribati stated that in the discussion of bigeye limits, it was not in a position to agree to any proposal that would undermine its sovereign rights and would focus only on the high seas discussion.

332. The Chair stated that it was necessary to move forward in 2020 on addressing longline limits and purse seine limits as currently set in paragraphs 28 and 44 of 2018-01. CCMs discussed various options, including establishing a virtual workshop, having a dedicated face to face meeting, and holding an extended session of the Commission meeting; varying opinions regarding provision of data were also expressed. Agreement was reached that the Commission would discuss revisions to 2018-01 during an extended (7-day) WCPFC17 meeting. She encouraged CCMs to be mindful regarding the existing understanding that establishes a 30-day deadline prior to the meeting for submission of proposals.

333. The Commission agreed to consider the requirements of paragraph 44 of CMM 2018-01 at an extended WCPFC17 meeting which will be a seven (7) day regular annual session in 2020.

7.2.2.4 FAD Management

334. The Chair referenced three papers introduced under Agenda Item 4: **WCPFC16-2019-DP09**, *Joint T-RFMO FAD Working Group Recommendations for consideration by WCPFC16*, **WCPFC16-2019-DP10** *Proposals on Conservation and Management Measures on Tropical Tunas*; and **WCPFC16-2019-DP16** *Proposed changes to the Rules for the FAD Closure*.

DP09

335. The EU introduced DP09, stating that it was proposing that the WCPFC FAD Management Options IWG consider the recommendations from the Joint t-RFMO FAD WG, evaluate their merits for the WCPFC, and continue to work with the Joint t-RFMO FAD WG.

336. French Polynesia supported the continued collaboration with other RFMOs, and consideration of the recommendations by the IWG on FAD management options. It noted that it is located within the Convention Overlap Area, and promoted greater consistency across the Pacific, especially in relation to FADs. French Polynesia stated its perspective that strong collaboration across RFMOs is a good way to address concerns such as limitation of the number of FADs, FAD definition, FAD identification registration and tracking, lost FADs, and beaching events.

337. Vanuatu, on behalf of FFA members, noted the number of technical recommendations and suggested it was most appropriate that these be referred to the FAD Management Options IWG to assess what is of value to their current work, and if needed, further guidance from the Commission. While FFA members supported cooperation with other t-RFMOs, in particular those with work relevant to WCPFC, it stated FFA members are very cautious of internationally driven initiatives that often pose more harm than good to the work of WCPFC, in particular to CCM's rights as coastal states in the management of these fisheries. FFA members stated they would be very clear in the FAD Management Options IWG when

deliberating these recommendations, to ensure the work of the FAD Management Options IWG and FAD management are not distracted by these initiatives.

338. Kiribati, on behalf of PNA members supported the statement by FFA members, stating they were concerned that many of the recommendations reflect conditions in regions with lower standards of FAD management than the WCPO. Kiribati stated that high levels of FAD fishing are causing the destruction of bigeye and yellowfin stocks in every ocean outside the WCPO. In the Indian Ocean, according to a recent Pew study, around 80% of the catch in the purse seine fishery is taken from FADs, and yellowfin is overfished and overfishing of bigeye is occurring. In the Atlantic Ocean, around 75% of the purse seine catch is taken from FADs, with the result that the bigeye and yellowfin stocks are overfished. The EPO is a little different because of the amount of setting on dolphin-associated schools, but FAD use is high and increasing, and there is overfishing of bigeye and yellowfin. In the WCPO, by comparison, about half of the purse seine catch comes from free schools, resulting in less pressure on juvenile bigeye and yellowfin and other bycatch species. PNA members noted that it wasn't always that way. When the Commission first met in 2004, 76% of the purse seine catch came from FAD sets and, if it hadn't been for the FAD closure, the MSC free school certification, and tighter controls on FADs generally, the WCPO bigeye and yellowfin stocks would likely be in the same condition as those elsewhere. PNA members acknowledged that WCPO FAD management arrangements are not completely effective, and need to be strengthened, and PNA members looked forward to working with other CCMs at the FAD Management Options IWG to consider relevant recommendations from the Joint t-RFMO FAD WG.

339. The United States agreed that in many respects the WCPFC is ahead of others in the management of FADs, but observed this did not mean work done elsewhere should be ignored, and supported the recommendations made by the EU.

340. France supported the regulation of FADs.

341. New Caledonia stated that its EEZ is entirely a national park. It said that FADs should be better managed to reduce the impact on the environment and supported the proposal.

342. The EU thanked CCMs for their support, and agreed with some of the comments, including the observation that the WCPFC is ahead of other RFMOs regarding FAD management. It noted several research activities that should be considered. It also observed that there was no meeting schedule for the IWG, and suggested that the IWG could meet and discuss these issues at TCC or another meeting.

343. Nauru supported the comment by Kiribati and noted that PNA members valued the opportunity to work in the FAD working group. It supported consideration of relevant recommendations of the Joint t-RFMO FAD WG through the FAD IWG.

DP10 (FADs) and DP16

344. Korea stated that there had been some progress in relation to the FAD management proposals in DP10 (USA) and DP 16 (Korea) following discussions between the United States and Korea in the margins of WCPFC16 and introduced the text of the merged proposal. The United States confirmed that it was withdrawing its proposal and welcomed discussion on the combined proposal.

345. Tuvalu, on behalf of PNA members, stated they did not agree the WCPFC should amend its FAD definition to align with that of the IATTC and other RFMOs as suggested by Korea. They noted the following:

- i. FADs are managed very differently in the WCPFC compared to other RFMOs. The IATTC and the other RFMOs have not yet adopted a FAD closure, although it is clearly global best practice for FAD management, meaning the definition and distinction of set types is an academic and scientific issue in those regions.
- ii. In the WCPO, the FAD definition is a compliance issue because it is an important component of the FAD closure. Therefore, the WCPFC must have a specific, tightly defined and unambiguous definition of a FAD and cannot use the inadequate definitions adopted by other RFMOs.
- iii. There is a much greater level of fishing on logs in the WCPO than in the EPO. In the understanding of PNA members, the definition of some other RFMOs would allow fishing on logs during the FAD closure with a significant increase in catch of juvenile bigeye and yellowfin. In addition, evidence suggests that the definitions used by other RFMOs do not contribute to better FAD management.
- iv. Importantly, most FAD fishing in the WCPO occurs in national waters under national laws, and PNA national laws do not provide scope for the proposals by Korea and the US, which would require changes to regulations and licence conditions in several PNA members. Thus, PNA members will require much better evidence of the need for such changes than provided to date.

346. Kiribati on behalf of FFA members stated they were open to constructive proposals to improve the effectiveness and flexibility of FAD management, noting that the FAD definition was in their national laws. In that respect, they appreciated the United States approach of suggesting a possible extension to the FAD closure, in association with a revised FAD definition. They noted it did not appeal to FFA members because of the adverse economic effects of the FAD closure, but stated they were prepared to develop, with the United States, a description of the work that could be undertaken by SPC for discussion of this issue at the FAD Management Options IWG in 2020. The IWG could examine scientific information available on alternative FAD definitions and associated measures such as the extended FAD closure and a pre-dawn set ban, subject to the fact that the definition of a FAD is embedded in CCMs' national laws. FFA members noted that how a FAD is defined will affect fishing practices and ultimately catch or effort limits. They looked forward to a holistic approach to discussing the different parts of CMM 2018-01 measure and the best way to progress in 2020.

347. Japan thanked the United States and Korea for their combined proposal and raised two concerns: practical differences in terms of compliance and judgement, and possible impacts by changing the definition of FADs. It noted past problems with FADs caused by some extent by the FAD definition and suggested changing the definition could help inspectors and fishing masters avoid any unnecessary compliance issues. Japan also observed a change in definition could also have a potential negative impact on fish stocks, and therefore supported the suggested changes in paragraph C of the combined proposal. Japan noted it might not be possible to reach consensus at WCPFC16, but supported the direction proposed. It suggested that SPC could examine the impacts of the proposal, and noted that it understood the issues raised by the PNA and FFA members, while stressing that narrowing the definition could avoid unnecessary problems.

348. The EU agreed on the need for a clearer definition on FADs to reduce confusion regarding compliance. It agreed the proposal could create impacts on stocks. The EU stated its understanding that the definition currently in use had a marginal impact on stocks, and stated that if that was accurate they would support the proposal. The EU requested input from SPC.

349. SPC stated that the evaluation performed was specific to the particular factors and indicators that observers noted in their logbooks (it looked at man-made objects). SPC observed that any increase in sets would increase the catch, and that the proposal mentioned sets on floating objects without FAD buoys, which would serve to increase the number of sets, and could also lead to a perverse incentive to place tracking buoys on floating objects after setting on those.

350. Chinese Taipei agreed that it was very difficult to determine whether a vessel was setting on a FAD because of the ambiguous definition of FADs and encouraged the Commission to consider the practical application of the definition.

351. RMI reaffirmed the position taken by FFA and PNA members regarding national laws and regulations regarding the definition of a FAD. RMI suggested that the proposal might only apply in the high seas in view of Para. 32 of the CMM. It also noted that a CMM 2013-06 assessment would have been helpful.

352. The United States noted that it had just come from a compliance meeting, and stated that for compliance to work it must be achievable and realistic. It noted that it is impossible to see a piece of floating trash from a distance of 1 mile and stated that the issue involved the basic credibility of the Commission.

353. China thanked Korea and the USA, and stated it had no problems in principle. It raised the issue discussed by Tuvalu, regarding the change in domestic law, and asked whether domestic laws would be affected if the measure applied only to the high seas.

354. Indonesia thanked Korea and the United States for their proposal, and stated they understood the reasons for regulating FADs, and how powerful FAD fishing is, especially when combined with the use of lights, and suggested these techniques should possibly be considered in combination. Regarding the operation of FADs, Indonesia noted that drifting FADs with tracking buoys are addressed, but anchored FADs may not need tracking buoys. Indonesia suggested any FAD closure exclusion should not include objects intentionally designed to attract fish.

355. Cook Islands stated, on behalf of FFA members, that they could not agree to the proposal to roll over paragraph 18, but stated their willingness to work with Korea, in 2020, on improving FAD management in a way that strengthens and does not undermine the effectiveness of the FAD closure. The United States also stated it was ready to work with other CCMs to find appropriate language regarding the measure.

356. Korea stated, regarding comments by FFA and PNA members, that the reference to IATTC's definition was by way of example, and not to advocate for adopting the same definition, given the differences in the circumstances and characteristics of the fishery in the WCPO and EPO. Korea emphasised it was not trying to change the definition of FADs, but to change the rules for FAD closures, through an interim measure to address issues that had been experienced. Regarding the comments that changes would be required to national laws, Korea suggested it might be possible to mitigate or address those concerns by adjusting the list of floating objects in the proposal. Korea stated that it was concerned with the impacts of any changes on bigeye and yellowfin juvenile tuna and noted that in order for SPC to conduct more precise analyses, more precise text was needed in the CMM. Korea stated its preference to apply the CMM throughout the Convention Area, but if that was not possible, to apply it at least in the high seas. Finally, it stated the need to further consider the issue of anchored FADs.

357. Following further revisions of its proposal, Korea requested further input from CCMs regarding their concerns.

358. Tuvalu, on behalf of PNA members, stated they had given serious consideration to the latest revisions to the joint FAD proposal put forward by Korea and the United States. They reaffirmed that revising the definition was a serious issue for PNA members because the definition of a FAD is in their national laws and is not easily changed, and is also an important factor in the work of observers, and there would have to be a strong rationale to move in that direction. Tuvalu stated that moving towards practices

adopted by other RFMOs with a record of complete failure in control of FADs and management of bigeye and yellowfin was not a strong basis for convincing lawmakers of the need for change. Tuvalu stated PNA members had considered agreeing to the application of some elements of the joint proposal in the high seas through amendment of CMM 2009-02, but noted that would explicitly contradict the important principle of compatibility, and had concluded that was not a good way to strengthen FAD management. For these and other previously explained reasons, PNA members stated they were unable to agree to the joint proposal to revise the FAD definition.

359. The United States stated that there was clearly a lack of consensus to address the issue as set forth in paragraph C in the Korea–United States proposal. The United States stated its understanding of the need for compatibility, and for further work on the issue of FAD management, including regarding managing untracked floating objects. The United States stated it wished to continue to explore how best to manage FADs, and in order to better understand how to address untracked objects the Commission would benefit from additional data, as called for under paragraph C of the proposal.

360. Korea agreed with USA’s comment regarding information and para C. Regarding Tuvalu’s comments, Korea reiterated that the proposal was not an attempt to change the definition of a FAD, but to change the rule for FAD closures only. Regarding the national laws of coastal states, it stated that amendments might be needed, and acknowledged how difficult that could be, but noted that the CMM stated that CCMs would determine how this should be applied in their waters.

361. Kiribati supported the statement by Tuvalu on behalf of PNA. Regarding para. C, Kiribati stated it had problems with the language as proposed but would work with the United States on language for FAD management that could be used in 2020.

362. Japan thanked Korea and USA, reiterated its disappointment and concern regarding returning to the previously used approach and stated it would continue to work to find a better definition for FADs in 2020 in the context of the tropical tuna negotiations. It agreed with the perspective of the United States and Korea regarding para C and stated that unless the Commission had an improved assessment of possible impacts of changing the FAD definition, it would be very hard to consider the issue in the future.

363. Indonesia noted it also faced difficulties with respect to ensuring consistency between its domestic regulations and proposed CMMs, as commented on by FFA and PNA members. It noted it still faced issues with respect to anchored FADs and inquired if a solution could be found that did not require changing the FAD definition.

364. New Zealand observed the need to avoid undermining the effect of FAD closures and suggested other means could be found to address the “chopstick” compliance issue that had been raised.

365. The Commission agreed the FAD Management Options Intersessional Working Group would meet in 2020 and that the Working Group would consider the report and recommendations of the second Joint t-RFMO FAD Management Working Group and report back to the Commission on the merits and relevance for tropical tunas of those recommendations.

7.2.2.5 Other commercial fisheries for bigeye, skipjack and yellowfin

366. The Chair introduced **WCPFC16-2019-IP05_rev1**, *Catch and effort tables on tropical tuna CMMs*, which is a direct reference from TCC15, relating to the difficulty in assessing compliance with paragraphs 50 and 51 of CMM 2018-01; TCC15 asked WCPFC16 to clarify the interpretation and assessment of those provisions

Comment [FT1]:

Note: This decision language has been slightly revised from the language in the Outcome Document as requested by PNA. The rationale for the revision is provided below.

“Dear Executive Director,

I am writing, as the Chair of the PNA, to provide a comment on the Provisional Outcomes Document for WCPFC16. We suggest revising para 40 as follows:

40. The Commission ~~tasked~~agreed that the FAD Management Options Intersessional Working Group ~~to~~would meet in 2020 and ~~that the Working Group would~~ to consider the report and recommendations of the second Joint t-RFMO FAD Management Working Group and ~~to~~ report back to the Commission on the merits and relevance for tropical tunas of those recommendations

The reason for the proposed revision is that, as written, the text might be taken as indicating that consideration of the recommendations of the second Joint t-RFMO FAD Management Working Group is the primary or only purpose of the meeting. That is not a view shared by PNA, as indicated in the statement at WCPFC16 on this issue by Kiribati, on behalf of PNA, who stated that “we think it is worthwhile to spend some time at the FAD IWG considering relevant recommendations from the RFMO FAD WG, but we don’t see it as a major priority for the meeting.” We expect that the Working Group will have other important issues on its agenda, including continuing its work on FAD Data and FAD Research and responding to para 22 of the Tropical Tuna CMM, which says:

22. The Commission at its 2020 annual session, based on specific guidelines defined by the FAD Management Options Intersessional Working Group and advice from SC16 and TCC16 shall consider the adoption of measures on the implementation of non-entangling and/or biodegradable material on FADs.”

367. SPC stated that regarding the tasking by TCC15, it worked with the Philippines and Indonesia on a paper, but unfortunately could not complete the task.

368. Indonesia stated that TCC15 had a long discussion on the assessment of “other commercial fisheries”, particularly for Indonesia and the Philippines, and reiterated its view on these fisheries for bigeye, skipjack and yellowfin. It noted that tuna fishing in Indonesia has been practiced by local fishermen, mostly using small boats, for many years, which gives them traditional fishing rights that also have value in the form of traditional knowledge. Moreover, the fish resource utilization rights are regulated and protected in Indonesia by the Law on Local Government and the Law on Protection and Empowerment of Fisherman. Indonesia stated that catch limits for small scale fisheries will directly impact food security and livelihoods of small-scale fishers, and it will be very difficult to implement these in Indonesia. Indonesia is still having difficulty in determining the catch from its EEZ and territorial waters, which creates uncertainty in determining the effort levels of its tuna fisheries, including “other commercial fisheries”. Indonesia stated that it is trying to overcome these issues by improving its data collection system to obtain a reliable time series catch and effort data estimation by increasing the coverage of its port sampling, logbook and onboard observer program. To improve data collection Indonesia is developing an electronic fishing logbook system, which began implementation in October 2018. The e-logbook is obligatory for vessels above 30 GT and voluntary for vessels 30 GT and below. However, data improvement for “other commercial fisheries” remains a challenging process and source of uncertainty for Indonesia. Determining catch limits for these fisheries remains premature, because the exact catch baseline is still uncertain. Despite the challenges it faces, Indonesia has discussed the importance of “other commercial fisheries” with the Philippines and SPC, noting that the large range of uncertainties and the complexity of the fishery make it especially difficult to address the issue. Indonesia and SPC intend to have additional discussions on these fisheries in conjunction with the annual catch estimate workshop for Indonesia in 2020, and Indonesia proposes that Vietnam fully participate in the project with WPEA-ITM support.

369. The Philippines stated that it believed that handlines in the Philippines should not be included as part of “other commercial fisheries” because of the size of the vessels and relatively low CPUE for each vessel. It stated that the general understanding of commercial fisheries does not cover these types of vessel — by international standards, only vessels that are more than 24m in length are considered commercial. Current handline (using *pakuras*) originated in General Santos City sometime in 2000, and that from 2001–2005 the entire catch was landed in General Santos port. The fishing grounds where these vessels operated were mainly in Mindanao Sea (Celebes Sea), Sulu Sea and the waters in the Convention Area. Therefore, the arbitrary proportion of 20% of the total catch should only be applied to the landed catch in General Santos City. Eventually other areas in the Philippines started to operate small scale handlines, hence the increase in annual production. It noted, however, that the catch in recent years covers the total production of handlines nationwide, with only a small portion operating in the Pacific EEZ, even those that are landed in General Santos City. Thus the 20% estimated from beyond archipelagic waters in the Convention Area maybe applied only to landed catch in General Santos City. However, the Philippines proposed that this should be further studied, to enable determination of the actual catch from the Pacific EEZ, and stated the work was in progress with assistance from Peter Williams and others from the SPC. Beginning in 2020, the Philippines is planning to activate a system that will be able to track both the location and catch of each vessel.

370. Australia, on behalf of FFA members, stated their continuing concern with the significant data gaps associated with non-purse seine and longline fisheries in the Philippines and Indonesia, and noted that while significant progress was being made, the absence of information for these fisheries was continuing to impede compliance reporting as demonstrated by the inability of the Commission to reach an assessment of these obligations in the final 2019 CMR. Australia stated that the situation also has substantial implications for determining appropriate limits and properly accounting for these fisheries in

WCPFC's management arrangements. The impacts on the Commission's shared fisheries are substantial, particularly for yellowfin tuna, which is the most depleted tropical tuna stock. FFA members strongly supported the ongoing work of SPC, Indonesia and the Philippines through the WPEA project to improve data availability for these fisheries. FFA members recognised the challenges associated with these fisheries, and stated they were encouraged by the advice provided by Indonesia and the Philippines on steps taken to address these challenges. They strongly encouraged continuation of the work to ensure that WCPFC's efforts to manage its stocks are not undermined. FFA members recommended that the Commission task SPC, in collaboration with Indonesia and the Philippines, to develop a paper containing all information on "other fisheries" to be presented to SC16 and TCC16, to review and advise the Commission with the aim of reviewing para.51 in the tropical tuna measure to ensure appropriate limits can be determined, measured and assessed in the CMS.

371. Indonesia noted that Vietnam is also a full participant in the WPEA project.

372. EU stated it would work with FFA and encouraged the work by SPC. It noted the species are highly migratory, and suggested all information, even from very small-scale fisheries, is essential, and encouraged collection of data. The EU stated that TCC received some assurance from the delegations concerned that work would be done by WCPFC16 to progress the discussion, but observed that no reassurance was provided at WCPFC16 that this was likely to happen in the short term. The EU suggested making the tasking more precise, stating that it was necessary to define the numbers the Commission needs; and if the data do not exist, the Commission needs to know this so it can proceed accordingly.

373. China agreed with the EU's suggestion that a clear reference limit on "other" commercial fisheries was needed. It observed that while Vietnam is included within the WPEA for the purpose of information exchange, its fishing area is outside the Convention Area.

374. The Commission noted the progress being made in Indonesia and the Philippines in respect of data collection for other fisheries for bigeye, yellowfin and skipjack in their waters.

375. The Commission tasked the Scientific Services Provider, in collaboration with Indonesia and the Philippines, to develop a paper containing all information on 'other fisheries' to be presented to the Scientific Committee and Technical Compliance Committee in 2020, to review and advise the Commission with the aim of reviewing paragraph 51 in CMM 2018-01 to ensure appropriate limits can be determined, measured and assessed in the Compliance Monitoring Scheme.

7.2.2.6 New CMM for tropical tunas

376. The Chair noted that CMM 2018-01 expires in 2020, and that a new measure was needed.

377. Australia, on behalf of FFA members, noted that CMM 2018-01 is currently performing well, the stocks controlled by the measure are all within tolerances and the fisheries in the tropical area, particularly the purse-seine fisheries, are beginning to produce sustainable economic and social benefits for developing countries in the tropical area. The objectives of the measure are already expressed in terms that are easily translated into a harvest strategy approach and FFA members stated that it was likely to be fit for its purpose for another 3–4 years. They stated they saw no reason for significant change beyond addressing the requirements of paras 28 and 44.

7.3 South Pacific Albacore

7.3.1 Roadmap for effective conservation and management of South Pacific albacore

378. Dr Graham Pilling (SPC-OFP) presented **WCPFC16-2019-19** *Alternative Trajectories to achieve the South Pacific albacore interim TRP*. As requested by WCPFC15, the paper evaluates a range of alternative catch pathways and timeframes that achieve the interim TRP no later than 20 years. Following requests from SC15, the paper also evaluates effort-based management pathways that achieve the objective. These pathways are compared to “status quo” (2014–2016 average catch or effort) scenarios, which lead to stock declines. A wide range of management scenarios can be applied, and a small subset were examined in the paper. A recovery period of 20 years, the longest time period specified by WCPFC15, implies lower short-term impacts on fisheries compared to shorter recovery periods. However, the stock will decline in the short term if catch reductions are insufficient or management action is delayed. Overall management interventions would then need to be greater as stock recovery will be from a lower biomass level.

379. Samoa, on behalf of FFA members, introduced **WCPFC16-2019-DP05**, *South Pacific Albacore Roadmap and Harvest Strategy*. FFA members thanked SPC for the informative analyses on the catch and effort pathway options presented for deliberation, stating that it was clear there would be difficult decisions to make, especially on commitments to be made to achieve the agreed TRP, and asked all CCMs for their cooperation. They noted that South Pacific albacore is important to FFA members, who are committed to achieving the TRP in as short a time as economically possible. FFA members proposed reinvigorating the South Pacific Albacore IWG in 2020 and confirmed Fiji would chair the IWG. They stated they had taken the lead in providing revisions for the roadmap work plan to focus on three key elements: (i) an agreement on an overall TAC/TAE and a subsequent pathway to the TRP; (ii) a division of the overall TAC/TAE between the high seas and EEZs; and (iii) a measure for the implementation of overall TAC/TAE and/or subregional TACs/TAEs that recognises zone-based management, EEZ limits, data collection and reporting requirements until a harvest strategy is finalised and agreed. FFA members stated they were encouraged that China voiced their preference at SC15 for a TAC for this fishery as soon as possible. They looked forward to working with other CCMs, including through a face-to-face IWG meeting 2020 in conjunction with a meeting of one of the WCPFC’s subsidiary bodies.

380. Fiji acknowledged the work and leadership by New Zealand since the adoption of an interim TRP for South Pacific Albacore at WCPFC15, and similarly thanked CCMs that had been actively engaged throughout the process. Fiji accepted the appointment as Chair of the South Pacific Albacore IWG and sought the continued support and active engagement of CCMs in 2020 as it reinvigorated a revised Roadmap and sought to make key decisions related to returning South Pacific albacore stocks to the TRP. Fiji noted that the albacore stock and its fisheries are critical to the livelihoods and wellbeing of its people, and makes up more than 80% of the sector’s contribution to Fiji’s gross domestic product, through 93 fishing vessels, 5 processing companies, and the employment (directly and indirectly) of thousands of Fiji nationals. Fiji stated it has experienced low catches of albacore and the long-term viability of its fisheries and associated processing factories is grim. Fiji therefore called on CCMs to quickly work together to either (i) agree on harvest strategies, or (ii) adopt enhanced zone-based measures that recognize the existing measures adopted by FFA members in their zones, and MCS and reporting requirements, while finalizing harvest strategies. Fiji emphasised that any delay would most probably lead to the demise of their domestic industry and the thousands of people that depend on it. Fiji also raised a few key issues related to CMM 2013-07, specifically section 5 on the Support for Domestic Fisheries Sector and Tuna Fisheries Related Businesses and Market Access. These include (i) maximizing benefits from the development of their fisheries resources; (ii) that domestic fishing and related industries of SIDS in the Convention Area account for ~50% of the total catch and value of highly migratory fish stocks harvested in the Convention Area; and (iii) the need therefore to support investment and collaborative arrangements

with SIDS and territories. Fiji reflected on the Harvest Strategy Workplan, and adoption of HCRs by 2021 for South Pacific albacore, and stated that one issue CCMs may encounter is the difficulty of remaining committed to this process. Fiji referenced the TRP adopted at WCPFC15 and stated that the sooner the fishery recovers to that point, the better it is for the people and national economies that are dependent on it, while acknowledging that this would not be an easy task, as the preliminary scenarios provided by SPC indicated. Acknowledging the differing development aspirations of CCMs, Fiji asked that the dialogue, decisions and collective actions remain focussed on how these shared stocks have created wealth and benefits for the people and national economies of CCMs, and reflected that this was an urgent call to action.

381. New Caledonia stated that its longline fishery is highly dependent on the South Pacific albacore stock, which accounts for 70% of its catch; there is low fishing effort in New Caledonia's EEZ, and managers and the fishing industry have worked cooperatively for decades with good results, but yields have decreased for the last 3 years, with no apparent explanation. Possible reasons include climate change, the strong fishing effort that occurs all around New Caledonia's EEZ, especially in the high seas pocket to the south, or a combination of these. New Caledonia stressed that South Pacific albacore is vital both for food security and the fisheries industry. New Caledonia stated it would be fully involved in the work of the Commission on this issue and indicated the need to have face-to-face meeting so that issues could be discussed in detail.

382. French Polynesia stated that South Pacific albacore is its main fishery and is very important in terms of profitability and food security. French Polynesia stated it would also actively participate in the roadmap IWG. Given the topics that must be addressed, French Polynesia supported face to face meetings.

383. The United States stated that its fishery operating out of American Samoa is very reliant on South Pacific albacore, which is very important both culturally and economically. It noted that it was in the Commission's best interest to reach the TRP as quickly as possible. It asked for more details on the proposed revisions to the workplan and supported in-person meetings of the IWG in 2020.

384. China affirmed the importance of South Pacific albacore for China's fleet and looked forward to discussions in the SWG.

385. New Zealand, as outgoing chair of the Albacore Roadmap IWG, thanked all CCMs for their previous engagement, and looked forward to further work on the issues. It thanked Fiji for taking over as Chair and agreed that the Commission should work to reach the TRP as soon as economically feasible.

386. Chinese Taipei affirmed the importance of South Pacific Albacore and supported the Roadmap IWG but stated it could not agree to the proposed changes to the workplan, which it would discuss further in the IWG.

387. Samoa thanked all CCMs for their support.

388. The EU stated that it catches South Pacific albacore as bycatch and noted that it had some concerns with **WCPFC16-2019-DP05**, noting the need to take into account the principles of the UNFSA and UNCLOS. It stated it saw no reason to strongly differentiate between the high seas and EEZs. It suggested the need to review the IATTC's albacore management, and the need for close contact with IATTC in order to ensure sustainable management. Cook Islands encouraged CCMs not to be selective in making references to the need for consistency with international law.

389. The Commission agreed to reinvigorate the South Pacific Albacore Roadmap Working Group

in 2020 under the leadership of Fiji and for it to continue to work intersessionally to develop the Roadmap for Effective Conservation and Management of South Pacific Albacore.

390. The Commission further agreed that the South Pacific Albacore Roadmap Working Group would meet in the margins of SC16 and TCC16 and that during the intersessional period it would work to develop its workplan and terms of reference.

7.3.2 Performance indicators

391. The Commission noted the progress on the development of performance indicators for South Pacific Albacore.

7.3.3 Harvest control rules and management strategy evaluation

392. Dr Rob Scott (SPC-OFP) referenced to **WCPFC16-2019-20** Performance indicators for comparing management procedures for South Pacific albacore using the MSE modelling framework (SC15-2019-MI-WP03), and **WCPFC16-2019-21** South Pacific albacore management strategy evaluation framework (SC15-2019-MI-WP08), and provided a brief presentation on the current status of the MSE framework for South Pacific albacore tuna and the design of the HCRs currently under investigation. It was noted that empirical MPs based on recent trends in CPUE were currently being investigated but that the option to investigate model-based MPs had not been ruled out. The HCRs currently under investigation for south Pacific albacore are based on the average level and distribution of catches for 2012–2014 and apply to all fisheries. CCMs were invited to propose alternative HCRs that could also be evaluated within the framework.

393. In response to a query from Japan regarding how the Human Resource Development PI is assessed, SPC stated it is difficult to evaluate in an informative way. Some proxies could be applied: for example, if the stock is maintained around the TRP, that could be taken as enabling achievement of the human development objectives.

394. In response to a query from Chinese Taipei regarding PI 12 (regarding Optimizing Capacity), SPC indicated this referred to optimizing capacity of the southern longline fishery but stated that optimal capacity in a fishery first had to be defined before it could be evaluated.

395. The EU noted its understanding that SC recommended focusing on empirical HCRs and inquired if SPC had examined model-based HCRs. It inquired how a change in targeting would be addressed, as well as effort creep. SPC stated that questions were raised at SC regarding the HCR design for skipjack, including whether it should apply to all fleets in the fishery, and whether management should be through catch or effort. Regarding effort creep, SPC incorporated this for skipjack, and could investigate it for albacore. Although the recommendation was to first look at empirical approaches, the key challenge is identifying a CPUE trend that matches trends in the fishery. A model-based approach could be used.

396. China inquired regarding (i) a PI for continuity of market supply; (ii) how food security is evaluated; and (iii) regarding the time frame for finishing the work of the South Pacific albacore HCR. SPC stated that both PI 7 and PI 8 seek to address stability and continuity of market supply. SPC is examining how to evaluate Food Security as a PI and may employ a proxy. Regarding the HCR workplan, it is somewhat dependent on the next stock assessment, which is scheduled for 2021.

397. Chinese Taipei inquired whether predicted climate change impacts on recruitment should be used in the projection. SPC stated that there is significant uncertainty in the albacore framework regarding future recruitment. Climate change projections are long term (50–100 years), while the harvest strategy projection is for 30 years. SPC will try and reconcile these differences and include projected climate change impacts into the framework if possible.

398. RMI on behalf of FFA members thanked SPC for the update on the harvest strategy work, stating that while they understand this is separate from the work to achieve the TRP, they understood the importance of endorsing required PIs for it to proceed. They encouraged SPC to continue these analyses and through the national harvest strategy workshops work to update and build the understanding of CCMs (and particularly SIDs) on these key components of the harvest strategies for the South Pacific albacore fishery.

399. Japan inquired regarding changes in fishing mortality between a typical LRP and TRP? SPC stated that if a stock is at high level, the HCR simply says that either catch or effort can increase. Various HCRs have differing trade-offs; some maintain high biomass, while others have higher catch, but lower biomass as a result. Japan clarified that a HCR is likely based on the assumption that the stock will stay above the TRP. If a stock decreases, either F or effort must decline, while the stock will require recovery (through a recovery plan), and inquired whether the same HCR would be applied before and after reaching the TRP? SPC indicated that in the case of albacore the starting point is below the TRP, based on the 2018 SA. A stock rebuilding program, based on progressive catch controls, will have the objective of achieving the TRP at some point, followed by management procedures to maintain stocks at that level. If the recovery period is, for example, 10 years, then there is no immediate need for a HCR.

400. The EU noted that the Commission was discussing recovery of a stock that was well above MSY levels. It noted the wide-scale mixing of South Pacific albacore between the EPO and WCPO as revealed by tagging, and that the stock assessment takes into account only the WCPO. The EU inquired whether there was scope to consider this mixing, and how it would affect SPC's work. The EU also commented regarding PI 3 regarding maximizing economic yield, and noted that this was already taken into consideration by the TRP. The EU suggested that the PI was not well defined because the economic yield is being maximized for some fisheries, but minimized for others, and stressed the need to look at all aspects of the fishery. SPC stated that the issue of potential mixing in the EPO and WCPO was raised at SC15. The next stock assessment is scheduled for 2021; depending on the structure of that SA, it may be necessary to redesign the operating model. Ideally this would not have to happen but including the EPO would be a significant change.

401. In response to a query from China regarding the various periods used, SPC noted that these were chosen based on an initial inspection of values. It is not necessary to have consistent 3-year periods. The management period is assumed to be 3 years; CPUE is measured every 3 years, with catch values revised based on that, while CPUE is calculated over 5-year intervals. These were chosen as they seem appropriate but could be changed if desired.

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| 402. The Commission noted the progress on the development of harvest control rules and management strategy evaluation for South Pacific albacore. |
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7.3.4 Review of CMM 2015-02 (South Pacific albacore)

403. The following documents were noted for reference: **WCPFC16-2019-18**, Reference document for the review of CMM 2015-02 and development of harvest strategies under CMM 2014-06 (south Pacific albacore tuna); **WCPFC16-2019-IP08** Trends in the South Pacific albacore longline and troll fisheries;

and **WCPFC16-2019-IP09** Summary of reporting received by WCPFC under CMM 2010-05 and CMM 2015-02: South Pacific albacore.

404. The Chair noted that the roadmap WG would discuss future CMMs.

405. Tonga, on behalf of FFA members, stated that as confirmed in recent meetings of the Roadmap WG, FFA members considered that there was no need to revise the existing measure, which had failed to restrict the build-up of fishing effort for South Pacific albacore, and stated that they were instead focused on the development of a new measure based on moving the stock towards the TRP and recognising zone-based limits to be established within EEZs and for fishing on the high seas.

406. China noted the need for a comprehensive South Pacific albacore CMM and stated their hope that a new CMM would replace CMM 2015-02.

407. The Commission noted that possible future amendments to CMM 2015-02 would be among the matters to be considered through the South Pacific Albacore Roadmap Working Group.

7.4 Pacific bluefin

7.4.1 Harvest strategy for Pacific bluefin

408. Mr Masanori Miyahara, Chair of the NC, presented the NC15 outcomes with respect to Pacific bluefin tuna. NC adopted a harvest strategy for Pacific bluefin in 2017, and the stock is projected to rebuild in accordance with the HCR. NC15 held a long discussion on the possibility of increasing the TAC for Pacific bluefin. He noted some members (notably Japan and Korea) face difficulties in controlling coastal fishery activities, especially given recent very favourable recruitment, and sought an increase in the TAC; other members expressed concerns and preferred to wait for the results of the 2020 benchmark SA. As a result, NC members did not recommend an increase in the TAC. NC15 also discussed the need for increased flexibility within the existing CMM and is seeking (in the revised CMM), for 2020 only, an increase in the carry-over from 5% to 17%, with the figure chosen for consistency between the eastern and western Pacific (a 17% carry-over is allowed for Mexico). The revised CMM also allows for a transfer of catch limit of 300 t from Chinese Taipei to Japan for 2020. The NC also agreed on TORs for the Pacific bluefin tuna MSE (Attachment F of the NC15 Summary report), and adopted Candidate Reference Points (Attachment G of the NC15 Summary report).

409. Tuvalu, on behalf of FFA members, noted their continuing serious concerns at the extremely low status of the Pacific bluefin stock. They stated their concern at (i) the lengths Japan has gone to seek special arrangements to allow for increased catches in 2020, in particular a transfer of allocation from another CCM, although there are no provisions for quota transfer in the existing measure; and (ii) the dramatic increase in allowed carryover of underage from 5% to 17% of the 2019 annual initial catch limit for all CCMs. FFA members acknowledged that the principle of the Harvest Strategy approach does allow for the possibility of a catch increase, but stated they were strongly of the opinion that this should be considered in conjunction with the results of the full stock assessment and not to be the subject of lengthy negotiations of special arrangements favouring Japan during intervening years.

410. The EU expressed concern that the Pacific bluefin stock is still in very poor condition. It noted the efforts toward recovery and requested that NC provide more detailed information on this and other species in poor status in the future. In response the NC Chair reviewed the history of the NC, referenced prior requests by the Commission regarding presentation of NC measures, and stated that he would present additional information in the future if that was desired.

411. United States noted that the NC had made a very serious effort to rebuild the Pacific bluefin stock, which is proving successful. It noted that the rebuilding plan allows for consideration of catch increases, if rebuilding continues with a high degree of certainty. The United States noted the NC was not proposing any catch increases in the revised CMM, while the revised CMM would allow for carryover, because of the economic implications. It noted there are no prohibitions to carryover of catch limits within the existing CMM.

412. Solomon Islands, on behalf of PNA members, supported the FFA statement, and said they appreciated the work that had gone into the proposal for a revised Pacific bluefin measure. However, they noted that with the spawning biomass at 3% of the unfished level and overfishing continuing, they considered that this was not the time to be making ad hoc adjustments to the CMM that would clearly increase catches in 2020. Given that a new assessment will be performed in 2020, any further action should wait for the results of that assessment. PNA members stated they did not support revisions to the measure at WCPFC16.

413. Japan responded to some questions from FFA and PNA regarding the catch limit transfer from Chinese Taipei to Japan. Japan noted that **WCPFC16-2019-22** contains the details; Table PBF-02 and Figure PDF-01(p. 4) show how rapidly the stock will rebuild. If the catch limit is not increased, the interim rebuilding target is projected to be reached in 2021 (> 60% probability), 3 years before the target of 2024, with a 97% probability of reaching the target in 2024. The projection assumes that catch made by Chinese Taipei has already been taken, thus, even if a transfer is made from Chinese Taipei to Japan, the stock is projected to achieve these targets as outlined.

414. Tokelau, on behalf of PNA members, stated that with the stock at 3% of its unfished level, the management of Pacific bluefin tuna is a failure that reflects badly on all CCMs. When the approach to managing Pacific bluefin tuna is compared with that used for other stocks managed by the Commission, PNA members think that fishing on this stock should probably be closed and closed for a long time. They stated they agreed, with some reluctance, to an HCR with a slow rebuilding programme and were prepared to continue to support the HCR. They stated that the proposed changes are not part of the HCR and are being made on an ad hoc basis without any apparent exceptional circumstance that would justify taking action outside the HCR, and that any additional management actions should await the 2020 stock assessment.

415. PNG sought clarification regarding paragraph 11 of the NC Summary Report with regard to the 50/50 split of any catch limit increases to IATTC and WCPO. The United States indicated that this restated the outcome of a joint IATTC and NC WG, the outcomes of which were adopted by NC. The working group used a pan-ocean management approach and agreed that any catch increases must address the distribution of fishing opportunities across both commissions.

416. Japan addressed the comment by the PNA that the fact that the 3% $SB/SB_{F=0}$ level means the fishery should be closed. It noted that while this could be done, PBF is taken by a coastal fishery, with most catch taken in inland and territorial waters, with 20,000 small-scale coastal fishermen and over 1,000 set nets. Closing the bluefin fishery would require giving up all other species in the multispecies fisheries and would negatively impact many fishermen. Japan noted while the 2014 recruitment was the lowest in history, it has since recovered, and 2016 recruitment was almost twice the projected level; these are now becoming adult fish and being caught. It stressed the NC decided not to recommend a change in the catch limit, and that the objectives, as endorsed by WCPFC, were being met. It noted the HCR was not being used in 2019.

417. The ISC representative clarified that the method used in the projection uses F as well as the catch limit to evaluate the probability of achieving certain targets. The model assumes Chinese Taipei catches

900 t or 1000 t, while the actual catch is below 500 t; thus, the transfer from Chinese Taipei to Japan would not affect the projection. Regarding the carryover increase (from 5% to 17%), it is difficult to simulate what effect this will have, but over time it will not increase total catch. He noted that not all countries are using their total quota and observed that the impact on the stock if they did could be negative, but would not be very large.

418. China noted in relation to the ISC intervention that the stock is subject to rebuilding. It stated that in ICCAT such transfers are allowed and voiced its support for the transfer from Chinese Taipei to Japan.

419. Japan noted that some CCMs members had expressed concerns and suggested the need for more dialogue. Japan noted its view that prior consultation is very important and observed it had previously explained its domestic situation with respect to this issue to FFA and PNA members, including through the use of videos, photos and data.

420. The Commission noted the update from the Northern Committee on the progress on the development of a harvest strategy for Pacific Bluefin.

7.4.2 Review of CMM 2018-02 and consideration of any proposed amendments

421. The Chair of the Northern Committee introduced the proposed revision to CMM 2018-02 as approved by NC15, with reference to **WCPFC16-2019-22** *Reference Document for the Review of CMM 2018-02 and Development of Harvest Strategies* (which provides a quick reference guide to the recommendations of the SC, NC and TCC of relevance to the discussions on stock status and management advice for Pacific bluefin tuna) and **WCPFC16-2019-IP10** *Compiled information on Pacific bluefin tuna fishing effort and catch*.

422. The NC Vice-Chair (USA) stated that the NC met briefly on the margins of WCPFC16 to consider two outstanding NC recommendations. Changes that CCMs discussed were largely adopted by NC, both for CMM 2018-02, and for the harvest strategy for North Pacific swordfish (discussed under Agenda Item 7.6.1).

423. The EU stated that taking into account the constraints and difficulties expressed by Japan it was fine with the revised proposal to amend CMM 2018-02. It commented in relation to the reporting requirement that allows some CCMs to report not in the calendar year but the management year, stating that TCC had struggled to assess compliance with limits in situations where this was the case. The EU stated that it would reluctantly not oppose the proposal but stressed this was not a very meaningful way of reporting against limits.

424. Pew, on behalf of Pew, WWF, and The Ocean Fund, expressed concern that the revised CMM for Pacific bluefin would increase the size of the allowed carry over and allow transfer of quota in 2020, which would effectively increase the catch of PBF for 2020. The stock remains severely depleted, at just 3.3% of unfished biomass, and continues to experience overfishing. They stated that any increase in catch further jeopardizes the recovery of the species, reducing the probability that the rebuilding targets agreed to by the Commission will be met. The changes to CMM 2018-02 approved by WCPFC16 did not change the effects of the measure and Pew stated it is very concerned that it was accepted by the Commission. ISC will perform a full benchmark assessment of the stock in 2020 and Pew urged members to take the opportunity in 2020 to fully debate the implications and merits of the measure.

425. The Commission adopted **Conservation and Management Measure 2019-02, Attachment I***

which amends CMM 2018-02 *Conservation and Management Measure for Pacific Bluefin tuna*.

7.5 North Pacific albacore

7.5.1 Harvest strategy for North Pacific albacore

426. The NC Chair stated that the NC is developing a MSE for the stock; two stakeholder meetings have been held, and a TRP is under discussion. He stated that details are provided in the NC15 Summary Report (paragraphs 21–24).

427. The Commission noted the update from the Northern Committee on the progress on the development of a harvest strategy for North Pacific albacore.

7.5.2 Review of CMM 2005-03 and consideration of any proposed amendments

428. The Commission considered **WCPFC16-2019-23** Reference document for review of CMM 2005-03 and development of harvest strategies and **WCPFC16-2019-IP11** Updated information on North Pacific Albacore effort data. The NC Chair stated that revision of CMM 2005-03 had been under discussion for some time. NC recommended slightly amending the CMM by removing the 6-month reporting requirement, which is not required by IATTC.

429. In response to a query from Vanuatu, the United States stated that para. 4 of CMM 2005-03 requires that “All CCMs shall report annually to the WCPFC Commission all catches of albacore north of the equator and all fishing effort north of the equator in fisheries directed at albacore.”

430. The Commission adopted **Conservation and Management Measure 2019-03, Attachment J*** which amends CMM 2005-03 *Conservation and Management Measure for North Pacific Albacore*, by removing the reporting requirement set out in paragraph 3.

7.6 North Pacific swordfish

7.6.1 Harvest strategy for North Pacific swordfish fisheries

431. The NC Chair stated that the North Pacific swordfish stock is in good condition and noted the following: NC15 agreed on a harvest strategy for the stock; and if the harvest strategy is approved by the Commission NC will approve specific management measures. The harvest strategy objective is maintaining MSY. The exploitation rate (F-limit) LRP is F_{MSY} . A TRP will be developed later. The F-limit rule is as follows: in the event that average exploitation rate for the most recent period has been found, with at least 50% probability, to exceed the F limit, the NC will formulate CMM recommendations designed to reduce, with over 50% probability, the F rate below the F-limit as soon as possible.

432. In response to queries from the EU regarding the use of F_{MSY} as the LRP, the United States noted that, because a reliable estimate of steepness is available, the stock of North Pacific swordfish is to be treated as a Level 1 stock under the Commission’s hierarchical approach for setting biological LRPs. The LRP for the exploitation rate (F-limit) is thus F_{MSY} .

433. The Commission accepted the recommendation from the Northern Committee on a harvest

strategy for North Pacific Swordfish (**Attachment K***).

7.7 North Pacific striped marlin

7.7.1 Limit reference point for North Pacific striped marlin

434. The NC Chair stated that NC15 had discussed a consultative proposal for a rebuilding plan and requested that ISC provide advice on which future recruitment scenario might be the most likely over the near term. NC15 also requested the ISC to explain why the striped marlin stock decreased and the fishing mortality increased after a drastic decrease in fishing effort by high seas driftnet fisheries in the early 1990s.

7.7.2 Review of CMM 2010-01 and consideration of any proposal for a rebuilding plan

435. The Chair referenced **WCPFC16-2019-DP12** Rebuilding Plan for North Pacific Striped Marlin, and **WCPFC16-2019-24**, Reference document for the review of CMM 2010-01 and development of Harvest Strategies for North Pacific Striped Marlin (Kajikia audax).

436. The United States noted that the 2019 stock assessment for North Pacific Striped marlin found the stock is both overfished and experiencing overfishing, relative to MSY-based reference points. Given the concerns regarding the stock, WCPFC 15 strongly encouraged CCMs to submit a rebuilding plan, which the United States submitted to WCPFC16 in the form of **WCPFC16-2019-DP12**. The United States highlighted that the plan includes no changes to the CMM for North Pacific striped marlin; but it does contain a target and a timeline for reaching the targets. The proposed target is 20%SSB_{F=0} to be reached by 2039, with at least 60% probability.

437. FSM, on behalf of FFA members, stated that the issue was of major concern to FFA members. They thanked the United States for their proposed rebuilding plan and called on the Commission, with the support of CCMs in whose waters the fishery takes place, to take action as a matter of priority. Noting the proposed rebuilding target for North Pacific striped marlin FFA members stated that this at least represented a start, albeit one delayed for too long. They noted the proposed time frame of 20 years to reach the LRP, which was the point at which the Commission would ordinarily be considering taking immediate action to reduce fishing mortality and rebuild the stock. FFA members stated their hope that action could now be agreed upon and stated they would support a more ambitious timeframe to rebuild the stock to the LRP. They looked forward to some positive action with North Pacific striped marlin and other northern stocks that are also at depleted levels in order to align the stocks with the management of stocks in other tropical and southern areas.

438. The EU requested that the NC provide additional information on the stock to WCPFC17, including which members are involved in the fishery. Regarding the rebuilding plan, it noted that at WCPFC15 CCMs raised concerns about the status of the stock, and that the EU expected to be able to evaluate the most recent information at WCPFC16 along with a complete rebuilding plan. It noted that DP12 provided an objective and timeframe, but no indication of how this was to be achieved. The EU suggested discussions to determine if additional detail could be added.

439. Japan clarified that North Pacific striped marlin is not recognized as a northern stock, under the purview of the NC, but is to be managed by WCPFC. It thanked the United States for developing the proposed rebuilding plan, while noting that the 2019 stock assessment undertaken by ISC had quite divergent results, depending on which of two recruitment scenarios was used; ISC was unable to determine which scenario was more likely. Japan noted that North Pacific striped marlin stocks declined

following the cessation of drift net fishing in the 1990s while fishing mortality increased, and that the reasons were not clear. Japan stated it could support the rebuilding target, but noted that the time frame and the probability of reaching the target were uncertain, and perhaps better determined following receipt of additional information from ISC.

440. The United States confirmed that while North Pacific striped marlin was a North Pacific species, it had not been designated as a NC stock, meaning it was up to all CCMs to rebuild the stock. The United States stated that in its view the rebuilding plan and actions needed to realize the plan's objectives are distinct. The plan defines the objectives, but does not take steps to control fishing effort, which would be part of a rebuilding strategy. The United States noted the uncertainty in the stock assessment, especially regarding the recruitment scenario, and the projected recovery timeframe. The United States looked forward to working with Japan and hopefully adopting the plan.

441. PNG supported the comments made by Japan and thanked the United States for the plan.

442. The Chair recalled that during WCPFC15 a lengthy discussion was held on possible designation of the stock as a northern stock (and therefore under the NC), but that this had not been done, and stated the Commission would not revisit that issue. She noted that ISC provided information and advice to the Commission. In response to further queries from CCMs, the Secretariat confirmed that WCPFC and ISC has a formal relationship and cooperate through a formal MOU the details of which are provided in the [Relations with Other Organisations](#) section of the Commission's website.

443. RMI inquired regarding the obligations of CCMs that are not members of either the NC or ISC.

444. Following further consultations among CCMs, the United States stated that based on feedback regarding the recruitment uncertainty, the rebuilding plan would be considered an interim plan, which would be updated following additional advice from SC regarding future recruitment. The United States then sought further input from CCMs regarding the timeline.

445. The EU thanked the United States and other CCMs for finding a way to make progress. The EU stated that their preference would be that the timeframe be 2029, because the Commission adopted a CMM aiming at rebuilding the stock 10 years previously, effectively making 2029 a 20-year target.

446. Japan suggested adopting 2029 with the proviso that the plan be subject to further consultations, in anticipation of further advice from ISC. The EU stated it could agree with Japan's proposal.

447. Chinese Taipei noted that the current F was around F_{MSY} , and that the species was bycatch for many CCMs. Regarding the rebuilding objective, it stated that $20\% SSB_{F=0}$ was over MSY , and thus very high. They stated that if the Commission chose a 10-year (2029) target, there would be large impacts on those fisheries where the species is caught as bycatch. Chinese Taipei stated its preference was to use 2039, but that it would compromise with a target of 2034.

448. Japan stated it could support 2034, but would look to further scientific advice from ISC, probably in the form of Kobe metrics showing probabilities for various years; the best one would then be selected, taking into account socioeconomic factors. This could then change the target.

449. The EU stated that the stock is heavily depleted, meaning F for the current level of biomass is excessive. The EU also stated that the previous stock assessment stated that biomass estimates were very optimistic. The EU agreed with proposed 2034 and stated that it should be considered again in 2020 based on the most recent scientific advice.

450. The Chair noted the support among CCMs for a 2034 timeframe to reach the target, subject to further consideration in 2020.

451. The Commission adopted the Interim Rebuilding Plan for North Pacific Striped Marlin (**Attachment L***).

7.8 South Pacific striped marlin

7.8.1 Limit reference point for South Pacific striped marlin

452. Dr Graham Pilling (SPC) provided background on recommendation points from SC and TCC on the review of the CMM for Southwest Pacific stripe marlin, **WCPFC16-2019-25, Reference Document for the review of CMM 2006-04**. He stated that as a billfish stock South Pacific striped marlin has no agreed LRPs. SPC thus uses default MSY reference levels when reporting stock status, and on that basis the stock is likely overfished and subject to overfishing. SC discussed whether MSY is appropriate as a reference level for these stocks. It is a biological limit under which the stock may be subject to reduced recruitment, which triggers concerns. SC needs to advise on the setting of a LRP; a level of 20% of $SB_{F=0}$ could be considered. Regarding geographic range, the current CMM applies S of 15° S. The most recent assessment raised concerns regarding catch between 15° S and the equator, which is not currently controlled by the CMM. The recommendation extends the northern boundary to the equator.

453. The Chair noted the two questions that had been raised by SC and SPC: is an LRP of 20% of $SB_{F=0}$ appropriate; and should the boundary of the CMM be extended to the equator, and invited comments by CCMs.

454. The EU stated it did not share the same understanding; it stated that as indicated by SPC, the LRP must be biologically based, and indicate a limit beyond which there is a risk for a given stock to face impaired recruitment, collapse or something similar. The EU stated that SC should explore what that LRP should be and argued that it should not be 20% of $SB_{F=0}$. It noted that this was used by the United States in its proposal not as a limit but a rebuilding target, and that the Commission had not agreed that there would be specific damage to the stock at that point. The EU stated it would be useful to expand the geographic scope of the CMM.

455. Australia stated that a hierarchical approach to determining LRPs provides precautionary LRPs for species such as tuna and billfish. It stated it was comfortable with asking SC whether this could be applied to billfish. Chinese Taipei also agreed that SC could examine the issue and suggested more information would be useful.

456. China stated that action was premature for what it considers a bycatch species. It stated that to decide whether to extend the CMM's effective area to the equator it would require more information on the implications for China's fleet. It suggested discussing the issues at SC16 and making a decision at WCPFC17.

457. New Zealand, on behalf of FFA members stated its concern with the stock status of South Pacific striped marlin, stating that the results of the assessment were worrying, indicating the spawning biomass is less than SB_{MSY} and below 20% of $SB_{F=0}$. Moreover, negative recruitment was seen in the three last stock assessments (2006, 2012 and 2019). While acknowledging it is difficult to specifically manage the stock, given that it is bycatch, FFA members stated it is an important stock for sport fisheries and thus tourism. FFA members considered this a priority and aim to bring forward proposals to address the situation at WCPFC17. For the SC15 recommendation to the WCPFC16 to identify an appropriate LRP for the stock,

FFA members suggested this be referred back to the SC to identify a LRP and then be returned to the Commission for a decision. They noted the need for more effective measures to reduce the overall catch and stated this would be considered in developing FFA proposals for 2020.

458. The Commission noted with concern the current status of South Pacific striped marlin and agreed to revisit the limit reference point in 2020 at WCPFC17.

7.9 Others — SW Pacific broadbill swordfish

459. Australia, on behalf of FFA members, noted that WCPFC has an obligation to manage South Pacific Swordfish in the Convention Area, in a manner consistent with the objectives of the Convention. It stated that South Pacific Swordfish are a valuable resource and an important economic contributor to a number of WCPFC member fisheries and presents a fishery development opportunity for SIDS and Participating Territories in the stock area. FFA members noted that in its current form, the swordfish CMM (CMM 2009-03) does not ensure the ongoing sustainability of swordfish in this region, the ongoing economic viability of current fisheries nor future development opportunities for SIDS and participating territory fisheries, noting that:

- i. **Between the equator and 20°S** – There is currently no restriction on catch or effort for swordfish in this area, where catch on the high seas has increased substantially since CMM 2009-03 was developed. SC13 identified that the Commission should consider developing appropriate management measures for this area.
- ii. **South of 20°S** – The most recent stock assessment estimated a 32% probability of overfishing. However, fully caught catch limits south of 20°S combined with recent catches north of 20°S would substantially increase the probability of overfishing and an overfished stock.
- iii. **Sub-regional depletion** – The movement and aggregation behaviours of this species make it particularly vulnerable to subregional depletion, a key risk to the economic viability and development potential for coastal State fisheries in particular.
- iv. **(iv) South East Pacific management** – there is potential connectivity between the south-eastern WCPFC area and the adjacent South East Pacific Ocean (SEPO). The SEPO has seen very substantial increases in catch, but has no CMM, and no stock assessment since 2011.

460. Recognising these issues and risks, Australia stated that it sought support of WCPFC members to strengthen CMM 2009-03, so as to ensure the ongoing sustainability of the stock regionally, ongoing economic viability of existing WCPFC member coastal State fisheries, and future development opportunities for SIDS and participating territories such that even stronger CMMs are not required in the future in response to an overfished stock, which could also impact tuna fisheries. Australia proposed that a future revised measure would apply in EEZs and high seas throughout the whole area of the stock (consistent with Article 3 and Article 5); be reflective of the current best understanding of swordfish science and its assessed status; prevent further increases in fishing mortality on the stock to avoid future overfishing and an overfished stock (as per Article 5); accommodate subregional zone-based management approaches and limits and ensure compatible management and limits on the high seas (as per Article 8); recognize the sovereign rights of coastal States to explore, exploit, conserve and manage HMS within areas under their national jurisdiction (as per Article 7); recognize the special requirements of, and avoid transferring a disproportionate burden of conservation upon, SIDS and participating territories (as per Article 30); and seek the development of a consistent set of CMMs for fish stocks that occur in both the WCPFC and IATTC Convention Areas (as per Article 22). Finally, FFA members noted the standing advice from SC relating to the need to strengthen provisions in CMM 2009-03 (Conservation and Management of Swordfish) and strongly encouraged Commission members to engage in discussions during 2020 to achieve this outcome.

461. New Zealand commended Australia for its proactive approach on the issue, stating it would be appropriate to approach IATTC with WCPFC's concerns regarding the management of the species. It suggested the Chair write to IATTC with concerns regarding the need for a proactive approach to management of the stock in light of the concerns highlighted by Australia.

462. Tonga, on behalf of FFA members also thanked Australia for the leadership role it had taken to improve the management of the stock and the consultative approach being taken to gauge the views CCMs. They noted that swordfish is of importance to a number of FFA members and express their broad support for the development of a CMM that recognises zone-based management and would seek to manage swordfish on the high seas to complement action taken within EEZs

463. China thanked Australia for its work and stated that it agreed with some of the principles that had been addressed, including the application of the CMM in EEZs and the high seas. China also encouraged that WCPFC seek consistent measures with IATTC for shared fish stocks. It stated it would work with Australia to find a solution, although stated it was unsure if agreement could be reached in 2020. China noted that if a new measure was to be adopted China would find it challenging, but stated it was willing to work on the issue.

464. The EU also thanked Australia for its work on the issue, stating that proactive work was positive, and that it supported addressing management throughout the stock's geographic range for all species. It agreed with the suggestion to collaborate with IATTC in view of taking into account the situation in the SEPO. It stated it would work with Australia to develop a tasking for SPC, including defining the fisheries, which could be difficult, as in many cases this may be bycatch. The EU noted that to date the stock remained within safe biological limits.

465. French Polynesia supported the approach proposed by Australia for the revision of this CMM and stated that in particular because it is located in the overlap area, French Polynesia favours the development of a consistent approach to fish stocks at the Pacific Ocean level.

466. Chinese Taipei thanked Australia for tabling the proposal and agreed with the remarks made by China. It supported application to both area the high seas and EEZs, and stated it was prepared to work with other CCMs to discuss the issue.

467. New Caledonia stated that it has a very low catch of swordfish as bycatch but was very interested in the sustainability of the stock. It supported the proposal.

468. The Cook Islands stated that South Pacific swordfish is an important stock for its domestic fisheries and looked forward to working with Australia on the CMM.

469. Australia thanked CCMs for their suggestions and support. It stated that undertaking projections (based on the status quo, fully caught limits, and max catch)¹ would be critical for the robustness of the measure. It thanked the EU for assistance in developing text for the SPC tasking, while noting that, following meetings of the FAC during WCPFC16, this was no longer a funding priority for WCPFC. As a result, Australia stated it would provide a voluntary contribution to support the completion of the work by SPC.

¹ Status quo assumes recent (2016–2018) levels of fishing both north and south of 20°S. Fully caught limits assumes recent (2016–2018) levels of fishing north of 20°S and CCM-nominated maximum total catch levels (para 4 CMM 2009-13) of fishing south of 20°S. Max catch assumes peak (2011–2013) levels of fishing north 20°S and CCM-nominated maximum total catch levels (para 4 CMM 2009-13) of fishing south of 20°S.

470. New Zealand thanked Australia for its proactive approach, and for providing a voluntary contribution to ensure it could be done.

471. The EU thanked Australia for its leadership for acknowledging the EU's contribution. It raised the issue of timing, stating that a stock assessment would be conducted in 2021, which could involve significant changes in the stock assessment model. It suggested this would be useful to inform discussions of any proposed CMMs, and proposed that any projections be rescheduled to 2021, based on the new SA, with a management review of the fishery N of 20°S conducted in 2002.

472. Australia stated the need to undertake the work on the basis of most recent currently available stock assessment, noting that the EU was suggesting waiting 2 years for the next assessment. It stated that this practice had not been followed for other species and argued it should not be necessary to wait that long to get the best possible scientific advice on how to proceed. Australia stated that SPC ran projections for tropical tunas in 2019, even though it would conduct stock assessments in 2020. Regarding the work on fisheries that take the species as bycatch, Australia stated that this would be directly addressed by the proposal, and self-funded by Australia.

473. The EU stated that its view that (i) this was not a good use of SPC's limited time because it would have to be repeated in 2 years; (ii) that the outcomes were known in any case; and (iii) the stock was assessed to be above MSY with 100% probability. It stated its interest in ensuring that the timing be correct and limited resources be employed to do the work correctly.

474. New Zealand stated it supported Australia's position on the issue and saw no reason to wait 2 years. Cook Islands noted that the species was very important for its local market and observed that SPC had not suggested it could not undertake the work. Cook Island also stressed that Australia was proposing to provide the funding.

475. Australia stated it was confused and disappointed over the objections for the EU, which its suggested set a dangerous precedent, noting that the EU had a significant stake in the fishery, and thus has a stake in its sustainability. Australia stated that projection work did not concern current fishing mortality, but was critical for revision of the CMM, and noted that a new stock assessment was available to enable updating the CMM, which had not been revised since 2009.

476. SPC confirmed it could conduct the projections as part of its workload for 2020.

477. The EU stated that it would not oppose the work but wanted to pursue it in 2021, noting that SC had not raised it as a concern or priority, with their advice recommending maintaining the current measure S of 20° S, and taking appropriate measure N of 20° S.

478. Niue supported Australia's proposal and thanked it for funding the work and expressed concern regarding the proposed delay. New Zealand registered its disappointment, as did Cook Islands, which stated that it was investing in swordfish research through small contributions, and was seeking to take a precautionary approach, noting that it could not move its islands the way other CCMs can move their vessels.

479. CCMs held an extended discussion regarding the possible timing of the three actions put forward by Australia in its revised proposal. Many CCMs voiced their support for the work and schedule proposed by Australia; Australia thanked the various CCMs for their support for what it characterised as an important action that the Commission could undertake at no cost. The EU stated its view that not all CCMs' comments necessarily reflected the actual status of the stock and declined to support conducting projections in 2020. The EU reiterated its position that any stock projections to be conducted by SPC be

delayed until 2021, and be based on a new stock assessment, while supporting conducting the tasks in paragraphs 2 and 3 of Australia's proposal in 2020, which it stated were most important, and were supported by SC. Tokelau voiced its strong concern over the EU's position, noting that the fishery was very important for some small Pacific Islands, which it stated were seeking to manage the stock sustainably for their people, through an approach consistent with that employed for skipjack and other stocks.

480. The Commission tasked the Scientific Committee in 2021 (SC17) to provide an evaluation of the long-term future of the southwest Pacific swordfish stock status under CMM 2009-03 based upon the latest SC-agreed stock assessment, utilising a limited number of projections. Projections should include:

- a. "Status quo" – this projection will assume recent (2016 to 2018) levels of fishing both north and south of 20°S.
- b. "Fully caught limits" – this projection will assume recent (2016 to 2018) levels of fishing north of 20°S and CCM-nominated maximum total catch levels (para 4 CMM 2009-13) of fishing south of 20°S.
- c. "Max catch" - this projection will assume peak (2011 to 2013) levels of fishing north 20°S and CCM nominated maximum total catch levels (para 4 CMM 2009-13) of fishing south of 20°S.
- d. An additional limited number of projections which assume a range of fixed catch scenarios that are a percentage above and below "status quo" (such as -10% and +10%) that result in a range of upward and downward longterm biomass trends.

WCPFC16 noted that this work would be funded via a voluntary contribution by Australia so as to not impact on Commission budget allocations for other priority work.

481. The Commission tasked the Scientific Committee in 2020 (SC16) to consider a review (self-funded and developed by Australia, in consultation with interested CCMs) of possible measures and options relevant to the management of swordfish taken as bycatch in longline fisheries. The review may include information from available research and literature, logbook and observer data (in appropriately aggregated forms).

482. The Commission requested the WCPFC Chair to write to the IATTC Chair to:

- a. Express the Commission's significant concern over the lack of scientific assessment and specific management measures for South Pacific Swordfish in the IATTC area;
- b. Seek that the IATTC prioritise the development of a management measure that ensures catch levels are maintained within sustainable levels, and
- c. Urge cooperation between IATTC and WCPFC on this issue.

AGENDA ITEM 8 — WCPO SHARK STOCKS AND BYCATCH MITIGATION

8.1 Review of existing shark measures and consideration of limit reference points for sharks

483. The Commission noted that the Scientific Committee is working on appropriate LRPs under

Project 103 and encouraged the Scientific Committee to develop appropriate LRPs given their importance in harvest strategies.

8.2 Proposal for a comprehensive CMM for sharks and rays

484. The Shark IWG Chair reviewed the efforts undertaken by the working group and presented a final draft CMM for sharks.

485. New Zealand, joined by China, thanked the Shark IWG Chair for his hard work and supported adoption of the CMM.

486. Australia, on behalf of FFA members, welcomed the work done over the preceding two years to consolidate the broad suite of shark measures into a single, comprehensive measure. They congratulated Japan for its leadership on this difficult but worthwhile task. FFA members advocated for a process to consolidate the measures to ensure that the Commission is meeting its goals of mitigating the impact of tuna fisheries on sharks stocks effectively. In particular, they welcomed the efforts by Japan to look for alternative methods to ensure full utilisation of sharks, which has always been a key goal of WCPFC's shark CMMs. They noted this as a significant step forward for the Commission, stating they were very pleased to adopt the CMM and welcomed the constructive engagement of all CCMs in developing the comprehensive shark and ray CMM.

487. The EU congratulated the Chair of the Shark IWG, and complemented him for his competence, resilience and patience. It asked whether the Mobulid ray text should be incorporated in the CMM? The Shark IWG Chair stated he had considered this but stated that it would be very cumbersome to update the comprehensive CMM each time a new CMM is adopted. He suggested the Commission consider updating the comprehensive Shark CMM every 3 or 5 years.

488. PNG, on behalf of the PNA, stated they we appreciated the hard work and the huge effort, and joined in voicing appreciation and support to the Shark WG chair, and voiced support for adopting the measure.

489. Chinese Taipei stated sharks are very important to it and it voiced its congratulations to the Shark IWG Chair for a difficult task and expressed its support for the new CMM.

490. WWF, on behalf of WWF, Pew, SFP, and The Ocean Foundation stated that sharks and rays continue to make up a large percentage of annual bycatch, which current stock assessment trends suggest is unsustainable. They stated that in the last 9 months, both shortfin and longfin mako sharks have been upgraded to endangered and the previous day oceanic whitetip was elevated to critically endangered on the IUCN Red List. The recent stock assessment for oceanic whitetip shark presented at SC15 highlighted a dramatic collapse in what was once one of the most abundant pelagic sharks in the Pacific. Spawning stock biomass is estimated to be likely less than 5% of its unfished biomass and the species is predicted to become extinct in the WCPO under current levels of fishing mortality despite a no-retention measure. With that in mind, WWF stated it continued to support recommendations from SC15 for oceanic whitetip shark, including improved observer coverage and data; further efforts to mitigate catch, including closer adherence to the best practices in safe release; and the urgent development of a precautionary LRP for the stock. Overall, WWF stated they remain increasingly concerned about shark conservation and sustainability in the WCPO region but suggested that urgent action is required to further reduce fishing mortality on oceanic whitetip so as to enable the population to rebuild. They stated they appreciated the progress the Shark IWG had made toward agreed recommendations for a Comprehensive Shark CMM at WCPFC16, and they noted several important provisions were removed or watered down. They supported

recommendations within the proposed CMM to include methods to further prohibit finning and incorporate the necessary language to encourage CCMs to land sharks with their fins naturally attached, specifically the elimination of the 5% fin to carcass ratio that was proven repeatedly to be ineffective. They also supported recommendations such as those for capacity building. However, they stated they were very disappointed that the provisions to prohibit both shark lines and wire leads, which the best available science suggests would further reduce the mortality of vulnerable species like oceanic whitetip shark, were not adopted. They suggested that because the Commission is unable to implement simple mitigation measures such as these to avoid unnecessary mortality of oceanic whitetip shark and other vulnerable species, other measures to reduce fishing mortality, such as time and area closures, should be explored as a matter of priority. Lastly, they stated their disappointment that, despite the framing of this measure as a “comprehensive” or “omnibus” measure, the final version of the Shark CMM lacks key components of good fisheries management practice. WWF urged the Commission to consider amending this measure to include: (i) a directive to establish recovery plans as the appropriate management response for heavily depleted species, and (ii) a mechanism and requirement to establish LRPs for all key shark and ray species consistent with the WCPF Convention.

491. The Commission adopted Conservation and Management Measure for Sharks (**Conservation and Management Measure 2019-04, Attachment M***). The Commission further agreed that this measure would become effective on 01 November 2020 and that it shall replace CMM 2010-07 Conservation and Management Measure for Sharks, CMM 2011-04 Conservation and Management Measure for Oceanic Whitetip Sharks, CMM 2012-04 Conservation and Management Measure for the protection of whale sharks from purse seine operations, CMM 2013-08 Conservation and Management Measure for Silky Sharks, and CMM 2014-05 Conservation and Management Measure for Sharks at that time.

492. The Commission also agreed that there would be an additional twelve-month period before Indonesia is expected to implement the new shark conservation and management measure.

8.3 Review of CMM 2018-03 on Seabirds

493. New Zealand introduced the review of CMM 2018-03 by stating it has the highest global diversity of albatross and petrel species in the world, with several species assessed as being at high or very high risk from commercial fisheries bycatch, and as a result the protection of seabirds is of great importance to New Zealand. Bycatch in pelagic longline fisheries is one of the greatest threats to seabirds, particularly albatrosses and petrels. New Zealand stated its concern that despite the implementation of a CMM since 2006 to reduce seabird bycatch, Project 68 estimates bycatch levels as high as 13,000–19,000 birds per year, not including cryptic mortality. This includes a high proportion of seabird bycatch in the northern Pacific. SC, reflecting estimates from Project 68, noted that longline fisheries north of 20°N accounted for approximately two-thirds of total seabird mortalities, while longline fisheries south of 30°S accounted for approximately one-quarter of seabird mortalities. New Zealand emphasised the need to consider ways to reduce seabird bycatch and mortality as a result of longline fishing, and accordingly proposed adoption of non-binding guidelines for the handling and safe release of seabirds, as outlined in **WCPFC16-2019-DP07, Proposal on guidelines for the safe-handling and release of seabirds**. The proposed guidelines represent best practice advice developed by ACAP. The guidelines were endorsed by SC15, and New Zealand also highlighted the proposal at TCC15. New Zealand also stated it was grateful for the support of its FFA partners. The proposal aims to meet the requirements of paragraph 11 of CMM 2018-03 — ensuring that seabirds captured alive are released alive in as good a condition as possible. Wherever possible, hooks are removed without jeopardizing the life of the seabird concerned. As noted by SC15 some seabirds are captured and released alive, with higher chances of survival when safe handling procedures are implemented. Together with the implementation of effective seabird bycatch mitigation

measures, safe handling and release of seabirds will help reduce the impact of pelagic longline and other hook fisheries bycatch on these vulnerable seabirds. The proposed advice has been tailored for fishing vessel crews and is freely available in multiple languages. The guidelines are simple and the materials required to safely release seabirds (i.e. towels/blanket, pliers, net, box/bin and gloves) are likely to be available on most longline vessels. New Zealand stated its hope that WCPFC could adopt the guidelines as a further step towards the protection of vulnerable seabirds affected by longline fishing.

494. New Zealand further stated that CMM 2018-03 included the addition of hook-shielding devices to the list of acceptable measures to reduce seabird bycatch south of 30°S, and expanded the area to be covered by seabird mitigation measures from 30°S to 25°S with effect from 1 Jan 2020. It also noted that improved observer coverage is needed in key longline fleets in high latitude areas (both north and south) in order to obtain better estimates of seabird bycatch over time and over a wider geographic range, and that electronic monitoring will be helpful in this regard. Continued support for research on seabird bycatch mitigation methods in longline fisheries is needed, as well as attention to assessing compliance against the requirements of CMM 2018-03.

495. Fiji, on behalf of FFA members stated that SC 15 noted that some seabirds are captured and released alive, with higher chances of survival when safe handling procedures are implemented. The implementation of effective seabird bycatch mitigation measures, safe handling and release of seabirds will help reduce the impact of pelagic longline and other hook fisheries bycatch on these vulnerable species. FFA members supported New Zealand's proposal for the adoption of non-binding safe handling and release guidelines for seabirds, as well as the other seabird-related recommendations from SC15. FFA members also reminded CCMs that the revision of paragraph 1 of the CMM 2018-03 to include hook-shielding devices as a mitigation measure will come into effect on 1st January 2020.

496. The EU supported the adoption of additional measures as proposed by New Zealand. New Caledonia, French Polynesia and RMI also voiced their full support.

497. Indonesia supported the proposal and understands the importance of preserving the biodiversity of seabirds. It acknowledged the strong efforts of New Zealand and FFA members, and thanked ACAP for translating the guidelines into Bahasa Indonesia so these could be distributed.

498. Korea thanked New Zealand, stating that it provided some suggestions to New Zealand to improve the guidelines, but that it understood that these come from ACAP originally, and that it could be difficult to reflect these suggestions in a short time period, while encouraging New Zealand and ACAP to work together in the coming years to make improvements based on their suggestions. Korea supported the proposal.

499. China also thanked New Zealand, stating it could support the guidelines. China noted that its industry found that branch line weighting reduced fishing efficiency by some 20%, while new hooks are too expensive.

500. Chinese Taipei also supported the proposal.

501. The representative of ACAP noted that the challenge of ensuring compliance with CMM 2018-03, as discussed in **WCPFC16-2019-OP08**, and that compliance is at the heart of any mitigation. Mitigation measures have had a demonstrated impact in reducing seabird bycatch, meaning that the conservation crisis for albatrosses and petrels can be positively addressed. ACAP stated that it produces useful tools in the form of proactive advice and fact sheets, with translated versions available on its website; ACAP has prepared guidelines on the safe release of seabirds on hooks, and information relevant for injured birds. ACAP welcomed submission by delegations of suggestions for their next update. ACAP is also working

on new entangled bird release guidelines, which would be useful for the purse seine fishery, and on an ID guide. ACAP stated that it would celebrate the first world albatross day on 19 June 2020 and invited all countries to join them in the celebration.

502. The EU introduced, as presented in **WCPFC16-2019-DP26** *EU Proposal for two WCPFC16 Decisions on Seabirds (rev 2)*, the following two recommendations from SC15 (Summary Report, paragraph 581), and asked that the Commission consider these for adoption:

- i. WCPFC notes that, in view of analysing the effectiveness of night setting within the seabird bycatch mitigation measure, the Coordinated Universal Time (UTC) set time will need to be provided or obtainable from the WCPFC ROP longline data field.
- ii. WCPFC consider supporting the analysis of overlap between fishing effort distribution and species-specific seabird distribution (as outlined in SP15-EB-WP-03) to both the WCPO Southern and Northern Hemispheres and to support an assessment of risk to populations resulting from fisheries-induced mortalities.

503. The Commission adopted the Safe handling and release guidelines for seabirds as a Supplement to **CMM 2018-04, Attachment N***.

504. WCPFC16 noted that, in view of analysing the effectiveness of night setting within the seabird bycatch mitigation measure, the Coordinated Universal Time (UTC) set time will need to be provided or obtainable from the WCPFC ROP longline data field.

505. WCPFC16 supported the analysis of overlap between fishing effort distribution and species-specific seabird distribution (as outlined in SC15-EB-WP-03) to both the WCPO Southern and Northern Hemispheres and to support an assessment of risk to populations resulting from fisheries-induced mortalities.

8.4 Others

8.4.1 Proposal by FFA in WCPFC16-2019-DP02 for a CMM on Mobulid Rays

506. Australia discussed changes to the proposal in **WCPFC16-2019-DP02_Rev1**, Proposal for a Conservation and Management Measure on Mobulid Rays caught in association with fisheries in the WCPFC Convention Area, which was first introduced under Agenda Item 4.

507. Japan thanked Australia, but expressed concern regarding the scientific basis for the paper, and specifically the reference to the listing by CITES, which Japan had opposed. Japan stated it wanted to see information from SC regarding the status of Mobulid rays.

508. Tuvalu, on behalf of PNA members stated it supported the proposal and thanked FFA members for developing it and Australia for developing the revisions as proposed. FFA members stated that the proposed measure would protect those species that are extremely vulnerable to the effects of fishing and would require careful handling of any Mobulid rays that are taken unintentionally as bycatch. The proposed measure would also improve the information available on the status of Mobulid rays. PNA members strongly supported the proposal and looked forward to its adoption by WCPFC16.

509. French Polynesia stated that it has a territory of 5 million km², which is a sanctuary for all species of sharks and rays. As is true for many other Pacific islands cultures, manta rays have significant cultural

importance. French Polynesia expressed its support for the FFA proposal aiming at increasing the consideration and protection of mobulid rays.

510. New Caledonia stated that mobulids are protected species in its waters, and stated it shares the concern of FFA members regarding these species. It voiced its full support, and thanked FFA for providing Annex 1, regarding best handling practices. To facilitate training, New Caledonia suggested that SPC could provide training materials for fishermen on best practices.

511. The EU, Korea, and Indonesia voiced support for the measure, with China supporting the measure if the CITES reference in the preambular was removed.

512. Following further discussions between CCMs, and revisions by Australia, Japan stated that it would not block adoption of the measure, as it was supported by all other CCMs. However, Japan stated its concern regarding the lack of scientific justification for the proposed CMM, and that it believes that this type of CMM should be adopted based on a clear recommendation from the SC. Japan stated that it considers that adoption of the CMM did not prejudice Japan's future position on any CMM.

513. The Commission tasked the Scientific Services Provider with reviewing the data available via the Regional Observer Program and *Scientific data to be provided to the Commission* and identify any additional data requirements to undertake an assessment, either via traditional stock assessments or on the basis of quantitative risk assessments, ecological risk assessments, indicators assessment or other data-poor analytical techniques. Such information shall be considered by the Scientific Committee to advise the Commission on the feasibility and schedule for an assessment for mobulid rays.

514. If the Scientific Committee advises that an assessment is feasible, and resources are made available, the Commission tasks the Scientific Services Provider to present, by 2023, an assessment of the status of mobulids to the Scientific Committee.

515. The Commission adopted the Conservation and Management Measure on Mobulid Rays caught in association with fisheries in the WCPFC Convention Area (**Conservation and Management Measure 2019-05, Attachment O***).

516. The Commission requests the Scientific Committee to recommend, whenever considered adequate based on evolving knowledge and scientific advice, further improvements to the handling practices detailed in Annex 1 of **CMM 2019-05**.

8.4.2 The proposal by Korea in DP15 for the protection of cetacean from purse seine fishing operations.

517. CCMs discussed the proposal by Korea, first introduced under Agenda Item 4, and revised as **WCPFC16-2019-DP15_rev2**, Proposed Amendments to Conservation and Management Measure for Protection of Cetaceans from Purse Seine Fishing Operations (CMM 2011-03) - revision 2. CCMs were unable to reach consensus on adoption of the proposal. In particular, concerns were expressed by Japan regarding the lack of a scientific justification for the proposal. The United States proposed specific taskings for SC16 and SPC to progress work on cetacean bycatch while addressing the concerns raised by Japan. WWF, Pew and IOF stated they supported the recommendation by the United States and stated that in their view cetacean bycatch does need to be addressed.

518. The Commission tasked the Scientific Committee in 2020 (SC16) to develop and recommend best handling practices for the release of cetaceans, taking into account existing standards or guidelines

adopted in other fora, for consideration at WCPFC17.

519. The Commission tasked the Scientific Services Provider to review available data to provide estimates of fishery interaction types and levels with cetaceans, without respect to particular flags, to the lowest possible taxonomic level, in the WCPF Convention Area, and to provide a report to the Scientific Committee for its review.

AGENDA ITEM 9 — ADOPTION OF REPORTS FROM SUBSIDIARY BODIES

520. The reports of the subsidiary bodies were taken by the Chair as read and were not presented to the Commission. However, recommendations of subsidiary bodies not addressed under other agenda items were considered under this agenda item.

9.1 SC15

521. The Chair referred the Commission to **WCPFC16-2019-SC15: SC15 Summary Report**.

522. The Commission noted the recommendations from SC15 set out in **WCPFC16-2019-27** and adopted the SC15 Summary Report (**WCPFC16-2019-SC15**).

9.2 NC14

523. The Chair referred the Commission to **WCPFC16-2019-NC15: NC14 Summary Report**. The NC Chair stated that NC16 would be held in Japan in early September, 2020. In addition, Japan will also host a joint NC and IATTC Working group meeting in late July 2020, with a CDS working group meeting held in conjunction.

524. The Joint IATTC-WCPFC NC CDS WG Chair discussed their second meeting, held on 2 September 2019, and reviewed interest in development of an electronic CDS for Pacific bluefin tuna, which most participants favoured. He discussed various options for establishment of an electronic CDS (independently, building on the existing ICCAT CDS, or using the system developed by ICCAT). He suggested that the Commission may want to consider development of an electronic CDS for all tropical species, noting that although the IATTC-WCPFC NC CDS WG is scheduled to finish its work by the end of 2020, it could be advantageous to delay a decision, pursue further investigation, and report back to the Commission.

525. The Compliance Manager stated that the Secretariat's understanding of the CDS development situation was that the WCPFC CDS Intersessional Working Group Chair had withdrawn over 1 year previously, and that the IWG was waiting for development of draft CDS standards to be developed by the FFA.

526. The United States discussed its proposal, in **WCPFC16-2019-DP11 Rules of Procedure relating to the Northern Committee**, regarding a modification to the rules of procedure for the NC, which it stated reflected a problem faced by the NC in reaching quorum, which had occurred twice. The proposed change to the rule of procedures would enable NC to open and permit debate with a simple majority (rather than 75% of members) present.

527. Canada stated that as a member of NC, it found the situation challenging when a quorum was not achieved and encouraged the participation of all members. It supported the proposal by the USA. Chinese Taipei also supported the proposal.

528. RMI inquired regarding the effect of the proposed rule change, and what would happen if a fragmented decision came back to the Commission. It inquired if this had been done before in other RFMOs. The United States stated that when quorum was not achieved at what was a regularly scheduled meeting, the NC chair would allow discussion to take place, with a regular meeting conducted on the margins of the Commission's annual meeting, as occurred at WCPFC16. It noted that decisions were only made by the full NC, and that the Commission only received legitimate decisions from a quorum of the NC. RMI stated that the precedent that would be set was significant, and needed to be considered holistically, and inquired if rules for TCC should be changed to make it possible to hold meetings without a quorum?

529. The EU stated that it understood that the proposal would simplify the NC's work, but stated its dissatisfaction with the rules governing the NC within the Commission, whereby decisions or recommendations could only be approved or rejected. It stated that it would like to be able to participate as a member of the NC and suggested that the way the NC functions should be modified. While suggesting these issues should be kept in mind, it stated that while the EU would not oppose the proposal, it sought greater transparency.

530. FSM, on behalf of FFA members, stated that the same threshold for quorum should apply to all meetings of the Commission and its subsidiary bodies. To allow for a lower threshold for a quorum for NC was not agreeable to FFA members. FFA members suggested that the NC meeting could be held in conjunction with other WCPFC meetings, which would enable SIDS to participate more effectively.

531. Vanuatu stated its opposition to the proposal.

532. The Commission noted the subsequent discussions that occurred at WCPFC16 related to North Pacific Swordfish and Pacific Bluefin and adopted the report of NC15 (**WCPFC16-2019-NC15**).

533. The Commission noted that Japan will host the next meeting of the Northern Committee – IATTC Working Group for Pacific Bluefin Tuna in late July 2020, and that this includes a one-day meeting of its Pacific Bluefin CDS Working Group.

9.3 TCC15

534. The Chair stated that the recommendations of TCC were highlighted in **WCPFC16-2019-28**, and noted the *TCC15 Summary Report*, **WCPFC16-2019-TCC15**.

535. The United States confirmed it would provide a chair for the VMS IWG (proposed by TCC15) to address VMS data gaps and improve reliability of VMS reporting to the Commission.

536. FSM on behalf of FFA members supported the TCC15 recommendation that WCPFC16 establish an IWG to develop specific recommendations to address VMS data gaps and improve the number of vessels reporting to the Commission VMS. It stated that VMS Non-Reporting to the Commission VMS has been a long-standing issue and is discussed at length at each TCC, where the persistence of vessels on the WCPFC RFV not reporting to the Commission VMS is noted. It appears that the problem is worsening. They reminded CCMs of Article 24(8) of the Convention, which obliges each CCM to require its fishing vessels to use MTUs that meet agreed WCPFC VMS Standards Specifications and Procedures

(SSPs) while operating in areas covered by the Commission VMS within the Convention Area. FFA members supported the USA's nomination to chair the IWG, and Australia as possible co-chair.

537. Cook Islands on behalf of FFA members acknowledged the efforts by the TCC Vice-Chair to revise the workplan during the margins of TCC15 and following TCC15. They stated they were pleased to note that the draft workplan covers key work areas of priority to FFA members, including future work under the CMS, and that it takes into consideration the TCC workload beyond 1 year, but highlighted that implementation of the workplan would require adequate resourcing.

538. Kiribati on behalf of FFA members referenced the report from the TCC WG on flow of observer reports and observer conduct (WCPFC15 Summary Report para 364). FFA members supported the TCC15 outcome that agreed for continuation of the TCC WG's efforts, stated their support for any work to strengthen the flow of observer reports for the purpose of supporting investigation by CCMs, including considerations of tracking observer report requests through the Commission's Case File Management System as a way to improve transparency on the nature and timing of requests for observer reports from observer providers by flag State CCMs. However, they highlighted that FFA members would not support any amendments to the ROP Minimum Standards for observer reports that: dilute the authority of observer providers; impinge upon the ownership of data and information by coastal States with respect to fishing within EEZs; or discriminate or allow for unfair treatment of observers.

539. WWF, IELP, TOF, IPLNF, SFP, and Pew submitted a joint intervention with respect to the TCC Summary Report, and also with regard to all subsidiary bodies of the Commission. They stated that at present, a lack of sufficient data that is typically generated through adequate observer coverage represents the single largest obstacle to establishing appropriate management measures. In fact, uncertainty and a lack of data is continually cited in the WCPFC process as a reason for inaction or delay. It is unquestionable that information collected as part of a successful observer programme is critically important to the proper conservation and management of our tuna fisheries. Data collected by observers plays a central role in informing fisheries scientists and managers on everything ranging from stock assessments to non-target species impacts as demonstrated by New Zealand's seabird proposal discussed earlier and the marine mammal proposal put forward by Korea. Furthermore, observers play an indispensable role in monitoring and documenting compliance with very important CMMs in the WCPO. Therefore, the WCPFC must consider securing full observer coverage in the longline fishery, whether through human observers or electronic monitoring, a top priority. All CCMs agreed to the WCPFC Convention text and other Commission obligations to ensure the best scientific information or evidence available is used in WCPFC decisions. This obligation not only requires CCMs to actively seek out and use the best available scientific evidence, but also to ensure that measures generate the best available scientific evidence. WCPFC established CMM 2007-01 which specifies that fisheries observer coverage is to be 5% of effort in each non-purse seine fishery. At that time low observer coverage in the longline fishery was identified as a significant conservation risk, with the arbitrary benchmark established at 5% considered a starting point for a stepwise progression toward full observer coverage. By failing to adopt a higher, scientifically and statistically valid level of observer coverage on longline vessels, the WCPFC has failed to meet the charge of the WCPFC Convention to generate and use the best available scientific information. Therefore, the WCPFC must take action to improve observer coverage across all longline vessels operating in the WCPFC Convention Area.

540. The Commission noted the recommendations from TCC15 set out in **WCPFC16-2019-28**.

541. The Commission agreed to establish the VMS-Small Working Group (SWG) to address the VMS data gap and improve the number of vessels reporting to the Commission VMS for consideration by TCC16 (TCC Summary Report, paragraph 211). The Commission agreed that the SWG would be

co-chaired by the United States and Australia.

542. The Commission noted that the update of the TCC Workplan would be progressed electronically during 2020.

543. The Commission adopted the Summary Report of TCC15 (**WCPFC16-2019-TCC15**).

9.4 Intercessional Working Groups

9.4.1 Working Group to Review the Transshipment Measure (CMM 2009-06)

544. The Commission noted the report on the progress by the IWG to Review the Transshipment Measure CMM 2009-06 (TS-IWG) from the Co-Chairs.

545. The Commission agreed to the TS-IWG to continue its work in 2020. Following significant progress on its draft Scope of Work for the analysis of transshipment information, the TS-IWG will reconvene electronically in 2020. While the IWG was able to reach agreement on a considerable number of elements in the draft, there remain a few outstanding issues for which the IWG will need to consider and agree upon intersessionally. Moving forward, the TS-IWG Co-Chairs will welcome comments only on the outstanding proposed language in the draft Scope of Work by **13 January 2020**. The Co-Chairs will circulate the updated Scope of Work following the conclusion of WCPFC16 and provide further instructions to the IWG by email.

9.4.2 ERandEM WG

546. The ERandEM WG Chair (Australia) stated, that as noted under Agenda Item 4, the ERandEM WG responded to a tasking from TCC to revise the Electronic Monitoring concept paper and present it to WCPFC16. The ERandEM WG met at WCPFC16 as a SWG and had a very useful discussion on objectives and standards. There was interest from the working group in using the ROP objectives for EM work in the future, but an endorsement by the Commission of that objective will be needed at WCPFC16.

547. Kiribati sought to clarify the focus of the objective, noting its understanding that the focus for EM is on data gaps, specifically with respect to longline fisheries and transshipment on the high sea.

548. The ERandEM WG Chair recalled that the Commission had considered the priority areas a number of times, beginning through a consultancy in 2014. It highlighted the data gaps referenced by Kiribati. More recently Project 93 (involving the FFA, PNAO, SPC and WCPFC secretariats) confirmed the need to address the longline and transshipment data gaps. That focus is captured in both the concept paper, and the implementation schedule.

549. New Caledonia inquired regarding incentives for the use of Electronic Monitoring, and whether there is information available regarding onboard technical equipment and automatic treatment of video. The ERandEM WG Chair noted that incentives for the use of Electronic Monitoring will depend on national priorities in relation to data collection and needs. She stated she does not know where Electronic Monitoring will be incentivized. She stated that Australia has implemented Electronic Monitoring more broadly, and has seen some strong outcomes, and much improved reporting with the introduction of Electronic Monitoring, but noted that this is not the only solution to improving data collection.

550. Japan stated that during the SWG, it generally supported the objective because the objectives of Electronic Monitoring and the ROP are quite similar, although Electronic Monitoring would act to supplement the ROP. Japan suggested these should possibly have the same objective, and supported the language as proposed by the WG.

551. Kiribati reiterated that it was uncomfortable with the proposed language for the objective, stating that the focus should be on the identified data gaps.

552. The ERandEM WG Chair noted the following principles that were raised during discussions in the margins of WCPFC16, in relation to progressing the implementation of Electronic Monitoring in the WCPO:

- ensuring that the objectives remain broad to accommodate the priorities of CCMs as they develop their use of EM technology;
- as noted at TCC15, taking into consideration the outcomes from Project 93 that describe areas where independent verification of data is low;
- that EM technology in the WCPO should be used to target data gaps and uncertainties and as noted in Project 93 outcomes and recommended previously by TCC11 (and endorsed by WCPFC12) – the priority areas for implementation are longline and high seas transshipment activity;
- that EM systems should be used to complement and supplement other data verification methods, such as observers; and
- recognising the constraints and limitations of this technology as identified during trials.

553. The Commission noted the intersessional progress by the Electronic Reporting and Electronic Monitoring Working Group on the development of draft Minimum Standards for Electronic Monitoring Programmes.

554. The Commission endorsed the following objectives for electronic monitoring: “The objectives of the Commission Electronic Monitoring Programme (EMP) shall be to collect verified catch and effort data, other scientific data, and additional information related to the fishery from the Convention Area and to monitor the implementation of the conservation and management measures adopted by the Commission”.

555. The Commission agreed that the conclusions from Project 93 in relation to data gaps be considered in the implementation of regional electronic monitoring standards.

AGENDA ITEM 10 — COMPLIANCE MONITORING SCHEME

10.1 Consideration and Adoption of the Final Compliance Monitoring Report (CMR)

556. The Commission considered the provisional CMR recommended by TCC15 through a small working group led by Laurence Edwards (TCC Chair), which compiled the final CMR for adoption. The TCC Chair provided a report on the SWG outcomes.

557. Vanuatu responded to paragraph 19 of the final CMR by providing additional clarification on North Pacific albacore catch and effort by Vanuatu vessels in 2018, and stated that this information had been incorporated into the NC15 report submitted to WCPFC16 for adoption. Essentially, effort directed at North Pacific albacore has declined by 30%, and North Pacific albacore catch by 37%, since the 2002–

2004 reference period. This change was not clear from the data originally submitted to the NC. Vanuatu concurred with the view of Korea that the current text of CMM 2005-03 needs to be clarified.

558. The Commission adopted the Final Compliance Monitoring Report for 2019 (**WCPFC16-2019-finalCMR, Attachment P***).

10.2 Review the workplan of tasks to enhance the Compliance Monitoring Scheme

559. The Commission noted the recommendations from TCC15 and the progress on the workplan of tasks to enhance the Compliance Monitoring Scheme as set out in **WCPFC16-2019-30**.

10.3 Expiry of CMM 2018-07 at the end of 2019

560. The TCC Vice-Chair presented the outcomes of the SWG to consider the Expiry of CMM 2018-07.

561. The Commission adopted **Conservation and Management Measure 2019-06, Attachment Q*** which amends the Compliance Monitoring Scheme CMM (CMM 2018-07) and extends the Scheme for a further two years.

562. The Commission agreed to establish a Compliance Monitoring Scheme (CMS) Intersessional Working Group under the leadership of the Vice-Chair of TCC, Dr Robert Day (Canada) which would work virtually to progress work intersessionally to undertake the CMS Future Work, including on audit points and the risk-based framework.

563. FSM, on behalf of FFA members, stated they were the original proponents of the CMS CMM because FFA members take their responsibilities under the convention seriously and recognise the importance of demonstrating accountability and transparency. They stated that implementation and enforcement of obligations, in accordance with our national laws, are essential in ensuring the long-term sustainability of our tuna resources. FFA members welcomed the Commission's agreement to extend the CMS for two years and recognised the value of having a process in place that provides an appropriate level of scrutiny on CCMs. FFA members indicated their understanding that some CCMs sought a different outcome on certain aspects of the CMS, and appreciated the flexibility that was shown, noting that FFA members had also worked in good faith, and demonstrated flexibility, in achieving the outcome. FFA members highlighted their intention to ensure the focus of the CMS remains on systemic issues, to enable the Commission to continue to enhance its ability to meet the objectives of the Convention. They observed that the aggregated tables would ensure continuing access to relevant information and a structured process for following up on identified systemic issues, and suggested the revised measure would demonstrate that CCMs continue to effectively discharge their responsibilities. FFA members sought to clarify that the tables to be included in the provisional CMR (as per paragraph 37 of the CMM) are a summary of the para 26(ii) report for previous years, by obligation, not identified by CCM. FFA members agreed that it is important to have information on the public record to demonstrate the good progress that the Commission as a whole is making on compliance with its agreed obligations. They stressed their interest in maintaining a positive compliance culture in the WCPFC and hoped that the new CMM would enable the Commission to move forward with a more positive spirit. FFA members stated

they would continue their efforts to improve the process through efforts to ensure the CMS is robust, effective, efficient and fair, and looked forward to working with other CCMs in this regard.

564. The TCC Chair (RMI) acknowledged and thanked Dr Robert Day (CMS WG Chair and Vice Chair of TCC), the Compliance Manager, Secretariat staff and CCMs for producing a CMS CMM for the next two years. He noted that CCMs have endured many deliberations, challenges and debates over the CMS proposal, but welcomed the progress in renewing the CMS with a new process that will be focused on assessment at CCM level, which correlates to the Convention's relevant Articles and moves away from past practices that have hampered TCC meetings in dealing with alleged infringements (case by case, day by day, night by night). He noted this would help provide assurance to the Secretariat and CCMs that compliance assessment would be effective, efficient, and fair.

565. The EU expressed its congratulations to the CCMs that worked on and supported the measure. The EU stated that it looked forward to testing the new process over the forthcoming 2 years with a view to further improvements and hoped that a frank and open deliberation could be held at TCC16 in support of a good compliance outcome.

566. New Zealand expressed appreciation to the chair of the SWG, all CCMs who cooperated, and Cook Islands for its efforts. New Zealand stated that its objective was a robust but streamlined system that focusses on issue of greatest risk and noted its view that a risk-based assessment system would be critical for the other components of the CMS program. It looked forward to working with other members at TCC to enhance additional parts of the CMS.

567. The United States expressed its satisfaction that WCPFC16 could agree on a revised CMS measure. It stated its hope that future measures could be adopted for longer periods, and that the approach would be robust, and would continue to allow WCPFC to have one of the best CMSs. It noted the need to focus on the ambitious TCC workplan, with almost no progress made in 2019. It thanked New Zealand for its work on risk-based assessment, which it hoped could soon be circulated to other members and looked forward to beginning work on audit points.

568. IELP, The Ocean Foundation, Pew, IPNLF, and WWF commented regarding the CMS process generally and, more specifically, the draft guidelines for participation of observers in closed meetings that consider the compliance monitoring report stating that:

- i. They were pleased CCMs reached agreement on a new CMS because compliance is critical to the success of Commission members in achieving their conservation and management objectives, and were pleased that some of the information from the tables to be included in the CMR will be made public, which would assist civil society to help CCMs achieve compliance through technical, financial, and other assistance. They stated that more generally, transparency increases the legitimacy of decision making, and that stakeholders who are invested in, and rely on, the WCPFC fisheries, will be able to better understand how the fishery is being conducted and how decisions are being made.
- ii. They remained disappointed that CCMs were unable to reach agreement to allow observers to participate in discussions of the draft CMR, stating they had consistently strived to provide positive contributions to the work of the Commission and individual CCMs, and that excluding observers from CMR discussions was at odds with Article 21 of the Convention, as well as the conclusions of the Independent Review Panel, which found that excluding observers from CMR discussions was a major exception to the implementation of Article 21 on transparency. They noted that observers possess information and technical knowledge relevant to the compliance process, and their participation could help improve CMM implementation and lead to more targeted capacity assistance to address compliance-related gaps.

- iii. With respect to the draft guidelines on observer participation submitted by the United States, **WCPFC16-2019-DP14**, the observers noted their willingness to comply with guidelines and sign a confidentiality agreement in order to participate in Commission discussions regarding the CMR, but stated the rules must be clear, fair, and equitable, which DP14 did not achieve. They called attention to **WCPFC16-2019-OP13**, which they stated more effectively balances the concerns for confidentiality of CMS discussions with clear, fair, and equitable guidelines for observer participation. They looked forward to collaborating with CCMs to progress this work.

569. On behalf of the Commission the Chair thanked Dr. Robert Day for his work on the CMS CMM.

List of Obligations to be Reviewed by the Compliance Monitoring Scheme in 2020

567. The Vice-Chair presented the outcomes of the SWG to develop the list of obligations to be reviewed by the Compliance Monitoring Scheme in 2020.

570. The Commission agreed to the List of Obligations to be reviewed by the Compliance Monitoring Scheme in 2020, covering 2019 activities (**Attachment R***).

571. The Commission noted that this is the third time the list of obligations is being rolled over and tasked the TCC16 to recommend a proposed list of obligations to be assessed in 2021 (covering 2020 activities) for consideration by WCPFC17 in 2020.

AGENDA ITEM 11 — ADOPTION OF THE 2020 IUU VESSEL LIST

572. The Chair introduced **WCPFC16-2019-31: WCPFC IUU Vessel List for 2020**, which presented for the consideration of WCPFC16 the relevant information for a decision on the 2020 WCPFC IUU Vessel List.

573. The Commission agreed to maintain the three vessels currently on the WCPFC IUU Vessel List and adopted the 2020 WCPFC IUU Vessel List (**Attachment S***).

574. The Commission approved the TCC15 recommendations that the Executive Director request information about the vessels on the WCPFC IUU Vessel List and to promptly advise CCMs.

575. The Chair advised the meeting that the EU submitted proposal **WCPFC16-2019-DP08 Proposal for Amending CMM 2010-06** to provide for cross-listing of IUU vessels among RFMOs and actions to be taken to capture the name and nationality of the master and beneficial owners of IUU vessels; these issues were also addressed through recommendations from TCC15.

576. Australia stated its resolute commitment to combatting IUU, both in the Pacific and across the globe, and that its strong partnership with its regional neighbours is demonstrated by ongoing engagement and cooperation, through the FFA, to secure fisheries resources within the Pacific region. It stated that Australia actively collaborates with FFA members and seeks to enhance participation in cooperative activities in the Pacific by sharing resources, exchanging information and maximising the effectiveness of monitoring, control and surveillance tools; Australia also has a proven record of taking action to secure regional fisheries resources, including through their contribution to regional surveillance such as Operation Nasse, as reported on to TCC15. It has long recognised the value of cooperating regionally and extended its sincere thanks to France, New Zealand and the United States for ongoing cooperative activity in the Pacific. Australia stated that it is continuing its long-term investment in the Asia-Pacific region and

has committed to a new 30-year programme providing boats and aerial surveillance to help deter illegal fishing. It is also conducting regional maritime surveillance and enforcement capacity building activities, which contribute to the ability of CCMs to ensure the safety and security of their maritime zones. Australia observed that IUU fishing continues to threaten the sustainability of the ocean and the economies that depend on it, it compromises opportunities for legitimate fishers, and undermines the rules-based order designed to ensure cooperation in the management of fish stocks and the disruption of IUU business models. Australia stated it was pleased that the level of illegal fishing in the Pacific remained relatively low, which signals that CCMs' collective interventions are working, but that careful attention and scrutiny on issue remained the best insurance. Australia urged all CCMs to continue their efforts as coastal, market, and port States and States with nationals engaging in IUU fishing to do everything within their power to combat IUU fishing.

577. Japan addressed the proposal that the Secretariat indicate the master's name and nationality on the IUU vessel, stating its view that procedurally there was a need to amend CMM 2010-06.

578. RMI addressed the three vessels that had been on the IUU list for many years, during which time the Commission had been unable to take any effective action, and suggested that until the Commission could reduce the existing IUU vessel list, it should not make the list longer by adding vessels from other RFMOs.

579. Tonga stated on behalf of FFA members that, as recommended by TCC15, the master's name and nationality should be included in the WCPFC IUU List, so that rogue persons involved in IUU fishing could be tracked. They recalled that WCPFC13 agreed that "where the vessel is not listed on the Record of Fishing Vessels and the master's name and nationality are not known, the flag State is responsible for providing the name and nationality of the master, so that these details can be included into the WCPFC IUU Vessel List", and request that the Executive Director ensure that master's name and nationality are captured for any future listings on the WCPFC IUU Vessel List.

580. Japan stated that it appreciated efforts to revise the IUU CMM. Regarding the comment from RMI, it observed that the frustrations are understandable, and that many RFMOs have a long list of IUU vessels, and that most of the vessels had probably changed their name, flag, etc. Japan stated that one way to address this would be through the use of the IMO number, because that cannot be changed. Most vessels are now required to obtain IMO numbers, and hopefully this could help solve the issue. Japan stated it was not sure if the RFMOs should keep long lists of vessel names on IUU lists, but suggested that for now it was perhaps the best approach, while considering a cut-off, such as deleting vessels after 10 years, as otherwise the list would expand and become less useful.

581. The EU stated that all CCMs were engaged in the fight against IUU, and stressed the need to proceed step by step, including by reinforcing purse seine measures. It stated that fundamentally the Commission should recognize vessels from other RFMOs, because they have already been identified elsewhere. The EU stressed the need for a comprehensive approach, as IUU fishing would continue, and could be reduced only through common effort. It noted that the proposal provided more instruments to fight IUU fishing.

582. Fiji, on behalf of FFA members, stated that since TCC14 FFA members had broadened their approach to combating IUU fishing, from a heavily vessel-focused approach to include greater scrutiny and profiling of individuals and companies involved in IUU fishing. That approach was fully endorsed by the fisheries ministers of FFA members and involves the inclusion of information on the beneficial ownership of a vessel in the WCPFC IUU listing process, in particular for any new listings. FFA members proposed that any person with at least 25% equity interest in a vessel, whether directly or indirectly,

should be considered a beneficial owner. The flag State of the vessel is primarily responsible for providing information on beneficial ownership. FFA members sought the views of other CCMs.

583. RMI suggested that the proposal be re-examined by TCC in order to develop a better option in the interest of achieving an IUU-free Pacific, noting that cross listing had to be examined in relation to the practicality of implementing CMM 2010-06 and its obligations.

584. New Caledonia stated that all CCMs were concerned about IUU, especially Pacific coastal states, and termed IUU fishing a poison for WCPFC fishing, one that directly affects resource sustainability and profitability. It supported any action that can help reduce IUU fishing.

585. Canada supported cross-listing of IUU vessels, and stated it listened with interest to the FFA statement regarding beneficial owners. The WCPFC added 0 vessels over the prior 10 years, while other RFMOs have added IUU vessels, which are apparently operating in those areas. Canada inquired if those IUU vessels were possibly fishing in the WCPO? It encouraged using the available tools that were not very costly and could help identify vessels as they come into WCPO waters to fish and visit ports. Canada stressed it should be a straightforward issue, which could be but should not have to be deferred.

586. The EU stated that not supporting cross-listing was a good way to obstruct the fight on IUU fishing, noting that the issue had been fully discussed and supported at TCC. The EU rejected the suggestion that CCMs could not implement and take into account a larger IUU vessel list, stating that a longer list would simply enable a CCM to refuse port entry to vessels on the list, which would not entail a burden. The EU acknowledged there would be additional work for the Secretariat, but stated it had worked with the Secretariat in formulating revisions to DP08, and that are presented in DP08_rev1 that aim to facilitate the cross-listing processes. It stated that the arguments being raised were not good ones to justify the position.

587. French Polynesia shared the concerns raised about IUU fishing and supported adoption of the proposals at WCPFC16.

588. PNG supported the FFA comments in terms of inclusion of new processes to address IUU through listing of beneficial owners and persons of interest, while supporting the views of RMI that alternatives should be found to simply continuing to list IUU vessels.

589. China stated it is a member of both IATTC and IOTC, and both adopted IUU cross-listing in 2018, which created legal issues for China, and stated that it could only agree to cross listing on a case-by-case basis for organisations of which China is a member.

590. Australia, on behalf of FFA members, stated that they had taken the opportunity to discuss the proposal by the EU regarding cross-listing. They further stated that they supported the principle of IUU vessel cross-listing but needed further time to consider the issue of administrative burden for the Secretariat and national administrations, as well as problems identified in other RFMOs. Australia stated they also needed time to consider the underlying process to ensure WCPFC's listing procedures remained robust. It expressed concern that the information that led to the original listing by another RFMO would not be readily available to TCC without the agreement of those RFMOs. Australia also stated that the CMM 2013-06 assessment of the EU's proposal did not meet FFA members' expectations, and needed further work. It suggested that the critical questions be considered by TCC, along with a revised and improved 2013-06 assessment to accompany any new proposal. It stated it would keep working with the EU to this end.

591. Japan stated it recognized the position of FFA members, but encouraged them to consider that other RFMOs might consider that there was a lack of reciprocity and cooperation on the part of WCPFC, given that other RFMOs will incorporate the IUU vessel list from WCPFC, but WCPFC won't incorporate their lists. Japan suggested that if the Commission receives a list from other RFMOs, it should be posted on the Commission's webpage and CCMs could think about how to use this.

592. Korea thanked the EU for its efforts to combat IUU activities, and stated that it supported the sentiments expressed in the proposal, but had some concerns about the process, especially the delisting process.

593. The Chair observed that despite extensive discussion, the Commission could not reach agreement on IUU vessel cross-listing.

594. Australia, in closing reiterated its position that the issue should be discussed at TCC. It suggested working through implementation of the proposal with the EU, including to assist in the development of an accurate and comprehensive CMM 2013-06 assessment, with a view to revisiting the cross-listing issue at WCPFC17. RMI supported the comment by Australia but sought a recommendation that TCC focus first on ways to address WCPFC's IUU vessel list before taking on the IUU vessel lists of other RFMOs.

595. The EU expressed its disappointment, noting that the cross-listing procedure recommendation was made by TCC, and that the procedure is already used by other RFMOs, and that some CCMs who supported it in those other RFMOs did not support it at WCPFC. The EU proposed that the Commission task the Secretariat to stay in contact with other RFMOs and include on its website the list of other RFMOs' IUU Vessel lists.

596. The Commission approved the TCC15 recommendations that the Executive Director ensure that details on name and nationality of master and beneficial owners are captured for any future listings on the WCPFC IUU Vessel List.

597. The Commission adopted **Conservation and Management Measure 2019-07, Attachment T*** which amends CMM 2010-06, to include "master of the vessel at the time of the IUU fishing activities, and the nationality(ies) of that master" as a new subparagraph in paragraph 19.)

AGENDA ITEM 12 — REPORT OF THE THIRTEENTH ANNUAL SESSION OF THE FINANCE AND ADMINISTRATION COMMITTEE

12.1 Report of the Thirteenth Finance and Administration Committee

598. FAC Co-Chair Camille Movick-Inatio (FSM) reported the key highlights and recommendations from FAC 13 and referenced the comprehensive summary report (**WCPFC16-2019-FAC13-11**). She thanked all CCMs who participated in FAC13, which met four times. The recommendations from FAC 13 included that the Commission adopt the audited financial statements for 2018 and adopt proposed amendments to the Regulations pertaining to the Special Requirements Fund.

599. The Chair thanked the FAC Chair for her leadership.

600. Japan noted that it had extended the deadline for the Japan Trust Fund to the end of January 2020. Palau thanked Japan for its flexibility.

601. Australia stated it would accept the FAC's recommendations and acknowledged the work of the Secretariat and the FAC Chair.

602. Kiribati inquired whether, in light of its difficulty in meeting its annual contribution with annual increases, the offset of the annual assessed contributions could be increased. The United States stated its view that given the modest increase in contributions this was possible, although it preferred that this be done in the FAC and recommended to the Commission.

603. RMI and the EU supported the proposed budget.

604. Regarding the tri-annual salary review, Canada noted that the staff rules require it be conducted every 3 years. Canada stated its conclusions were ignored by the FAC; the study cost \$20,000, which would have paid for 33% (1 year) of the increase. Canada reminded CCMs that the WCPFC Executive Director receives a cost of living allowance adjustment, but staff do not.

12.2 Budget Approval for 2020 and Indicative Budgets for 2021 and 2022

605. The Commission adopted the report of the Thirteenth Session of the FAC (**WCPFC16-2019-FAC13**), including the 2020 budget of \$ 8,118,261 and indicative budgets for 2021 and 2022 of \$8,074,268 and \$ 8,087,288 respectively (**Attachments U***).

606. The Commission adopted the FAC13 recommendation to amend the Financial Regulations to add a new sub-paragraph 7.8 as follows:

“REGULATION 7 SPECIAL REQUIREMENTS FUND

7.8: For the purposes of supporting attendance by Chairs of SC, TCC, FAC Co- Chair and the WCPFC Vice Chair from Small Island Developing States to the Annual Session, Financial Regulation 7.5 and 7.7 on the application process and reporting requirements, respectively, shall be waived.”

607. The Commission agreed to offset the annual assessed contributions by an additional USD50,000 from the CNM Fund.

608. The final adopted 2020 budget and Annexes are provided in (**Attachment V***).

AGENDA ITEM 13 — ADMINISTRATIVE MATTERS

13.1 Secretariat's Corporate Plan

609. The Executive Director introduced **WCPFC16-2019-32: Draft WCPFC Secretariat Corporate Plan**. He explained that the Commission agreed in 2015 to a two tier planning framework. Such a framework was developed through a process of broad consultation and a dedicated workshop and reviewed by the Commission in 2016. The Commission in 2017 did not support a long-term strategic plan, and instructions were given to develop a mid-term corporate plan. In 2018 the Commission was not able to agree to the draft mid-term corporate plan that was presented. The new instructions from WCPFC15 were to develop a corporate plan, (as presented in **WCPFC16-2019-32**) to guide the Secretariat's work. The Executive Director stated he was mindful of the Convention's mandate for the Secretariat when developing the plan; Article 15(4) of the Convention stipulates the functions of the Secretariat, and he noted that all tasks outlined in the plan are consistent with that mandate. Other guiding principles were

that the plan be simple, user-friendly, readily understood, with realistic and achievable targets, and regularly updated (i.e., a living document). Furthermore, it must enable the Secretariat to be strategically organised and managed; adequately resourced; and serve to make the Secretariat more transparent and accountable. The Executive Director reviewed the plan's organisation and structure, with a mission (to provide efficient and effective secretariat services to enable the WCPFC to fulfil its key mandate), which is supported by goals and underlying objectives. The operational part of the plan comprises activities (with specific actions, and operational plans) and indicators (desired outputs and deliverables), with the latter guiding assessment of the Secretariat's performance. The plan is intended to be regularly reviewed (updated annually), with the Executive Director annual reporting on the performance of the plan. He noted that the entire Secretariat was consulted in the drafting of the plan.

610. The EU thanked the Executive Director for the work done and stated that the plan was a useful document. It observed that the plan was more of a reference document rather than one that should be adopted and provided several specific suggestions.

611. Cook Islands on behalf of FFA members thanked the Executive Director and the Secretariat for producing the document, which they stated clarifies the role of the Secretariat, and includes important tasking with timelines. FFA members stated they were happy to adopt it, and approved of the Secretariat's proposal on annual reporting and review of the Corporate Plan. They suggested that this was an appropriate task for the FAC to assess the Plan at their next meeting in 2020 and provide an update to the Commission on the implementation and monitoring of the Plan.

612. The Chair noted that the plan was a living document and encouraged CCMs to provide feedback to the Secretariat.

613. The Commission noted the medium-term WCPFC Secretariat Corporate Plan 2020-2023 as a living document to guide the work of the Secretariat and agreed for the Secretariat to proceed to finalise it as an internal planning document (**WCPFC16-2019-32**).

13.2 Research projects

13.2.1 ABNJ Project

614. Janne Fogelgren (FAO) introduced **WCPFC16-2019-33**, *Report to WCPFC on Progress of the Project Sustainable Management of Tuna Fisheries and Biodiversity Conservation in the ABNJ*. He noted six years of work had gone into the Common Oceans Tuna Project, and it was time to assess the results of the partnership of over 20 actors including states; RFMOs, and other intergovernmental arrangements; NGOs; private sector and academia working to advance the sustainability of tuna fisheries globally. An ongoing project terminal evaluation found some outcomes were outstanding and contributed significantly to the Project's goals; many resulted from activities conducted by partners in the Pacific. He cited support work for the development of MSEs, a pilot on EM systems for compliance in Fiji, certification-based courses for compliance officers coordinated by the FFA, the shark and bycatch mitigation work through WCPFC and SPC, and work on biodegradable FADs with ISSF. He invited CCMs to consult the project website for full information on achievements. The successes prompted interest by partners to propose a new set of activities for a second phase of the Project that would involve projects on deep-sea fisheries as well as cross-sectoral activities in the high seas. Although it was expected GEF funding would be reduced in Phase II, he stated that the strong partnerships developed during the first phase involving all the tuna RFMOs, several NGOs, the private sector and other actors would serve to generate funding from additional donors. FAO received close to 60 proposals for Phase II activities from various partners and was working to prioritize these. Themes include (i) follow-up activities from Phase I, to reinforce their

impact, such as MSE, various compliance support activities, capacity building on various subjects (governance and compliance), continuation on the mitigation of bycatch issues; plus (ii) new areas of potential interest such as innovative financing mechanisms related to sustainable/blue economy activities, data limited assessments, and climate change. An initial proposal for the Program, including a concept note for the Tuna Project, will be presented to the partners at the last Program and Project Steering Committees at the end of January 2020. The Program proposal is expected to then be finalized and submitted for consideration by the GEF Council by June 2020. If endorsed, FAO and the partners will work together to develop a fully-fledged project document within 12 months. He invited the Pacific partners to continue to explore jointly better ways to ensure sustainable management of tuna fisheries, maximizing the benefits for the participating communities.

615. Nauru, on behalf of FFA members thanked the ABNJ Tuna Project for significantly increasing WCPFC's understanding of the bycatch components of WCPO tuna fisheries. The project has also provided significant support to some FFA members to advance trials on EM that have been instrumental in making progress on EM in the region. FFA members supported the development of proposals for a second phase of the ABNJ Tuna Project and sought clarification on the timing of the process as its membership seeks to be more involved with the development of these proposals. ABNJ stated that by the final Project Steering Committee meeting in January 2020, a draft concept note would be submitted to the GEF council; assuming approved then the project document would be developed over 12–25 months, with the second phase beginning in early 2022.

616. The EU affirmed its appreciation for the contributions of the first ABNJ project and supported further collaboration between the Secretariat and Phase II of the ABNJ.

617. Tonga thanked the ABNJ Project for increasing its understanding of bycatch, including of sharks; it noted that there were complaints from fishermen of the impact of sharks on fisheries, because of the economic losses, and inquired whether the Commission could examine this, including determining and monitoring the species of sharks, and better understanding the ecology of sharks and their interaction with tuna. The intervention was supported by Niue, which stated it faces the same issues.

618. The Chair thanked FAO for their contribution through the ABNJ project.

619. The Commission noted the updates on Progress of the Project on Sustainable Management of Tuna Fisheries and Biodiversity Conservation in areas beyond national jurisdictions and the fact that the project is ending at the end of 2019 (**WCPFC16-2019-33**). The Commission was also informed on arrangements for a potential second phase to the project.

13.2.2 Pacific Tuna Tagging Project

620. Dr Graham Pilling (SPC) introduced **WCPFC16-2019-34: Pacific Tuna Tagging Project steering committee**, which reports on the Pacific Tuna Tagging Project (PTTP) steering committee meeting held on the margins of SC15 in Pohnpei, FSM in August 2019. PTTP is a joint research project aimed at obtaining data to contribute to and reduce uncertainty in stock assessments of skipjack, bigeye and yellowfin tuna, and improve understanding of interactions between stocks and gears to inform management options. Dr Pilling thanked all CCMs and partners that have contributed to the programme, which currently include PNG, the Republic of Korea, Australia, the EU, New Zealand, the WCPFC and ISSF, as well as long-standing partners throughout the region that facilitate and support the work and access to EEZs and fishing grounds. The meeting at SC15 focussed on the 13th central Pacific cruise, which took place in 2018, lasted for 39 days, and focussed on data collection for studies on tuna movements, exploitation rates and FAD association dynamics. During the cruise, almost 1,150 tags were deployed, ranging from conventional to

archival and sonic tags. SC15 noted the need for continued CCM participation and support in tag reporting, and the work to reinstate tag recovery officers in key locations and tagging cruise awareness raising efforts. Activities ‘marking’ otoliths in fish through strontium chloride injection, with the aim of improving understanding of tuna growth through validation of ageing estimates, was noted and encouraged. This work relies on the support of CCMs to collect samples and measurements from the recaptured fish. SC15 supported the 2020 tagging programme and budget, along with the 2021–2022 programmes and indicative budgets, and the PTTP workplan in general.

621. Vanuatu, on behalf of FFA members noted the report of ongoing progress and success in implementation of the PTTP, and the importance of effective tag seeding to estimating reporting rates and supported increased deployment and fleet coverage of tag seeding experiments. FFA members encouraged continued member participation and support in tag reporting.

622. Korea acknowledged the successful accomplishments of the PTTP thus far, including data on specific movements and behavioural issues, and stated that Korea would continue to provide financial support.

623. The Commission noted the updates on the Pacific Tuna Tagging Project (**WCPFC16-2019-34**).

13.2.3 WCPFC Tissue Bank

624. Dr Graham Pilling (SPC) introduced **WCPFC15-2018-35: Report of the Tuna Tissue Bank steering committee**, which reports on the steering committee meeting held on the margins of SC15 in Pohnpei, FSM in August. WCPFC established its tissue bank so that national and international fisheries research institutes could access the collections to undertake necessary research to enhance understanding of the dynamics of tuna and related species in the WCPFC region and also of ecosystem dynamics. As an example it has proved pivotal in the recent work on tuna growth that has had significant positive impacts on the stock assessments. SC15 noted the biological samples collected over the past year, with almost 2,700 samples collected from 600 fish, including the key tuna species, billfish and ‘bycatch’ species. However, declines in the rate of sample collection were noted and plans have been developed to reinvigorate sampling in the coming years, such as reward programmes. SC15 tasked the SC to develop initiatives to improve the situation. Other issues noted include the need to improve sample collection and storage processes to maximise the potential for these samples to be used in future genetic analyses, a key area of work planned for the coming years. SC15 endorsed the work plan for the coming year as detailed in **WCPFC15-2018-35**, and associated budgets, both 2020 and indicative for 2021–2022, as reflected in the SC budget request.

625. Solomon Islands, on behalf of FFA members, supported the continuation of the Tuna Tissue Bank program, and emphasised the importance of the project, which provides valuable data in a number of different areas for the work of the Commission.

626. The EU stated it was delighted to see that the project, initiated by a voluntary contribution from the EU, had become a key component of the Commission’s scientific work, and supported its continuation.

627. Indonesia acknowledged the important work being done and inquired about future close kin analysis; maintenance of the tissue bank and what that entailed; and work done to collect tissue from other areas. SPC stated that close kin analysis is used in PBFT for estimating stock size, and that a project (workshop) is proposed to do this. SPC is also considering whether close kin may be most appropriate

with respect to management measures for sharks. SPC stated the tissue bank would be involved, but it was first important to determine the value of the research for these applications. The tissue bank has two locations Noumea and Brisbane (through CSIRO). A website provides information on available samples. Samples are obtained from SPC's own sampling, the wider WCPFC tissue bank, and other programs as well.

628. The Commission noted the updates on Project 35b: WCPFC Tuna Tissue Bank (**WCPFC16-2019-35**).

13.2.4 WPEA Project

629. Dr SungKwon Soh (WCPFC Science Manager) introduced **WCPFC16-2019-36: Update on WPEA Project**. The third phase of the Western Pacific East Asia (WPEA) project (the Western Pacific East Asia Improved Tuna Monitoring Activity) funded by New Zealand for 5 years, is now being implemented, and scheduled for completion in 2022. WPEA has a new project manager (Alice McDonald). Key features of the WPEA-ITM Project include: expansion of the capacity of enumerators in collecting catch data from port sampling; building the capacity and sustainability of fisheries observer programs; supporting national policy and legal review to improve tuna fisheries monitoring and governance; and improving the capacity of national fishery staff in data management and analysis. The three countries (Indonesia, Philippines, and Vietnam) continued to collect tuna catch data at tuna landing sites throughout 2019, which is the core part of the WPEA project. A number of workshops (Annual Data Review, Annual Total Tuna Catch Estimates, and Observer Training) were convened in 2019, and assisted by Peter Williams (SPC-OFP), produced national annual total tuna catch estimates by species and by gear. In 2018, the annual total tuna catch by species in the three countries was around 868,000 mt, which is about 32% of the WCPFC Convention Area catch of 2,716,396 mt in 2018.

630. New Zealand welcomed the new WPEA project manager and thanked the three countries for their engagement.

631. PNG, on behalf of FFA members, noted the progress of this project and its critical importance for addressing data gaps and improving information on tuna catch and fishing effort in Indonesia, Philippines and Vietnam. They encouraged the countries to engage actively in the project and expressed gratitude to New Zealand for funding the continuation of the project. They asked how this project would be continued after the current end date to ensure the data continues to be collected and provided for the use of the Commission.

632. The Science Manager stated that the project first began in 2005 in the Philippines, and 2007 in Indonesia. Two phases (7 years) were funded by GEF, during which time the Philippines fully took over the responsibility of supporting its enumerators and data collection. Indonesia plans to take over data collection aspects in the near future. Vietnam's research institute is working to allocate funding to support data collection. He noted that the project has several years to go, and the countries are increasing their responsibilities.

633. Indonesia acknowledged the support from New Zealand for the WPEA – ITM Project, stating that increasing its capacity (for data collection and management of tuna fisheries) was a lengthy process. It stated that a significant output was the ability to conduct data collection for stock assessment and harvest strategy. Indonesia is in the process of developing a harvest strategy for tuna in its archipelagic waters and repeated its expectation that this work would be linked with the harvest strategy work in the WCPFC. It stated that the work involved the government and related stakeholders through data collection and appropriate fisheries management activities. Indonesia also acknowledged support from Australia through

ACIAR in collection of biological data in its archipelagic waters relating to stocks in the Pacific and Indian Oceans. It stated that there were many challenges, as Indonesia has one of the most complex tuna fisheries in the world, with most of the catch from small scale fisheries managed by both central and local governments. Currently 60%–70% of the data collection budget is covered by the various stakeholders in Indonesia; further reports on progress will be delivered to SC16, TCC16 and WCPFC17.

634. The Philippines acknowledged the assistance provided by the Commission under the project, especially for data collection and looked forward to continuing the work under the project. It noted that the Philippines provides 100% financial support for its data collection.

635. The Commission noted the updates on the WPEA Project (**WCPFC16-2019-36**).

13.2.A Others

13.2.A.1 Japan's proposal to compare high seas VMS data with AIS data

636. Japan's proposal (in **WCPFC16-2019-DP17**) was introduced under Agenda Item 4.

637. CCMs generally supported the proposed project. However, several CCMs expressed concerns regarding the use of VMS data differentiated by flag. The EU noted that it has only 2 vessels in the Convention Area and was concerned these could be identified. China stated that its regulations and associated legal issues would preclude the use of China's VMS data for the project. Chinese Taipei stated its understanding that VMS data was treated as non-public domain data, and was only for the use of the Commission, and requested its data not be used. It also requested that advice on the project be obtained from Scientific Committee. The United States raised the need for consistency in terms of what data is provided by various CCMs.

638. Despite general support for the proposal, Japan withdrew its proposal with the aim to conduct further consultations and presenting the proposal for consideration by the Scientific Committee before re-tabling it to the Commission.

13.2.A.2 MOU with SPRFMO (WCPFC16-2019-37)

639. The Commission's Legal Adviser addressed the draft MOU between WCPFC and SPRFMO, noting that Article 22 of the Convention provides for suitable arrangements to be made with eligible government organisations. WCPFC has MOUs with other RFMOs. SPRFMO covers same geographic area as WCPFC, and the two Secretariats have discussed a draft MOU between them. A draft was circulated for comments, and revisions are reflected in **WCPFC16-2019-37**. She noted the MOU is not binding; it was suggested to be in operation for 3 years, with a provision for extension. If approved, the MOU would be forwarded to SPRFMO for their consideration at their meeting in January 2020. If need be it would be returned with their comments and again circulated to CCMs for their advice.

640. FSM on behalf of FFA members stated they were generally quite supportive of the MOU, but had some concerns about the scope of the information and data sharing provisions. The protection of confidential information and data that is provided to the Commission is critical. They sought clarity on whether such information and data would be shared under the MOU and emphasised the need for effective confidentiality and non-disclosure provisions. The Legal Adviser stated that any data sharing would need to be consistent with the WCPFC Data sharing requirements. The Secretariat would ensure that all

requirements were met, and consultations would be held with CCMs if needed. She stated that the Secretariat did not anticipate that significant data sharing would take place, but some (such as regarding IUU fishing and the ROFV) could be anticipated.

641. The EU supported the process and noted that the text was very comprehensive. It inquired whether the draft had also been discussed by SPRFMO. The Legal Adviser stated that an earlier draft had been discussed by SPRFMO; the document in **WCPFC16-2019-37** reflects those consultations.

642. Japan stated it was not a member of SPRFMO and voiced the need to be cautious about data exchanges, which it stated should be subject to data rules. It also inquired regarding the degree of data confidentiality in SPRFMO and suggested that if SPRFMO's data confidentiality rules were weaker than those of WCPFC, and WCPFC provided non-public domain data, it could be at risk of leaking to the public. The Legal Adviser stated that if the Commission requested that the Secretariat ensure reciprocity in sharing non-public data, this would have to be taken into account; additionally, there could be an undertaking that if data was shared the WCPFC rules would apply to that data, meaning confidential data would remain confidential. She stated that those issues could be handled through a decision by the Commission.

643. Japan noted that in the case of WCPFC's MOU with IATTC, there is a separate MOU on exchange and release of data and inquired regarding the differences between the two approaches. The Legal Adviser Stated that in the IATTC the exchange of data is in respect of highly migratory species, meaning there is much more data exchanged. SPRFMO does not cover highly migratory species, thus it is expected that much less data would be exchanged. The focus is more on what vessels are fishing in the area than on what they are catching.

644. Japan inquired regarding the exchange of information about IUU vessels. The Legal Adviser stated that under the terms of the draft MOU, the IUU lists would be shared, but noted that simple sharing of the IUU vessel list did not implicate any cross listing.

645. The Commission endorsed amendments to the draft text of an MOU between SPRFMO and WCPFC to be referred to SPRFMO for the consideration of the SPRFMO Commission. (**Attachment X***)

13.2.A.3 Climate Change (WCPFC16-2019-DP04 and DP04_SUPP)

646. CCMs held an extensive discussion regarding the resolution. In the course of that discussion several CCMs noted the difficulty they faced in receiving approval from their national authorities for some of the resolution language being proposed. Several other CCMs spoke regarding their obligations under various international agreements to take strong action regarding climate change in all sectors, including fisheries. The issue was further discussed through a SWG on climate change.

647. FSM, which served as the chair of the SWG on climate change, presented the outcomes of the SWG as presented in **WCPFC16-2019-DP04_SUPP_rev3 11 December 2019**.

648. New Caledonia stated that all CCMs are impacted by climate change, with some suffering direct impacts during the course of the meeting (e.g., extensive fires in Australia and New Caledonia). It supported the resolution, noting it is a first step.

649. Fiji stated that it takes the issue of climate change very seriously, which it stated was already affecting many communities. It described the impacts on coastal fishermen, businesses and food security.

At the national level, implementation is underway in Fiji, which committed to 100% sustainable management of Fiji's EEZ by 2030 with at least 30% marine protected areas. To implement the Paris Agreement Fiji is creating a new law (the Climate Change Act), which will place climate action and ambition at the centre of all of Fiji's obligations. Climate change impact is a cross-cutting issue, and Fiji is also working regionally on ocean issues; at the Pacific Islands Forum Leaders meeting in Tuvalu in August 2019, Forum Leaders agreed to the Kainaki II Declaration, which it considered the work programme on oceans within the UNFCCC process. Fiji stated that although climate change may not be a priority agenda for the Commission, most if not all of the members are also parties to the UNFCCC, where national governments are actively engaged in the issue across all sectors. It stated that climate change threatens over 60% of WCPFC members on a daily basis, and should command some attention in the dialogue, decisions and actions of the Commission. Fiji urged CCMs to align their efforts on fisheries management and the work of the Commission with this critical issue; supported the FFA proposal; and requested that the Commission task SPC and SC to focus their work programme and research, among others, on the management of tuna stocks due to the impacts brought about by climate change.

650. The EU supported the resolution, noting that climate change is a very important priority that extends across almost all sectors of the European Community. The EU referenced the importance of considering climate change impacts on fishing activities, as well as impacts of industry (e.g., harvesting and processing activities).

651. French Polynesia stated that it was important for the Commission to demonstrate to the world that it is tackling the issue, noting that the Commission's many island members are the most vulnerable globally to the impacts of climate change. French Polynesia stressed that this was a first step that establishes a framework for further work and supported the resolution.

652. Niue supported the resolution, stating that this is priority, and noting the impacts on Tuvalu and others small states. Niue noted that it had hosted a side event at COP 25 (held in Madrid concurrently with WCPFC16) showing what SIDS are doing, and stated that taking action would show that the WCPFC is not working in isolation, but taking into account issues that affect everyone.

653. France agreed that the issue is urgent and supported the resolution.

654. Samoa noted that the resolution reflected instructions from Pacific leaders and stated that given the location of the WCPFC Convention area, it was a duty to pass the resolution.

655. Canada noted the importance of climate change, and in particular the impacts being experienced in the region. It also stated that for Canada climate change was also a profound concern in the arctic. Canada appreciated the flexibility CCMs showed in reaching agreement.

656. Tuvalu thanked FFA members for the work done, supported the resolution, and urged all members to agree.

657. The Philippines stated it fully supported the objective of the resolution.

658. WWF, on behalf of WWF, IELP, SFP, IPNLF, Pew, CI, and The Ocean Foundation, expressed their agreement with the FFA and congratulated the WCPFC on reaching agreement on a resolution on climate change. They stated that the issue that affects all members with interests in WCPFC fisheries, and in particular WCPFC16 heard the very clear message from FFA member states, which are among the first to directly experience the reality of climate change. Across the Pacific Islands, many are facing unprecedented challenges such as those described by Fiji, which also include flooding, saltwater intrusion into groundwater, and shoreline erosion. These directly impact the business of fisheries and, in turn, the

Commission. Additionally, WCPFC16 received the best available scientific information from the science service provider, with projections for all stocks that do not bode well for the future. WWF reflected that during WCPFC16, the United States government authorities had closed the multi-million dollar Pacific cod fishery in the Gulf of Alaska for the first time in history, and that there was a sequential, and possibly related, collapse of the area's lucrative crab fisheries. WWF stated that the idea that fisheries and climate change exist in isolation is false. WWF stated that this was a cautionary tale, which WCPFC must heed by taking steps to ensure climate change is considered in management actions. Management must be focused to ensure long-term sustainability, and therefore must consider stock resilience in relation to climate change, and engage in a precautionary approach to exploitation in all contexts. Failing this WCPFC could very well be in a similar situation as the Pacific cod fishery in 10 years, wondering where the fish have gone and wishing action had been taken sooner. Therefore, in view of the urgency of this issue and recognizing the Pacific Islands are most impacted by climate change, WWF again congratulated the WCPFC regarding the resolution on climate change with a view to establishing a formal CMM in the near future.

659. The Commission adopted the Resolution on Climate Change as it Relates to the Western and Central Pacific Fisheries Commission. (**Resolution 2019-01, Attachment X***).

13.2A.4 Expiry of Charter Notification CMM (WCPFC16-2019-DP01 and DP13)

660. The Commission agreed to extend the Charter Notification CMM (CMM 2016-05) for a further two years. (**Conservation and Management Measure 2019-08, Attachment Y***).

661. The Commission encouraged Chartering CCMs to report on their application of the chartering measure, to EEZs, high seas, or both EEZ and high seas.

662. The Commission agreed that the Scientific Committee, the Technical and Compliance Committee, and the Commission will continue to consider improvements to the charter notification requirements and/or the treatment of chartered vessels under the Commission's conservation and management measures more generally.

13.3 Election of Officers

663. The Commission made a number of appointments to Commission positions commencing in 2020:

- a) Ms. Camille Movick-Inatio (FSM) and Mr. Michael Brakke (USA) were appointed as FAC Co-Chairs; and
- b) Mr. Ueta Faasili Jr (Samoa) was appointed as SC Chair, and Dr. Tuikolongahau Halafihi (Tonga) as SC Vice-Chair.

664. In support of 2020 Intersessional Working Group (IWG) activities, to be progressed electronically and as appropriate through face-to-face meetings, the Commission confirmed the following:

- a) Mr. Tom Graham (USA) would continue to lead the TCC Observer-related IWG;
- b) Mr. Craig Strong (Fiji) would continue to lead the South Pacific Albacore Roadmap IWG;
- c) Ms. Kerry Smith (Australia) would continue to lead the ERandEM IWG;
- d) Mr. Sam Lanwi (RMI) and Mr. Alex Kahl (United States) would continue to co-chair the Transshipment Review IWG;
- e) Mr. Terry Boone (USA) and Mr Vivian Fernandez (Australia) would co-chair the VMS SWG;
- f) Mr Bradley Philip (FSM) would continue to lead the FAD Management Options IWG; and
- g) Dr Robert Day (Canada) would lead the Compliance Monitoring Scheme IWG.

13.4 Future Meetings

665. In 2020, the Commission agreed that:

- a) **SC16** would be held in Apia, Samoa from Tuesday 11 August to Thursday 20 August 2020;
- b) **NC16** would be in Japan at a date to be advised in early September 2020;
- c) **TCC16** would be held in Pohnpei, FSM from Wednesday 23 September to Tuesday 29 September 2020; and
- d) **WCPFC17** would be held as a seven-day meeting with FAC13 and the HOD meeting held immediately prior, at a date to be advised in December 2020. As there was no offer to host the meeting, the Secretariat was tasked to find a suitable location for the meeting and advise CCMs and Observers accordingly. The Commission also approved the use of the working capital fund by the Secretariat, if necessary, to supplement the costs of the WCPFC17 meeting.

666. In 2020, the Commission also agreed to the following Intersessional Working Group face-to-face meetings:

- a) **South Pacific Albacore Roadmap** would hold two face-to-face meetings, the first will be held immediately prior to SC16 in Apia, Samoa on Monday 10 August 2020 and the second would be held immediately following TCC16 in Pohnpei, FSM on Wednesday 30 September 2020;
- b) **The FAD Management Options Working Group** would hold its meeting alongside SC16 at a date to be advised, in Apia, Samoa; and
- c) **The ERandEM WG** would hold a two day face-to-face meeting immediately prior to TCC16 in Pohnpei, FSM from Monday 21 to Tuesday 22 September 2020.

AGENDA ITEM 14 — OTHER MATTERS

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| 667. No other matters were raised for discussion at WCPFC16. |
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AGENDA ITEM 15 — SUMMARY REPORT FOR WCPFC16

668. The Chair outlined the process for adoption of the Summary Report for WCPFC16, with an outcomes document containing agreed decision points to be circulated to the Commission within seven working days following the close of the annual session, and the draft Summary Report to be provided as soon as possible. CCMs and observers would be given thirty working days after circulation of the draft Summary Report to provide any changes. The complete Summary Report would be finalised intersessionally and posted on the Commission website and representatives would be advised accordingly.

AGENDA ITEM 16 — CLOSE OF MEETING

669. CCMs expressed their gratitude to the Chair for her excellent leadership, to the Secretariat for its excellent support, and to its hosts the people and government of PNG for their very warm hospitality, excellent support and functions, and entertainment.

670. The Chair expressed her thanks to PNG for hosting the meeting, as well as to all CCMs, the chairs of the various WGs, the Secretariat, SPC, and the NGOs and other observers.

671. The meeting closed at 11:20 pm on Wednesday, 11 December 2019.

ATTACHMENTS

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| Attachment A* | WCPFC16 Meeting Attendees |
| Attachment B* | Welcoming Remarks by WCPFC Executive Director |
| Attachment C* | Opening Statement by WCPFC Chair |
| Attachment D* | Statement by Prime Minister of Papua New Guinea |
| Attachment E* | WCPFC16 Adopted Agenda |
| Attachment F* | CMM 2019-01 Cooperating Non-Members |
| Attachment G* | 2019 Strategic Investment Plan |
| Attachment H* | Indicative Work Plan for the Adoption of Harvest Strategies under CMM 2014-06 |
| Attachment I* | CMM 2019-02 Conservation and Management Measure for Pacific Bluefin |
| Attachment J* | CMM 2019-03 Conservation and Management Measure for North Pacific Albacore |
| Attachment K* | Harvest Strategy for North Pacific Swordfish Fisheries |
| Attachment L* | Interim Rebuilding Plan for North Pacific Striped Marlin |
| Attachment M* | CMM 2019-04 Conservation and Management Measure for Sharks |
| Attachment N* | Guidelines for Safe Handling and Release of Seabirds (supplement to CMM 2018-03) |
| Attachment O* | CMM 2019-05 Conservation and Management Measure on Mobulid Rays caught in association with fisheries in the WCPFC Convention Area |
| Attachment P* | Final Compliance Monitoring Report covering 2018 activities (WCPFC16-2019-finalCMR) |
| Attachment Q* | CMM 2019-06 Conservation and Management Measure for Compliance Monitoring Scheme |
| Attachment R | Agreed List of obligations to be assessed by the Compliance Monitoring Scheme in 2020 |
| Attachment S* | WCPFC IUU Vessel List for 2020 |
| Attachment T* | CMM 2019-07 Conservation and Management Measure for the WCPFC IUU Vessel List |
| Attachment U* | Summary Report of 13th Regular Session of Finance and Administrative Committee (WCPFC16-2019-FAC13) |
| Attachment V* | Final adopted 2020 budget and annexes |
| Attachment W* | DRAFT Memorandum of Understanding between SPRFMO and WCPFC |
| Attachment X* | Resolution 2019-01 Resolution on Climate Change as it relates to the Western and Central Pacific Fisheries Commission |
| Attachment Y * | CMM 2019-08 Conservation and Management Measure on Charter Notification Scheme |
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