

# **INTERNATIONAL SYMPOSIUM ON THE SCIENCE OF PACIFIC TUNAS AND TUNA FISHERIES**

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## **“From the Pacific to the World: Navigating Global Policy Currents in the Governance of Tuna Fisheries in Pacific Island States”**

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### **Introduction**

Professor Yi Luo, Vice President Shanghai Oceans University,

Professor Quentin Hanich, of the Australian National Center for Oceans, Security and Resources (ANCORS) and Staff and colleagues from ANCORS

Dr. Graham Pilling, of the Secretariat of the Pacific Community (SPC), and Staff of SPC

Staff from the Shanghai Oceans University, the Forum Fisheries Agency, the Inter-American Tropical Tuna Commission, and fellow participants

I am pleased to be here and especially pleased to be speaking to you this morning on the subject of “From the Pacific to the World Navigating Global Policy Currents”.

The Pacific Island States are custodians of one of the planet’s largest and most biologically rich marine domains. Nowhere is this stewardship more consequential than the governance of tuna fisheries – a sector that sustains livelihoods, food security, and national revenues across our region. For Pacific peoples, the ocean is not merely geography; it is identity, culture, and continuity-our common heritage and our future.

Tuna lies at the heart of this relationship. It provides food and employment, and anchors economies, and symbolises the enduring link between tradition and modernity. Yet beyond its economic value, tuna embodies a principle; that those who live closest to the resource are its rightful custodians. This ethos of stewardship and sovereignty defines how Pacific Island States engage with global ocean space.

It is against this backdrop – where culture meets policy and sovereignty meets sustainability – that we explore how Pacific Leadership can continue to shape the global currents of marine governance.

## **Global Policy Frameworks Shaping Tuna Governance in the Pacific**

The governance of Pacific tuna fisheries is increasingly shaped by a complex web of international legal and policy frameworks that influence how the region manages, benefits from, and safeguards its ocean resources. Four key instruments – the WTO Agreement on Fisheries Subsidies, the 2030 Agenda for Sustainable Development (particularly SDG14), the BBNJ High Seas Treaty, and the International Tribunal on the Law of the Sea (ITLOS) and International Court of Justice (ICJ) Advisory Opinions on Climate Change – collectively define the evolving global seascape in which Pacific Islands States must navigate. Each offers opportunities for sustainability, equity, and recognition of Pacific stewardship, but also presents challenges if implementation fails to align with regional priorities and the sovereign rights of coastal States.

The WTO Agreement on Fisheries Subsidies, represents a landmark attempt to curb one of the root causes of overfishing: harmful government subsidies. For Pacific Islands States, long disadvantaged by the industrial capacity of subsidised distant water fleets, the Agreement offers potential corrective measures – levelling the playing field and reinforcing sovereignty over their tuna resources.

Similarly, the 2030 Agenda for Sustainable Development situates Pacific aspirations within the global framework, SDG14 (Life below Water) mirrors regional priorities long articulated through the Blue Pacific Narrative and the 2050 Strategy for the Blue Pacific Continent. While the 2023 agreement on Biodiversity Beyond National Jurisdiction extends the sphere of Pacific concerns beyond national waters into the global commons. The BBNJ Treaty fills a long-standing legal gap by creating mechanisms for high seas marine protected areas, environmental impact assessments, and benefit sharing from marine genetic resources. For the Pacific, it affirms their role as stewards of one interconnected ocean system and ensures that high seas governance complements, rather undermines, their regional conservation efforts.

## **Climate Change and the Law of the Sea: The ITLOS and ICJ Advisory Opinion**

Few issues are as existential for Pacific Islanders as climate change, particularly its impact on oceanic ecosystems and tuna fisheries that underpin their economies and food security. Scientific projections suggest that rising ocean temperatures, altered currents, and ocean acidification will drive the redistribution of tuna stocks away from the EEZ of coastal States. The shift could result in an estimated loss of up to 37% of government revenues from tuna by 2050 under current emission trajectories, devastating national economies and community livelihoods. The injustice is stark. Those who have contributed least to greenhouse gas emissions are poised to lose the most valuable resources sustaining their societies.

The International Tribunal on the Law of the Sea (ITLOS) decision that climate change constitutes a source of marine pollution, and the International Court of Justice (ICJ) advisory opinion on the global legal baselines for climate obligations have implications for the Pacific Island States. These twin rulings represent both a diplomatic triumph and a strategic opportunity. They provide a powerful legal foundation to advocate for enhanced mitigation by pollution emitters, greater access to climate finance, and recognition of climate impacts as a violation of international law. The synergy between the ITLOS and ICJ opinions strengthens the argument that protecting the ocean is inseparable from addressing climate change, embedding Pacific priorities at the heart of international legal order.

## **Regional Empowerment and Innovation: The Pacific Response**

Global policies set the stage, but it is at the regional and national level that Pacific Islanders have asserted agency to govern their tuna resources. Facing the dual pressures of external exploitation and global change, Pacific Island States have banded together to create pioneering arrangements that enhance their collective sovereignty and economic benefits. Chief among these is the Parties to the

Nauru Agreement (PNA) and its Vessel Day Scheme (VDS) – an exemplar of participatory regional governance and rights-based management. Alongside the PNA, institutions such as the Pacific Islands Forum Fisheries Agency (FFA) and the WCPFC (where Pacific states form a powerful bloc) have further cemented regional cooperation. This section discusses how these mechanisms work and how they bolster Pacific interests in light of the aforementioned global frameworks.

### ***Parties to the Nauru Agreement and the Vessel Day Scheme: Asserting Control and Capturing Value***

The most influential instrument of the PNA is the **Vessel Day Scheme (VDS)**, introduced in 2007. The VDS is a cap-and-trade management system that replaces open-access or effort-unlimited licensing with a controlled effort regime. Each year, PNA countries collectively set a Total Allowable Effort in terms of fishing days for purse seine vessels in their combined waters, based on scientific assessments of stock health. These fishing days are then allocated among the PNA members as “Party Allowable Effort” (PAE) – essentially a quota of days per country. Critically, PNA members agreed to pool access and not undercut each other on price, a sharp break from the past when fleets played one island off against another to obtain cheap licenses

Beyond revenue, the VDS has empowered Pacific states in intangible but important ways. It operationalizes the concept of Pacific islanders as **rights-holders**.

Overall, the PNA and VDS illustrate the power of regional collectivism grounded in customary principles (sharing, consensus, guardianship) to reshape economic relations with global industries. It exemplifies how Pacific Islanders are not passive recipients of global rules but are actively *making* rules and asserting their agency – in this case, redefining access to one of the world’s most valuable fisheries on their own terms.

### ***Strengthening Regional Institutions and Advocacy***

In addition to the PNA, Pacific Island States have a broader regional architecture supporting their fisheries governance. The **Forum Fisheries Agency (FFA)**, for example, provides technical expertise, legal support, and coordination for all Pacific Forum members (including those outside PNA) on fisheries matters. It was instrumental in the negotiation of multilateral access agreements and continues to facilitate a unified Pacific voice in the WCPFC. Through the FFA, Pacific states meet and decide common positions before facing distant-water nations in WCPFC meetings – a practice that has significantly increased their influence in setting conservation measures for tuna. The FFA’s Regional Surveillance Centre, which coordinates enforcement patrols and satellite vessel monitoring, has been crucial in combatting IUU fishing, thus complementing global efforts like the WTO agreement’s goals.

The Western and Central Pacific Fisheries Commission (WCPFC) itself, while an international body including major fishing powers, has seen strong leadership by Pacific states. The WCPFC Convention recognizes the special requirement of small island developing states to develop their fisheries, which Pacific members invoke in negotiations on quotas and management measures. In some cases, Pacific states have secured exemptions or phased implementation of certain rules for their domestic fleets under that principle. The dynamic of WCPFC has often been “FFA bloc vs. distant-water nations,” and frequently the FFA bloc has achieved its conservation proposals, such as limits on fish aggregating devices and high seas closure periods, demonstrating effective participatory governance at the international level.

Regionally, there is also increasing integration of fisheries policy with broader ocean policy. The establishment of the Pacific Ocean Commissioner role and the development of the 2050 Strategy for the Blue Pacific Continent signal a higher-level political drive to coordinate across sectors (fisheries, seabed minerals, climate, etc.) for a unified ocean strategy. This helps ensure that, for instance, what Pacific states advocate in climate forums (like the ITLOS and ICJ opinion) is consistent with their stance in fisheries forums (e.g., pushing WCPFC to account for climate impacts). It also feeds into how they engage with external partners, including major powers like the United States, European Union, and China, all of which have deep interests in Pacific tuna. Presenting a cohesive front – the

Blue Pacific voice – has been effective in managing external pressures, whether they be offers of bilateral fishing deals or geopolitical competition for influence. The Pacific’s insistence that partners recognize “*our collective approach as the Blue Pacific Continent*” is essentially a demand for respect for their self-determined regional frameworks.

### **Opportunities and Threats of Global Frameworks: A Pacific Assessment**

The interplay of global policies with Pacific tuna fisheries governance is a double-edged sword. As we have detailed, frameworks like the WTO subsidies agreement, the BBNJ treaty, SDG 14, and international legal opinions can significantly bolster Pacific Island States’ ability to conserve resources and enhance their benefits. They provide tools for Pacific nations to hold others accountable (e.g., calling out subsidized overfishing or climate inaction), and they can channel much-needed support to the region (through capacity building and funding commitments). Yet, these same frameworks can pose risks if not shaped and implemented in line with Pacific contexts and rights. In this section, we synthesize the dual nature of these global currents – opportunities vs. threats – and underscore what is needed to ensure the balance tips in favour of Pacific Island communities and their tuna-dependent economies.

#### **Opportunities:**

- *Enhanced Sustainability:* Global agreements drive stricter standards that help sustain tuna stocks long-term. For example, the WTO subsidies accord will pressure large fishing nations to eliminate subsidies that contribute to overfishing, which should reduce excessive fishing effort entering Pacific waters. Likewise, the high seas treaty will foster conservation measures in international waters, preventing those areas from becoming free-for-all zones that could drain tuna from adjacent EEZs. These contribute directly to maintaining healthy fish populations, which is in the Pacific interest ecologically and economically.
- *Legal and Moral Leverage:* Pacific SIDS gain moral authority by anchoring their demands in globally endorsed principles. Citing SDG targets or the ITLOS opinion provides a powerful narrative of justice – for instance, framing the issue of tuna redistribution due to climate change as “the ultimate climate justice issue.” This can galvanize international sympathy and action, as seen by the allocation of \$107 million by the Green Climate Fund for Pacific tuna adaptation. It also empowers Pacific negotiators; when they sit across the table at WCPFC or WTO, they can invoke global commitments that their counterparts have signed up to, strengthening the Pacific case.
- *Financial and Technical Support:* Many global frameworks come with mechanisms for support. The WTO Agreement is accompanied by the Fisheries Fund to help implement new rules; SDG 14 galvanizes donor projects (e.g., Japan and New Zealand funding FFA initiatives to improve monitoring and combat IUU); the BBNJ treaty sets up capacity building obligations on developed states; and climate agreements mobilize climate finance for adaptation. These streams of support can be directed to improve Pacific fisheries management – funding satellite technology, training observers, improving port inspections, and so forth. Technology transfer, such as satellite tracking or advanced stock assessment models, can give Pacific managers a better edge in sustainably harvesting tuna in a changing environment.
- *Global Market Advantages:* By aligning with global norms (sustainability certifications, labor standards, etc.), Pacific tuna products can gain an edge in markets. The PNA’s Marine Stewardship Council (MSC) certification for free-school skipjack tuna is a case in point, tapping into eco-conscious consumer segments. Additionally, should global rules penalize IUU-caught fish (as the EU’s “yellow card” system or US import restrictions do), Pacific-caught tuna from well-managed fisheries will be more attractive. Moreover, the WTO deal, by disciplining unfair subsidies, indirectly makes Pacific domestic industries slightly more competitive relative to heavily subsidized foreign fleets. Over time, as harmful subsidies wane, one might see a rationalization of the global fleet that leaves more space for Pacific-owned vessels.
- *Diplomatic Capital:* Pacific leadership in these global issues enhances their diplomatic standing. Winning an advisory opinion at ITLOS or brokering consensus in UN negotiations (as Pacific

states did in shaping some of the BBNJ text) showcases their leadership. This can translate into stronger voices in other forums and negotiations, beyond fisheries. For example, it reinforces the credibility of the *Blue Pacific* narrative that Pacific states are not small, insignificant islands, but key players offering solutions for global ocean governance. This helps in forging new partnerships – including with major powers like the EU and China – on Pacific terms, as these partners see the Pacific as effective and united.

### Threats and Challenges:

- *Implementation Burdens:* Global agreements often require capacity to implement that strains small administrations. New WTO transparency requirements (reporting subsidies, monitoring vessels for IUU) or BBNJ obligations (conducting environmental impact assessments, attending meetings) can overwhelm Pacific SIDS' limited fisheries departments if not matched with support. There is a risk that failure to comply (due to lack of capacity) could result in trade measures or other consequences. Thus, without genuine capacity building, these otherwise beneficial rules could turn into paper commitments with little on-water impact, or worse, create compliance costs that divert resources from actual fisheries management.
- *One-Size-Fits-All Rules:* Sometimes global policies may not fully account for local context. The fear, for instance, that subsidy prohibitions might inadvertently sweep in a small fuel subsidy that a Pacific government provides to its community fishing boats is an example. Pacific negotiators fought for exceptions to avoid this, but constant vigilance is needed as rules evolve. Similarly, conservation measures designed globally might not suit the ecological or social reality of the Pacific. An example could be rigid high seas protected areas that, if designed without Pacific input, might complicate migratory patterns or displace fishing effort into EEZs without solving the underlying issue. Pacific states will need to remain engaged to tailor global measures – perhaps seeking clauses for review and adaptive management that consider new scientific and socio-economic data.
- *Geopolitical Pressures:* Global frameworks can sometimes become arenas of big power politics, where the voices of small states risk being drowned out. There is concern that after the fanfare of adopting agreements like BBNJ, the real decision-making (e.g., on specific high seas MPAs or on the distribution of genetic resource benefits) might be dominated by wealthier nations in implementation committees. The Pacific must guard against marginalization in these processes. Additionally, as the concept of the Indo-Pacific (with major powers jostling for influence) overlays the region, Pacific states must navigate offers and pressures carefully – ensuring that partnerships for things like technology transfer remain focused on development and not tied to strategic ulterior motives that could undermine regional solidarity.
- *Economic Adjustment Risks:* Some global changes could bring short-term economic downsides. If, for example, certain foreign fleets reduce operations due to subsidy removal, Pacific states might lose some access revenue unless they quickly adjust by attracting different fleets or expanding domestic fishing. If high seas closures are enacted, fleets might concentrate more in EEZs, potentially leading to faster exhaustion of national days under the VDS (thus requiring VDS adjustment). Moreover, global market shifts – say, if carbon footprints become a factor and long-distance seafood trade is taxed – could affect Pacific tuna exports to distant markets. The region will need to stay agile in responding to such external economic shifts. This includes exploring new markets, possibly closer to home or emerging markets (including in Asia), and adding value to products to stay competitive.
- *Benefit-Sharing Equity:* While benefit-sharing is a mantra in global treaties, ensuring it actually happens is a challenge. The history of international promises to SIDS is mixed. Pacific leaders are rightly insistent that terms like “equitable benefit-sharing” in the BBNJ treaty or “differential treatment” in WTO must translate into real advantages – whether it is a fair share of profits from high seas genetic discoveries or leeway to build their industries. If these remain vague aspirations, the threat is a continuation of the status quo where wealth flows mostly to distant nations and corporations. It will take concerted pressure to establish, for example, a trust fund from BBNJ

monetary benefits that tangibly supports Pacific marine projects, or to secure extensions of time for subsidy transitions until Pacific fleets are truly competitive.

Given these opportunities and threats, Pacific Island States have been clear about what is needed: solidarity, advocacy, and strategic partnerships. By presenting united positions (the strength of the Blue Pacific narrative), they punch above their weight in negotiations, mitigating the risk of bad outcomes. They also emphasize the principle of *common but differentiated responsibilities*, asserting that global frameworks must account for their limited contribution to problems (like emissions or overfishing historically) and their limited capacities. They call for genuine partnerships – not donor-client relationships – where technology and knowledge are shared in good faith. This includes South-South cooperation (e.g., learning from Caribbean SIDS or Indian Ocean states on similar issues) and triangular cooperation involving major powers but on Pacific terms.

### **Conclusion: From the Pacific to the World – Charting a Course for Equity and Sustainability**

The governance of tuna fisheries in the Pacific Island States stands at a defining juncture – one where local values of stewardship and communal benefits meet the powerful tides of global regulation and climate change. Pacific Leaders have demonstrated that their voices and ideas are neither peripheral nor reactive but central in shaping international fisheries governance. Through mechanisms such as the Vessel Day Scheme, the ITLOS and ICJ Opinion, and advocacy for SDG14, they have anchored a distinctly Pacific philosophy of custodianship, consensus, and equity within global policy frameworks. This synthesis of international law and indigenous principles illustrates the evolution of Pacific government from rule-takers to rule-shapers, ensuring that external influences are interpreted and applied through Pacific lenses. The guiding principle remains clear: global policies must serve Pacific peoples first – from the fishers on a remote atoll to the youth who will inherit the ocean's bounty.

As the world increasingly looks to the oceans for sustenance, innovation and climate resilience, the Pacific experience offers profound lessons in equity and sustainable governance. These island nations, though small in landmass, command vast ocean spaces and have pioneered a multi-layered governance model that harmonises local traditions, regional cooperation and global norms. Their diplomacy – encapsulated in the “Blue Pacific” narrative – continues to redefine the meaning of oceanic leadership, rooted in unity, custodianship, and fairness. The Pacific journey “from the islands to the world,” thus becomes both a metaphor and a mandate; a reminder that sustainable oceans governance must be built on partnership, shared responsibility, and respect for those most intimately connected to the sea. The Pacific's message to the world is resolute – they are not merely beneficiaries of the oceans, but its guardians, and the world's collective future depends on walking beside them on this course.