

November 19, 2014

Dr. Lara Manarangi-Trott
Interim Executive Director
Western and Central Pacific Fisheries Commission
Kaselehlle Street PO Box 2356
Kolonias, Pohnpei State, 96941, Federated States of Micronesia

Dear Dr. Manarangi-Trott:

This letter is submitted on behalf of the undersigned non-governmental and industry organizations that participate and have a strong interest in the Western and Central Pacific Fisheries Commission (WCPFC) processes and outcomes. Collectively our organizations have thousands of staff working in offices and partner organizations in over a 100 countries and engage suppliers and provide advice to retailers, buyers and food service sectors regarding improvements in tuna sustainability. In addition, the undersigned industry organizations represent a considerable number of purse seine, longline and pole & line vessels active in WCPO tuna fisheries.

We are writing to the Commission regarding the serious problem of non-provision of operational catch and effort data by four Commission members - China, Japan, Korea and Chinese Taipei. The non-provision of operational level data from these CCMs must be addressed by the Commission at its upcoming meeting in Apia, Samoa as an urgent priority, consistent with the standards set out in the Scientific Data to be Provided to the Commission.

The Science Provider, SPC has clearly enumerated the impact of operational level data gaps at recent meetings of the Scientific Committee and Technical and Compliance Committee. These impacts include:

- Inadequate breakdown of catch/effort by areas of national jurisdiction and the high seas or estimate catch/effort between EEZs and the high seas and therefore unable to provide scientific advice that effectively ameliorates the impact of fishing;
- Inability to accurately attribute catches from flag States to charter States due to possible double-counting;
- Failure to provide a complete set of catch and effort data for the public domain because of adherence to the Commission's "3 vessel rule" for public domain data;
- Insufficient assessment of the effectiveness of aspects of conservation measures, particularly spatial elements;
- Preventing the use of fine-scale stock assessment models, such as the SEAPODYM model that rely on operational level data as the fishery-dependent data input;
- Increased uncertainties in stock assessments due to inability to determine the effects of targeting shifts on catches and catch rates, which affect the scientific advice in unknown ways;

- Undermining the ability to identify historical trends in stock status that are not evident in aggregate data, and that could be taken into account in the stock assessments; for example, obtaining a better understanding of declines in longline bigeye tuna CPUE which are not apparent without access to operational data;
- Lack of integration between high seas VMS data with catch and effort data that is critical in verifying manual reporting information and operational data against VMS reports;
- Ineffectual verification and reconciliation of transshipment reports between the volumes of catch reported as transhipped and reported catches in logbooks; and
- Inability to determine the effectiveness of different mitigation methods on specific non-target species.

These four Commission members all have significant fleets operating in the WCPO, but have never provided the required operational level data to WCPFC. Moreover, none of these CCMs have submitted plans to resolve the impediments preventing the provision of operational catch and effort data as requested by the Commission in 2010.

Furthermore, the failure to provide operational level data by some of these same four CCMs is not limited only to the WCPO. A recent paper presented at the IOTC Working Party on Tropical Tunas, held from 15-19 November in Bali, Indonesia (<http://www.iotc.org/documents/spatial-considerations-bigeye-and-yellowfin-cpue-japanese-and-taiwanchina-longline>), illustrates how insufficient operational level data undermines the development of standardized longline CPUE indices, which are critically important inputs to stock assessments of bigeye and yellowfin tuna in the Indian Ocean.

This is an unacceptable situation and one that is not only undermining the effectiveness of WCPFC conservation and management measures, its MCS tools, the work of the scientists and transparency, but is also providing an unfair advantage to those nations because their degree of compliance cannot be evaluated. Moreover, it continues to place an unfair conservation burden on other WCPFC members who are implementing the conservation measures in good faith consistent with international law.

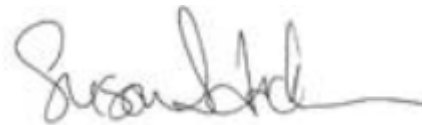
We note that an arrangement was drafted on the margins of SC10 between some of these CCMs and SPC to facilitate the availability of operational data for the Pacific wide bigeye stock assessment scheduled for 2015 (See Attachment F of the SC10 Report). While this arrangement may provide for some limited access to these needed data next year, it should not be viewed as a substitute for these CCMs' complying in full with the WCPFC data reporting requirements, nor should it be seen as fulfilling these fishing nations' outstanding reporting obligations.

We urge the following actions to address this matter, and to broadly deter CCM non-compliance with WCPFC obligations, at its upcoming meeting in Apia:

1. That these members act immediately to remedy this non-compliance and act in a manner consistent with their binding obligations to the WCPFC Convention.

2. That the WCPFC take swift action, such as triggering paragraph 7 of the WCPFC Data Rules for Non-Public Domain Data, as well as urgently developing, adopting and implementing a scheme for WCPFC responses to non-compliance as called for in the Compliance Monitoring Scheme measure (paragraph 1(iv) of CMM 2013-02), including assessing appropriate penalties to effectively deter this type of repeated and serious non-compliance.
3. That the Commission consider using its voting provisions, as outlined in Article 20 of the Convention, to address this persistent non-compliance in providing operational level data, if a decision by the Commission is going to be blocked by those members.

Sincerely,



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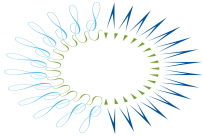
Brian Hallman



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