



Statement of

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Oversight Hearing on the U.S. Role
related to the
International Treaties Governing Ocean Fisheries

Subcommittee on Fisheries Conservation, Wildlife, and Oceans

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Good Morning Mr. Chairman and Members of the Committee. My name is Tom Grasso and I am the Director of Marine Conservation Policy for World Wildlife Fund (WWF). On behalf of WWF, I want to thank the committee for the opportunity to present our views on the role of the United States in international treaties concerning ocean fisheries. World Wildlife Fund, with 1.2 million members in the US and over 5 million worldwide, is the largest private conservation organization working to protect wildlife and wildlife habitats in more than 120 countries.

The world's seas have sustained and nurtured humanity for millennia, providing a seemingly endless bounty—everything from food and fiber to minerals and medicines, from the simplest subsistence livelihood to the grandest luxury recreation. But today we are plundering the blue waters in a manner that, if we could see it as easily as the same phenomenon on land, would look a lot alike the last buffalo hunt in the American West. Protecting the web of life in our oceans and reversing the present trend in biodiversity loss, fisheries declines and ecosystem disruption will require a long-term, ambitious effort by all coastal countries and the international community as a whole.

Major challenges in the management of migratory fish stocks

The conservation status of important migratory fish populations has been the subject of considerable public attention during the past year. Articles such as last summer's *Nature* piece by Ransom Myers have highlighted declines in the numbers of large ocean predators such as tunas and sharks. The need for more effective management of international fisheries is noted in the reports of both the Pew Ocean's Commission and the United States Commission on Ocean Policy. Besides the status of the targeted fish stocks themselves, the effect of high seas fisheries on other species of ocean wildlife is also a cause for concern. While there is some debate in the scientific community concerning the precise numbers, the big picture trajectories in many of these fisheries and their impact on ocean biodiversity are well understood and troubling:

- In the Atlantic, 15 percent of wild salmon stocks have been extirpated and another 42 percent are considered threatened with extinction.
- 70 percent of the world's major fisheries are overfished, fully exploited or only slowly recovering.
- Every year 300,000 small cetaceans—whales, dolphins, and porpoises—are killed as bycatch in fisheries around the world. For some species, such as the Northern Right Whale, interactions with fishing gear are endangering their very existence.
- Scientists estimate that only 3000 Eastern Pacific Leatherback sea turtles remain in the eastern Pacific Ocean—a 90 percent decline in the past 20 years. Some scientists warn of the possible extinction of leatherbacks there in the next 20 years if threats associated with fisheries bycatch and other factors are not addressed.

Addressing these problems and managing these ocean fisheries more effectively is in the best interest of all Americans. Fisheries serve as an important source of food, jobs, and recreation. The health of their associated ecosystems underpins the economies of coastal communities in the United States and other nations that are our important allies.

WWF recommends to the committee today a series of actions by United States in international fora that will lead efforts to protect the dwindling resources of the world's oceans. In short, the United States must take international leadership to:

- conform existing regional management bodies to UN adopted standards
- take serious steps to address the overcapacity of the global fishing fleet
- address the impacts of pelagic fisheries on the ocean's web of life

Conforming regional fisheries management to the letter and spirit of the United Nations Implementing Agreement (UNIA)

Over the past decade, a robust body of ocean law and policy has been developed to manage international fisheries. The pinnacle of this process was the adoption of the UN Implementing Agreement. While some progress has been made, WWF urges the U.S. to continue its efforts aimed at strengthening current **R**egional **F**ishery **M**anagement **O**rganization (RFMO) conventions and the policies adopted under them to make them consistent with the UNIA. RFMOs were intended as the "delivery mechanisms" for the UNIA, but current conventions and policies fall far short of the UNIA's ambitious prescription for sustainable management of highly migratory and straddling stocks. The upshot of all this is, too often, overfishing and a failure to realize the economic and social benefits that could be derived from these fisheries if they were managed in a fashion that comported with the UNIA's mandates. WWF recommends that the U.S. ramp up its work to strengthen these conventions in a more systematized way, based on a convention-by-convention assessment of conformance with UNIA.

There are a variety of ways-- ranging from diplomacy to the use of trade restrictions--in which the U.S. can ensure that International agreements are taken seriously. A good case in point for U.S. action is the continuing use of large scale drifts by the fishing fleets of Morocco. The scientific study conducted by WWF scientists and others entitled "*Driftnet fishing and biodiversity conservation: the case study of the large-scale Moroccan driftnet fleet operating in the Alboran Sea (SW Mediterranean)*," found the continued use of large-scale driftnets operating on the high seas in the southwestern Mediterranean. This report was noted in the "*2003 Report of the Secretary of Commerce to the Congress of the United States Concerning U.S. Actions taken on Foreign large-scale high seas driftnet fishing pursuant to section 206(e) of the Magnuson-Stevens Fishery Conservation and Management Act, as amended by PL 104-297, The Sustainable Fisheries Act.*" This report notes that the U.S. is currently investigating the allegations enumerated in the WWF scientific paper. We respectfully submit this Scientific Paper and request that it be included in the record of this hearing. The Secretary's report indicates the need to confirm the WWF finding that the Moroccan driftnet fleet contravenes the international moratorium on large scale driftnets in that the nets exceed 2.5 km in length and are operating on the high seas. The WWF paper indicates that 177 vessels with an average net length of 6.5-7.1 km are causing bycatch of pelagic sharks, short-beaked and striped dolphins and loggerhead turtles. WWF recommends urgent action by the U.S. to address this issue through all diplomatic means possible.

Taking overcapacity seriously

The overcapacity of the world's fishing fleets is widely recognized as a major culprit contributing to overfishing which is undermining economic returns from fisheries and exacerbating the adverse environmental effects of fishing. Estimates by WWF in the late 1990s placed global fishing fleet overcapacity at 150 percent, meaning that there are roughly two-and-a-half times the level of fishing power in the fleet needed to achieve a catch level that would not further deplete stocks (Porter, 1998).

In 1999, the international community sought to address this critical problem through adoption of the United Nations FAO International Plan of Action for Managing Fishing Fleet Capacity which was intended to have national and regional management bodies address overcapacity by 2005. Unfortunately, efforts to date suggest that the goal of effectively managing fishing fleet capacity will not be achieved. The current real world practice of fishing fleet capacity management and reduction is out of step with these policy pronouncements. For example, in the Eastern Tropical Pacific, the tuna purse seine fleet has increased its capacity roughly 70 percent in the past decade. That fishery is seeing both the economic and ecological consequences—each year the fleet must be closed for a month or more because of that increased capacity.

The U.S. must continue to play a leadership role in the Inter-American Tropical Tuna Commission's Working Group on Fleet Capacity and to press the need to address growing overcapacity in the western Pacific where both conservation groups and the seafood industry agree that capacity growth is a threat. In the Western and Central Pacific Ocean, where close to half the world's supply of canned tuna is caught, a regional commission has yet to begin managing the fisheries. First on the list of tasks for the new commission should be the adoption of a capacity management scheme to avoid replicating the problems that are occurring in the Eastern Pacific. The U.S. should move swiftly to ratify the new Treaty for the Western and Central Pacific and lead efforts to build support for a regional management plan. Such a plan will benefit both fishing interests and the web of life in the ocean.

Lastly, government subsidies to the fishing industry are widely viewed as sending negative signals to fishermen. Open access and government subsidies have hastened the status of the current global fleet overcapacity. Indeed, current estimates of the subsidies are at \$15 billion worldwide (roughly 20 percent of the value of global fish catch) with the bulk of these subsidies leading to overfishing. Thanks in part to U.S. leadership, the WTO, at the 2001 WTO ministerial meeting in Doha, Qatar, agreed to begin negotiations on fishing subsidies by committing to "clarify and improve WTO disciplines on fisheries subsidies." Efforts continue at the WTO as rules negotiations continue. Reinvigorated U.S. leadership will be necessary to continue bringing serious reform to disciplines governing fishing subsidies.

Addressing the impacts of pelagic fisheries on the ocean web of life

Article Six of the United Nations Implementing Agreement requires countries to take into consideration the impact on "non-target and associated or dependent species and their environment, and to adopt plans which are necessary to ensure the conservation of such species and to protect habitats of special concern." (UNIA Art. 6(d)) RFMO attention to this important

set of issues is quite uneven at the moment—fleet performance is often short of the mark even given the low expectations for performance currently in place. Indeed, in 2002 WWF and several East Coast states filed a Pelly Amendment petition to the Secretary of Commerce concerning the failure of the EU to reduce its fishing fleet impacts on Atlantic White Marlin, which is a bycatch species of those fleets.

At the same time, there are success stories. Where nations and fisheries have made this a priority, innovative solutions have been crafted. Efforts among the U.S. and Latin American countries have reduced the dolphin bycatch by 98 percent in the Eastern Tropical Pacific tuna fisheries through the International Dolphin Conservation Program of the IATTC.

The United States is poised to play a similar leadership role in reducing the bycatch of sea turtles. The conservation status of leatherback sea turtles in the Pacific is dire: some scientists predict extinction in the next several decades. One cause of the decline in leatherback numbers is bycatch by vessels fishing with longlines. Fortunately, recent research led by NOAA suggests that longline turtle bycatch can be dramatically reduced through the use of circle hooks and related conservation measures. The U.S. is already working with fleets in the Pacific to see if these measures produce similar positive results there. This effort must be redoubled, given the plight of Pacific leatherbacks, and my organization pledges to work with NOAA on this important initiative. We urge the United States to make this a priority.

Given that bycatch of marine species is global phenomenon, WWF strongly recommends that the U.S. develop science based priorities for a U.S.-led international bycatch reduction initiative—focusing on the instances in which bycatch in international fisheries poses the greatest threat to biological diversity. There are a number of promising partnerships emerging that could be better coordinated into a global effort. Working together, fishermen, scientists and conservationists can often solve these problems in ways that benefit ocean wildlife and reduce costs to fishermen.

Conclusion: Strengthening the United States’ leadership role as advocates for international fisheries sustainability

As longtime participants in many of the regional organizations responsible for the health of migratory fish stocks, World Wildlife Fund wishes to acknowledge the proactive role played by the United States in encouraging more prudent management of these ecologically and economically important fisheries. Examples of U.S. leadership include:

- the successful effort to curtail fisheries that threaten America’s endangered populations of Atlantic salmon,
- our prominent role in shaping the new treaty that will govern the world’s most valuable tuna fishery in the western Pacific Ocean, and
- the recent United States initiative to minimize the bycatch of sea turtles by pelagic longlines.

Nevertheless, the U.S. Oceans Commission’s recently released report is a strong reminder that we should redouble our efforts. For effective international leadership, WWF strongly encourages this committee to support the U.S. acceding to the UN Convention on the Law of the

Sea (UNCLOS). Acceding to the UNCLOS is also a recommendation of the U.S. Ocean Commission. Additionally, WWF supports continuing the engagement of the U.S. in multilateral treaty bodies including paying fees and providing appropriate support for regional bodies.

Mr. Chairman, thank you again for the opportunity to testify. I would be pleased to answer any questions you or the committee may have.