

# Are Pacific Island States Losing Their Rights to Tuna Resources?

by Elizabeth Havice\* and Liam Campling\*\*

The tuna resources in the Western and Central Pacific Ocean are the largest and most valuable in the world. Despite being endowed with such resources, the 14 Pacific island countries in this region (such as the Cook Islands, Fiji, Papua New Guinea, the Solomon Islands and Vanuatu)<sup>1</sup> have not been able to maximise their use for economic development, and are now confronted with their impending depletion.

This Development Viewpoint explores the factors behind these trends (see Havice and Campling, 2010). One of its main objectives is to counter the dominant neoliberal 'good governance' discourse that places the central blame on the governments of these small countries for mismanaging and squandering their fishing resources.

The reality is that such states' sovereignty, and thus control, over fisheries resources has changed significantly over time. Most recently, powerful distant-water fishing nations have gained political influence over island states' sovereignty within regional organisations. Distant-water fleets use this political influence to provide an advantage to their commercial fishing operations in the region, not to ensure resource sustainability or economic development in Pacific island countries.

## Historical Background

The Western and Central Pacific Ocean provides more than half of the global supply of tuna. While tuna fishing was only of marginal importance in 1970, it had emerged as a large lucrative business by the 1980s and has continued as such into the 2000s. Vessel owners now sell their tuna catch for over US\$ 3 billion per year.

**Tuna Catch Trends in the Western and Central Pacific Ocean  
(1,000 Metric Tons)**

Vessel Type	1970	1985	2000	2005
Longline	141	173	224	238
Purse Seine	21	423	1,203	1,559
<b>Combined Total</b>	<b>162</b>	<b>596</b>	<b>1,427</b>	<b>1,797</b>

Source: Secretariat of the Pacific Community, 2007

By 2005, the combined catch of 'longline' and 'purse seine' fishing was almost 1.8 million metric tons (see Table)<sup>2</sup>. This represents, however, an under-estimate of the total since much of the catch goes unreported. Over time, the more capital-intensive method of fishing, 'purse seining', has overtaken the less capital-intensive method of 'longlining' (see Table).

Purse seine vessels cast a wall of netting around whole schools of tuna while longline vessels deploy central fishing lines that are equipped with individual baited hooks. The introduction and expansion of such large-scale operations have accelerated not only the economic

efficiency of tuna hunting, but also the depletion of tuna stocks in the region.

Domestic fishing by Pacific island countries has always been small in scale, and the total catch in national waters has normally been dominated by large distant-water fleets. Japanese vessels were the first such fleets to enter the region in the early 1960s, longlining for tuna on an industrial scale to supply the high demand in their home market. They expanded into the more capital-intensive and high-yielding purse seine fishing in the 1980s and were joined by Taiwanese and other East and Southeast Asian distant-water fleets over the next two decades.

Prior to the early 1980s, fishing was unregulated and access to the resource was free of charge. Large-scale tuna fishing by distant-water fleets raised fundamental questions about whether small Pacific island countries had rights over the fish swimming off their shores as well as about whether such practices were sustainable. These countries were receiving no compensation from foreign fleets and had no sovereignty over tuna resources beyond 12 miles from their shores.

## Asserting Fishing Sovereignty

In 1982, the United Nations Convention on the Law of the Sea legally recognised the rights of coastal and island states over the marine resources that swim within 200 miles of their shores, an area officially designated as an 'Exclusive Economic Zone' (EEZ). Pacific island countries used their new rights to license distant-water fishing vessels in exchange for the payment of fees.

The islands used forms of South-South inter-state cooperation to enforce and maximise fishing fee payments by foreign fleets and to implement needed management and reporting practices. These changes represented a radical transformation of the tuna fishing business in the region. However, fishing fees have remained small, generally never exceeding 6% of the value of the catch.

While the Law of the Sea granted Pacific island countries rights over tuna resources within their 200-mile zones, this sovereignty came with two caveats. First, coastal states were required to cooperate (with each other and with foreign fishing interests) to manage the highly migratory species. Second, coastal states were required to allow access to distant-water fleets if they could not adequately harvest the fisheries themselves (the so-called 'use it or lose it' clause). Lacking capital to build tuna vessels, the Pacific island countries therefore had to allow access to Japan, Taiwan and other countries with large fleets.

## Progressive Loss of Sovereignty?

After the Law of the Sea, Pacific island countries concluded a succession of regional agreements that limited fishing licenses and encouraged fishing-related investment in their domestic economies. This elicited

an array of responses from distant-water fishing nations and their tuna industries.

For example, at first, Japan responded to the increase in Pacific island sovereignty by trying to conclude negotiations with individual countries in order to harness the best possible terms for its vessels. The Japanese government also began informally tying its official aid to fishing access agreements with Pacific island countries. But by the 1990s, Japanese fishing vessels had begun to face stiff competition from other foreign fleets that were able to benefit from lower labour and operating costs.

In contrast to Japan's fleet, Taiwan's fleet began prospering by the 1990s due to its use of low-cost Chinese labour, innovative business strategies, emphasis on high-yielding purse-seine fishing and ready access to finance from large diversified Taiwanese firms. Other fleets also became active in the Western and Central Pacific. Increased competition for tuna enabled Pacific island states to begin charging moderately higher fishing fees. In short, commercial tuna fishing was rapidly expanding.

By 2000, the total tuna catch (both purse seine and longline) had reached over 1.4 million metric tons (see Table). However, the overriding emphasis of the industry was on expanding commercial operations, not conserving tuna resources. As scientific evidence of pending resource decline deepened, so did Pacific island state concerns about the escalating depletion of their tuna resources and persistently low economic returns.

### The Process of Regionalisation

Meanwhile, a 1995 follow-up agreement to the Law of the Sea (the UN 'Fish Stocks' Agreement) mandated the formation of regional organisations to facilitate cooperative management of transboundary fishing resources, including tuna. Negotiations beginning in the late 1990s between the Pacific island states and distant-water fishing nations led to the establishment of the Western and Central Pacific Fisheries Commission in 2004. The Commission was based on membership by both Pacific island countries *and* distant-water fleet states and was tasked with sustainably managing tuna in the Western and Central Pacific Ocean.

The Commission is a powerful body because it defines total allowable catch in the region and dictates how that catch is allocated to fishing interests, including determining allocation of fishing rights *within* Pacific island countries' 200-mile Exclusive Economic Zones. This meant that decision-making power had shifted from Pacific island countries alone to a UN-mandated international organization, in which richer countries had considerably more muscle and resources to apply to negotiations.

Consequently, the more powerful distant-water fishing countries began to gain more influence over the terms, conditions and outcomes of the allocation of property rights over the region's tuna fishery. These nations now include countries such as China, the Philippines, Republic of Korea, France, Canada and the United States in addition to Japan and Taiwan.

Distant-water fleets have used the Commission to lobby for their interests. Japan and other East Asian countries attempted to advance these interests by opposing the joint proposals of Pacific island countries. For example, they opposed a critical proposal to reduce the catches of bigeye and yellowfin tuna, the two most threatened species in the region. This dispute led to a stalemate in the Commission on catch limits and the allocation of fishing rights.

Although Pacific island governments are often blamed for depletion of tuna resources within their Exclusive Economic Zones, their negotiating power within the Commission has been relatively weak. While government representatives have had meagre ad hoc funding to attend the negotiating sessions of the Commission, the richer distant-water nations have been able to finance large, effective teams of negotiators. Moreover, countries such as Japan funded only the participation of delegates from Pacific island countries with which they had already solidified bilateral fishing access agreements, assuming that this practice would strengthen their bargaining position.

For current developments on fisheries trade and regulation, see the Forum Fisheries Agency *Fisheries Trade News*.



### Summary

Resource depletion and the lack of tuna-based economic development in the Western and Central Pacific Ocean have not been mainly due—as neoliberal discourse has presumed—to Pacific island government mismanagement or corruption. Instead, the source of these problems can be traced to the political economy context of modern distant-water fishing operations within the structure of an increasingly globalised production system.

Fleets compete for access to tuna and look to their 'home' countries to support their interests through bilateral arrangements with island countries and through securing greater power in regional decision-making bodies.

Pacific island governments have struggled to maintain regulatory control over their tuna resources while the more powerful member countries of the Commission have been able to use this international body to advance their own national economic agendas.

Though the Commission has been tasked with addressing overfishing and low economic rates of return to Pacific island countries, its regional decision-making structure and the commercial interests of foreign fleets have begun to erode Pacific island country control over their own tuna resources.

### References:

Havice, Elizabeth and Liam Campling (2010). "Shifting Tides in the Western and Central Pacific Ocean Tuna Fishery: The Political Economy of Regulation and Industry Responses", *Global Environmental Politics*, 10(1): 89- 114.

Secretariat of the Pacific Community (2007). "Western and Central Pacific Fisheries Commission Tuna Fishery Yearbook-Draft", Noumea.

### Footnotes:

<sup>1</sup> The complete list is Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu.

<sup>2</sup> Longline vessels target tuna primarily for consumption as sashimi (raw fish), and purse seines primarily for consumption as canned tuna.

\* *Political Science Department, Colorado College; and Center for Latin American Studies, University of California - Berkeley.*

\*\* *School of Business and Management, Queen Mary, University of London; and Department of Development Studies, SOAS.*