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Participation in a Fisheries Commission and the Adoption of Conservation and Management Measures for Sustainable Use of Transboundary Oceanic Fish Stocks



Abstract: The OFM project's two objectives are to improve the understanding of the transboundary oceanic fish resources and related features of the Western and Central Pacific Warm Pool Large Marine Ecosystem (WCPWP-LME) and to create new regional institutional arrangements and reform, realign and strengthen national arrangements for the conservation and management of transboundary oceanic fishery resources. The Convention that established the Western and Central Pacific Fisheries Commission is the first major regional application of the UN Fish Stocks Agreement. The WCPF Commission receives advice and recommendations principally from committees dealing with science, an ad-hoc data task group and another on technical and compliance matters, all of which Pacific SIDS fully participate. The performance of Pacific SIDS as members of the WCPF Commission is commendable but it remains to be seen if their application and energy is sustainable in the long term. The historical development of regional cooperation resulting in the way in which Pacific SIDS contribute to regional fisheries management in the current environment may serve to provide guidance to groupings of developing States elsewhere, that share similar resource management issues.

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Building Participation in a Fisheries Commission and the Adoption of Conservation and Management Measures for a Sustainable Use of Transboundary Oceanic Fish Stocks

Experience of the GEF - sponsored

GEF/UNDP: Pacific Islands Oceanic Fisheries Management Project

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PROJECT DESCRIPTION

The Pacific Islands Oceanic Fisheries Management Project (OFM Project) has two immediate objectives that address previously identified root causes of threats to the sustainability of the Pacific region's oceanic fish resources. The OFM's transboundary diagnostic analysis (TDA), performed for the project's Strategic Action Programme (SAP) identified the following causes:

- ◆ the lack of understanding, which refers to 1) general awareness about oceanic fisheries management issues. While there is considered to be a generally high level of awareness region wide, what does need attention is the understanding of the measures that need to be taken and the legal, policy and institutional reforms that need to be made to ensure resource sustainability. 2) Information gaps on the main target stocks in oceanic fisheries. The gaps in information really relate to the early stages of the development of stock assessment models which still produce a degree of uncertainty about some results.
- ◆ weakness in governance concerning oceanic fisheries in international waters of the region.

The OFM project's two objectives are:

- ◆ The information and knowledge objective which is to improve the understanding of the transboundary oceanic fish resources and related features of the Western and Central Pacific Warm Pool Large Marine Ecosystem (WCPWP-LME); and
- ◆ The governance objective is to create new regional institutional arrangements and reform, realign and strengthen national arrangements for the conservation and management of transboundary oceanic fishery resources.

In addition, the Pacific Oceanic Fisheries Management Project goals are to protect biodiversity in the WCPWP-LME, enhance the conservation and management of the world's largest stock of transboundary oceanic fisheries and to help Pacific Island States, many of whom are small island developing states (SIDS) and to improve contributions to their sustainable development through improved management of those stocks and the conservation of oceanic marine biodiversity generally.

The OFM Project commenced in late 2005 and will conclude in 2010.

THE EXPERIENCE

Through earlier intervention in a first phase of the OFM Project, GEF financing was instrumental in assisting Pacific Islands States to take a leading role in establishing the Western and Central Pacific Fisheries Commission (WCPFC), the headquarters of which is now based in Pohnpei, Federated States of Micronesia. The Convention that established the WCPFC is the first major regional application of the UN Fish Stocks Agreement. The work of the Commission ends a situation without regulation of fishing in the high seas of the western and central Pacific by establishing long term conservation and management arrangements for the regions highly migratory fish stocks.

Global concerns have been expressed over excessive exploitation of living and non-living resources due to inadequate management and control measures. Such measures are advocated in the GEF Operational Strategy. GEF-funded International Waters projects seek to increase capacity in countries to understand and address transboundary water related environmental concerns. The incremental costs funded by GEF through the OFM Project primarily benefit the Pacific States of the Cook Islands, Federated States of Micronesia, Fiji,

Kiribati, Marshall Islands, Nauru, Niue, Papua New Guinea, Samoa, Solomon Islands, Tokelau (Territory), Tonga, Tuvalu and Vanuatu, as they participate in the formulation of conservation and management measures for transboundary fish stocks in the western and central Pacific.

These Pacific Island States can mostly be described as small and developing, and along side major trade and aid partners involved in the WCPF Commission as fishing States. Their available management resources are incongruous. It is in this uneven environment that Pacific SIDS took a leading role in the establishment of the WCPF Commission and continues to actively participate in the formal meetings of the Commission. They are required to also apply conservation and management measures in their waters that are compatible with international Law of the Sea instruments; including exercising control over their vessels fishing on the high seas.

The third regular session of the WCPF Commission took place at Apia, Samoa from 11 - 15 December 2006. The WCPF Commission receives advice and recommendations principally from committees dealing with science, an ad-hoc data task group and another on technical and compliance matters, all of which Pacific SIDS fully participate. A committee has also been established by the WCPF Commission which considers matters that relate to the northern part of the management area of which certain Pacific SIDS are involved.

Efforts to ensure effective participation in the work of the newly establish WCPF Commission by Pacific SIDS is not without challenges. The tempo of work emanating from the Commission's work challenges its lesser resourced members. The implementation of management decisions made by the WCPF Commission and the monitoring of their effect is extremely important to Pacific SIDS, where socio-economic dependence on oceanic fisheries is high.

RESULTS AND LEARNING

The Pacific SIDS's relative strength lies in their cohesiveness and their long history of cooperation for the management and conservation of fishery resources in the Western and Central Pacific. As a result of their persistence to have their special requirements

recognized, enshrined in the WCPF Convention is, amongst other things, the need to ensure that a disproportionate burden of conservation does not fall on developing states, territories and possessions of the Commission membership.

At the third session of the WCPF Commission, inaugurated in December 2004, a number of conservation and management measures and resolutions were adopted. To date, a total of five resolutions and fifteen conservation and management measures have been agreed to-date. These measures seek to regulate matters related directly to fishing impacts on species, to compliance issues on systems and fishing vessel standards. "Compliance issues on systems" in this context refers to the conservation and management measures adopted to establish a Commission Vessel Monitoring System, Observer Programme, records of fishing vessels and authorization to fish, Commission Boarding and Inspection procedures, the establishment of list of suspected IUU vessels and other such "compliance systems". A large number of these measures have been as a result of very proactive and collective intervention by Pacific SIDS countries.

Concerns for the current stock status of bigeye and yellowfin tunas in the western and central Pacific Ocean are such that the WCPF Commission has imposed decisions to maintain current fishing levels. The WCPF Commission as a general rule applies decisions on the basis of consensus but makes provisions for a two chambered system of voting on questions of substance while providing an appeal process. However, all final outcomes are binding on members of the Commission as well as cooperating non-members. To date all conservation and management measures taken at the WCPF Commission have been arrived at through consensus including those relating to "concerns for the current stock status of bigeye and yellowfin tunas in the Western and Central Pacific Ocean". As such the WCPF Commission has imposed decisions to maintain current fishing levels while looking for ways in which to reduce fishing mortality in order to maintain the bigeye and yellowfin stocks at levels capable of producing the maximum sustainable yield. Furthermore, the WCPFC are looking for ways in which to reduce fishing mortality in order to maintain the bigeye and yellowfin stocks while still producing the maximum sustainable yield.

Other decisions made by the third WCPF Commission include supporting ecosystem-based approaches to fisheries management by mitigating the impact of fishing on seabirds, precautionary measures for the declining stock abundance of swordfish and striped marlin in the southwest Pacific and the collection of data on sharks. In terms of compliance issues, the meeting also agreed on the establishment of a Commission vessel monitoring system, a regional observer programme, procedures for boarding and inspection and a list of vessels that have presumed to have carried out IUU (illegal, unreported and unregulated) fishing in the Western and Central Pacific Ocean.

The performance of Pacific SIDS as members of the WCPF Commission is commendable but it remains to be seen if their application and energy is sustainable in the long term. They also are faced with a wide range of responsibilities as a result of WCPF Commission decisions which they must implement by upgrading and realigning their national oceanic fisheries management regimes.

REPLICATION

Inter-governmental cooperation and the position in which Pacific SIDS find themselves with regard to oceanic fisheries management in the region is unique and in its entirety is not a simple matter to replicate in short timeframes. However, the historical development of regional cooperation resulting in the way in which Pacific SIDS contribute to regional fisheries management in the current environment may serve to provide guidance to groupings of developing States elsewhere, that share similar resource management issues.

The annual agenda of meetings and consultations that precedes the regular session of the WCPF Commission to date has been phenomenal. Prior to both the WCPF Commission meetings and its subsidiary Committee meetings, Pacific SIDS typically caucus to establish and refine common positions for the conservation and management of the western and central Pacific fisheries. The burden of incremental costs associated with effective participation in the region's sustainable conservation and management efforts in its fledging stage, to a large extent is alleviated by

the assistance provided through GEF and the OFM Project.

During the negotiations of the WCPF Commission that established the Commission, it was with great determination that Pacific SIDS advocated for full recognition for the special requirements of SIDS. In practical terms, this gives effect to a special fund to facilitate participation in the Commission and its meetings and serves to prevent the temptation to schedule numerous ad-hoc Commission meetings or events at which Pacific SIDS would be hard pressed to be represented. More importantly, the WCPF Convention provisions for the special requirements of developing States are directed at assistance to help Pacific SIDS improve and build capacity for conservation and management through data collection and analysis, stock assessment and scientific research and compliance.

SIGNIFICANCE

Within the GEF International Waters focal area sustainable management of regional fisheries stocks is identified as a major environmental issue that SIDS have in common, specifically in the SIDS component of the OP 9, the Integrated Land and Water Multiple Focal Area Operational Program. The experiences in the Pacific region to manage and conserve oceanic fisheries is also of significance to GEF and to transboundary water resources management through the adoption of ecosystem-based approaches to large marine ecosystems, within the large Marine Ecosystems component of OP 8, the waterbody-Based Operational Program.

REFERENCES

Websites:

<http://www.ffa.int/gef/>
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- ◆ Western and Central Pacific Fisheries Commission
- ◆ Pacific

◆ Oceanic Fisheries Management

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