



FISHERIES TRADE

Chair of WTO fisheries subsidies negotiations release draft text

The Chair of the fisheries subsidies negotiations at the World Trade Organisation released a draft text at the end of June.² The text sets out draft language on three rules. The first two are proposed disciplines to eliminate subsidies to IUU fishing and to fishing on overfished stocks respectively. Both of which were based on significant work on drafts by facilitators and reflect a degree of consensus among WTO members – although important differences remain.

The IUU rule follows the facilitator's text alongside some important changes that soften consultation with flag states on IUU investigations. Problems remain however, including permission for the subsidising state to choose its own punishment and that sanctions are forward-looking and not recoup past subsidies such as boat building which favours richer nations.

The overfished rule mirrors the overfished facilitator's text in having alternative language: one gives the coastal member or RFMO the responsibility to decide which stocks are overfished, provided it is based on scientific evidence; the other seeks to define overfished stocks based on an objective standard, leaving open a greater likelihood that a coastal member's stock assessment could be challenged through a WTO panel. The main addition is an exception for unregulated and unreported fishing from the overfished rule for all developing countries within their own territorial sea, which may provide a mechanism of protecting small-scale fishing from the discipline.

The text also provides text on a third prohibition on subsidies that contribute to overcapacity or overfishing (OCOF). Unlike the other two, this draft rule is not based on a recognizable consensus, but is instead largely a product of a series of proposals advanced by the USA, New Zealand, Canada and others.

The OCOF rule will prohibit subsidies if a fishery is being fished 'at a rate of fishing or with a level of fishing capacity that is greater than would allow the stock to be maintained at a sustainable level'. The sustainable level can be set by the coastal state or RFMO. An exemption is provided if a coastal state has policies in place that protect the stock, while this will tend to be of more benefit to developed countries than to developing countries, policies such as the Vessel Day Scheme (VDS) would probably satisfy this exemption.

Importantly, and surprisingly, the draft rule on OCOF includes very substantial provisions on Special & Differential Treatment (S&DT), based on a proposal by India. This S&DT rule would essentially provide a carve out from the S&DT rule for the vast majority of developing countries, except for China and a few other major DWFNS, and would permit the subsidisation of unsustainable fishing practices. As such it is anticipated that powerful developed Members who are pushing for strict rules will negotiate this S&DT down, perhaps considerably.

Worryingly, the Chair's draft has a very stripped-back Scope, which ignored Pacific interests advanced in an ACP proposal in February on the need to reassert UNCLOS rights and recognise the right of domestic vessels to fish in their own waters without paying the international market price for licences. The Chair even dropped any reference to government-to-government fisheries access payments, which while not in themselves a subsidy under WTO law, the prior mention provided a degree of

CONTENTS

Fisheries Trade

Chair of WTO fisheries subsidies negotiations release draft text

Fisheries Regulation

New technologies promise monitoring break-through for transshipment at sea

Fisheries Management

FFA Fisheries Ministers progress observer and crew safety and longline fisheries development

WCPO bigeye and yellowfin tuna stocks remain healthy

Tuna Industry

Impacts of COVID19 on Japan's sashimi market

China's distant water fleet continues to expand, gathering critical attention in its wake

Bumble Bee focuses on brand transformation; petitioned by Greenpeace on labour rights

Following controversy, first bluefin fishery gains MSC certification

Purse seine chopper pilot absconds with helicopter

Tuna Price Trends

Broad consensus exists for a ban on subsidies to IUU fishing and to fishing on overfished stocks

comfort. The Pacific Group made an oral statement in July as an initial response to the Chair's draft and also submitted a written statement that highlighted these concerns.³

Going forward, the Chair has set out a series of intense negotiation clusters, from September until December. While it is hoped by some Members that an agreement is reached by the end of 2020, it seems unlikely; others are focussing on the WTO's 12th Ministerial Conference in June 2021 in Kazakhstan as the deadline.

FISHERIES REGULATION

New technologies promise monitoring break-through for transshipment at sea

Technologies such as vessel monitoring systems, onboard electronic catch monitoring and blockchain traceability continue to gain attention as tools for monitoring industry activity related to the fishing sector. Government and inter-governmental bodies (e.g. the FFA Regional Fisheries Surveillance Centre), as well as private sector and NGOs, have developed and deployed these methods and are experimenting with next-generation approaches. In general, these tools aim to develop methods for monitoring elements of the fishing supply chain that are generally outside of the view and reach of authorities.⁴

Recent months saw a new tool in this realm join the ranks of new technological and data-based initiatives to contribute to progress in management – this one focusing on transshipment at sea. The new tool – the Carrier Vessel Portal – was developed through a collaboration between two NGOs, the Pew Charitable Trusts and Global Fishing Watch (GFW). The partners describe the Carrier Vessel Portal as the world's first public, global searchable monitoring portal of carrier vessels. The portal is based on GFW work that combines satellite data on vessel location (AIS data that cargo ships are mandated to keep on board by the International Convention for the Safety of Life at Sea) and machine learning to study global transshipment patterns. The portal is public and searchable and includes vessel identity and authorization status. The developers hope that regulators, policy makers and researchers will utilize the portal directly for monitoring and enforcement of transshipping. In releasing the portal, GFW and Pew have emphasized the multiple purposes it can serve, including: verifying carrier vessel activity, identifying suspicious or illicit behaviour, tracking vessel activity between RFMOs, and ideally, to guide reform.⁵ In addition to the Carrier Vessel Portal, GFW has developed a range of tools and analyses to monitor the location and activity of fishing vessels and is working to develop partnerships that will enable such tools to be used directly in the management sphere.⁶

Monitoring of transshipment at sea has been a high priority for management in the WCPO, given it is estimated that more than USD 142 million worth of tuna and other seafood products are lost in illegal transshipment annually,⁷ and missing and fraudulent reporting undermines management efforts and scientific data that is used to understand population dynamics and to inform management decisions. However, transshipment at sea has proved remarkably difficult to monitor, making regulations difficult to enforce. Generally, transshipment data are reported from governments to RFMOs, usually in summary form and often a year after the data are collected in-country. It has been demonstrated that official reports are often incomplete and thousands of transshipments on the high seas are unreported.⁸

The Pacific Group is concerned that certain fisheries access and licensing arrangements could be deemed a subsidy

Pew and Global Fishing Watch have developed a global, public and searchable database of carrier vessel transshipment activity



FISHERIES MANAGEMENT

FFA Fisheries Ministers progress observer and crew safety and longline fisheries development⁹

The seventeenth annual Pacific Islands Forum Fisheries Committee Ministers Meeting (FFC Min17) was held on 6-7 August 2020. In light of COVID-19 travel restrictions, this meeting was held virtually, with representatives participating from seventeen Pacific Island countries and territories.

During this meeting, key activities and achievements of the Forum Fisheries Agency (FFA) during 2019-2020 were highlighted including: implementation of the FFA Strategic Plan 2020-2025; addressing the impacts of climate change on tuna fisheries; progressing the Regional Longline Strategy action plan; FFA members' achievements within the WCPFC; work to address observer safety and crew welfare; and work to further enhance the contribution of fisheries to Pacific Island economies, including in the context of the COVID-19 pandemic.

Given considerably better fishery performance and higher economic rents generated from the Western and Central Pacific purse seine fishery compared to the longline fishery, Ministers welcomed FFA's development of an action plan for implementation of the Regional Longline Strategy and identified this as a key priority. This strategy aims to progress a zone-based management approach within WCPFC, with catch and/or effort limits established within FFA members' EEZs, as well as binding limits set on the high seas. Ministers also welcomed the adoption of the Regional Longline Electronic Monitoring Policy, particularly in light of the suspension of human observers on vessels due to COVID-19 related health risks and travel restrictions, as a means of improving transparency of longline fishing operations.

Ministers called for a strengthening of measures in the WCPFC relating to observer safety, including further investigation into regional options for ensuring observers are fully insured and that their families are supported in the event of tragedy at sea. Currently, observer safety issues are addressed at WCPFC through the Conservation and Management Measure for the Protection of WCPFC Regional Observer Program Observers (CMM 2017-03), but this CMM does not address insurance or observer family support. On crew safety, Ministers called for full implementation of the harmonized minimum terms and conditions on human rights and labour conditions for crew adopted at FFCMIN16 in 2019. These legally binding MTCs came into effect on 1 January 2020 for all foreign and domestic vessels operating in FFA members' waters. The Government of New Zealand will support a comprehensive multi-year project aimed at improving labour conditions at sea in the Pacific region.

The suspension of onboard observers and port inspection activities as a result of COVID-19 has increased the risk of illegal, unreported and unregulated (IUU) fishing activity in the Pacific region. Ministers highlighted the need to rely on other important monitoring, control and surveillance tools available during this time including aerial surveillance, vessel monitoring systems, as well as vessel of interest information and the regional surveillance picture, managed by FFA's Regional Fisheries Surveillance Centre.

Regarding climate change, Ministers stressed that fisheries issues should be firmly placed onto the wider climate change agenda, including through the Pacific's engagement in the United Nations Framework Convention on Climate Change (UNFCCC) and that Pacific regional organisations need to collaborate more closely on climate change-related needs of the region.

FFA Ministers adopted a Regional Longline Electronic Monitoring policy to improve transparency of longline fishing operations in the Pacific

Aerial surveillance, VMS and vessel of interest information are critical MCS tools while onboard observer placements and port inspections are suspended due to COVID-19



WCPO bigeye and yellowfin tuna stocks remain healthy¹⁰

WCPFC's Sixteenth Scientific Committee (SC16) was held virtually from 12-19 August 2020. During this meeting new WCPO bigeye and yellowfin stock assessments were presented by the Secretariat of the Pacific Community (SPC) indicating that both stocks remain healthy.

The previous full stock assessment for bigeye was conducted in 2017, which indicated a positive change in WCPO bigeye stock status to healthy from overfished, with overfishing occurring. For the 2020 assessment, median values of relative recent spawning biomass (2015-2018) and fishing mortality (2014-2017) indicate that the bigeye stock remains not overfished (with 100% probability) and likely continues to not be experiencing overfishing (with 87.5% probability). However, levels of bigeye fishing mortality and depletion differ among the nine regions used in SPC's stock assessment models, with higher impacts in the four tropical regions, particularly on juvenile bigeye. Hence, overall bigeye stock status is buffered by lower catches in the temperate regions.

Similarly, the 2020 stock assessment indicates that the WCPO yellowfin stock is not overfished, nor subject to overfishing (both with 100% probability). Like bigeye, yellowfin exploitation is higher in tropical regions where fishing effort is concentrated by the equatorial purse seine fishery and 'other' fisheries (e.g. pole and line and handline vessels operating in Indonesia); there is low yellowfin exploitation in temperate regions.

Hence, for both bigeye and yellowfin, SC16 recommended that WCPFC17 continue to consider management measures which reduce fishing mortality from fisheries that take juveniles (i.e. purse seine fishery) to increase bigeye and yellowfin fishery yields and reduce any further impacts on spawning biomass in the tropical regions. SC16 also recommended that a precautionary approach be maintained, with bigeye and yellowfin fishing mortality kept at a level that maintains spawning biomass at 2012-2015 levels until the Commission can agree on appropriate target reference points (i.e. the optimal level of spawning biomass or fishing mortality that ensures long-term sustainability of the stock).

The WCPO continues to be the only ocean where stocks of the four key tuna species – skipjack, yellowfin, bigeye and albacore – are deemed to be in a healthy state.

TUNA INDUSTRY

Impacts of COVID19 on Japan's sashimi market

Japan declared a state of emergency in April in response to the Coronavirus pandemic. Following a thankfully very low national death rate from Covid-19, many restrictions were lifted in late May.¹¹ However, bluefin sashimi consumption has taken a big hit as the frequency of social events and business entertaining has not picked up over subsequently months. This is reflected in media reports on bluefin prices dropping 8.4% in July compared to the same month last year; while in comparison, aggregate fresh fish prices dropped only 1.5%.¹² This perhaps reflects the higher cost of bluefin tuna and that higher quality fresh sashimi tends to be eaten out.

However, Japan fresh longline import prices from Oceania saw a year-on-year *increase*, according to FFA data (see Tuna Price Trends below). The average price in May through to July 2020 for fresh bigeye was 1,345 Yen per kilogram, compared to

The WCPO is the only ocean with healthy skipjack, yellowfin, bigeye and albacore stocks

Bluefin and frozen bigeye and yellowfin prices report a drop, while fresh bigeye and yellowfin benefit from a comparative uplift

¥1,165/kilo averaged across the same three months in 2019. Similarly, fresh yellowfin was 1,024 Yen per kilogram in the same period this year, but only ¥877/ kilo in 2019. In contrast, *frozen* longline caught bigeye and yellowfin landed in major ports in Japan fetched a monthly average of only ¥744/kilo and ¥552/kilo in May-July 2020, respectively, compared to ¥950/kilo and ¥626/ kilo in the same three months in 2019.

For the first six months of 2020, fresh tuna imports declined by 18% compared to the same period in 2019, which is caused by flight disruption and the impacts of quarantine rules on crew in fresh tuna supply countries such as Fiji, Indonesia, Malta and Sri Lanka, as well as lowered perceived demand.¹³ The reduced volume of supply and the innate ability to hold fresh tuna in storage may explain the uptick in price for fresh bigeye and yellowfin tuna.

China's distant water fleet continues to expand, gathering critical attention in its wake

China's distant water fishing fleet is in the headlines once again. In a story hitting the international media, a flotilla of an estimated 243 China-flagged tuna long liners, squid boats, supply vessels and reefer carriers were fishing on the border of the Galápagos Islands' EEZ in the Eastern Tropical Pacific. The environmental concern is sharpened in these waters because the Galápagos marine reserve has a concentration of shark species, including endangered whale sharks and hammerheads.¹⁴ Further, the Ecuadorian navy claimed that 149 of these boats had turned off their vessel monitoring systems.

China's ambassador to Ecuador responded to queries raised by Ecuadorian authorities that "Except for some delays or temporary loss of satellite signal, all Chinese ships keep operating and using monitoring systems normally". Adding that "China is a major fishing nation ... and it is also a responsible fishing nation."¹⁵ The spokesperson of China's Ministry of Foreign Affairs subsequently announced that China would ban fishing near the Galápagos from September to November.

While the Galápagos incident garnered most attention, China's fisheries expansion is touching all oceans, and most fisheries and markets. In Nigeria, Chinese investment of between US\$1.5 billion and \$2.5 billion is being poured into the creating of the Andoni Fishing Port and Processing Zone. The complex is anticipated to use Nigeria's influence with other countries in West Africa in to create a regional hub for the landing and processing of a wide range of species including mackerel, herring, tuna, and crustaceans.¹⁶ Critics argue that fisheries in West Africa are already at capacity.

In Europe, Shanghai Kaichuang Marine International has announced a US\$36 million investment in a new tuna processing plant in Spain under its *Albo* subsidiary.¹⁷ Shanghai Kaichuang Marine International is currently an enormous commercial presence in China's seafood markets, especially for mackerel, tuna, fish fillets and krill, but only has a very small export presence and is looking to expand internationally. In the Pacific, China is building ever stronger ties with the Solomon Islands since 'the switch' in diplomatic relations from Taiwan, including proposed tuna industry investments.¹⁸

More broadly, and perhaps driving these dynamics, is that China's distant water fishing fleet is between five to eight times larger than previous estimates. Recent research by the UK's Overseas Development Institute identified 16,900 vessels, 90% of which are flagged by China.¹⁹ The study uses unique fishing vessel identifiers compiled in the Krakken® database, which is reportedly the world's largest database on fishing vessels.²⁰

New study finds that China's distant water fishing fleet is between five to eight times larger than previously thought

The seemingly relentless expansion of China's marine fishing industry continues to give competitors the jitters. Spain's main tuna industry association – Organization of Associated Producers of Large Freezer Tuna Vessels (OPAGAC) – is arguing that crew conditions on Chinese fishing fleets is not only morally wrong, but gives their product an unfair competitive advantage as safety and working conditions are far laxer than those for EU boat owners.²¹

Bumble Bee focuses on brand transformation; petitioned by Greenpeace on labour rights

US canned tuna giant, Bumble Bee, continues to attract fisheries media attention, both positive and negative.

In the wake of reputational damage from the US canned tuna price-fixing scandal and filing for bankruptcy, Bumble Bee is channelling considerable resources into brand transformation through innovative changes in packaging design and a new “breakthrough” advertising campaign. In May 2020, Bumble Bee was a winner in the 2020 American Package Design Awards for its re-designed modern-look canned and pouched tuna packaging which replaces Bumble Bee's decades long mascot, Horatio the bumble bee, with a new “Bee Well for Life” lighthouse logo and highlights each product's flavour profile. According to Bumble Bee, the main goal of removing Horatio is to “remind consumers how healthy tuna is....allowing the benefits of the product to shine a bit more.”²²

In August 2020, Bumble Bee launched its ‘Yes! Bumble Bee!’ on-screen advertising campaign, focussed on how tuna fits in with modern culinary and lifestyle trends. It draws on advertising styles commonly used in sports, active lifestyle and fast food commercials. The “Get Your Melt On” commercial mimics fast food commercials, where a man creates a delicious chili tuna melt sandwich in his home kitchen. The “What Fuels You?” ad features a sweaty female athlete who reaches for a tuna pouch at the end of her workout depicting tuna as a lean, protein-fuelled energy source. Two more ads will air in September, one linking tuna to the outdoors as a portable energy source and another focussing on tuna's convenience.²³

In negative news for Bumble Bee, two out of three tuna longline vessels that have received forced labour-related withhold release orders (WRO) from the US Border and Customs Protection, have been linked to Bumble Bee's Taiwanese parent company and global tuna trading giant, FCF. FCF has been identified as having traded tuna from the Vanuatu-flagged, Taiwanese beneficially-owned longliners *Da Wang* and *Tunago No. 61*.²⁴ Greenpeace has used these links to pressure Bumble Bee to address the root causes of alleged human rights abuses and illegal fishing in FCF's supply chain via a public online petition launched in August. The petition calls for Bumble Bee to upgrade its human and labour rights policy for tuna vessels to reflect international standards, including the establishment of a policy which limits continuous sea time for crew members to three months, as well as preferential sourcing from vessels subject to port state labour inspections.

Greenpeace is also lobbying Bumble Bee to only source from vessels with 100% observer coverage (human or electronic); phase out transshipment at sea through a public, measurable, time-bound plan; and to commit to full transparency of all its suppliers, including their labour practices and remediation of violations.²⁵ In response to Greenpeace, FCF and Bumble Bee have agreed that further progress needs to be made to ensure responsible labour practices are followed on all tuna vessels and undertaken to continue working within its supply chain and with other tuna industry

Bumble Bee has replaced its iconic ‘Horatio’ the bumble bee mascot with a “Bee Well for Life” lighthouse logo



players, including through the Seafood Task Force. The two companies have reiterated that they will not tolerate any human rights or environmental violations in their supply chain.²⁶

As reported in previous editions of *FFA Tuna Industry News*, Bumble Bee's former CEO and President, Chris Liszewski was found guilty of involvement in a canned tuna price-fixing scandal between the 'big-three' US canned tuna brandowners, Bumble Bee, Chicken of the Sea and Starkist from 2011-2013. On 17 August 2020, Liszewski reported to the US Penitentiary Tucson (Arizona) Satellite Camp to begin serving a 40-month prison sentence. He was also ordered to pay a USD \$100,000 fine. He continues to maintain his innocence and is reportedly filing a high court appeal. In light of COVID-19, if the US Senate passes a 'COVID-19 Safer Detention Act' which allows non-violent offenders over 60-years old to serve reduced sentences, Liszewski may only be required to serve half of his original sentence.²⁷

Following controversy, first bluefin fishery gains MSC certification

The first bluefin tuna fishery is set to gain Marine Stewardship Council (MSC) certification for sustainable fishing. Following a two-year assessment process that was and continues to be rife with controversy, the firm Usufuku Honten, which has a single vessel in assessment and caught 55mt of Eastern Atlantic Bluefin in 2018, will receive MSC certification. Honten plans to sell its certified catch in Japan.²⁸ The main condition of the certification is that by 2025, the fishery must demonstrate that the Eastern Atlantic Bluefin stock has reached a sustainable level. eNGOs argue that this condition proves that the certification is premature and is not, at present, sustainable or worthy of MSC certification.²⁹ Honten is required to work with the International Commission on the Conservation of Atlantic Tunas (ICCAT), member states and other fishing organizations to allow further recovery of the stock.

MSC is signalling that the certification marks the turn-around in the health and management of the valuable Eastern Bluefin fishery, which has faced ecological and institutional crises over the last 20 years. At the peak of fishing, annual catch of Eastern Bluefin was estimated to be more than 50,000mt, despite ICCAT Scientific Committee's recommendation to limit annual catch to less than 13,000mt to avoid collapse of the stock.³⁰ Environmental NGOs, Pew and World Wildlife Fund (WWF) presented four objections to the certification in January 2020 after the assessment body recommended that the fishery be certified, including concerns about the data used to make conclusions about bluefin growth and reproduction rates. An independent legal expert ruled that the objection over methods for bluefin growth and reproduction rates was sound and required the assessment body to re-examine its methods regarding these calculations, and later accepted the revisions.³¹

Following the announcement that certification will proceed, WWF – which was one of the founding partners of MSC before it became an independent entity – has been vocal about its continued opposition to the certification on grounds that it will hinder full recovery of the valuable fishery and that "certify today and aim for sustainability in 2025... does not reflect the rigorous certification standards we would expect to be applied when assessing one of the most valuable fish in the ocean, which was once harvested to the brink of extinction." WWF argues that this outcome provides evidence that the MSC certification process is driven by industry demand, rather than scientific evidence of sustainability.³² Broadly, WWF also argued that the neutral assessment body was not impartial, that it failed to apply the best available science and overestimated the sustainability level of the stock.

**Greenpeace
has petitioned
Bumble Bee to
address human
rights abuse
and illegal
fishing in its
supply chain**

**The first bluefin
tuna fishery has
gained MSC
certification on
the condition
that the Eastern
Atlantic stock
reaches a
sustainable
level within 5
years**

WWF is now arguing that there is a need to reform the MSC standard and assurance systems.³³

Meanwhile, a French tuna fishery is expected to receive an MSC certification for Eastern Atlantic Bluefin in the near future. MSC certification for other tuna fisheries continues to advance. The Spanish national association of tuna freezer vessels, known as ANABAC, has entered into MSC certification for its yellowfin fishery in the Atlantic. The fishery under certification is comprised of eight vessels owned by two Spanish tuna fishing companies that fish under Spanish, Cape Verde and Belize flags. The aim is to complete the certification in February 2021, following new COVID-19 auditing protocols. Nineteen vessels are registered with ANABAC, eleven of which are already MSC certified. OPAGAC, the other large Spanish industry association has also announced its intention to pursue certification but has not initiated the process.³⁴

Purse seine chopper pilot absconds with helicopter

In late June 2020, a helicopter pilot working onboard the Taiwanese purse seiner *Win Far 626* that was fishing in the Kiribati EEZ absconded with his helicopter and flew northward, landing on Nallu Island, Mili Atoll in the Marshall Islands after what was said to have been a two-and-a-half-hour flight. Mili is about 112 kilometres south of the capital, Majuro, and roughly the same distance from the EEZ boundary with Kiribati.

According to an affidavit filed by the Marshall Islands' Director of Immigration, "The pilot took off without permission and unannounced from the vessel". The pilot, 39 year-old Brazilian and Spanish dual citizen Jose Eduardo Marinho Goncalves, later told authorities that he was tired of eating fish and rice almost every day and missed his family after a long period at sea and wanted to return home.³⁵

After being advised by Mili officials of the helicopter's landing, the Marshall Islands Government dispatched its patrol boat, *Lomor*, and several government officials to Mili where Goncalves was arrested and brought to Majuro. He was charged with entry at an unofficial port of entry, entry without a valid visa, and failure to surrender any document.³⁶ The illegal entry offenses were particularly concerning to Marshall Islands officials, since the country has been in a border lockdown since late March 2020 due to the COVID-19 pandemic, has banned all entry of people into the country and so far, has not recorded any COVID-19 cases.

Upon arrival in Majuro, Goncalves was handed over to the Department of Health, was tested for COVID-19 and immediately went into quarantine at a facility that has been set up by the Department of Health during the pandemic. The *Lomor* crew and others onboard were also tested, with all tests including that of Goncalves returned as negative. After completion of quarantine the pilot had his first appearance in front of the Marshall Islands High Court and was released on his own recognizance. Goncalves was represented by the Chief Public Defender who entered into negotiations with the Marshall Islands' Attorney General prior to a plea hearing on 24 July.³⁷

At the hearing, the resident of Madrid, Spain apologized for his illegal entry and expressed his appreciation for the treatment he received while in the Marshall Islands. Also present at the hearing was Spain's Honorary Consul in the Marshall Islands, Deborah Kramer. As part of a plea bargain between the Chief Public Defender and the Attorney General, Goncalves pleaded guilty to entry at an unofficial port of entry, which is a misdemeanor. The other two charges, entry without a visa and

WWF is calling for reform of the MSC system, arguing it is driven by industry demand rather than sound science

A Spanish purse seine helicopter pilot absconded with the vessel's helicopter because he was "tired of eating fish and rice almost every day and missed his family after a long period at sea"

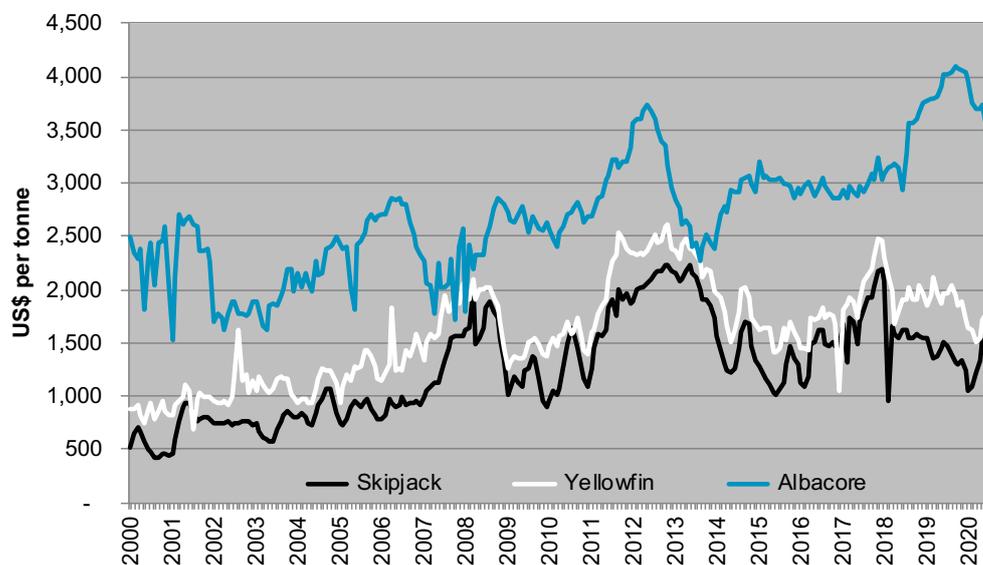
failure to surrender any document, were dismissed by the Attorney General. Chief Justice Carl Ingram gave the pilot a suspended sentence and said that if the court has not revoked probation and imposed a jail sentence at the end of six months, he would vacate the conviction from Goncalves' record.³⁸

In what was a happy ending for Goncalves, he departed Majuro on 24 July on the United Airlines special monthly repatriation flight that had been recently introduced for outgoing passengers only. It is not known if either the company that owns the *Win Far 626* or the owner of the helicopter, Guam-based Hansen Helicopters, are planning any further legal action against the pilot. What is known is that at the end of July the helicopter was still stuck on Mili. Hansen, which also has a base in Majuro where they service helicopters used by the purse seine fleet in the Western Pacific, asked Goncalves to assist in retrieving the helicopter by flying it from Mili to Majuro before his departure, but he declined to do so.³⁹

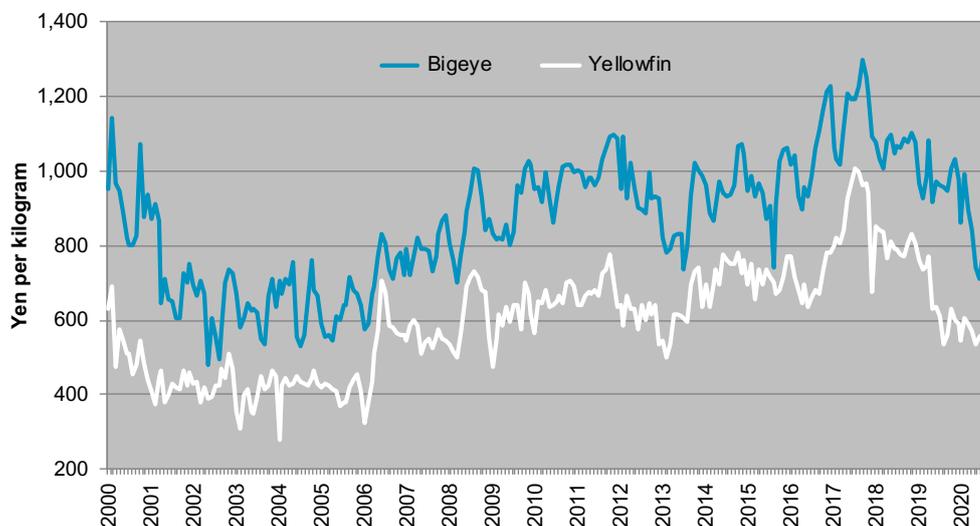
Whilst there are no indications in this particular case of human rights or labour abuse, this demonstrates the highly challenging nature of life at sea on distant water fishing vessels, even for those in higher-level positions.

TUNA PRICE TRENDS⁴⁰

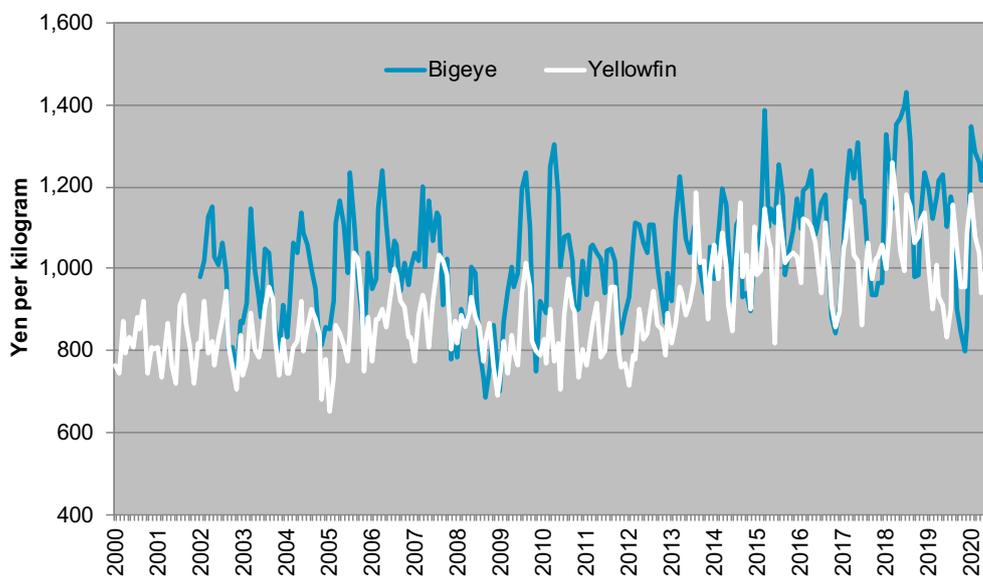
Bangkok canning-grade prices to July 2020⁴¹



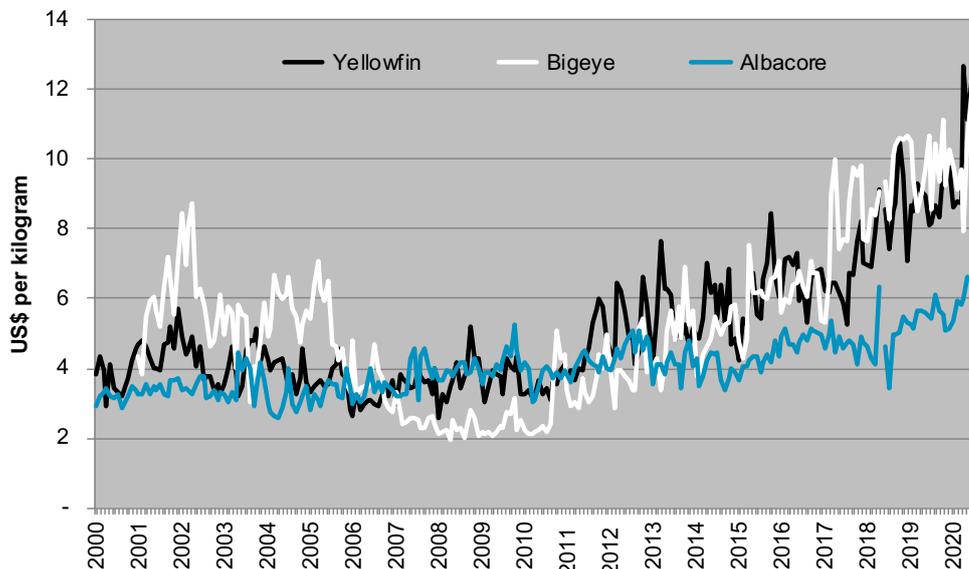
Japan frozen sashimi prices (ex-vessel, Japanese ports) to August 2020⁴²



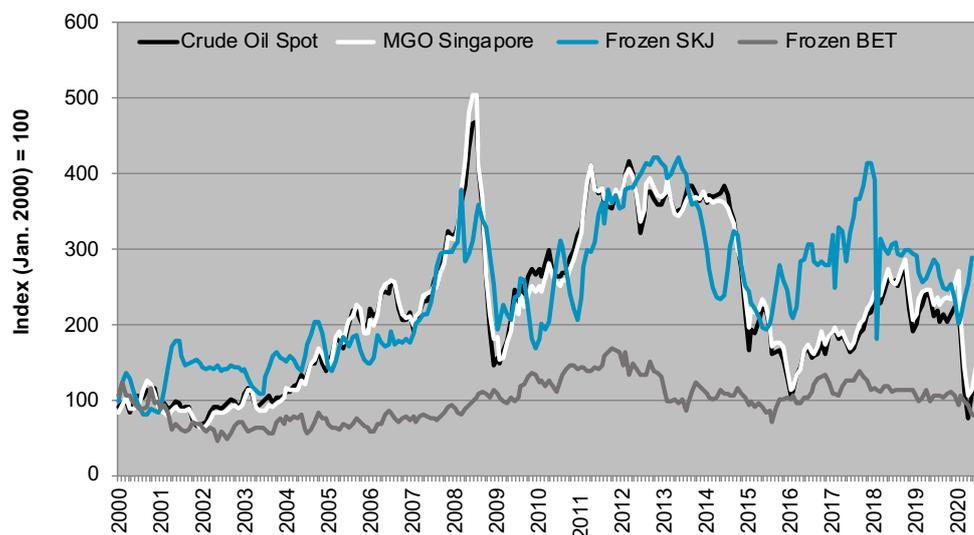
Japan fresh sashimi prices (origin Oceania) to July 2020⁴³



US imported fresh sashimi prices to July 2020⁴⁴



Crude oil, canning-grade frozen skipjack (SKJ) and frozen bigeye (BET) price index to July 2020



¹ Prepared for the FFA Fisheries Development Division by Professor Liam Campling, School of Business and Management, Queen Mary University of London, Dr Elizabeth Havice, University of North Carolina at Chapel Hill and Mike McCoy, independent consultant, all Consultant Fisheries Trade and Market Intelligence Analysts, Fisheries Development Division, FFA. Desktop publishing by Antony Price. The authors would like to thank FFA for their input on an earlier draft of this briefing. The contents of this briefing (including all analysis and opinions) are the responsibility of the authors and do not necessarily reflect the positions or thinking of the FFA Secretariat or its Members.

² RD/TN/RL/126, Negotiating Group On Rules – Fisheries Subsidies, Draft Consolidated Text, 25 June 2020.

³ WTO, Negotiating Group On Rules: Fisheries Subsidies, Aide-Memoire from the Chair on the Open-Ended Meeting Held on 21 July 2020, Written statements submitted for distribution ANNEX I/Rev.2

⁴ See recent issues of The Pacific Islands Forum Fishery Agency's *Trade and Industry News* for more details on recent projects in this realm including, e.g.: 7(5) and 13(3) on e-monitoring, 11(1), 11(3) and 12(1) on blockchain technologies.

⁵ Hannah Linder 2020. 'Transshipment Monitoring Portal Brings Transparency to Fishing Industry', Global Fishing Watch News and Views, 28 July. Available at: <https://globalfishingwatch.org/news-views/transshipment-monitoring/>

⁶ For a list of published papers on GFW findings, see: <https://globalfishingwatch.org/publications/>

⁷ MRAG Asia Pacific 2016. *Towards the Quantification of Illegal, Unreported and Unregulated (IUU) Fishing in the Pacific Islands Region*. Honiara: Pacific Islands Forum Fisheries Agency. Available at: <http://www.ffa.int>

⁸ For access to several reports analyzing transshipment, see: <https://globalfishingwatch.org/rfmo-transshipment/>

⁹ FFA 2020, Statement of Outcomes from the Seventeenth Annual Session of the Forum Fisheries Committee Ministers Meeting (FFC Min17); 'Fisheries Ministers strengthen their commitment to regional cooperation amid pandemic', FFA Press Release, 8 August 2020. Available at: <http://www.ffa.int>

¹⁰ WCPFC 2020, Sixteenth Regular Session of the Scientific Committee (SC16) – Outcomes Document, 28 August 2020. Available at: <http://www.wcpfc.int>

¹¹ Suzuki Kazuto 2020, 'Japan's COVID-19 Measures: Controlling the Spread Without Lockdowns', *Nippon.com*, 10 July. Available at: <https://www.nippon.com/en/in-depth/d00592/>

¹² Daniel Leussink 2020, 'Japan's tuna market, the world's largest, hit hard by coronavirus pandemic', *Reuters*, 4 September. Available at: <https://www.reuters.com/article/us-health-coronavirus-japan-tuna-idUSKBN25V1A8>

¹³ Louis Harkell 2020, 'Coronavirus adds to Japan's tuna industry woes', *Undercurrent News*, 1 June. Available at: <https://www.undercurrentnews.com/2020/06/01/coronavirus-adds-to-japans-tuna-industry-woes/>

¹⁴ Dan Collyns 2020, 'They just pull up everything!' Chinese fleet raises fears for Galápagos sea life', *The Guardian*, 6 August. Available at: <https://www.theguardian.com/environment/2020/aug/06/chinese-fleet-fishing-galapagos-islands-environment>

¹⁵ Ambassador Chen Guoyou as reported by *Reuters*, 'China Envoy to Ecuador Says Fishing Vessel Fleet Near Galapagos Islands is Operating Legally', 24 August 2020. Available at: <https://gcaptain.com/china-envoy-to-ecuador-says-fishing-vessel-fleet-near-galapagos-islands-is-operating-legally/>; see also, Mark Godfrey 2020, 'China, US trade barbs over Chinese fishing effort near Galápagos', *SeafoodSource*, 7 August. Available at: <https://www.seafoodsource.com/news/environment-sustainability/china-us-trade-barbs-over-chinese-fishing-effort-near-gal-pagos>

¹⁶ Mark Godfrey 2020, 'Chinese overfishing threatens development of West African fishing sector', *SeafoodSource*, 26 June. Available at: <https://www.seafoodsource.com/news/environment-sustainability/chinese-overfishing-threatens-development-of-west-african-fishing-sector>

¹⁷ Rachel Mutter 2020, 'Chinese seafood giant plows \$36 million into new Spanish tuna processing plant', *IntraFish*, 31 August. Available at: <https://www.intrafish.com/processing/chinese-seafood-giant-plows-36-million-into-new-spanish-tuna-processing-plant/2-1-866369>

¹⁸ Ronald Toito'ona 2020, 'China eyes Solomons tuna', *FFA's TunaPacific*, 17 February. Available at: <https://www.tunapacific.org/2020/02/17/china-eyes-solomons-tuna/>

¹⁹ ODI press release, 'China's Distant Water Fishing fleet is more than five times larger than estimated - new ODI report', 26 May 2020. Available at: <https://www.odi.org/news/16995-chinas-distant-water-fishing-fleet-more-five-times-larger-estimated-new-odi-report>

- ²⁰ See the FishSpektrum Project here: <http://fishspektrum.com/>
- ²¹ Cliff White 2020, 'OPAGAC calls for EU to scrutinize seafood imports from China', *SeafoodSource*, 29 May. Available at <https://www.seafoodsource.com/news/environment-sustainability/opagac-calls-for-eu-to-scrutinize-seafood-imports-from-china>
- ²² John Fiorlillo 2020, 'Bumble Bee Seafoods fires Horatio, its long-time canned tuna mascot', *Intrafish*, 28 May 2020. Available at: <https://www.intrafish.com>
- ²³ Bumble Bee 2020, 'Bumble Bee Wants People to Reimagine What Tuna Can Be', Media Release, 19 August 2020. Available at: <https://www.bumblebeecompany.com>; The Business Wire 2020, 'Bumble Bee Seafoods Invites Consumers to Change Their Thinking by Revealing Tuna's Benefits in Unexpected Places', 19 August 2020. Available at: <https://www.businesswire.com>
- ²⁴ Jason Huffman 2020, 'Greenpeace uses US WRO action to press Bumble Bee for more supplier transparency', *Undercurrent News*, 19 August 2020. Available at: <https://www.undercurrentnews.com>
- ²⁵ Greenpeace 2020, 'Thousands petition Bumble Bee to protect human rights at sea and our ocean', 12 August 2020. Available at: <https://www.greenpeace.org>
- ²⁶ Jason Huffman 2020.
- ²⁷ Cliff White 2020, 'Chris Lishewski reports to prison; Sentencing dates set for Cameron, Hodge, Worsham', *Seafood Source*, 20 August 2020. Available at: <http://www.seafoodsource.com>
- ²⁸ 'Eastern Atlantic Bluefin fishery overcomes objections to become first to gain MSC', *Undercurrent News*, 30 July 2020. Available at: <http://www.undercurrentnews.com>
- ²⁹ WWF 2020, 'MSC certification of Bluefin tuna fishery before stocks have recovered sets dangerous precedent', *Press Release*, 31 July. Available at <http://www.wwfmmi.org>
- ³⁰ DG Webster, 2010. 'The irony and exclusivity of Atlantic Bluefin tuna management', *Marine Policy*, 35(2): 249-251.
- ³¹ Chris Chase, 2020. 'Assessors must reconsider parts of potential Bluefin MSC certification', *Seafood Source*, 29 June. Available at: <http://www.seafoodsource.com>
- ³² WWF 2020, 'MSC certification of Bluefin tuna fishery before stocks have recovered sets dangerous precedent', *Press Release*, 31 July. Available at <http://www.wwfmmi.org>
- ³³ WWF 2020, 'MSC certification of Bluefin tuna fishery before stocks have recovered sets dangerous precedent', *Press Release*, 31 July. Available at <http://www.wwfmmi.org>
- ³⁴ María Feijóo, 2020. 'First European tuna fishing association enters into MSC assessment', *Undercurrent News*, 15 July. Available at: <http://www.undercurrentnews.com>
- ³⁵ Johnson 2020, 'Pilot weary of fishing life faces criminal charges in the Marshall Islands', *Radio New Zealand International*. 20 July 2020. Available at: <https://www.rnz.co.nz/international/pacific-news>
- ³⁶ Johnson 2020
- ³⁷ Johnson 2020
- ³⁸ 'Pilot leaves, 'copter stuck', *Marshall Islands Journal*, 31 July 2020. Available at: <https://marshallislandsjournal.com/>
- ³⁹ Marshall Islands Journal 2020
- ⁴⁰ All databases are provided by the Fisheries Development Division at FFA.
- ⁴¹ Customs Department, Thailand. <http://www.customs.go.th/Statistic/StatisticIndex.jsp>
- ⁴² FFA database
- ⁴³ Japan Customs. http://www.customs.go.jp/toukei/info/index_e.htm
- ⁴⁴ US National Marine Fisheries Service. <http://www.st.nmfs.gov/st1/trade/index.html>