

Western and Central Pacific Fisheries Convention (WCPFC)

Basic Instrument

[Convention](#) on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean

Implementing Legislation

Western and Central Pacific Fisheries Convention Implementation [Act](#), 2007. Pub. L. 109-479, 120 Stat.3575

Membership

Australia, Canada, China, Cook Islands, European Union, Federated States of Micronesia, Fiji, France (extends to French Polynesia, New Caledonia and Wallis and Futuna), Indonesia, Japan, Kiribati, Republic of Korea, Republic of Marshall Islands, Nauru, New Zealand (extends to Tokelau), Niue, Palau, Papua New Guinea, Philippines, Samoa, Solomon Islands, Chinese Taipei (Taiwan), Tonga, Tuvalu, United States (extends to American Samoa, Guam and Northern Mariana Islands), and Vanuatu.

Participating Territories

American Samoa, Commonwealth of the Northern Mariana Islands, French Polynesia, Guam, New Caledonia, Tokelau, Wallis and Futuna.

Cooperating Non-members

Belize, Ecuador, El Salvador, Mexico, Panama, Senegal, Liberia, Thailand, and Vietnam have been granted Cooperating Non-Member (CNM) status for 2015.

Commission Headquarters

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Budget

Each member of the Commission shall contribute to the budget in accordance with the following formula determined according to article 18, paragraph 2, of the Convention:

- a) a 10 per cent base fee divided in equal shares between all members of the Commission;
- b) a 20 per cent national wealth component based upon an equal weighting of proportional gross national income (calculated on a three-year average) per capita and proportional gross national income (calculated on a three-year average); and
- c) a 70 per cent fish production component based upon a three-year average of the total catches taken within exclusive economic zones and in areas beyond national jurisdiction in the Convention Area of all the stocks covered by the Convention for which data are available (including the main target tuna species, as well as the four main billfish species (black marlin, blue marlin, striped marlin and swordfish)), subject to a discount factor of 0.4 being applied to the catches taken within the EEZ of a member of the Commission which is a developing State or territory by vessels flying the flag of that member.

The 8th Meeting of the Finance and Administration Committee (FAC) met during the Eleventh Annual Commission meeting in Apia, Samoa, from December 1-5, 2014, under the chairmanship of Paul Callaghan (U.S.). The total

budget approved by the Commission for 2015 was \$7,556,298, with the United States paying \$985,046, or approximately 13% of the total budget.

U.S. Representation

A. Appointment Process:

The Western and Central Pacific Fisheries Convention Implementation Act, 2007, provides that the United States shall be represented in the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC) by five Commissioners. Individuals shall be appointed to serve on the Commission at the pleasure of the President. In making the appointments, the President shall select Commissioners from among individuals who are knowledgeable or experienced concerning highly migratory fish stocks in the Western and Central Pacific Ocean, one of whom shall be an officer or employee of the Department of Commerce, one of whom shall be a member of the Western Pacific Fishery Management Council and one of whom shall be a member of the Pacific Fishery Management Council. The Commissioners shall be entitled to adopt such rules of procedures as they find necessary and to select a chairman from among members who are officers or employees of the United States Government. Alternate Commissioners may be designated by the Secretary of State, in consultation with the Secretary of Commerce.

B. U.S. Commissioners:

The following five individuals currently serve as U.S. Commissioners to the WCPFC. Presidentially appointed WCPFC Commissioners serve at the pleasure of the President.

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C. Advisory Body:

The Western and Central Pacific Fisheries Convention Implementation Act, 2007, provides that there is to be established an advisory committee which shall be composed of:

- (i) not less than 15 nor more than 20 individuals appointed by the Secretary of Commerce in consultation with the United States Commissioners, who shall select such individuals from various groups concerned with the fisheries covered by the WCPFC Convention, providing, to the maximum extent practicable, an equitable balance among such groups;
- (ii) the chair of the Western Pacific Fishery Management Council's Advisory Committee or the chair's designee; and
- (iii) officials of the fisheries management authorities of American Samoa, Guam, and the Northern Mariana Islands (or their designees).

The Permanent Advisory Committee was initially established in 2008, with 20 members appointed by the Secretary of Commerce, in accordance with the Western and Central Pacific Fisheries Convention Implementation Act of 2007. The two-year terms of the 18 individuals appointed in 2013 will expire on August 15, 2015. Nominations are currently being accepted for 2015-2016 members. New appointees will serve alongside representatives from the Western Pacific Fishery Management Council, the Pacific Fishery Management Council and the three territories.

Description

A. Mission/Purpose:

The objective of the Convention is to ensure, through effective management, the long-term conservation and sustainable use of highly migratory fish stocks in the western and central Pacific Ocean in accordance with the 1982 United Nations Convention on the Law of the Sea and the 1995 UN Fish Stocks Agreement. For this purpose, the Convention establishes a Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC).

The Convention applies to all species of highly migratory fish stocks (defined as all fish stocks of the species listed in Annex I of the 1982 UN Convention on the Law of the Sea occurring in the Convention Area and such other species of fish as the Commission may determine) within the Convention Area, except sauries. Conservation and management measures under the Convention are to be applied throughout the range of the stocks, or to specific areas within the Convention Area, as determined by the Commission.

B. Organizational Structure:

The WCPFC is composed of member nations, participating territories and the fishing entity Chinese Taipei, and a Secretariat headed by an Executive Director. The Commission's primary subsidiary bodies are the Scientific Committee, Technical and Compliance Committee, and Northern Committee. In addition to these three bodies specified in the Convention, the Commission may establish other subsidiary bodies (e.g., the Finance and Administration Committee) and also employs *ad hoc* working groups as required. *Ad hoc* working groups have been established for data-related issues, the Commission's vessel monitoring system, the regional observer program, and other issues.

Fisheries Conservation and Management

Developing a conservation and management measure (CMM) for yellowfin tuna and bigeye tuna was one of the Commission's primary objectives when the Commission was established in 2004. Following a recommendation by the Scientific Committee (SC) that a 30% reduction in the fishing mortality rate of bigeye tuna in the western and central Pacific Ocean (WCPO) was necessary to address overfishing, the Commission adopted a conservation and management measure for WCPO bigeye tuna and WCPO yellowfin tuna in 2005 (CMM 2005-01). That measure was replaced in 2008 (CMM 2008-01) and again in 2013 (CMM 2013-01), and was most recently supplemented in 2014 with CMM 2014-01.

CMM 2008-01, due to expire at the Eighth Regular Annual Session of the WCPFC (WCPFC8) in March 2012, had Commission Members, Cooperating Non-Members and Participating Territories (CCMs) take specific measures aimed at reducing the fishing mortality rate of WCPO bigeye tuna and controlling the fishing mortality rate of WCPO yellowfin tuna. Measures included fishing effort limits in purse seine fisheries, seasonal periods during which purse seine fishing on fish aggregating devices is prohibited, areas of high seas closed to purse seine fishing, requirements to retain all purse seine catches of tunas, 100% observer coverage in purse seine fisheries, bigeye tuna catch limits in longline fisheries, and limits on fishing capacity in other commercial tuna fisheries. CMM 2008-01 was extended for a one year period at WCPFC8 as CMM 2011-01 and a new conservation and management measure CMM 2012-01, which replaced and built on CMM 2011-01 and included WCPO skipjack tuna as an additional subject stock, was adopted in 2012. In December 2013 the Commission adopted a replacement measure, CMM 2013-01, is applicable from 2014 through 2017. This new measure includes further restrictions on the use of fish aggregating devices, reductions in bigeye tuna catch limits for longline fleets, reductions in high seas purse seine fishing effort, and limits on purse seine and longline fishing capacity. At the 11th Regular Session of the WCPFC (WCPFC11) in 2014, Commission Members adopted CMM 2014-01 which replaced and built on CMM 2013-01 by

including measures to address Member submission of operational level catch data. CMM 2014-01 went into effect on February 3, 2015, and is generally applicable for the 2015-2017 period.

The WCPFC also has CMMs in place addressing other living marine resources, including North Pacific striped marlin, South Pacific striped marlin, Pacific bluefin tuna, North Pacific albacore, South Pacific albacore, Southwest Pacific swordfish, sharks, sea turtles and seabirds. A list of adopted CMMs can be found on the WCPFC's website (<http://www.wcpfc.int/conservation-and-management-measures>).

Monitoring, Control and Surveillance

The WCPFC had implemented a number of measures and programs to address monitoring, control and surveillance in the western and central Pacific Ocean. Article 28(1) of the WCPFC Convention requires the WCPFC to develop a Regional Observer Programme (ROP) to, among other things, collect verified catch data, and monitor the implementation of the conservation and management measures adopted by the WCPFC. Accordingly, the WCPFC established the ROP in 2007, setting forth a number of guiding principles, objectives, rights and responsibilities. Subsequently, progress has been made on issues such as minimum standards, data to be collected by observers, observer placement costs, and the authorization of national and sub-regional observer programs (which collectively comprise the ROP). However, the development of some standards, definition and procedures is expected to continue to evolve over time.

The WCPFC has also adopted CMMs to establish a VMS, regulate transshipment, list and sanction IUU fishing vessels, and establish high-seas boarding and inspection procedures, and has been implementing a compliance and monitoring scheme. More information on the relevant MCS CMMs can be found on the WCPFC website (<http://wcpfc.int/conservation-and-management-measures>).

Additional Resources

A summary report of the Eleventh Regular Session of the WCPFC is available at: <http://www.wcpfc.int/meetings/11th-regular-session-commission>.

2014 meetings

The WCPFC will hold its Eleventh Regular Session in December 2014. The Scientific Committee is provisionally scheduled to meet August 6-14, 2014. The Northern Committee is provisionally scheduled to meet September 1-4, 2014. The Technical and Compliance Committee will meet in September 2014.

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