



**COMMISSION  
EIGHTEENTH REGULAR SESSION**  
Electronic Meeting  
1 – 7 December 2021

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**REFERENCE DOCUMENT ON TCC17 RECOMMENDATIONS  
FOR AGENDA 10**

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**WCPFC18-2021-28  
5 November 2021**

**Paper by Secretariat**

**A. Introduction**

1. The purpose of this paper is to provide as a quick reference guide to the recommendations of the Technical and Compliance Committee (TCC17) which are related to the Compliance Monitoring Scheme. These recommendations will be covered under Agenda Item 10 and the specific recommendations that require the Commission decision are **highlighted**. A copy of the full draft TCC17 Summary Report is posted to TCC17 meeting page <https://meetings.wcpfc.int/meetings/tcc17>.

**B. TCC17 Recommendations for Consideration and Adoption of the Final Compliance Monitoring Report [Agenda Item 10.1]**

2. The relevant recommendations of the TCC17 for WCPFC18 decision with appropriate referencing, are listed below.
  - i) TCC17 agreed on the proposed CMS process which was amended from that outlined in TCC17-2021-09 as follows:
    - a. for TCC17, information in the CCFS on cetaceans and whale shark (CWS) interactions was excluded from consideration of the aggregated tables.
    - b. the process set out in Circular 2021/68 for consideration of the Aggregated Tables applied with respect to the effect on a CCM's compliance score for 2020. (*draft TCC17 Summary Report para 61*)
  - ii) TCC17 submitted the Provisional CMR, containing its provisional compliance assessment, and **recommends** the report to WCPFC17 for its consideration and final assessment. (*draft TCC17 Summary Report para 63*)

**C. TCC17 Recommendations for Work to progress the CMS future work included in Section IX of CMM 2019-06 Compliance Monitoring Scheme(CMS-IWG) [Agenda Item 10.2]**

3. The relevant recommendations of the TCC17 for WCPFC18 decision with appropriate referencing, are listed below.

**Streamlining of Annual Reporting, specifically the trial of Annual Catch and Effort (ACE Tables)**

- iii) TCC17 noted the positive effect of improvements made to streamline annual reporting requirements set out in TCC17-2021-10 that were implemented in 2021 and supported their continuation. (*draft TCC17 Summary Report para 77*)
- iv) TCC17 requested the Secretariat to consider suggestions raised by CCMs at TCC17 and to report back to TCC18. (*draft TCC17 Summary Report para 78*)

**Update on improving the online Compliance Case File System**

- v) TCC17 noted the CCFS enhancements implemented in 2020 and 2021 and the delay in the delivery of further enhancements requested by CCMS which are not feasible using the existing Secretariat IT platforms. (*draft TCC17 Summary Report para 88*)
- vi) TCC17 noted the workplan of activities to support and implement a redevelopment of the CCFS and provided further guidance on additional enhancements based on their experience with the current system. (*draft TCC17 Summary Report para 89*)
- vii) TCC17 requested the Secretariat to consider suggestions raised by CCMs at TCC17, and tasked the Secretariat to provide an update to TCC18 on progress on the implementation of the proposed CCFS enhancements. (*draft TCC17 Summary Report para 90*)

**Continuation of Compliance Monitoring Scheme Intersessional Working Group to progress the CMS Future Work tasks**

- viii) TCC17 **recommended** that WCPFC18 task the TCC Chair to lead further intersessional work on a revised process to implement para 26(ii) of CMM 2019-06 for the consideration of aggregated summaries of information drawn from the online Compliance Case File System ahead of TCC18. (*draft TCC17 Summary Report para 110*)
- ix) TCC17 noted that the TCC Chair would work intersessionally with CCMs to provide advice to the Commission on key elements of this work, including the views expressed at TCC17. CCMs were encouraged to provide views and recommendations to the TCC Chair as soon as practicable and no later than 1 November 2021. (*draft TCC17 Summary Report para 111*)
- x) TCC17 noted the need for a clear pathway to progress the work of the CMS-IWG and tasked the CMS-IWG Chair (the TCC Vice Chair) to work with the leads of the work streams to provide advice to WCPFC18 on a workplan for the IWG for 2022. (*draft TCC17 Summary Report para 112*)

- xi) TCC17 **recommended** that in future presentations of the aggregated tables, CCFS cases are reported by zone as well as by flag if applicable, as well as information of observer provider. (*draft TCC17 Summary Report para 113*)
- xii) TCC **recommended** that the CMS-IWG, with assistance from the Secretariat, develops intersessionally a working paper aiming at: i) clarifying the nature of the information and data that populate the excel file supporting the dCMR, based on the WCPFC Rules for protection, access and dissemination of data held by the Commission, ii) identifying instances (categories in this excel file that supports the dCMR) that are likely to include data that could be in breach of such rules and iii) formulating suggestions for addressing the risk of unintended release of non public domain data during the dCMR process. (*draft TCC17 Summary Report para 115*)
- xiii) TCC17 noted the updated discussion paper prepared by the Lead of the Risk-Based Assessment Framework (TCC17-2021-13B\_rev2), and the proposal for a small Working Group to meet in early November to test the use of the Risk-Based Assessment Framework in developing the priority list of obligations for assessment in 2022, which will be considered by WCPFC18. (*draft TCC17 Summary Report para 116*)

#### **D. TCC17 Recommendations for Expiry of CMM 2019-06 [Agenda Item 10.3]**

- 4. The relevant recommendations of the TCC17 for WCPFC18 decision with appropriate referencing, are listed below.
- xiv) TCC17 acknowledged the delay in completing the work to enhance the CMS, but reaffirmed its commitment to do so, and urged the WCPFC18 to take action as needed to allow the TCC to fulfill its function of monitoring and reviewing compliance with conservation and management measures. (*draft TCC17 Summary Report para 120*)

#### **E. TCC17 Recommendations for List of obligations to be reviewed by the Compliance Monitoring Scheme in 2022 [Agenda Item 10.4]**

- 5. The relevant recommendations of the TCC17 for WCPFC18 decision with appropriate referencing, are listed below.
- xv) TCC17 **recommended** that WCPFC18 agree to consider the effects of COVID-19 in developing the list of obligations for assessment, and in assessing CCM compliance with obligations through the CMR in 2022. In making this recommendation, TCC17 noted that this does not represent a suspension of any obligation; rather this is a recognition of the genuine impact that the COVID-19 pandemic will have on the ability of the TCC to assess this obligation. TCC17 further noted that the decision not to assess this obligation does not remove CCMs' obligation to comply with this provision. (*draft TCC17 Summary Report para 114*)

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