



FFA

31 October 2025

Dr. Josie Tamate
Chair
Western and Central Pacific Fisheries Commission
PO Box 2356, Kolonia
Pohnpei, Federated States of Micronesia

Dear Chair,

FFA MEMBERS' POSITIONS ON KEY PRIORITIES FOR WCPFC22

I write on behalf of the 17 members of the Pacific Islands Forum Fisheries Agency (FFA) to share our positions on key priorities for the Twenty Second Regular Session of the Commission. This is without prejudice to positions of FFA members individually or collectively.

South Pacific albacore

This is the key priority for the FFA Membership for WCPFC22. We are pleased to submit two complementary proposals for the Commission's consideration; the South Pacific albacore Management Procedure (SPA MP) CMM and its accompanying Implementing CMM - see **Attachment 1**. These proposals are the result of a rigorous and collaborative two-year development process by the FFA Members. A cornerstone of this effort was our Members' binding agreement on allocations for South Pacific albacore within our Exclusive Economic Zones (EEZ).

This commitment demonstrates our collective dedication to effective management. We call on the Commission to mirror this commitment by adopting the SPA MP and its Implementing CMM, thereby actioning the decision made at WCPFC21.

Article 30 - Special Requirements of Small Island Developing States and Territories

Article 30 requires the full recognition of the special requirements of developing States, in particular Small Island Developing States and Territories (SIDS). This is a fundamental provision of the WCPF Convention and serves as the cornerstone upon which the Commission is built. We are pleased to see this identified as a priority for this year's meeting - as it should be every year.

Article 30 is operationalized by a number of instruments and processes, including CMM 2013-06 (Conservation and Management Measure on the criteria for the conservation and management proposals) and CMM 2013-07 (Conservation and Management Measure on the Special Requirements of Small Island Developing States and Territories). We emphasise the importance of implementing CMM 2013-06 and the consultation required thereunder and we look forward to working closely with CCMs going into and at WCPFC22.

FFA Members have specific recommendations relating to Article 30 in **Attachment 2**.

Climate Change

The Scientific Committee has been updated on the latest scientific analyses which indicate that climate change is already altering the distribution, productivity and seasonal availability of key tropical tuna stocks — with projected continued shifts in abundance between EEZs and the high seas.

Pacific Small Island Developing States have long been the stewards of tuna resources in our region, we have constrained our own fisheries development — often at real economic cost — to ensure the long-term sustainability of these stocks for future generations. The health of Pacific tuna today reflects decades of responsible management by FFA Members, who continue to lead globally in monitoring, control and surveillance, sustainable harvest strategies, and ecosystem conservation.

Yet, despite contributing almost nothing to global greenhouse gas emissions, Pacific SIDS are now facing the impacts of climate change on tuna distribution and access, threatening the benefits our economies depend on. We should not bear the cost of climate change twice. We look to the Commission to cooperate with us in ensuring that any future Total Allowable Catch or harvest strategy outcome provides fair allocation and recognises our historical stewardship and conservation efforts — regardless of current or future climate-driven shifts in tuna distribution.

We wish to recall recent international legal guidance which underscores States' obligations to prevent, mitigate and cooperate on harms arising from climate change. The International Tribunal for the Law of the Sea's advisory opinion (May 2024) and the International Court of Justice's recent advisory opinion reaffirm the need for strengthened international cooperation, precautionary responses, and enhanced efforts to protect resources and dependent communities from climate impacts. These opinions further justify the Commission's proactive incorporation of climate risk into fisheries management and capacity support for Members most affected by this phenomenon.

Transshipment

FFA Members have consistently placed high importance on the review of the transshipment measure (CMM 2009-06). However, despite several years of review efforts (2019–2024), the process has yielded no substantive outcomes. Attempts to

revise the measure have proven unsuccessful due to fundamental differences in positions among CCMs. Similar challenges are anticipated should the review of the measure be reopened. In light of this, the most pragmatic and effective approach at this stage is to strengthen and tighten the existing measure based on the current text. To this end, FFA Members have outlined specific recommendations in **Attachment 3**.

Seabird measure

As expressed on several occasions, seabirds have important cultural significance to the FFA Members, and we are seriously concerned about the impact of tuna longline fisheries on seabirds. We are pleased to submit a revised proposal to reduce seabird bycatch risk in **Attachment 4**. The proposal extends the area where longline vessels are required to use at least two mitigation measures to 25°S, reflecting recent research that identifies the 25°–30°S zone as critical habitat for threatened seabirds—particularly the Antipodean albatross, a species projected to go extinct in less than 50 years, with fisheries bycatch being the main driver of its population decline.

FFA Members remain committed to a collaborative solution and believe this proposal best balances operational practicality with meaningful and effective bycatch reduction outcomes to safeguard seabird populations in the Southern Hemisphere.

Chair, we stand ready to work with you and other CCMs to ensure that the Commission progresses conservation and management efforts at its meeting this year.

Yours sincerely,



Mr. Poi Okesene
Chair
Forum Fisheries Committee

cc: Ms. Rhea Moss-Christian, WCPFC Executive Director.

ATTACHMENT 1: attached

ATTACHMENT 2: FFA Members views on Article 30

FFA Members acknowledge the progressive efforts of the Commission to implement Article 30. FFA Members also appreciate the Secretariat's work in compiling a list of financial, procedural, and substantive mechanisms that support the implementation of Article 30, as presented in [WCPFC22-2025-IP01](#).

Review of Article 30 implementation

Since the WCPF Convention entered into force in 2004, the Commission's work and activities have expanded significantly. Similarly, CCMs' obligations continue to expand. While SIDS continue to meet their WCPFC obligations, the increasing complexity and administrative demands of the Commission's work have presented growing challenges. Continued and meaningful recognition of SIDS' special requirements is crucial in order for the Commission, and CCMs', to meet their obligations under Article 30.

FFA Members recognise the importance and value of the Commission's current efforts to support SIDS, however further work is needed for the Commission to achieve full and consistent implementation of Article 30. In order to appropriately document the Commission's past and current efforts, and to identify opportunities to enhance the Commission's implementation of Article 30, FFA Members call for an independent review of the Commission's implementation of Article 30 including CMM 2013-06 and CMM 2013-07.

Such a review would serve both as an opportunity to highlight the Commission's progress in implementing Article 30 and as a mechanism to identify areas for improvement. FFA Members' views on critical content for a terms of reference for the review are provided in **Annex 1**. To progress this review, FFA Members' propose the following decision language for the Commission's consideration:

WCPFC22 agrees to undertake an independent review of the Commission's implementation of Article 30 of the WCPF Convention and its recognition of the special requirements of developing States in Commission processes.

The Commission, and its subsidiary bodies, continues to review and consider how it is implementing Article 30 requirements and recognising the special requirements of developing States. While consistent progress is being made, the Commission undertakes relatively limited review of the efficacy of any special requirement provisions of adopted CMMs. Therefore, FFA Members propose that any newly adopted or revised CMM include a SIDS special requirements review clause. This would ensure that the Commission appropriately considers how it is meeting its Article 30 obligations in the implementation of adopted CMMs.

WCPFC22 agrees that all newly adopted or revised CMMs shall contain a SIDS Special Requirements review clause. This review clause shall require the Commission to review and assess how the particular CMM fully recognises the special requirements of SIDS and whether any existing special requirement provisions remain fit for purpose.

Budget: Financial Regulation 3.5

FFA Members appreciate the Commission decision last year to amend the Financial Regulations 3.5 to fund travel and subsistence of two representatives from each developing State Party to the Convention and, where appropriate, territories and possessions, to each meeting of the Commission and to meetings of relevant subsidiary bodies of the Commission. This is essential for ensuring our active participation in the Commission's deliberations and decision-making processes on matters that have a direct impact on us.

We also recall the FAC18 recommendation adopted by WCPFC21 that the additional amount of a specific figure would be split between non-SIDS on a proportional basis, and that this be agreed for one year (2025), with a future tasking to review this offset applied to non-SIDS in 2025. FFA Members propose that this arrangement continue and is not year-limited through the following Commission decision language:

WCPFC22 agrees to maintain the existing arrangement for the proportional cost-sharing amongst non-SIDS to finance the implementation of Financial regulation 3.5 beyond 2025.

Annex 1: Preliminary inputs on the draft Terms of Reference (TOR) for the Article 30 review.

Objective: Review of the Commission's recognition of the special requirements of developing States enshrined in Article 30 of the WCPF Convention and related WCPFC instruments, activities and processes.

Scope of Review: The Review shall be conducted by a Panel and assess how the Commission implements Article 30 of the WCPF Convention. It shall review all current and past activities, instruments and processes that the WCPFC has developed and implemented to recognise the special requirements of developing States, with a particular focus on the special requirements of small island developing States and territories.

Methodology: The Review shall prepare a report that responds to the prescribed outputs, including providing targeted recommendations for the enhancement of the Commission's implementation of Article 30 requirements. In conducting the Review, the Panel shall consult with, at least, the WCPFC Secretariat, CCMs (both developing and developed CCMs), WCPFC observers (past and present) and regional organisations or partners that support developing State CCMs in the WCPFC.

Outputs:

- a) A chronological history of the Commission's implementation of Article 30, including:
 - a. how it has been operationalised through CMMs, Commission decisions, tools, processes and activities;
 - b. what the Commission has done to date to support the special requirements of SIDS and territories.
- b) Analysis of how Article 30, CMM 2013-06 and CMM 2013-07 is reflected in the Commission's work (aligned to its mandate and the Convention);
- c) Analysis of the specific ways the Commission has institutionally and operationally ensured that conservation management measures do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto developing States Parties, and territories and possessions;
- d) Identification of gaps or weaknesses to the Commission's implementation of Article 30;
- e) Recommendations for how the Commission can enhance its implementation of Article 30 requirements and associated CMMs; and
- f) Provide any additional observations or recommendations relevant to Article 30.

Composition of Review Panel

The Review Panel shall comprise 3 independent experts, one of whom will be assigned the role of Chair. Panel representatives shall have a detailed understanding of, and direct experience working on:

- developing State interests and the implementation of measures to avoid or mitigate disproportionate burden of fisheries conservation action onto developing State CCMs.
- WCPFC processes and conservation measures,

At least one panel representative shall be a SIDS representative with significant experience working on SIDS requirements. The Review Panel shall be established by the WCPFC Executive Director, in consultation with CCMs, based on a call for expression of interests and taking into account the availability of any candidates, a balance of experiences which would be relevant to the review and any other relevant criteria.

ATTACHMENT 3: FFA Members views on transshipment

The FFA Members' long-standing and fundamental position is that high seas transshipment is prohibited, and any departure from this starting position must be in line with the measure. Paragraph 34 of CMM 2009-06 prohibits high seas transshipment unless a determination of impracticability is made in accordance with guidelines adopted under paragraph 37. As those guidelines have not yet been adopted, the guidelines in paragraphs 37(a) and 37(b) apply.

CMM 2009-06 paragraph 34 and 37 is replicated here for ease of reference:

34. There shall be no transshipment on the high seas except where a CCM has determined, in accordance with the guidelines described in paragraph 37 below, that it is impracticable for certain vessels that it is responsible for to operate without being able to tranship on the high seas, and has advised the Commission of such.

37. The Executive Director shall prepare draft guidelines for the determination of circumstances where it is impracticable for certain vessels to tranship in port or in waters under national jurisdiction. The Technical and Compliance Committee shall consider these guidelines, amend as necessary, and recommend them to the Commission for adoption in 2012. In the meantime, CCMs shall use the following guidelines when determining the practicability of high seas transshipments:

- a. *The prohibition of transshipment in the high seas would **cause a significant economic hardship**, which would be assessed in terms of the cost that would be incurred to transship or land fish at feasible and allowable locations other than on the high seas, as compared to total operating costs, net revenues, or some other meaningful measure of costs and/or revenues; and*
- b. *The vessel would have to make **significant and substantial changes to its historical mode of operation** as a result of the prohibition of transshipment in the high seas;*

Efforts have been made to inform the criteria under paragraph 37(a) including RMI delegation paper to TCC14 on impracticability ([WCPFC-TCC14-2018-DP05](#)) and the framework to evaluate the economic hardship implications of high seas transshipment ([WCPFC-TCC20-2024-DP07](#)).

In addition, the criteria set out in paragraph 37(b) of CMM 2009-06 are clear and straightforward. The measure entered into force in February 2010. Therefore, any vessel claiming impracticability on the basis of having to make significant and substantial changes to its historical mode of operation must have been in existence prior to 2010 - that is, its year of construction/built must be before 2010.

Accordingly, FFA Members put forward the following recommendations:

- To operationalise and implement the criteria in paragraph 37(b) of CMM 2009-06.
- To enhance transparency and visibility of vessels engaged in high seas transshipment.
- Given that high seas transshipment must remain an exception, FFA Members do not support any participatory rights for CNMs in relation to the provision of carrier vessels to facilitate high seas transshipment.

Propose WCPFC22 decision language relating to transshipment:

WCPFC22 agrees that no vessel built in 2010 or later shall be permitted to engage in high seas transshipment without written authorization from the Commission.

WCPFC22 agrees that, among the remaining vessels, only those with an 'active' status on the RFV in 2025 and a Year Built before 2010 may be permitted to engage in high seas transshipment.

WCPFC22 tasks the Secretariat to publish and maintain on the Commission's website, a list of vessels engaged in high seas transshipment activities by year, and regularly updated as new information becomes available.

WCPFC agrees that CNM participatory rights for the provision of carrier vessels to support transshipment shall be limited to transshipment activities in port, and shall not extend to transshipment activities on the high seas.

ATTACHMENT 4: attached