THE PEW ENVIRONMENT GROUP

JULY 12-14, 2011
La Jolla, California

POLICY STATEMENT

RECOMMENDATIONS TO KOBE III JOINT TUNA RFMO MEETING

Collectively, the convention areas of the tuna RFMOs (Regional Fisheries Management Organizations) cover over 325 million km^2, or 91 percent of the world's ocean surface. Within these areas, over 4 million metric tonnes of tuna are caught annually by tens of thousands of vessels, many of which move from ocean to ocean over the course of a year. The need for coordinated management of these fisheries is clear. This document outlines recommendations from the Pew Environment Group for action needed by all countries involved in fishing in the five tuna RFMOs.

RECOMMENDATIONS

At the Kobe III Joint Tuna RFMO Meeting, the Pew Environment Group calls on tuna RFMO member countries to take coordinated action on the following:

1. Best Practices for Tuna Management

- Improve accountability
- Address overcapacity
- Apply the precautionary principle and establish Total Allowable Catch limits (TACs)
- Improve Fish Aggregating Devices (FADs) management

2. Coordinated Action to Combat Illegal, Unreported and Unregulated (IUU) Fishing

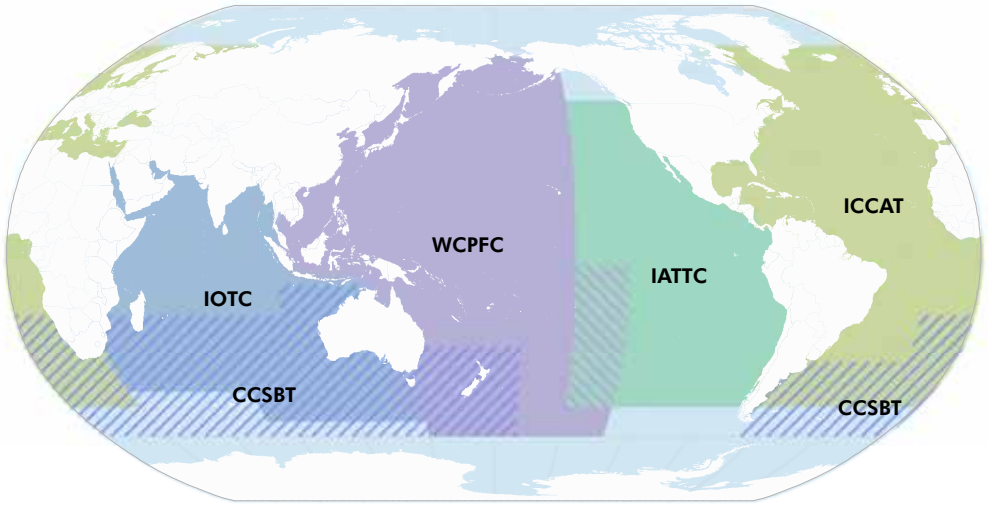
- Adopt Port State Measures (PSMs) in line with Port State Measures Agreement (PSMA)
- Assist developing countries in implementing the PSMA
- Adopt Unique Vessel Identifiers (UVIs)
- Develop a combined IUU vessel list for all the tuna RFMOs

3. Conservation Measures to Protect Sharks

- Accurately assess bycatch and discards
- Immediately adopt precautionary management measures for shark species
- Immediately implement bycatch mitigation methods
- Adopt enforceable measures for finning bans
- Comply with Food and Agriculture Organization's (FAO) International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks)
- Establish greater cooperation across tuna RFMOs for shark conservation

Responsible management of a global resource

It is easy to forget the scope of global tuna fisheries when considered on an RFMO by RFMO basis. The fact that over 90 percent of the world's ocean is partially managed by CCSBT, IATTC, ICCAT, IOTC and WCPFC (Figure 1), an area larger than all of the other RFMOs together (Figure 2), puts the level of responsibility for conserving and sustainably using these species into perspective. Tuna RFMOs must also protect sharks and other vulnerable species. As a group, tuna RFMOs must maintain the health of the fisheries under their remit as well as the ecosystems of which they are part.



Source: Boundaries digitized from RFMO convention area descriptions found on their individual websites and FAO's Regional Fisheries Map Viewer.

Figure 1: Tuna RFMO Coverage Areas

At the 2002 Earth Summit, over 170 governments agreed to take action towards reaching sustainability that included: achieving sustainable fisheries by 2015, implementing the International Plan of Action (IPOA) for capacity management, implementing the IPOA to Prevent, Deter and Eliminate Illegal, Unreported, and Unregulated Fishing (IPOA-IUU) and eliminating harmful subsidies. While many of these goals have not yet been realized, tuna RFMO members can, and should take collective action towards achieving these global commitments at Kobe III.

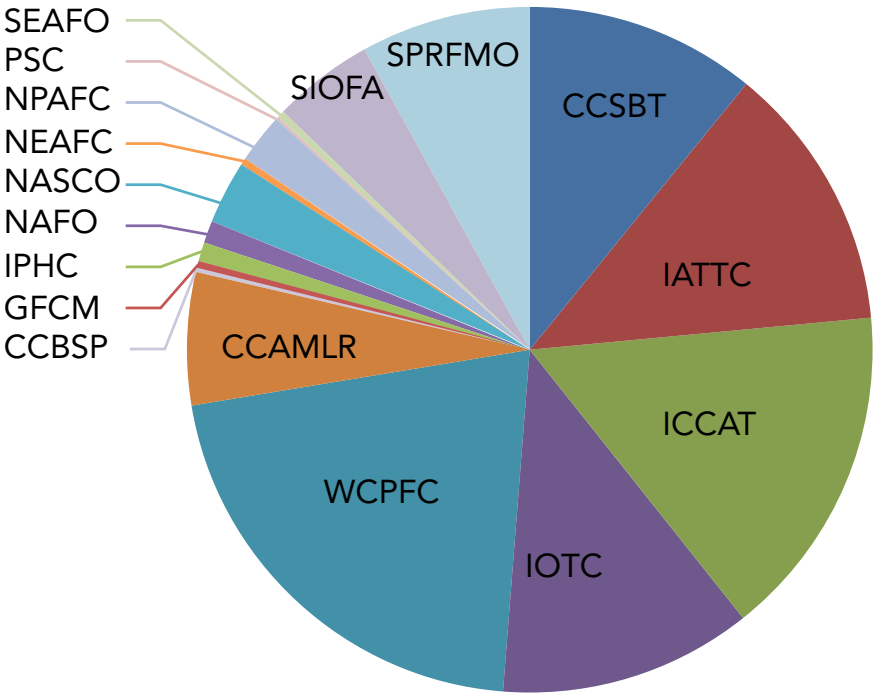
The First Joint Meeting of Tuna RFMOs in Kobe, Japan in 2007 (Kobe I), produced a "Course of Action" outlining key challenges to be addressed as a matter of priority, such as stock assessment, management of sharks and bycatch of juvenile tunas on FADs, technical recommendations related to catch documentation schemes, unique vessel identifiers, transshipment and standardized stock assessments. The Kobe II meeting

in San Sebastian, Spain in 2009 discussed progress from the first Kobe meeting (very little) and established the "San Sebastian Course of Action" for the following two years, including recommendations to:

- Reduce global tuna fishing capacity.
- Request scientific advice to clearly articulate risk and uncertainty to decision makers.
- Establish a global register of active vessels with contributions by the five tuna RFMOs.
- Establish precautionary, science-based conservation and management measures for sharks consistent with the FAO IPOA-Sharks.
- Provide accurate, timely and complete data, and adopt measures to address the current low rate of compliance by RFMO participants.
- Collaborate to advance implementation of a combined vessel register that incorporates a UVI.

Both of the Kobe meetings and follow up workshops on bycatch and on RFMO management of tuna fisheries, in Brisbane in 2010, have failed to produce any concrete action and there has been little to no real action to reduce global tuna fishing capacity. This trend must change.

Successfully carrying out the conservation and sustainable use responsibilities of tuna RFMOs is critical because across every ocean, the status of most tuna stocks is declining while IUU fishing and high levels of bycatch remain key problems for most RFMOs. Of the known highly migratory tuna and tuna-like species globally, 50 percent are fully exploited, 21 percent overexploited and 8 percent depleted[1]. Additionally, more than half of the shark species caught in high seas fisheries are classified as Endangered, Vulnerable or Near Threatened by the International Union for Conservation of Nature (IUCN). At Kobe III, tuna RFMOs have yet another opportunity to establish themselves as global leaders in sustainability by making decisions to end overfishing, rebuild depleted stocks, combat IUU fishing and significantly reduce the bycatch of sharks and other vulnerable species. This can only be achieved through coordinated action.



CCAMLR
Commission for the Conservation of Antarctic Marine Living Resources
CCSBT
Commission for the Conservation of Southern Bluefin Tuna
CCBSP
Convention on the Conservation and Management of the Pollock Resources in the Central Bering Sea
GFCM
General Fisheries Commission for the Mediterranean
IATTC
Inter-American Tropical Tuna Commission
ICCAT
International Commission for the Conservation of Atlantic Tunas
IOTC
Indian Ocean Tuna Commission
IPHC
International Pacific Halibut Commission
IWC
International Whaling Commission
NAFO
North Atlantic Fisheries Organization
NASCO
North Atlantic Salmon Conservation Organization
NEAFC
North East Atlantic Fisheries Commission
NPAFC
North Pacific Anadromous Fish Commission
PSC
Pacific Salmon Commission
SEAFO
South-East Atlantic Fisheries Organization
SIOFA
South Indian Ocean Fisheries Agreement
SPRFMO
South Pacific Regional Fisheries Management Organization
WCPFC
Western and Central Pacific Fisheries Commission

FIGURE 2: A comparison of the Area of Individual RFMO Convention Areas (Not accounting for overlap areas and the IWC)

1.BEST PRACTICES FOR TUNA MANAGEMENT

Several stocks of albacore, bigeye, bluefin, and yellowfin tuna are either overfished, or are currently experiencing overfishing. Meanwhile, the exploitation rate of some skipjack stocks is at, or near, sustainable biological targets. This situation threatens the vitality of tuna fisheries as well as the health of pelagic ecosystems. Regardless, tuna RFMOs regularly ignore these alarming statistics and opt to stick with ineffective conservation measures that are neither precautionary or ecosystem-based.
Pew calls on tuna RFMO member countries and fishing entities to end overfishing of bigeye, yellowfin, albacore, and bluefin tuna stocks in 2012 by implementing scientifically based, precautionary catch limits for all species. Further, Pew calls on member countries to ensure that no overfishing occurs on skipjack stocks.

Improve Accountability

The conservation and management of stocks are routinely undermined by non-compliant RFMO members. Weak enforcement and compliance simply encourages further non-compliance, and decreases legitimate economic returns while threatening the future sustainability of the fisheries.

Tuna RFMOs must establish a system whereby they function in a fully transparent and accountable manner that promotes high standards of sustainability, rather than weak

measures, which are routinely violated with little, or no, penalty. In addition, the tuna RFMOs should fully implement compliance regimes that impose appropriate penalties on parties that violate conservation and management measures. Further, observer coverage should be pursued for 100 percent of the fleet.

Address Overcapacity

No tuna RFMO has successfully controlled fishing capacity. This is especially true in the purse seine fisheries for tropical tunas where uncontrolled effort coupled with the unrestricted proliferation of FADs threatens populations of bigeye, yellowfin, and skipjack tuna. Considering the catch potential of the global purse seine fleet, RFMOs must develop effective strategies to address the overcapacity challenge before this already complex problem escalates even further. Instead of waiting for increased competition for tuna resources, the tuna RFMOs should develop a transparent and effective plan to assess and address overcapacity in the near term.

Apply the Precautionary Principle and Establish Science-based TAC Limits

A responsible fishery management regime requires controlling fishing mortality rates at levels consistent with scientific advice for ending or preventing overfishing and rebuilding depleted stocks. According to the precautionary principle, more cautious limits should be established in the face of uncertainty. Management objectives that respect biological constraints are fundamental to the precautionary principle, which the U.N. World Summit on Sustainable Development, the U.N. Fish Stocks Agreement, and some RFMO conventions require members and parties to apply. As a starting point, all RFMOs should agree to call on their respective scientific advisory bodies to recommend appropriate target and limit reference points for albacore, skipjack, yellowfin, bigeye, and bluefin tunas in 2012 that end or prevent overfishing and rebuild depleted stocks.

Improve FADs Management

Given the immense catch volume generated by purse seine vessels using FADs, severe overcapacity, and the uncontrolled proliferation of FADs, Pew recommends a number of actions that the tuna RFMOs should take immediately before irreversible harm is done to ocean ecosystems. Specifically, to lessen and better understand the harmful impacts of FADs, Pew recommends that tuna RFMOs call on the RFMO scientific advisory bodies to:

- recommend scientifically-based catch limits for bigeye, yellowfin, and skipjack tuna, that incorporate the catch of non-target juvenile tunas in FAD fisheries,
- develop limits on the number of FADs, consistent with those scientifically based catch limits, allowed in the eastern tropical Pacific which ensures that the number of FADs does not alter the ecosystem function,
- inventory and track all FADs to ensure understanding of the scope of use, and
- require drifting FADs to be removed from water during fishing closures to stop ongoing increases in biomass over time,
- manage and control the use of FADs to minimize bycatch of non-tuna and other non-target species.

If all of these measures cannot be achieved, then fishing on FADs should be suspended by the end of 2012.

2.COORDINATED ACTION TO COMBAT IUU FISHING

IUU fishing is a multi-billion-dollar global business that undermines sustainable fisheries management and threatens legitimate fishing operations.[2] Tuna RFMOs have a primary role to play in the global fight against IUU fishing.

Pew calls on tuna RFMOs to take coordinated action towards eliminating IUU fishing operations. Such action should include developing clear and simple ways to identify IUU vessels and share relevant information beyond national borders.

Adopt Port State Measures (PSMs) in Line with the Port State Measures Agreement (PSMA)

The joint tuna RFMOs Workshop on Improvement, Harmonization and Compatibility of MCS measures of 2010 encouraged RFMOs, "to adopt PSMs that are consistent with the PSMA, taking into account the specific characteristics and circumstances of each RFMO on PSMs".[3]

A study conducted by the Pew Environment Group highlights that with the exception of the Indian Ocean Tuna Commission (IOTC), which has recently adopted a resolution in line with the PSMA, most tuna RFMOs have significant room for improvement of their PSMs.[4] Each tuna RFMO should initiate constructive action towards the development

of stronger PSMs or at a minimum, the establishment of an Action Plan on PSMs. An Action Plan on PSMs should be based on the PSMA standard, and prioritize the adoption of those measures most urgently needed in view of the challenges and particularities of each RFMO, with the final objective of reaching the PSMA standard within the next three years. The tuna RFMOs can make an important contribution to this end by ensuring a high level of harmonization of port State controls among tuna RFMOs.

Assist Developing Countries in Implementing the PSMA

As part of their Action Plan on PSMs, tuna RFMO Contracting Parties should analyze their implementation needs and consider feasible options that would enable them to adopt effective PSMs. In this regard, developed countries should consider options for assisting developing countries. IOTC has begun some necessary capacity-building efforts towards the implementation of its new PSMs[5]. South Korea's initiative to hold a pre-Kobe III workshop on Capacity Building of Developing States for Port State Measures and Catch Documentation Schemes is also a positive step towards adopting and implementing PSMs.

Urge Tuna RFMOs to use Unique Vessel Identifiers and Develop a Combined IUU Vessel List for all the Tuna RFMOs

The Kobe II process recommended immediate action on the implementation of UVIs for tuna vessels, and the preparation of a combined tuna RFMOs IUU Vessel list[6]. Both steps are key to increasing transparency in the fisheries sector, and to enhancing coordinated action against IUU fishing operators. Research conducted by the Pew Environment Group confirmed the need for such instruments.[7]

The only fully developed and currently used UVI is the International Maritime Organization (IMO) number, provided through registry with the IHS-Fairplay ship numbering scheme (IHS-F, previously Lloyd's Register). RFMOs should require that any fishing vessels with a permit to fish in their convention area, and support vessels, register with IHS-F and obtain an IMO number. Flag States that are RFMO parties should also require all of their flagged vessels to register with IHS-F and have an IMO number and all member states to require that their flagged vessels carry UVIs. This number should be on record, used in all relevant communications and be made publicly available.

A number of RFMOs incorporate IUU vessel lists adopted by RFMOs in their own regimes, hence expanding the global reach of those lists. Progress by the tuna RFMOs to consolidate their fishing vessel lists, of both authorized and IUU vessels, would multiply the effectiveness of information already available. In combination with the requirement of UVIs, this action would significantly improve efforts to track IUU fishing vessels and contribute to closing the net around IUU fishing operators on a global scale.

3.CONSERVATION MEASURES TO PROTECT SHARKS

More than half of the shark species caught in high-seas fisheries are classified as Endangered, Vulnerable or Near Threatened by the IUCN. Sharks are essential to the health of ocean ecosystems and the economies of many countries.

Kobe III provides another opportunity to raise the profile on the need for effective management of sharks by tuna RFMOs, particularly the need for consistent measures across all the RFMOs. The Pew Environment Group calls on member countries to agree to concrete actions to address shark management and conservation.

Previous Kobe Meeting Commitments on Sharks

Participants of the Second Joint Tuna Regional Fisheries Management Organizations (RFMOs) meeting in San Sebastian, Spain, from June 29 to July 3, 2009, (the "Kobe II" meeting) agreed to call on their respective RFMOs to take several actions consistent with the FAO's IPOA-Sharks, including, as appropriate:

"1. Measures to improve the enforcement of existing finning bans;

2. Prohibitions on retention of particularly vulnerable or depleted shark species, based on advice from scientists and experts;

3. Concrete management measures in line with best available scientific advice with priority given to overfished populations;

4. Precautionary fishing controls on a provisional basis for shark species for which there is no scientific advice; and

5. Measures to improve the provision of data on sharks in all fisheries and by all gears."

"No Data—No Fishing"

Accurately assess bycatch and discards

RFMOs should adopt "No Data—No Fishing" requirements, so that any member failing to provide credible required information/data should be prohibited from fishing, particularly with regard to sharks. Data should include: species-specific data on catches, effort by gear type, landings and trade, and complete bycatch and discard (both dead and alive) at the species level.

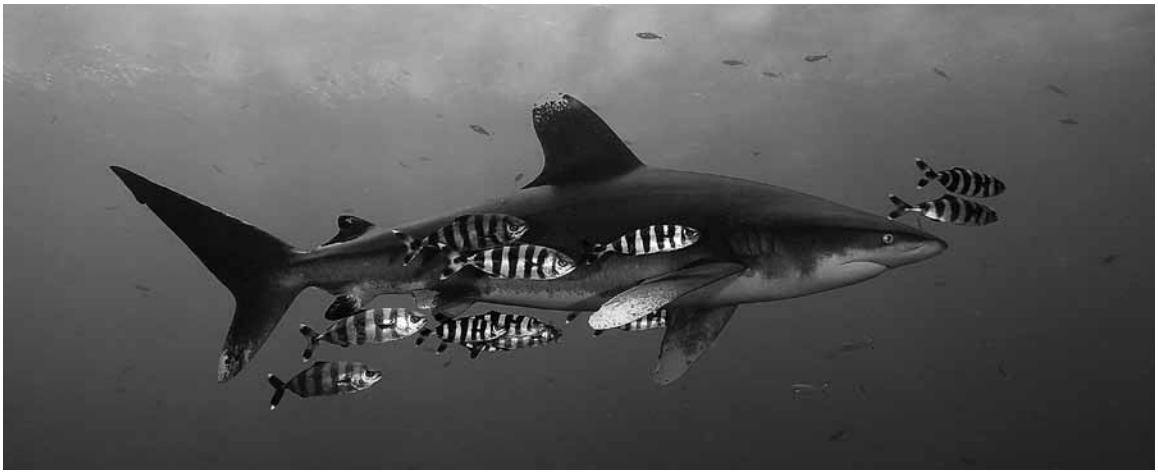
Immediately adopt precautionary management measures

Where science-based conservation and management plans are not in place, retention should be prohibited for shark species at risk, including target species and bycatch. Additionally, RFMOs should agree to prohibit retention of any species listed in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) or on the IUCN Red List of Threatened Species as Critically Endangered, Endangered or Vulnerable (the "Threatened" category). All RFMOs should also adopt zero retention measures for oceanic whitetip, bigeye thresher and hammerhead shark species.

Full stock assessments can take years to complete and should not preclude precautionary management in the interim, especially in light of the difficulty of obtaining sufficient data and ongoing population declines for these species. Management decisions can be taken on the basis of observed declines in catch records, conservation status as determined by IUCN or as a result of an ecological risk assessment.

Immediately implement bycatch mitigation methods

Require that mandatory gear modifications are made on pelagic longlines, including a ban on wire leaders. Use of this gear creates a de facto targeted fishery for sharks. Prohibition of the gear allows sharks to escape, reducing shark mortality.



According to the IUCN, bycatch is one of the gravest threats facing sharks. Oceanic whitetip (Carcharhinus longimanus) *Credit: Manu San Felix.*

Adopt easily enforceable measures for finning bans

To implement the Kobe II recommendation on improving the enforcement of finning bans, all tuna RFMOs should adopt "fins naturally attached" policies. Adoption of this method will help prevent circumvention of the law or rule and provide the optimum conditions for monitoring and enforcement.

Comply with FAO's IPOA-Sharks

Consistent with FAO's IPOA-Sharks, member States should develop a national plan of action for the conservation and management of sharks (NPOA-Sharks) if their vessels conduct directed fisheries for sharks or if their vessels routinely catch sharks in non-directed fisheries, or as bycatch.

Establish greater cooperation across tuna RFMOs

Members should expeditiously undertake fishing trials to determine the feasibility and effectiveness of appropriate combinations of other gear specifications, fishing practices and measures in reducing the bycatch, injury and mortality of sharks. Shark deterrents—including magnetic, electropositive rare earth metals and electrical deterrents—hold promise but require significantly more investigation and large-scale trials.

To ensure greater cooperation, coordinated data sharing and collection among RFMOs, a joint task force focused on key bycatch species should be convened annually. This would assist with harmonizing the conservation and management measures and sharing research advances in a timely manner by each of the five tuna RFMOs.

Pew believes shark fishing should not occur in the absence of scientific population assessments and management plans. Silky shark (Carcharhinus falciformis) Credit: Chris & Monique Fallows/OceanwideImages.com.

[1]Maguire, J.-J.; Sissenwine, M.; Csirke, J.; Grainger, R.; Garcia, S. The state of world highly migratory, straddling and other high seas fishery resources and associated species. FAO Fisheries Technical Paper. No. 495. Rome: FAO. 2006. 84p.

[2] Estimates of the total value of current IUU fishing losses worldwide are between US $10 bn and US $23.5 bn annually, representing between 11 and 26 million tonnes of fish Agnew, D. et al, Estimating the Worldwide Extent of Illegal Fishing. PLoS One, 2009, Vol. 4, issue 2.

[3] Report of the International Workshop on Improvement, Harmonization and Compatibility of Monitoring, Control and Surveillance Measures, Including Monitoring Catches from Catching Vessels to Markets (Barcelona, Spain, May-June 2010), Doc. No. TRFMO2-W2-012A /2010.

[4] See "Closing the gap: Comparing tuna RFMO port State measures to the FAO Agreement on Port State Measures" distributed at this Third Joint Meeting of the Tuna Regional Fisheries Management Organizations.

[5] "Strengthening implementation of the IOTC Port State Measures Resolution through assessment and training in five countries: Mauritius, Mozambique, Seychelles, Tanzania and Kenya", Workshop, 16-20 May 2011, Seychelles.

[6] Recommendations of the Kobe Process; Extracts of the Reports of the Kobe II Meeting and Workshops, Document K3-001.

[7] Flothmann S., Kistowski K.v., Dolan E., Lee E., Meere F., Album G. (2010) Closing Loopholes: Getting Illegal Fishing Under Control. Science 328 no. 5983, 1235-1236. http://www.sciencemag.org/content/328/5983/1235

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The Pew Environment Group is the conservation arm of The Pew Charitable Trusts, a non-governmental organization that works globally to establish pragmatic, science-based policies that protect our oceans, preserve our wildlands and promote clean energy.