



**The Commission for the Conservation and Management of
Highly Migratory Fish Stocks in the Western and Central Pacific Ocean**

Eighteenth Regular Session of the Technical and Compliance Committee

Electronic Meeting 21–27 September, 2022

SUMMARY REPORT

Issued: 20 December 2022

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SUMMARY REPORT

AGENDA ITEM 1 — OPENING OF MEETING

1.1 Welcome

1. Ms. Emily Crigler (USA), Vice-Chair of the Technical and Compliance Committee (TCC), serving as Acting TCC Chair, welcomed delegates and participants to the 18th meeting of the Western and Central Pacific Fisheries Commission (WCPFC) Technical and Compliance Committee (TCC18). The meeting, which was convened remotely via Zoom in response to the coronavirus disease (COVID-19) pandemic, began at 10:00 am Pohnpei time on 21 September 2022.

2. Mr Poi Okesene (Niue) offered the opening prayer.

3. The WCPFC Chair Ms. Jung-re Riley Kim (Korea) acknowledged the Acting TCC Chair Ms. Emily Crigler (USA), the WCPFC Executive Director Feleti Teo, OBE and his team at the Secretariat, and in particular the Compliance Manager, Dr. Lara Manarangi-Trott and her compliance staff. She also acknowledged the TCC Chair, Mr Mat Kertesz, noting that he was unfortunately unable to be present to chair TCC18. She praised the efficiency and professionalism of the WCPFC Secretariat and stated that the WCPFC has been recognized internationally for its progressive efforts with respect to compliance monitoring and enforcement. She highlighted a number of the issues on the agenda of TCC18, and noted her appreciation to the chairs and co-chairs leading various intersessional work in support of the work of TCC. She stated she looked forward to the discussions at TCC18, and the outcomes that would support the work of the Commission at WCPFC19.

4. The WCPFC Executive Director joined the Commission Chair and the Acting TCC Chair in welcoming all delegates and participants to TCC18. He offered his condolences to the TCC Chair, and stated that the Commission's thoughts and prayers were with Mat and his family. He noted the substantial agenda, despite the deferment, to TCC19, of consideration of the draft Compliance Monitoring Report (dCMR) covering 2021 activities. He stated that the Secretariat appreciated the significant intersessional work undertaken to enhance the efficiency, effectiveness, and equity of the CMS, noting that the reforms emanated from the dedicated review undertaken in 2017, and included development of audit points and a risk-based assessment framework (RBAF), guidelines for the participation of observers in closed meetings of the Commission considering compliance monitoring; and a process for reviewing aggregated information drawn from the compliance case file system (CCFS). He noted that these are substantial bodies of work. He acknowledged the efforts of the Audit Point and RBAF Leads, and the TCC Vice Chair and the TCC Chair in leading these work streams, and the work of the Secretariat's Compliance Manager and her team in pursuing the reforms. He noted this involved a heavy workload for the Secretariat, and expressed the hope that given the completion of this extensive groundwork for these reforms, TCC would be able to progress the reforms so that they could be enacted by the Commission. He stated that despite considerable effort the Secretariat faced severe challenges in implementing some aspects of the TCC workplan, and

stated that development of dCMR in 2022 involved considerably more work than in the past because of the addition of new obligations. He noted that under Agenda Item 9 CCMs would have a chance to discuss the work forecast for the Secretariat and advised that TCC should be cognizant of the resource implications on the Secretariat of TCC recommendations to the Commission. The Executive Director's full remarks are provided in **Attachment A**.

5. The Acting TCC Chair noted that there was a substantial body of work to be completed at TCC18, much of it focusing on the CMS. She expressed her gratitude to the Audit Point and RBAF leads for the work they had undertaken, and thanked the Secretariat for its dedication to the tasks before TCC. She also thanked the members of the CMS IWG for their intersessional efforts, noting that good feedback had been received. She stated she looked forward to making progress toward development of strong recommendations to forward to the Commission.

6. The following members, cooperating non-members and participating territories (CCMs) attended TCC18: American Samoa, Australia, Canada, China, Cook Islands, Curacao, Ecuador, El Salvador, European Union (EU), Federated States of Micronesia (FSM), Fiji, France, French Polynesia, Indonesia, Japan, Kiribati, Republic of Korea, Liberia, Republic of the Marshall Islands (RMI), Nauru, New Caledonia, New Zealand, Nicaragua, Niue, Palau, Panama, Papua New Guinea (PNG), Philippines, Samoa, Solomon Islands, Chinese Taipei, Thailand, Tokelau, Tonga, Tuvalu, United States (USA), Vanuatu and Vietnam.

7. Representatives from the following intergovernmental organisations attended TCC18: the Pacific Islands Forum Fisheries Agency (FFA), North Pacific Fisheries Commission (NPFC), the Parties to the Nauru Agreement (PNA), and the Pacific Community (SPC).

8. Observers representing the following organisations also attended TCC18: Advocates for Public Interest Law (APIL), Australian National Centre for Ocean Resources and Security (ANCORS), BirdLife International, Global Fishing Watch (GFW), International Pole and Line Foundation (IPNLF), International Seafood Sustainability Foundation (ISSF), Organization for Regional and Inter-regional Studies (ORIS), Pew Charitable Trusts (Pew), The Ocean Foundation, World Tuna Purse Seine Organisation (WTPO), and World Wide Fund for Nature (WWF). A list of attendees is provided as **Attachment B**.

1.2 Adoption of agenda

9. A provisional agenda for TCC18 was posted on 1 July 2022, and the meeting arrangements for TCC18 were confirmed and a revised provisional agenda (**TCC18-2022-02_rev1**) posted on 17 August 2022. Several modifications to the agenda were discussed at the Heads of Delegation meeting on 20 September, and these changes incorporated into the agenda as adopted by TCC18 (**TCC18-2022-02_rev2**).

10. The agenda was adopted (Attachment C).

1.3 Meeting arrangements

11. TCC18 established the following small working groups (SWGs):

- CNM SWG, led by James Van Meurs (Australia);
- Audit Points SWG (AP-SWG), led by Rhea-Moss Christian (RMI); and
- Risk-based assessment framework (RBAF) SWG, led by Heather Ward (New Zealand).

12. The Acting TCC Chair outlined the meeting arrangements and indicative schedule (**TCC18-2022-01_rev1**).

13. The meeting arrangements for TCC18 were confirmed without adjustment.

AGENDA ITEM 2 — ANNUAL REPORT OF THE EXECUTIVE DIRECTOR

14. The Acting TCC Chair referenced the Executive Director’s Annual Report (**TCC18-2022-04**) posted on 18 September, which provides a consolidated overview of the key issues and challenges confronting each of the compliance tools and programmes that constitute the Commission’s integrated MCS and Compliance programmes. She stated that the details of each of the compliance tools and programmes are the subject of other working papers and required reports, which are referenced in the report, and noted that the report emphasizes that the outcomes of TCC18 will be important in determining the Secretariat’s workload for the next few years. The Acting TCC Chair noted that there had been no comment to date on the Annual Report in the ODF, where it was included as Topic A.

15. Australia on behalf of FFA members thanked the Executive Director for his Annual Report and also other relevant papers that support the various TCC18 agenda items. They noted the large number of late TCC papers, stating that this made CCMs’ preparation for the meeting very challenging. They also noted that the Secretariat, in the past, forecasted its commitment for TCC for the following twelve months and much of the workload anticipated. They recognised that the various impacts of COVID-19 had caused unforeseen capacity issues at the Secretariat, and made meeting its workplan particularly challenging. FFA members stated they support finding ways in which the Commission can assist the Secretariat to mitigate such unforeseen impacts in the future.

16. TCC18 noted the Annual Report of the Executive Director, an overview report of the MCS and Compliance Programmes (**TCC18-2022-04**).

AGENDA ITEM 3 — IUU VESSEL LIST

17. The Acting TCC Chair referenced **TCC18-2022-06 WCPFC IUU Vessel List**, which was posted to the TCC18 meeting page website on 19 August 2022. There were no submissions received by the Secretariat of presumed IUU vessels, and no new vessels nominated for consideration. The Acting TCC Chair observed that the three vessels on the list have been there for some time, and that TCC’s task, in accordance with CMM 2019-07, is to recommend any proposed changes to the current WCPFC IUU Vessel list, as appropriate.

18. New Zealand on behalf of FFA members supported the retention of the three fishing vessels Neptune, Fu Lien No.1 and Yu Fong 168 on the current WCPFC IUU Vessel list. They noted with concern that with the exception of the name of the master for Yu Fong 168 provided by Chinese Taipei, there has been no new information provided in accordance with CMM 2019-07, and stated that vessels have been on the WCPFC IUU List for over 10 years, which continues to be a serious concern to FFA members, especially as these vessels have been listed in other regional fisheries management organization (RFMO) IUU Lists. FFA members recalled they have stated many times that CCMs need to collectively think of innovative ways to deal with this issue, so that it does not become routine to simply roll over this IUU List each year. FFA members supported a recommendation to the Commission that the Executive Director be tasked to undertake the various tasks identified in paragraph 388 of the WCPFC17 Summary Record.

19. Fiji on behalf of FFA members stated that at TCC17, FFA members requested Chinese Taipei to respond to specific questions relating to the three vessels. FFA members noted that the questions were conveyed to Chinese Taipei during TCC17 and are reflected in the report of the meeting, and were restated by FFA members on the TCC18 ODF, under Topic N. They stated they look forward to receiving a response.

20. The Executive Director stated that as directed by the Commission at WCPFC17, the Secretariat corresponded with CCMs, relevant RFMOs, and the flag States of vessels on the WCPFC IUU Vessel List, but received no new information; the Executive Director stated the Secretariat had no updates to the WCPFC IUU Vessel List.

21. Later in the meeting, New Zealand on behalf of FFA members thanked Chinese Taipei for the comments posted on the ODF under Topic N. They indicated that due to the late arrival of the information it had not yet been considered by the FFA membership. New Zealand stated that FFA members would provide a reply to Chinese Taipei at WCPFC19.

22. TCC18 recommended to WCPFC19 that the three fishing vessels **NEPTUNE, FU LIEN No.1** and **YU FONG 168** on the WCPFC IUU Vessel List in 2022 remain on that list for 2023.

23. TCC18 tasked the Executive Director to liaise actively with flag CCMs and former flag States as well as other RFMOs to ascertain information on these vessels, their masters and on the beneficial owners of the vessels.

AGENDA ITEM 4 — CNM REQUESTS

4.1 Assess applications for CNM status and provide recommendations and advice on CNM applications

24. The Acting TCC Chair stated the Secretariat received eight requests for grant of CNM status in 2023, that all were renewal applications, and that TCC's task in accordance with CMM 2019-01 was to consider the applications for CNM status for 2023, and make recommendations and technical advice to the Commission. She noted that all current CNMs had registered for TCC18. **TCC18-2022-07_rev1 CNM Requests for 2023** (posted 20 September) details the dates of receipt of each request, the status of financial contributions, and includes as attachments copies of letters and communications related to the requests. TCC18 established a CNM SWG (chaired by Australia) to develop draft recommendations and technical advice for TCC18 to consider for recommendation to the Commission.

25. Following its deliberations, held via email and electronically, the Chair of the CNM SWG provided a report from the CNM SWG. In his comments the CNM SWG Chair noted that Panama had participated constructively in the SWG.

26. The EU shared its concerns regarding the recent serious incidents in the NPFC involving vessels flagged to Panama and commended both the Japanese and Korean authorities for their actions taken to combat IUU fishing in relation to these incidents.

27. PNG stated that a number of vessels from Panama had been operating in PNG waters over the prior year. They referenced concerns raised by Japan with respect to the North Pacific Fisheries Commission (NPFC) Convention Area, and stated that their own concerns, although not previously registered at TCC18, were similar. They stated that although they were unable to raise their concerns in time to have them

considered by the CNM SWG at TCC18, they wished to be on record regarding this issue, and sought a response from Panama regarding the concerns they had raised.

28. The USA noted that NPFC was undertaking a separate compliance process that might not be complete prior to the WCPFC19.

29. The CNM SWG Chair noted the CCM's comments, and suggested updates regarding the situation, including control and enforcement measure implementation, be made by Panama to WCPFC19 to inform the Commission decisions.

30. TCC18 provided the following decisions and recommendations to WCPFC19 on Cooperating Non-Member (CNM) requests:

a) TCC18 has reviewed the following eight applications for renewal of CNM status and is forwarding them to WCPFC18 for consideration: Curacao, Ecuador, El Salvador, Liberia, Nicaragua, Panama, Thailand, and Vietnam.

b) TCC18 noted with appreciation the attendance and participation of Curacao, Ecuador, El Salvador, Liberia, Nicaragua, Panama, Thailand, and Vietnam at this year's meeting.

c) TCC18 reminded CNM applicants of the obligations included in CMM 2019-01, particularly paragraph 3 and paragraph 11(a), which states that CNMS shall "*comply with all conservation and management measures adopted by the Commission.*"

d) TCC18 noted that while it is tasked with taking into consideration the record of compliance of CNM applicants with the provisions of the Convention and the conservation and management measures adopted by the Commission, the record of compliance will not consider the review of the CMR (2021 RY) this year.

e) TCC18 reminded CNM applicants of the importance of flag state's control over its flagged vessels, and encouraged them to continue to make improvements to the management of flagged vessels.

f) TCC18 considered paragraph 2.1 of the CNM applications: "2.1 Submitted full historical data?" and recommended an additional field "N/A" be applied as this paragraph is not applicable to all CNM applicants.

g) TCC18 further reminded CNM applicants of the considerations specified in paragraph 3(a) of CMM 2019-01, which include "*the attendance by an applicant for CNM status at the TCC meeting where its application is considered, subject to the applicant being able to attend the meeting as an observer.*" TCC18 thanked all CNM applicants for their attendance and participation in TCC18 and the CNM SWG.

h) TCC18 noted that seven of the eight CNM applications have paid financial contributions in full prior to the commencement of TCC18. TCC18 reminded CNM applicants to ensure that financial contributions are paid in a timely manner and referred to TCC15 recommendation that CNM Contributions are treated with the same expectations applied to full members "contributions from members are "*due and payable in full within 60 days of the receipt of the communication of the Executive Director referred to in regulation 5.3 above, or as of the first day of the calendar year to which they relate, whichever is the later.*"

i) TCC18 noted Liberia's statement that it paid its financial contribution during the meeting. TCC18 noted the status of Liberia's contribution was considered paid, confirmed by the WCPFC Secretariat during TCC18.

j) TCC18 noted that seven of the eight applications for CNM renewal status were complete and complete applications were received from Curacao, Ecuador, El Salvador, Liberia, Nicaragua, Thailand and Vietnam.

k) TCC18 sought further information from one of the eight applications for CNM renewal status from Panama:

(i) TCC18 noted recent serious incidents involving Panama's flagged vessels in the NPFC Convention area. TCC18 noted the investigation conducted by one CCM on a carrier vessel flagged to Panama, pursuant to the Port State Measures Agreement, which resulted in the identification of a number of infringements relating to obligations under NPFC. TCC18 sought further information from Panama regarding its application relating to ensuring effective flag state control over its flagged vessels, including in response to alleged violations or IUU activities.

(ii) TCC18 noted Panama's response to concerns raised by several CCMs about Panama's efforts to deter and eliminate IUU fishing associated with flagged vessels. TCC18 noted Panama's preliminary efforts on carrying out actions to ensure corrective measures, including proposing the vessel of concern be added to the NPFC draft list of IUU vessels. TCC18 forwards this matter to WCPFC19 for its consideration, and requests Panama to provide to the Commission detailed information about all control and enforcement measures adopted as a flag State (as well as status of their implementation), including any follow up actions regarding the issues identified by TCC18, to allow the Commission to make an informed final decision on the matter. TCC18 reiterated its reminder under Recommendation e) to specifically encourage Panama to make efforts to make improvements to the management of its vessels.

Nicaragua's request for an extension of its CNM Participatory Rights:

31. TCC18 noted Nicaragua's request for additional CNM participatory rights and referred to WCPFC18's request that Nicaragua provide further information to support its request.

32. TCC18 noted that extension of CNM Participatory Rights is generally a consideration for the WCPFC Commission meeting and encouraged Nicaragua to provide further detailed information regarding this request, including an assessment of the vessel type, implications of a further vessel, and areas intended to be fished, to the early attention of the WCPFC19 for a complete assessment of its proposal.

AGENDA ITEM 5 — MONITORING AND REVIEW OF COMPLIANCE

33. Dr Quentin Hanich (Niue) presented **TCC18-2022-IP01** *Approaches to Evaluate and Strengthen RFMO Compliance Processes and Performance*. He noted the paper is an initiative of Pew and ISSF, and presents recommendations from an expert review group on strengthening RFMO compliance processes. In 2020 and 2021, Pew, in collaboration with ISSF, convened three Virtual Expert Workshops that brought together over 60 experts including RFMO compliance officers, chairs of RFMO compliance committees, representatives from international organizations, non-governmental organizations (NGOs), academia and civil society. The workshops identified and discussed key challenges in the current RFMO compliance assessment processes and explored potential solutions to strengthen and enhance these processes. After the Virtual Expert Workshops, a small group of internationally recognized experts reviewed the collection of workshop outcomes and findings and prepared a set of recommendations and guidance to evaluate and strengthen RFMO compliance processes and overall RFMO performance. This report contains those recommended approaches, tools and guidance, which are intended to be used to develop new compliance assessment processes and serve as a model against which existing RFMO compliance assessment processes can be evaluated and strengthened. The authors recognize that the environment within which RFMO compliance assessment processes have been designed, developed, and operate is extremely complex. As a result, the approaches, tools and guidance are designed to be independent of the dynamics of a particular RFMO and yet provide a practical set of recommendations, tools and approaches intended for the development, design, implementation, enhancement and performance review of RFMO compliance assessment processes.

34. The report is divided into three main sections. Section 1 provides context on the overarching purpose of compliance assessment processes and the principles by which they should be implemented (fair and impartial; legitimate; transparent; targeted; effective; efficient; and cooperative). Section 2 identifies guidance for the elements of compliance assessment processes, including those that sit outside the processes but directly impact them and those that make up the assessment of compliance. Ten elements are outlined: establishment and governance of compliance assessment processes; obligations to be assessed; data submission; data collation, analysis and presentation; evaluation of implementation and compliance; decision-making; compliance responses; capacity of developing states; cooperation; and monitoring, evaluation and review. A rationale and context are provided for each element. Implementation guidance is then provided for each element to support the effective implementation of compliance assessment processes and ensure that they achieve their purpose and operate by agreed principles.

35. A third part, presented in Annex 1, outlines a methodology to assess the effectiveness of an RFMO compliance process from both a conceptual perspective, and its application, through the use of radar /spider plots. This section describes how this methodology might be applied and outlines two general elements that can be assessed this way: (1) the basic underpinnings of a compliance process that can be loosely described as governance, and (2) how those underpinnings are applied in an operational sense. The report identifies key attributes of an effective and well-designed RFMO compliance assessment process. RFMO compliance processes can be evaluated, either formally or qualitatively, against these attributes to identify areas where effective approaches are being used, and where they can be strengthened. A summary of the approaches is provided in an evaluation method, through the use of radar plots, that draws a distinction between governance (whether there is a process and support for compliance) and operations (how well does the system function in practice). Annex 2 provides a summary of the key recommendations developed through the course of the workshops and Annex 3 provides a glossary.

36. The report outlines five general areas for RFMOs to consider in evaluating and strengthening their compliance assessment processes: (1) ensuring that the governance process is well defined; (2) that its operations are undertaken transparently and with a goal of demonstrating the effectiveness of and continual improvement in the implementation of the agreed management actions; (3) that there is a robust follow up

process on compliance that allows demonstration of progress over an extended period of time; (4) that the compliance process is based on clearly identified priority obligations; and (5) that there are pre-agreed responses to non-compliance.

5.1 Review progress of the work included in the multi-year workplan of tasks to enhance the CMS by the CMS-IWG

37. The Acting TCC Chair, in her role as CMS-IWG Chair, noted that a draft workplan for the CMS IWG was presented for consideration by WCPFC18. Based on amendments to the Commission's CMS (CMM 2021-03), the Commission noted the following (WCPFC18 Summary Report, paragraph 332):

332. The Commission noted that the CMS-IWG workplan will be modified intersessionally to take into account the approach to the Commission's Compliance Monitoring Scheme in 2022 and 2023.

38. The Acting TCC Chair noted that an updated workplan with request for comments was circulated to members on 20 April, 2022 (Circular 2022/19), and all suggested changes were incorporated into the updated workplan, which takes into consideration amendments included in CMM 2021-03 and adopted at WCPFC18 regarding (i) deferment of the CMR process in 2022 to enable TCC to complete the CMS future work components of the workplan; (ii) completion by TCC18 of audit points, an RBAF and development of guidelines for observer participation in the CMS, and provision of recommendations to WCPFC19 to support WCPFC19's adoption of these work areas; and (iii) consideration of the process for reviewing the aggregated tables, other components of the CMS Future Work, further improvements to the compliance case file system, and appropriate compliance assessment decision making processes.

39. CCMs held extensive discussions regarding the items covered by the workplan during the course of TCC18, and these discussions are included under the specific agenda items.

40. TCC18 noted the imbalance between the information available for monitoring compliance between the longline and purse seine fisheries and recommended that the Commission recognise the need to address this imbalance.

41. TCC18 noted that compliance with some obligations cannot be independently verified from available data sources. TCC18 recommended that WCPFC19 task the Secretariat to develop a paper, which identifies those obligations for which there is a lack of independently verifiable data, as well as potential sources of data that could provide independent verification of those obligations, for review by TCC19.

42. TCC18 recommended that the Commission prioritize the development of additional data collection mechanisms for some obligations to allow for more timely and verifiable data to feed into the CMR process. TCC18 noted in particular there is ongoing work related to ER&EM and transshipment reporting that will allow for more verifiable data to feed into the CMR process.

43. TCC18 noted that some quantitative limits and baselines for some CMMs are not easily accessible to CCMs. TCC18 recommended that WCPFC19 task the Secretariat to publish tables of CCM's limits and baselines for all relevant CMMs, and notes on their sources.

44. TCC18 noted that greater clarity about the basis for determining applicability of obligations may assist CCMs with their annual reporting. TCC18 recommended that WCPFC19 task the Secretariat to update and develop additional guidelines to support determining the applicability of obligations for

review by TCC19. TCC18 recommended that once the applicability has been reviewed by TCC, it is integrated and held on file in the Annual Report Part 2 reporting system.

45. TCC18 noted that additional guidance on reporting statements of implementation may assist CCMs with their annual reporting. TCC18 recommended that WCPFC19 task the Secretariat to update and develop additional guidelines to support CCMs reporting of statements of implementation for review by TCC19.

46. TCC18 recommended to WCPFC19 that it task the Secretariat to maintain the information relevant to the Risk Based Assessment Framework, a list of all binding obligations, audit points, data sources, compliance history and other information which supports the dCMR in one place associated with information related to the Compliance Monitoring Scheme and Conservation and Management Measures.

(a) Develop audit points to clarify the assessment of existing obligations under the CMS

47. Ms Rhea Moss-Christian (RMI), CMS-IWG Audit Point Lead and Chair of the Audit Points SWG (AP-SWG) at TCC18, noted that **TCC18-2022-10A** *WCPFC Compliance Monitoring Scheme Audit Points -CMS-IWG Supplementary Draft* and **TCC18-2022-10B** *WCPFC Compliance Monitoring Scheme Audit Points – Reference paper for TCC18* were considered by the AP-SWG in carrying out its audit point review. She stated that the focus was on the 60 obligations selected by the Commission for its review of 2021 activities, which are covered in **TCC18-2022-10A** (the document includes comments from IWG members). She noted that in its past CMR reviews TCC had been working with about 90% of the criteria that would be discussed, and generally reached consensus on these. She also noted the AP-SWG sought to confirm the sources of data that are used to confirm compliance.

48. The AP-SWG Chair stated that SWG participants provided initial views on the Decision Points contained in Section II of **TCC18-2022-10A**. Additional points raised by SWG participants on each draft audit point were subsequently reflected, where relevant, in the agreed draft audit point. The AP-SWG Chair acknowledged that most of the draft audit points are not new and that they reflect existing evaluation criteria that the TCC has been using for several years. The SWG confirmed the purpose of the audit points work to make compliance evaluation criteria clear, transparent, and objective.

49. She noted the following key points that were raised in the course of the AP-SWG discussions:

- It was suggested the remaining five Limit Obligations and 30 Report Obligations should be prioritized after agreeing to the audit points in the working paper.
- It would be useful to standardize reporting against Implementation Obligations.
- Verification of information submitted pursuant to Report Obligations could be resource-intensive for the WCPFC Secretariat as well as time consuming, so a peer review by CCMs could be an option for reviewing adequacy of information submitted in required reports.
- The CMR review report should indicate those assessments of Limit Obligations for which no independent data is available to verify compliance and recommend that the Commission find ways to address this gap.
- It would be useful to clarify and make transparent the available sources of data to verify and confirm implementation, noting that agreement on a list of data sources is not required to agree to a draft audit point, nor does a list of agreed data sources need to be referred to the Commission.
- It would be useful to confirm the applicability of obligations, but this is not necessary to agree to an audit point.

- The language in paragraph 7(ii)(b) of CMM 2021-03 “...and has taken action in relation to potential infringements” should not be interpreted as a reference to scrutinizing individual vessel-level cases that originate through the CCFS.
- The development of audit points is not an opportunity to change obligations or build in requirements or processes that are not part of the obligation or CMM.
- The point at which inaccurate reporting become non-compliance should be addressed.
- Data used by the Secretariat that is based on SPC analysis should be considered “verified data”.
- In situations where SPC is not the main source of data (e.g., the ISC for Northern Committee), efforts should be made to verify or confirm compliance with certain obligations, with the WCPFC Secretariat and SPC databases closely consulted to the extent practicable during compliance assessment of those obligations.
- It should be ensured that adoption of draft audit points does not increase the time needed to assess each obligation, as this would require a reduction in the number of audit points to be considered in any CMR session.
- Changes to Annual Report Part 2 reporting that increases the preparation time required would be particularly burdensome for small administrations, and would necessitate a reduction in other reporting requirements.
- Differences in interpretation on an obligation does not preclude the SWG from agreeing to an audit point for that obligation.

50. The AP-SWG Chair noted that several issues arose from the AP-SWG’s work that require further consideration and development to strengthen audit points and compliance review. Some are reflected in the TCC18 Outcomes.

- **Lack of independent data to verify compliance with some Limit Obligations:** support was noted for development by the WCPFC Secretariat of a gap analysis to provide a comprehensive view of where gaps in available independent data exist to support robust compliance assessment against some Limit Obligations; assessment of those obligations should note what data were missing.
- **Standardization of reporting against Implementation Obligations:** the SWG agreed that standardized reporting would be useful but did not agree on a standardized approach to ensure consistency in the information provided by CCMs and support more objective compliance review.
- **Review of the accuracy and adequacy of Report Obligations:** in general, compliance assessment of Report Obligations involves confirming receipt of a required report in the required format, where relevant, by the required deadline. The accuracy of the information in the report is not assessed. For some report obligations this is not necessary, as the details of reports are reviewed in other obligations (e.g., where there are related Limit or Implementation Obligations). However, there may be a need to review accuracy of information submitted in required reports either through the audit points or another appropriate avenue at TCC.
- **Baseline information:** there is a need to clarify and make available baseline information for each CCM to help inform assessment against Limit Obligations.
- **Applicability of obligations:** there is a need to confirm how applicability of obligations is determined and to confirm which obligations are applicable to which CCMs.

51. In the course of further discussions regarding development of Audit Points for the remainder of the WCPFC obligations (beyond the 60 selected by the Commission for review with respect to 2021 activities), the CMS IWG Audit Point lead stated that formulation of audit points for the remaining obligations was likely feasible prior to WCPFC19, given that an accepted approach had been agreed on at TCC18. She further noted that one audit point (CMS 2014-02 9a) remains open as the SWG could not reach agreement during TCC18, and it was proposed that this would be discussed intersessionally through the CMS-IWG.

52. TCC18 expressed its sincere appreciation to the lead of the CMS-IWG work on Audit Points, Rhea Moss-Christian, for her work to develop audit points to date.

53. TCC18 recommended that WCPFC19 task the Secretariat to apply the draft audit points in **Attachment D**, to its development of the 2023 dCMR covering the 2022 Reporting Year, to be reviewed by TCC19.

54. TCC18 recommended that the CMS IWG, under the leadership of the Audit Points lead, Rhea Moss-Christian, continue work to develop audit points for the remaining obligations (~100) for review and clearance ahead of WCPFC19. If needed, TCC18 recommended that the CMS IWG meet during WCPFC19 to finalize the remaining draft audit points to recommend to the Commission for adoption.

55. TCC18 noted that for some Report obligations, there may be a need to review reported information for adequacy or accuracy, which may require further consideration of how reporting inaccuracies could be addressed elsewhere by TCC, including through further standardizing reporting obligations.

(b) Develop a risk-based assessment framework to inform compliance assessments and ensure obligations are meeting the objectives of the Commission

56. Heather Ward (New Zealand), CMS-IWG RBAF Lead and Chair of the RBAF-SWG at TCC18, noted that **TCC18-2022-11** *A risk-based framework for the WCPFC Compliance Monitoring Scheme* (with supporting MS Excel file) and **TCC18-2022-11_suppl** *Questions to facilitate discussion on the Risk Based Assessment Framework at TCC18* served as background for the RBAF discussions. The RBAF SWG Chair noted that the objective of the RBAF for the CMS is to assist CCMs to prioritise obligations to be assessed as part of the annual compliance monitoring process. Prioritisation is based on the risk that non-compliance with obligations poses to achieving the objectives of specific CMMs and to the broader objectives of the Convention. She stressed that the RBAF is intended to provide guidance to members, but is not designed to automatically produce an annual list of obligations for the CMS, which involves a separate decision-making process. She stated that prior to TCC18 FFA members, the EU and the Philippines had all risk-rated the obligations, which was very useful in working out which obligations carry a severe risk of non-compliance, which have a high risk, a moderate risk and a low risk. She invited CCMs to conduct their own risk rating of obligations and to use their ratings as a way to frame which obligations they want to prioritise for the CMS. She noted that the framework also looks at other ways to prioritise obligations, including by confirming whether implementation obligations should be kept on file – but noting there may be “mission critical” implementation or report obligations that should be regularly assessed. She invited CCMs to consider whether certain obligations (such as quantitative limits) should be automatically included to the list each year.

57. The following key points were raised during the RBAF-SWG discussion:

- It is useful to categorize obligations by type (Limit, Report, Implementation and Deadline) to ensure some balance in what is assessed in a given year.
- Implementation obligations that are risk-rated as high or severe by CCMs should be regularly assessed.
- It may be beneficial to propose assessment intervals (1 year, 2 years, etc.) for various obligations.
- Determining the consequences of non-compliance is subjective, and varies with the view of a CCM on the impact that non-compliance with the obligation has on the objectives of the particular CMM and the Convention’s objectives.

- CCMs generally agreed that an attempt to achieve WCPFC consensus on risk ratings for all obligations would be a detailed and time-consuming process, potentially with little benefit, and preferred to view the RBAF as a useful tool to be employed by CCMs on an individual basis in accordance with their own priorities.

58. During the subsequent plenary discussion regarding the RBAF outcomes, the EU noted that in CMM 2021-03 the WCPFC committed to development of a risk-based assessment framework to inform compliance assessments and ensure obligations are meeting the objectives of the Commission, and stated the RBAF should be recommended to the Commission for its adoption at WCPFC19.

59. The Acting TCC Chair stated that the RBAF framework as developed is a tool that CCMs can use, one that did not require agreement on all facets, or adoption by the Commission.

60. The EU referenced the agreement in 2021 to postpone the assessment of the dCMR in 2021 to enable other work to progress, and stated that this agreement included adoption of the RBAF as an integral part of the CMS. The EU regretted that after all the time, effort and resources allocated to this specific work, finally the definition of the obligations to be assessed every year would follow the same cumbersome and time-consuming process as before.

61. The USA stated that TCC18 had progressed development of the RBAF as far as was productive, and produced a tool that could be used by all CCMs.

62. The RBAF SWG Chair emphasized that the RBAF is a tool that provides guidance for CCMs – it is not designed to automatically produce the list of obligations for assessment. She suggested that adoption by the Commission would go further than what was intended. These comments were further supported by Australia and by Tokelau, speaking on behalf of the PNA members and Tokelau.

63. TCC18 expressed its sincere appreciation to the lead of the CMS-IWG work on the Risk Based Assessment Framework (RBAF), Heather Ward, for her hard work developing a RBAF. TCC18 recommended the RBAF to the Commission as a useful tool that CCMs may use to guide their consideration of future lists of obligations to review during the Compliance Monitoring Report Review.

(c) Develop guidelines for participation of observers in closed meetings of the Commission and its subsidiary bodies which consider the Compliance Monitoring Report

64. The Acting TCC Chair introduced **TCC18-2022-12 CMS-IWG paper in response to TCC17 recommendation on WCPFC data rules** (with supporting MS Excel file), noting that the paper indicates that most of the information going into the dCMR in 2020 and 2021 was publicly available from other sources, and that much of the information does concern individual vessels. She noted that if these data were not included in CCMs' Annual Report Part 2 they could be considered public domain data. She also observed that since the data rules were adopted there have been many changes in how and where data are reported, and what is reviewed, and based on the situation as described in the paper the risk of non-public domain data release through the CMR appears low. She noted the paper includes several suggested approaches for actions to facilitate inclusion of observers in the dCMR process, and welcomed input from CCMs.

65. Kiribati, on behalf of FFA members thanked the CMS IWG Chair and Secretariat for the paper, and stated it clarifies the nature of the data that populates the dCMR. They noted making the dCMR public raises issues of due process, and stressed that all information in the dCMR is non-public domain data, with

only the final CMR being public domain. They stated they do not support classifying the dCMR as public domain data.

66. The USA stated that this issue had been discussed for many years at TCC and the Commission, but that a commitment had now been made by the Commission to WCPFC observers to find a path forward on the issue. The USA commended the Acting TCC Chair and Secretariat for the time and energy taken to do the analysis summarised in **TCC18-2022-12**. The USA stated its hope that CCMs had gained confidence and trust in the CMR process, noting that TCC had changed the process to step away from individual vessel-level information. The USA observed that while there was perhaps formerly an argument to maintain the dCMR as non-public domain data, most of the information is now already public. It stated that WCPFC continues to be behind other RFMOs in terms of allowing observers to take part, and observed that there is strong support that the dCMR be considered to be in the public domain. The USA stated that this would not in any way diminish due process, noting the stages the CMR goes through are initially as a draft report and then a provisional report, and not until the Commission arrives at a final report are the compliance assessments finalized. The USA stated that it could see no harm in allowing the observers to part in the process, and that it is time the issue is addressed.

67. EU requested a small amendment if **TCC18-2022-12** is forwarded to the Commission: para. 38 indicates that TCC members have in the past agreed the review will be held in closed session. The EU stated that a more accurate description would be that CCMs could not agree to hold the review in open session. It stated that regarding information confidentiality, the fundamental principle is to avoid discussion of activities of individual vessels, companies or persons. The EU indicated that the paper demonstrated very clearly that not only do no data fall under this definition in the dCMR, but that there is also low risk if the data derived from the Annual Report Part 2 is disclosed. The EU stated that with the exclusion of vessel-level data from the Annual Report Part 2, the risk associated with disclosure of that report was further reduced, and does not seem to justify its inclusion under Annex 2 of the WCPFC data rules. Consequently, the Annual Report Part 2 could be excluded from the definition of non-public domain data. The EU stated that another option proposed by the paper was to consider maintaining the Annual Report Part 2 in Annex 2 of the Data Rules, but defining the dCMR itself as public domain data by including it in Annex 1 of the Data Rules, with the requirement that no vessel level data be included. The EU stated that in summary, with the progressive development of the CMS, and the tools that support it, all sensitive information is only accessible to CCMs' duly authorised representatives. The EU stated that it would support the proposed option 2 to make the dCMR public domain data.

68. China thanked the authors and stated it agreed with the position of FFA members: dCMRs should not be considered public domain data.

69. Tuvalu on behalf of the PNA and Tokelau stated they support the FFA statement, and do not support the recommendations in the working paper relating to the application of the data rules to information used in the CMS, and do not support opening the CMS process to observers present. PNA and Tokelau stated they support the application of the principles of transparency and fairness in the CMS process. They recalled that FFA members had previously said they would consider the issue once the revised CMS measure was working as intended. They noted there had been substantial progress in improving the CMS by moving away from the flag State investigation basis for compliance assessments, but stated that the CMS measure is still far from working as intended. They noted the progress on the adoption of audit points and a RBAF, and PNA members stated they anticipated productive discussions on the use of the aggregate tables. However, PNA and Tokelau stated they have a particular concern with whether the CMS meets the principle of fairness. They noted that the changes being made are certainly promoting procedural fairness, but the outcomes are still deeply unfair because of the deep bias and imbalance in the monitoring programmes that support the CMS. They indicated they would say more about this bias later in the discussions. On confidentiality, the PNA and Tokelau stated their understanding is that the basis for data and other

information being not available publicly is broader than the need to protect the confidentiality of vessel and personal data. In particular, PNA and Tokelau consider some of information in the dCMR to be confidential, including the Secretariat's comments and CCMs' responses. For these reasons, PNA and Tokelau do not support revising the classification of information used in the CMS and do not support opening the CMS process to observers.

70. The Acting TCC Chair noted that CCMs had already agreed to undertake this work, which was included in the CMM, and agreed to at the Commission. She emphasized that this was a longstanding issue, and one on which members had agreed to make progress.

71. Japan stated it appreciated the hard work undertaken to provide the document, and generally supported the movement toward opening the CMR process to observers, but stressed that to ensure data is handled correctly having a confidentiality agreement in place with observers is very important. Japan suggested that access to CMR reports should be limited to future reports, and not past reports, which would remain non-public domain data.

72. The Ocean Foundation stated it had hoped that this study would give CCMs some comfort to allow observers in the consultations over the dCMRs. It recalled that in 2019 a draft confidentiality agreement and observers' participation guidelines were prepared (**WCPFC16-2019-DP14**), along with NGOs papers that provided feedback (**WCPFC16-2019-OP13** and **WCPFC16-2019-OP14**). The Ocean Foundation encouraged CCMs to look at the 2019 papers and make progress in the weeks before WCFPC19. It supported the broader conclusions in **TCC18-2022-12**, stating that it is time to make progress on this matter, and stated that the essential issue is about creating a CMS that takes advantage of all the tools that would be effective, and supports the outcomes all participants would desire. It noted that in other RFMOs observers do take part, materials are shared, and that the process is not only not harmed, but improved as a result.

73. PNG, on behalf of the PNA and Tokelau, repeated that they do not support opening the CMS process to observers. They stated they appreciate the thorough consideration of the issues related to non-public domain data in **TCC18-2022-12**, but that they have a different understanding on the scope of confidentiality and non-public domain data than is reflected in the paper. PNG stated that the PNA and Tokelau have always understood that some of the information in the Part 2 Annual Report was confidential, but they understand that circumstances around the status of some of that information may change. However, the PNA and Tokelau consider some of information in the dCMR to be confidential including the Secretariat's comments and CCMs' responses. They stated they also consider the information in the dCMR to be non-public domain data, and stated that this is indicated by the Data Rules, in para 14, which stated that all types of data not described in paragraph 11 shall be referred to as non-public domain data. They noted that if para 14 was meant to be limited to individual vessel and personal data, it would have said "all types of data relating to individual persons and vessels not described in paragraph 11 shall be referred to as Non-Public Domain data", but that it doesn't make any reference to data relating to individual persons and vessels. PNG stated that they fully understand that the Commission would have had in mind information beyond that relating to individual vessels and personal data when it decided that information such as that in the dCMR would be confidential. The dCMR includes comments by the Secretariat about the compliance of CCMs with particular obligations. It also includes the comments by CCMs in response. This information is part of a working discussion on compliance by CCMs and they stated that they expect that other CCMs would share their view that this information is confidential. They stated they also consider that the discussion on this information as part of a working process that should be confidential. For this reason, PNA and Tokelau consider that the CMS should be held in closed session.

74. Pew supported comments by the Ocean Foundation and stated that the issue has been ongoing for many years, but seems to go in circles. It stated that the Commission had made a commitment to find a way

to allow observers to participate. It noted the apparent all or nothing outlook — what is public domain vs. what is not — but suggested an intermediate step by which the dCMR process could be made open to registered participants of TCC. It noted this was done by other RFMOs, and referenced the Commission for the Conservation of Southern Bluefin Tuna, which has all meeting documents open to registered participants only, until the close of the meeting. Such an approach would allow observers to fully participate in the process. Pew noted the comment by the PNA that they support transparency, yet did not want to make changes that would serve to increase transparency. Pew reminded CCMs that the market for the tuna products is increasingly asking for transparency in the process, and stated its hope that progress could be made on the issue.

75. Palau stated on behalf of PNA and Tokelau, that as Tuvalu and PNG have stated, PNA considers the current CMS to be deeply flawed, despite the progress in addressing elements of the procedural unfairness of the process. The core of that deep flaw is the deep imbalance and resulting strong bias in the main source of data for the CMS. The 100% coverage requirement in the purse seine fishery means that virtually every potential infringement on a purse seine vessel is likely to be recorded by an observer as a potential infringement. On the other hand, the 5% observer coverage requirement in the longline fishery and the manner in which this requirement is applied, mean that virtually none of the potential infringements on a longline vessel are likely to be recorded. The result is a deeply flawed base of information for the CMS, which completely undermines the fairness of those elements of the CMS that rely on observer data. For this reason, great caution is needed to ensure that this basic unfairness is not compounded by opening up the prospect of this flawed information being misused outside the CMS. This flaw not only affects the issue of whether the CMS should be open to observers, it also severely limits the scope for following up on the CMS outcomes, in terms of corrective actions and the use of the aggregate tables.

76. The Acting TCC Chair stated it was clear some CCMs did not want to open the issue given the procedural unfairness and deep imbalance in the CMS. She noted that the CMS IWG had been tasked to make progress in the CMS future work tasks that have been included in the CMS measure for a number of years, and CCMs had stated their desire to progress this issue at TCC18. She noted there was a recognition that some issues need to be addressed at the Commission level, but stated that CCMs were doing themselves a disservice by not making improvements in the CMS because of these other flaws. She stated her hope as Chair of TCC18 that some progress could be made and recommendations agreed to for consideration by the Commission. She stated that these broader issues should not prevent progress on the CMS IWG issues. She noted the suggestion by Pew to allow participation by registered participants of TCC, and inquired whether this would require a change in the data rules to allow this to happen?

77. The Legal Adviser stated that data rules provide, subject to a decision of the Commission, that all data not otherwise referred to are non-public domain data. Data rules provide for the possibility of having access to non-public domain data subject to certain conditions. She suggested the smoothest approach to opening the dCMR process would be to amend the data rules, but that WCPFC could have a process in which confidentiality agreements are signed with observers, which would comply with all data rules; however, this would require the consent of the CCMs to which the data relates.

78. Pew stated WCPFC already had secure sections of the meeting website accessible only to registered participants, and suggested it would be simple to put data controls in place.

79. The Acting TCC Chair noted there did not appear to be support for a compromise option to modify data rules and allow registered participants of meeting access to non-public domain data.

80. PNG stated it stated its view that there is occasionally some value in the contribution that Commission observers provide to the work of the Commission, but reminded TCC participants that the whole CMS process is in fact a trial process, and stated that in the development of the CMS processes, PNG

questions the value of observers being involved when CCMs engage in discussions of raw data. PNG stated that many observers have failed over the years to work together with CCMs in support of their implementation of obligations through the sharing of adequate and reliable information; PNG stated that observers are instead quick to make public statements aimed at undermining the efforts of members to implement these obligations. It referenced a statement by WWF in **TCC18-2022-OP03**, which stated an observer had gone missing in PNG waters in August 2022, while in actual fact a local crew member went missing. PNG stated that the issue of missing fisheries observers is one that is taken seriously and has been raised at the highest level of government in PNG. It stated that this has had a detrimental impact on the efforts of PNG towards its Commission obligations, as well as the continuing work to improve fisheries observer safety conditions more broadly in the region. PNG decried what it termed “sensationalism” and reiterated PNA and Tokelau’s position made in earlier interventions, that they do not support the CMS process being open to observers.

81. The Acting TCC Chair noted that progress had been made several years previously, but stopped when some members felt it was necessary to complete the CMS external review. She observed the review was now complete, and that one recommendation from the review was that WCPFC should allow for the participation of observers. She stated that even those CCMs that had not previously supported observer participation had come close to agreement on the observer confidentiality agreement and guidelines. She inquired whether CCMs would support a recommendation that the Commission revisit this.

82. The EU supported the Chair’s suggestion, and noted again that the EU lacked a clear understanding of the specific issues and the data involved. It stated that there could be value in listing the data that raise concerns so all CCMs can clearly understand which data are involved, and then possibly see how to address those.

83. Cook Islands noted the EU’s comment, and stated that the issue was not simply types of data that may be sensitive but also whether draft compliance issues may be used preferentially against a CCM.

84. Kiribati on behalf of PNA + Tokelau stated they would consider the issues of participation of observers in the CMR process when the issues with the CMS have been comprehensively addressed.

85. TCC18 noted the recommendation from the Independent Panel to Review the Compliance Monitoring Scheme to adopt a phased process for observers to participate in all CMS discussions (Final Report from the Independent Panel to review the Compliance Monitoring Scheme, para. 34).

86. TCC18 noted the previous work to develop draft guidelines and a confidentiality agreement to allow for the participation of observers in closed meetings of the Commission and its subsidiary bodies which consider the Compliance Monitoring Report (WCPFC16-2019-DP14).

87. TCC18 noted the paper (**TCC18-2022-12**) by the CMS-IWG Chair and the Secretariat in response to TCC17 on WCPFC Data Rules.

88. TCC18 informed the Commission that it has not been able to progress on the tasking from WCPFC18, pursuant to para 46 of CMM 2021-03, and provide recommendations on the development of guidelines for the participation of observers in the CMS, for adoption at WCPFC19. TCC18 also noted that a group of Members said they would be prepared to consider the issue of observer participation in the CMS again when the current unfairness in the CMS is addressed.

(d) Develop corrective actions to encourage and incentivize CCM's compliance with the Commission's obligations, where non-compliance is identified.

89. The Acting TCC Chair in introducing this item explained that the CMS IWG workplan had indicated that work to develop corrective actions for the CMS-IWG was scheduled to commence in 2023, and requested that TCC participants consider nominating a lead.

<p>90. TCC welcomed the nomination by the United States for Ms. Elizabeth O'Sullivan to lead work through the CMS IWG to develop corrective actions to encourage and incentivize CCM's compliance with the Commission's obligations, where non-compliance is identified and encourages CCMs to participate in this work.</p>
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(e) Advice and recommendations related to the process for reviewing the aggregated information referred to in CMM 2021-03 paragraph 26(ii) drawn from the online CCFS

91. In introducing this agenda item, the Acting TCC Chair explained that the work was undertaken by the TCC Chair, and that **TCC18-2022-13 Compliance Monitoring Scheme Aggregate Tables - Discussion Paper** lays out a number of issues to consider. She noted that it was posted on the ODF as Topic M. She stated that the TCC Chair sought feedback on these critical questions to enable submission of an update to WCPFC19.

92. RMI touched on a number of issues of concern that it stated need to be addressed: the lack of balance between purse seine and longline fisheries, and the use of in-zone and high seas data; data confidentiality; and public vs. non-public domain data.

93. The Acting TCC Chair noted that the CMS future work process was a very helpful one that was leading to improved understanding of how the various components interact. She stated that it was not feasible or appropriate to address some issues through the CMS, and that those would need to be addressed separately by the Commission.

94. The EU stated that in discussing the new CMS CMM, the Commission had agreed to move away from assessment of individual vessels, and had a common understanding that identification of systemic failures to take flag State action would be a core element of the new CMS. The EU noted that the Commission had committed to finding a way to achieve that, including through compliance scores via the CMR review. The EU stated that although the best way to achieve this had not yet been identified, it should be addressed as soon as possible. The EU stated that it had read with interest some of the proposals made on the ODF, stating that it wanted to ensure that the process does not remain simply administrative but becomes part of the core elements of the CMS.

95. Australia stated that the comments made on the ODF outlined a proposed way forward. It stated that the tables need to be used to support trend analysis over a number of years, as they can then provide aggregated information to identify anomalies. Australia suggested a multi-step process: identify anomalies, discuss them, have CCMs respond, and have TCC consider and look at implementation challenges or systemic issues that need to be addressed. It stated that the idea is clear and the process has been outlined, and that it was up to CCMs to use and review the information.

96. The TCC Acting Chair outlined the questions raised by the TCC Chair in the discussion paper.

- 1. Is the aggregate tables process providing adequate incentive for CCMs to resolve outstanding cases?**
- 2. Are the tools provided (and in development) supporting this?**
- 3. Do CCMs agree that categories with only one/a couple of outstanding cases can be treated “in the aggregate”?**

For the identification of systemic issues/implementation challenges:

- 4. Should the identification of systemic issues/implementation challenges be a member-led or Chair-led process (or a hybrid approach)?**
- 5. Should this process be focused/prioritised according to risk (potentially drawing on the risk-based assessment framework) or any other factors?**

97. The EU stated that for #1) the tables facilitate resolution, but what would improve the incentives is to connect the process with the attribution of the compliance status, as this would add incentives for CCMs for resolving these cases. The EU stated its understanding that all CCMs are doing their best to resolve these. It stated that there may be room for improvement with pending observer reports that seem to impede finalization of the investigations, and that possibly a distinction should be made for investigations where receipt of reports is still pending.

98. The Acting TCC Chair noted that if reports were requested through the CCFS this would become easier to track.

99. FSM on behalf of the PNA and Tokelau stated that the value of information related to observer reporting is severely limited by the bias in coverage, noting that CCMs engaged in longline fishing don't have problems with observer reports because they almost never have observers on their boats. They stated that until that flaw is fixed, there is little scope for use of the aggregate tables in the way the EU had proposed.

100. The EU confirmed that the information feeding into the CMS is not the same for all fisheries, but stated that this should not mean that the overall CMS should be penalized or diminished in its scope and implementation, stressing that this issue does need to be addressed. The EU referenced cases deriving from observers that arise because the forms used for reporting are not specific enough, and cases that are false positives. The EU stated that while this does not address the key issue mentioned by PNA members, it could significantly reduce the cases that appear in the CCFS and that in any event, the overall CMS should not be dismissed or reduced in scope because of this lack of balance.

<p>101. TCC18 noted the intention of the TCC Chair to develop a proposal for CCM consultation and WCPFC19 consideration on a process for using the aggregated tables to be undertaken in 2023 as part of the Compliance Monitoring Report Review at TCC19, taking into account the guidance provided by TCC18 in response to the issues raised in the discussion paper.</p>

(f) Advice on appropriate compliance assessment decision-making processes

102. The Acting TCC Chair opened the agenda item for discussion, noting that the inclusion of this point came from the WCPFC18 decision to amend CMM 2021-03. No points were raised by participants.

5.2 Advice and recommendations related to TCC19's consideration of the CMR that assesses CCMs' compliance over the previous 2-year reporting period (RY2021 and RY2022)

103. The Acting TCC Chair stated that the discussion would help provide guidance and recommendations to the Secretariat and to the Commission about how TCC plans to progress the dCMR process in 2023. She noted that TCC would be looking at 2 years of data, and stated that CCMs should consider the aggregate table process, how the RBAF and audit points would be applied, and how the information coming out of the CMS process would be presented and stored. The Acting TCC Chair noted useful information in the Executive Director's report (**TCC18-2022-04**) regarding Agenda Item 5.2, and stated that the Secretariat has forecast higher-than-average workloads in 2023, and possibly the need for additional resources. She noted that reviewing the same set of obligations in 2022 and 2023 would reduce the workload, and added that there was a need to consider whether adding meeting days to the TCC19 meeting was necessary. She also noted that the Secretariat sought advice on how additional information and updates related to the 2022 and 2023 CMR processed might be handled prior to TCC19.

104. Solomon Islands on behalf of the PNA and Tokelau noted that at WCPFC18 the Commission agreed on a list of 60 obligations for the CMR for reporting year 2021 (RY2021). The Commission also agreed that at WCPFC19 it would adopt audit points and a RBAF for use in the 2023 CMR review for RY2022. They noted that this left open the issue of what obligations would be assessed in 2023 for RY2022. They stated that in their view, the list of obligations for the RY2022 should be very close to that used for RY2021 because of the workload associated with reviewing performance for 2 years and simultaneously developing familiarity with the audit points and aggregated tables approaches. They noted that there could of course be some limited changes to the list for RY2022 if there is a particular need, and agreement can be reached on which obligations should be deleted to make space for any new obligations to be added.

105. Australia supported all the TCC work streams, and suggested prioritizing TCC's recommendations.

106. The USA noted the need to focus on how CCMs could accomplish its work efficiently, effectively and within the Secretariat's capacity, while noting that the final decision would be made by the Commission.

107. The EU stressed that there is a significant amount of work to do, and that as a matter of urgent priority there was a need to ensure that in 2023 a CMR review would be undertaken.

108. New Zealand stated that it was important that TCC resume the CMR process in 2023. It observed a lot of time had been dedicated to reform of the CMS in 2022 and good progress had been made. TCC18 needed to address some of the practical issues of how to address a double CMR report in 2023, and that recommendations should be provided to the Commission for how to address this.

109. The Acting TCC Chair stated that in 2022 the dCMR took more time than usual to prepare because there were a number of obligations that had not been previously or recently addressed. She referred to the TCC18 recommendations that the Commission task the Secretariat to prepare a paper, which identifies those obligations for which there is a lack of independently verifiable data, and to publish all the information and data sources related to the RBAF and CMS in one place. She stated that the concept of a one-stop shop sounded very useful, and could serve as a good guide to prioritizing obligations for the dCMR review.

110. Australia stated that regarding the process, if the obligations are similar, it would be logical to review the dCMRs for RY2021 and RY2022 simultaneously. Australia noted the applicability of much of the discussion regarding audit points and the RBAF to the broader issues of the CMR, and noted support to have a clearer outline through a CMS "data gaps" analysis, which could usefully point to data sets that could be used or implemented in the future. This would be to try and improve the CMS as a whole.

Regarding the provision of information to CCMs by the Secretariat regarding any data discrepancies, Australia stated that it would be beneficial if CCMs can be notified as soon as possible. Australia also noted that the audit points were not in place for the 2022 dCMR, covering RY2021.

111. The EU stated its understanding that para. 40 of the CMS CMM provides for 3 weeks after TCC for providing additional information, and suggested maintaining that deadline. The Compliance Manager confirmed that the dCMR for RY2021 activities could be held for TCC to review in 2023, with the usual timelines applied for resolving any apparent data issues. The Secretariat would develop the dCMR covering RY2022 activities considering the list of audit points anticipated to be adopted at WCPFC19.

112. CCMs discussed whether the audit points, once adopted by the Commission, should be applied retroactively to TCC19's 2022 dCMR review, or only applied to the 2023 dCMR. Some CCMs stated their understanding that the audit points (if adopted at WCPFC19) would apply for the CMR covering RY2022 activities, and not retroactively. Other CCMs suggested that the process of reviewing the 2022 and 2023 dCMRs would benefit if the same process, including the audit points, was used for both. CCMs agreed on the need to ensure that the process did not place an undue burden on the Secretariat, or on CCMs.

113. Recognizing the increased workload which may be associated with reviewing two years of dCMR data during TCC19, TCC18 recommends that the Commission consider adopting the same or a very similar list of obligations for review in both the 2022 & 2023 dCMR.

114. TCC18 notes that the Commission will need to consider whether the adopted Audit Points will apply to the 2022 dCMR (covering 2021 reporting period).

115. TCC18 recommends that WCPFC19 agree to continue in 2023 to require CCMs to submit their Annual Report Part 2 at least 100 days prior to TCC19 (which is a date in mid-June instead of 1 July).

5.3 Advice and recommendations related to the continued development of the Commission's Information Management System to support implementation of the CMS with the aim of making it more efficient and effective by streamlining processes

(a) Update on enhancements to the online CCFS and 2022-2023 project to enhance Secretariat analytical capacity and associated integrated-IMS tools to support the CMS and MCS activities of members.

116. The Acting TCC Chair stated that **TCC18-2022-15** *Update on improving the WCPFC online compliance case file system and proposed approaches for receiving CCM feedback* notes the progress to date in implementing enhancements; the paper was included in the ODF as Topic C, where a number of comments were received.

117. The Compliance Manager stated that the Secretariat welcomed feedback from CCMs on an ongoing basis.

118. RMI noted that the consideration of the CMR in 2022 by TCC was suspended in order to enable a broad review of the CMS process, one that addressed inherent imbalances between fisheries and the overall assessment of CCMs activities, and did not focus solely on technical details of how assessments are conducted. RMI noted the duty to cooperate, the potential for bilateral discussions related to issues identified as CCFS cases, and the need to keep in mind the guiding principles of the CMS.

119. The Acting TCC Chair noted that some issues — such as the imbalance between purse seine and longline observer coverage — would necessarily be addressed by the Commission, and urged TCC to focus on improvements to the CCFS and related issues.

120. Samoa on behalf of FFA members, thanked the Secretariat for the progress report on implementing the WCPFC17-mandated CCFS enhancements. They noted that the CCFS focuses on flag States but that a number of alleged infringements occur within the EEZs of FFA members, and stated they would appreciate the same consideration be given to informing coastal States of cases within their jurisdiction to ensure early engagement by the relevant coastal State in resolving the case(s) rather than just relying on the flag State. In addition, as noted in previous TCC meetings, whale shark interactions are included in the CCFS, which then assumes there were potential infringements that need investigating. In the experience of FFA members, most of these have been confirmed to be interactions (rather than infringements), and vessels have been found to have acted in accordance with the CMM; they stated that investigating these interactions has been a distraction from other priority work and a waste of resources. FFA members stated that this relates to the work envisaged under Agenda Item 5.5 on improvements to the ROP minimum standard data fields for whale sharks and cetaceans to allow for a distinction between interactions and infringements, and FFA members stated they welcome this work and look forward to progressing it in order to allow for more useful consideration in the CCFS. They thanked the Secretariat for the online training provided to CCMs and reiterated their comment made at TCC16 that in addition to online training, downloadable training videos are also a cost-effective way of providing training to CCMs and something that the Secretariat should explore.

121. FSM on behalf of the PNA and Tokelau supported the FFA statement and thanked the Secretariat for progressing the work to improving the WCPFC CCFS, so that it meets the expectation of CCMs to efficiently implement their obligation on flag State responsibilities as required to under Article 25 of the Convention. They reiterated that most of the cases on the CCFS are within the EEZ of coastal States in violation of those coastal States' national laws and encouraged that the same level of opportunity be given to increased coastal State responsibility in resolving those CCFS cases by satisfying national laws that applies on those waters. They state noted feedback relevant to the agenda item had been given through the ODF under Topic C and welcomed any discussions regarding their suggestions on the use of the RFV and CCFS. They stated their view that the CCFS constitutes a tool similar to the WCPFC RFV (and including other MCS tools), that has the purpose of assisting CCMs to satisfy their obligations under the Convention, rather than a system to only review compliance ratings.

122. The WCPFC IT Manager stated that notifications are sent to all parties involved in a case, and that the coastal State will be notified if a case is located within an EEZ. He noted that the importance of ensuring that the correct individuals are included as notice recipients in the system, and stated CCMs should ensure they were making use of the full capabilities of the Secretariat's new system (he observed that the old Sharepoint system was very limited in this regard). The Compliance Manager noted the broader issue of the role of CCFS information in the CMS in the future, and the need for CCMs to consider these policy questions.

123. TCC18 noted the progress of implementing the WCPFC17 mandated CCFS enhancement (TCC18-2022-15).
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5.4 Provide advice on CMMs that need revision to improve compliance and monitoring, including those for which interpretation issues have been identified through the CMS process

124. New Zealand addressed two CMMs that require revision to improve compliance: CMM 2018-03 on Seabirds and CMM 2017-02 on Port State Minimum Standards. Regarding CMM 2018-03, New Zealand stated that it had expressed deep concerns to SC18 regarding longline impacts on seabird species, and in particular albatrosses and petrels. New Zealand submitted two information papers to SC18 on the status of albatross, and commented on the ineffectiveness of some seabird mitigation such as the use of blue-dyed bait, despite this being a mitigation option for the North Pacific within the seabird CMM. In order to ensure effective mitigation methods are required and used by the longline fishery in the high-risk areas for seabirds within the Convention Area, New Zealand supported a review of the current seabird CMM over 2023 and 2024, as recommended by SC18. New Zealand stated it wanted to ensure this was raised at TCC and linked to the TCC workplan, which notes that observer minimum data standards for seabird mitigation are due to be developed in 2023.

125. Regarding Port State measures, NZ stated it proposed to review the guideline annexes to CMM 2017-02 on Port State measures in 2023. The aim is to clarify and improve the requirements, and provide further guidance for the training of Port State inspectors. New Zealand stressed that this would not constitute a wholesale review of the measure, but just the guideline annexes.

126. The Acting TCC Chair noted that these items could potentially be added to the TCC Workplan.

127. TCC18 noted the SC recommendation that the seabird mitigation measure be reviewed in 2023-2024.
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(a) Advice on the baseline period or limit for the Indonesia Large Fish Handline Fishery

128. Chair noted **TCC18-2022-16** *An update on the options for a baseline of the “large-fish” handline fishery fishing in Indonesia’s EEZ (IEEZ) with vessels >30gt for the WCPFC tropical tuna measure*. The paper was included in the TCC18 ODF as Topic E.

129. Tuvalu, on behalf of FFA members, stated they continue to note the information provided by Indonesia and SPC related to options for a baseline for the “large-fish” handline fishery. FFA members noted the recommendation from SC18 that the decision around the fishery’s baseline is a policy decision, and stated that any recommendations on a baseline should be taken to the Commission for consideration.

130. Japan stated that the current CMM uses a baseline of 2001-2004, which has been the case for a number of years. Japan suggested that if a baseline is set for Indonesia, it should be interim, and Indonesia could seek to provide additional data. Japan also stated that use of a single year was not appropriate, and a period, such as 2013-2016, should be used. It suggested that the issue be referred to the Commission for discussion.

131. Indonesia noted the information it had provided in consultation with SPC, and stated that this was the third year the issue had been addressed, including at SC17, TCC17 and WCPFC18. Indonesia noted the lack of historical catch data, and the changes in the fleet size that further complicate the issue.

132. China inquired whether the absence of information for 2001-2004 reflected simply a lack of data, or the absence of fisheries during that period, which would indicate fishing effort had increased. China advocated that the issue be addressed at the Commission.

133. Indonesia stated that the data for the fishery is available beginning in 2013. It noted an increasing catch trend, reflecting a shift to a small-scale handline fishery following a change in policy at the national level, which was serving to reduce number of large fishing vessels and focus domestic fishery on smaller boats.

134. TCC18 noted the information provided by Indonesia in **TCC18-2022-16** and observed that the decision on the baseline period for the Indonesian large fish handline fishery is a decision for the Commission.

135. TCC18 invited Indonesia to submit a comprehensive paper to WCPFC19 to provide any additional information on their fisheries and the trends, particularly in relation to the large fish handline fishery.

(b) Ongoing difficulties related to interpretation of the term “actively fishing for” (and similar terms such as “directed at” and “targeting”) in certain CMMs which continue to present challenges and makes it difficult for TCC to complete the assessments of some obligations during the CMR

136. The Acting TCC Chair noted the EU had prepared **TCC18-2022-DP03** *Suggestion for addressing in the short term the issue of “targeting/fishing for”*, which was also posted on the TCC18 ODF as Topic O. It proposes a system of self-declaration by CCMs; CCMs would describe how they determined “vessels fishing for”, and this could be used to assess if a CCM was in compliance with those limits.

137. The EU noted that this is not a new issue, and that unfortunately some obligations are simply not assessed. It noted that some work related to this would take place in the context of the audit points. The EU stated its suggested approach would be for CCMs to report themselves those vessels that have specifically targeted a species, and to seek to collect the definitions used by domestic fisheries to define the target fisheries. The EU proposed that this would be employed until the CMM is revised or the Commission agrees to a long-term resolution of the issue. The EU noted it was not involved in the fisheries in question; however noting the heated and lengthy debates and stalemates at TCC on this matter, the suggested solution, although it was not ideal, it would be a pragmatic way forward, and could facilitate the work of TCC.

138. The USA noted it had raised this issue under the audit points discussion, and suggested it would be best to have an agreed definition by the Commission.

139. China stated it found the proposal promising but stated the discussion should be continued in the future, citing a lack of time at TCC18.

140. RMI on behalf of PNA and Tokelau thanked the EU for their proposal, but stated they were very reluctant to agree to such an unsatisfactory outcome on these important Limit Obligations as the EU proposal. They noted that the lack of clarity in several key longline obligations along with the lack of verifiable data for many of the longline quantitative limits served to further compound the imbalance and bias in the CMS process, thereby limiting the effectiveness of the CMS and reducing the ways in which the CMS outcomes can be used.

141. TCC18 noted the longstanding difference in the interpretation of “actively fishing for” and recommended that the Commission resolve to ensure fairness and consistency in the application of the CMM.

142. TCC18 noted the proposal from the EU (**TCC18-2022-DP03**) to assist in resolving the interpretation of "actively fishing for" in CMM 2015-02 and recommended that this and other proposals should be considered further at WCPFC19.

5.5 Review and provide advice on improvements to the ROP data fields, including those in ROP pre-notifications, to allow for more useful consideration in the CCFS and CMR process

(a) Advice on improvements to ROP minimum standard data fields to allow for a distinction between an interaction and a possible infraction in the CCFS

143. The Acting TCC Chair noted **TCC18-2022-17** *Supporting paper for TCC18 consideration of potential improvements to the ROP minimum standard data fields for impacts of fishing on whale sharks and cetaceans*, and in particular Table 1 on page 6, and **TCC18-2022-RP02** *Annual report on the Regional Observer Programme*. She reviewed the responsibilities of TCC with respect to the ROP, and noted that the WCPFC ROP Minimum Standard Data Fields was issued in April 2016. She noted that during working group discussions regarding possible changes to ROP data fields some CCM participants had highlighted the importance of duly considering the broad implications of any proposed changes to ROP data fields, including factors such as the costs/logistics of ROP providers having to change observer forms; the need to schedule updates and refresher training for observers and debriefers in advance of any changes being implemented; the impact of the changes on observer workloads and safety; the impacts of changes in data fields on the time series of observer data used for the WCPFC scientific work; and the costs of implementing new paper/e-reporting forms. The Acting TCC Chair noted that considering the various points raised around the context, on balance there appears to be merit in having a CCM-led process to develop and consider recommended modifications to ROP Minimum Standard Data Fields. She also reflected on the potential to reactivate the IWG on the ROP (IWG-ROP), which has been dormant since 2015.

144. The Compliance Manager stated that one of the points raised by CCMs in past TCC discussions that had considered changes to the ROP minimum data fields, was that many CCMs had explained they had invested heavily in Electronic Reporting (ER) solutions, and that any solution would need to carefully consider how changes in the data fields could be accommodated. She suggested the IWG-ROP could serve a role in facilitating these important considerations.

145. New Zealand, on behalf of FFA members, thanked the Secretariat for the paper on the ROP minimum data fields for whale sharks and cetaceans and noted the importance of the minimum ROP data fields to distinguish between an interaction and an infringement relating to whale sharks and cetaceans. FFA members supported the recommendation to reactivate the IWG-ROP to address this issue. FFA members also supported the recommendation that the Commission task the IWG-ROP, once it is reactivated, to (i) develop draft recommended modifications to the ROP data fields with the intention of allowing for more useful consideration of ROP data in the CCFS and in the CMS, while taking into account their implications; and (ii) prioritise work on the ROP data fields that were identified in the TCC Workplan 2022-2024 project-specific task (j), and decide if any additional CMMs should also be prioritized in this work. FFA members stated they looked forward to working with the Secretariat and other CCMs at the IWG-ROP once reactivated.

146. PNG on behalf of PNA and Tokelau supported the FFA statement and welcomed the reactivation of the IWG-ROP. They stated there is a need to (i) review the ROP minimum data fields to make observer reporting more directly useful for assessing compliance, observing that many new obligations have been introduced since the ROP data fields were agreed that are not covered by the ROP Data Fields; and (ii)

revise the Trip Monitoring Summary (the old GEN-3 Form), which was not designed for this purpose. They stated it should be replaced with a new Trip Monitoring Summary based on a review of the raw observer data in the way that debriefers do. Additionally, they requested that the outcome of the TCC discussion on this issue note the need for the ROP-IWG to consider observer workloads and observer safety in its work.

147. Japan noted the need to address infringement cases that were reported with an incorrect format, and inquired whether reactivation of the IWG-ROP was needed, suggesting that the issues could be addressed via email or via electronic consultations. Japan suggested holding any meetings virtually, and advised that CCMs' capacity be considered.

148. The USA supported both the FFA and PNA comments about restarting the IWG-ROP. Regarding the specific cetaceans and whale shark interaction issue, the USA stated its hope that a simple solution could be found (i.e., addition of "did you see the whale shark or cetacean before the set" in the data field), and that this issue could be prioritized. The USA stated that this issue would lend itself to an email exchange on the language.

149. The EU suggested the need to include other issues that are covered by the ROP standards, and noted in particular the issue of pre-notification issues (PAI) in addition to cetacean and whale shark interactions. The EU noted that the rationale is that there are many instances that derive from observer records but prove to be false positives, and if TCC could provide some guidance on how to record those not only from the angle of the scientific data collection, but also with a compliance bearing, it might reduce the number of false positives.

150. Japan noted the urgency of addressing the cetacean and whale shark interactions and suggested that this should remain the focus of any recommendations based on the TCC discussions. Tokelau supported this position.

151. TCC18 supported the Commission's intention to reactivate the IWG-ROP.

152. TCC18 recommended that the Commission task the IWG-ROP, once it is reactivated, to develop draft recommended modifications to ROP data fields with the intention of allowing for more useful consideration of ROP data in the CCFS and in the Compliance Monitoring Scheme processes, and while taking into account their implications, including the impact on observer workloads and observer safety, as well as any related training needs.

153. TCC18 recommended that the IWG-ROP, once it is reactivated, prioritize work on issues such as a solution to identifying interactions with whale sharks and cetaceans, and on the inclusion of ROP data fields that were identified in the TCC Workplan 2022-2024 project specific task (j), and to identify any CMM that should also be prioritized in this work.

AGENDA ITEM 6 — TECHNICAL AND COMPLIANCE MATTERS ARISING FROM COVID-19 RELATED INTERSESSIONAL DECISIONS

6.1 Review available information on the implementation of Intersessional Decisions taken in response to COVID-19 in 2021/22

154. The Acting TCC Chair stated that paper **TCC18-2022-RP03** *Annual Report on Transshipment Reporting* includes summary information related to observer deployment since 15 June 2022, and confirms

that significant efforts have been made by CCMs to embark observers on carrier vessels during the transitional period from 15 June – 31 December 2022. Since June 2022, during the transitional period, the Secretariat has been informed that some placements have recommenced on transshipment vessels and some purse seine vessels. Papers **TCC18-2022-RP02** *Annual Report on the Regional Observer Programme* and **TCC18-2022-IP02** *Status of Observer Data Management* report that some observer placements were made in 2021 on both purse seine and longline vessels; **TCC18-2022-RP02** also considers the impacts on the several observer programmes arising from the reduced flight schedules, border travel restrictions, and health concerns for observers and crew from the COVID-19 pandemic. She noted that the ROP comprises 25 CCM and sub-regional observer programmes, and during 2020–2022 most operations were curtailed and not able to place and retrieve observers on most fishing vessels. Several programmes lost experienced observers who sought alternative employment during this period. The Acting TCC Chair stated that additional training will be required to increase observer numbers and that refresher training was being encouraged for returning observers and debriefers, as CCMs prepare for the resumption of 100% coverage on purse seine vessels requirement from 1 January 2023.

155. The Secretariat commented on the need to review a number of data fields and possibly remove some, and to consider ER. It also noted the huge impact of COVID on observer programs, while indicating that since the resumption of the observer coverage requirement for transshipment it was seeing very few instances of reports of no observer coverage in conjunction with transshipments.

156. Japan stated that the reports regarding transshipment observer coverage were encouraging, and suggested that the transition period is working. Japan stated it was unsure if it could meet the requirement for 100% observer coverage for purse seine fisheries as of 1 January 2023, citing the continuing travel limitations affecting the region. Japan suggested consideration be given to phasing in the purse seine observer requirement, as was done for transshipment, taking 4-6 months before requiring full deployment. Japan stressed the need to avoid disrupting sustainable purse seine fishery deployment.

157. PNG on behalf of PNA and Tokelau stated they are looking forward to the resumption of observer coverage requirements from 1 January 2023 so that observers can take up their critical roles in providing scientific information and monitoring compliance. They agreed that the resumption would be challenging, but stated it is one that they look forward to. They stated that as highlighted in the ROP annual report, several Pacific Islands national programmes and subregional observer programmes have lost experienced observers who have sought alternative employment during the extended period of the COVID-19 pandemic. Additional training will also be required to bolster the observer programme numbers and refresher training is encouraged for returning observers and debriefers, as CCMs prepare for the resumption of 100% coverage on purse seine vessels requirement from 1 January 2023. PNG also inquired when ROP audits of national observer programmes would recommence. The Secretariat stated that audits had not ceased, but had been conducted electronically due to COVID; it stated that physical audits would likely recommence in 2023.

158. Indonesia supported the comments by Japan, noting budget cuts, the loss of trained observers, and a lack of training and recruitment, which would not recommence until 2023.

159. New Zealand stated that the Commission had made a decision in June 2022 to resume observer coverage in 2023. It noted that the obligation exists, and had merely been suspended temporarily. It noted that by January 2023 CCMs would have had over 6 months to prepare for the resumption of the requirement. It supported the statement by PNA and Tokelau, stating that while it recognized it would be challenging, the Commission's decision was clear.

160. Palau on behalf of FFA members reiterated that CCMs are encouraged to use the FFA COVID-19 Protocols for the fishing sector to minimise COVID-19 transmission on fishing vessels when observer

placement recommences. They advised TCC that they had commenced observer training, including refresher training for observers, in preparation of commencement of observer placement on 1 January 2023.

161. SPC stated that its ROP refresher training had begun in mid-2022, with four sessions already held and another scheduled.

162. TCC noted the positive development that some observer placements have recommenced on transshipment vessels and some purse seine vessels during the transitional period of 15 June – 1 January 2023.

AGENDA ITEM 7 — TECHNICAL MATTERS REQUIRING TCC ADVICE, INCLUDING WITH RESPECT TO IMPLEMENTATION OF COOPERATIVE MCS AND ENFORCEMENT

7.1 Review information about scientific data provision

163. The Acting TCC Chair stated that a number of papers were relevant to this agenda item, including **TCC18-2022-18** *SC outcomes relevant to TCC18 Agenda 7.1*, **TCC18-2022-IP03** *Scientific data available to WCPFC*, **TCC18-2022-IP04** *Tables of coverage levels for operational level data*, **TCC18-2022-IP02** *Overview of observer data*, and **TCC18-2022-IP07** *Compendium of fisheries indicators*. She stated that the issue was included as Topic D on the TCC18 ODF.

164. Tokelau on behalf of FFA members supported the recommendations from SC18 related to data gaps.

165. RMI on behalf of the PNA and Tokelau stated they had already commented in the ODF on the outcomes of the SC18 consideration of scientific data provisions. In addition, they supported the SC recommendation for SPC to undertake a review of the minimum data reporting requirements and report to SC19 in 2023. As SC18 noted, this should include the proposal for including FAD minimum data fields recorded by vessel operators. They also noted that, in the discussion on the South Pacific mako shark assessment, SC agreed to recommend to amend paragraph 1 bullet point 3 of the Scientific Data Rules relating to annual catch data for key sharks. On this, SC recommended that estimates of annual catch of key shark species should be separated into catch north and south of the Equator and that the WCPFC Secretariat should work with CCMs to get these data retrospectively corrected where possible. As this recommendation had now been made by both SC17 and SC18, the PNA and Tokelau stated that they believe that this inclusion into the Scientific Data Rules should be made as a matter of priority.

166. The EU stated it also supported the recommendations from SC18.

167. TCC18 supported the recommendations made by SC18 relating to scientific data gaps (**TCC18-2022-WP18**).

168. TCC18 noted the recommendation from SC18 that paragraph 1 bullet point 3 of the Scientific Data Rules relating to annual catch data for key shark species be amended as follows.

“The estimates of annual catch of key shark species should be separated into catch north and south of the equator and that the WCPFC Secretariat should work with CCMs to get these data retrospectively corrected where possible.”

7.2 Enhance how CCM's and Secretariat's VMS practices integrate to facilitate ongoing monitoring and compliance with CMM 2014-02 (VMS)

(a) Advice on future work to enable direct/simultaneous VMS reporting by vessels/ALCs reporting to the WCPFC VMS

169. The Acting TCC Chair noted one paper had been prepared (**TC18-2022-RP01** *Annual report on the Commission VMS*).

170. The WCPFC VMS Manager provide an update regarding direct and simultaneous reporting, and stated he would confer with CCMs as needed to arrange for simultaneous delivery of VMS data.

171. Japan referenced para. 51., regarding data gaps associated with the use of the DNID-based MTU, and sought additional details. The VMS Manager stated that some MTUs allow for multiple DNIDs to be programmed to report automatically. He noted some issues that needed to be addressed, including the priority given to the Commission DNID, selection of the correct ocean region when a DNID-based unit is activated, and issues with regard to access to DNID features being restricted or disabled.

172. Solomon Islands on behalf of FFA members stated that as reported in **TCC18-2022-RP01** (para 24, Table 4), there are 141 active Argos VMS units from three CCMs that would be phased out with effect from 1 Jan 2023. As these VMS units are replaced, FFA members recommend that consideration be made to replace the phased-out units with those models that can enable direct/simultaneous reporting to the WCPFC VMS. They noted that the Secretariat has reported in **TCC18-2022-RP01** that there are six MCSPs that currently provide direct/simultaneous reporting to their primary client as well as to the WCPFC VMS and have no contracts and any relevant charges (related to MTU activations and airtime) have been covered by the relevant flag CCMs. The VMS Standards, Specifications and Procedures (SSPs) require the WCPFC Secretariat to enter into, and to maintain, direct contracts with MCSPs for the provision of position (and other) data from the ALCs/MTUs. FFA members recommended that the Secretariat establish the service contracts with these MCSPs.

173. The EU noted possible inaccuracies in Table 7 regarding the number of audits by year for the EU, and stated it would confer with the Secretariat.

174. Australia on behalf of FFA Members recommended that the Secretariat and TCC19 continue to progress the VMS SWG recommendations adopted by WCPFC18 and that the Secretariat provide an update on the status of implementation of the VMS SWG recommendations to TCC19.

175. The VMS Manager stated he would be in contact with CCMs regarding any Argos units still in use.

<p>176. TCC18 recommended that the Secretariat continue to progress the various VMS-SWG recommendations adopted by WCPFC18. This will include the Secretariat providing an update on the status of the implementation of VMS-SWG recommendations in the VMS annual report at TCC19.</p>

7.3 Review and provide advice on the trial CCFS messaging tool to track observer report requests and responses, as part of TCC task to develop improved mechanisms for the flow of observer information from ROP Providers to CCMs needing such information for their investigations

177. The Acting TCC Chair referenced **TCC18-2022-15** *Update on improving the WCPFC online CCFS and proposed approaches for receiving CCM feedback*, noting this was posted as topic C on the ODF.

178. The Compliance Manager stated the Secretariat included the trial messaging tool in the system when it was released, and various CCMs had been involved; she noted some were new users, and still gaining experience with the system. She welcomed feedback and further guidance on enhancements. She stated the Secretariat would assess the requests made by CCMs and make a funding request if the needs exceeded what was possible under the normal budget.

7.4 Advice and recommendations related to the continued development of the Commission's Information Management System to support MCS activities, including exploration of IMS data submission and extraction tools

(a) Update on RFV upgrade (IT-related systems consolidation)

179. The Compliance Manager introduced **TCC18-2022-21** *Recommended modifications to CMM 2014-03 RFV SSPs*, which was posted on the ODF as Topic K. She noted the extensive work involved in the RFV upgrade, and the updates that need to be made to Attachments 3 and 4 of CMM 2014-03 to support the upgraded RFV.

180. Australia and New Zealand on behalf of FFA members supported proposed modifications to CMM 2014-03 as indicated in Box 1 in **TCC18-2022-21**.

181. TCC18 recommended to WCPFC19 that the recommended edits in Box 1 in paragraph 6 of TCC18-2022-21 are adopted by the Commission. (Attachment E)

7.5 Provide advice on outputs from the ER and EM Working Group, including those related to existing obligations, data gaps and the prioritization of ER and EM and draft minimum standards for EM

182. The Acting TCC Chair noted that the ERandEMWG report was posted as **TCC18-2022-19** *Chair's summary report for the fifth e-reporting and e-monitoring working group meeting (ERandEMWG5)*.

183. New Zealand on behalf of FFA members thanked the ERandEM WG Chair for progressing Electronic Monitoring (EM). They noted the ERandEMWG Chair's report for ERandEMWG5 and supported the recommended amendments from the ERandEMWG to the TCC workplan for 2022-2024 (endorsed by WCPFC18), in order to support the timely progression of the Regional EM Programme. Regarding EM SSPs, FFA members stated they adopted a set of EM SSPs as interim guidelines, noting that these will continue to be reviewed and revised as members build their experience with EM. They stated they would be happy to share this with the Commission and the ERandEMWG in order to help progress the work on the SSPs.

184. On ER, FFA members recalled that New Zealand with support from FFA members recommended to TCC17 that the Commission agree that CCMs shall submit operational catch and effort data in

accordance with the agreed SSPs for ER in the WCPFC – operational catch and effort data + observer data from 1 January 2023. FFA members reiterated this proposal, stating it is consistent with the SC18 recommendation to update the “Scientific Data to be Provided to the Commission” document with tables of operational data fields that align with the ER-SSPs for operational data (SC18 Provisional Outcomes Document paragraph 2). They stressed the importance of ensuring the provision of quality and timely data for the work of the Commission, and stated that moving towards ER is an important step. Noting that a year has passed since this proposal was introduced, they suggested a revised implementation date of 1 January 2024.

185. China noted that current agreements to provide catch and effort data covered only certain tuna fisheries, and that any decision regarding expanding data provision requirements should be made by the Commission. China further noted that it was awaiting a Commission decision regarding CMMs for the South Pacific albacore fishery, and could consider providing the data once that decision had been reached.

186. Australia stated it sought to ensure that the Commission remained focus on the goal of the work. It noted the vital importance of timely catch and effort reporting, as illustrated by discussions at TCC. Australia stated that the Commission could improve its reporting, and should continue to progress this work. It noted that the discussion on these issues had been held over a number of years and stated that the timeline is reasonable. Australia encouraged all CCMs to participate and think of more specific ways ERandEM could be progressed.

187. A majority of CCMs at TCC18 recommended that the Commission agree that CCMs shall submit operational catch and effort data in accordance with the agreed SSPs for Electronic Reporting in the WCPFC – operational catch and effort data + observer data from 1 January 2024.

188. TCC18 encouraged those CCMs who have trialled or implemented E-Reporting to report back these results at WCPFC19 with a view to improving understanding of the benefits of Electronic Reporting of operational catch and effort data.

7.6 Review the ongoing work of relevant IWG/TCC WGs related to reviews of existing CMMs (TCC Workplan 2022-2024 core business task h) or through work led by Members

(a) CMM 2009-06 Transshipment

189. The Acting TCC Chair thanked Co-Chairs of the TS-IWG, CCMs and observers for their work through the TS-IWG.

190. RMI on behalf of FFA members, thanked the Co-Chairs of the TS-IWG for their efforts to progress the review of the transshipment measure. However, they expressed disappointment with the lack of progress to date on the review of the measure, noting it was tasked by WCPFC15 in 2018. They stated their understanding that there have been challenges, including in completing the analysis of transshipment information, which was envisaged to be available to TCC18. They sought an update from the Co-Chairs of when this work and the report will be available. They stressed the need to progress this important work of reviewing the transshipment measure. They also reiterated that, in accordance with Article 29 of the Convention, fishing vessels should be conducting transshipment in port for obvious reasons and the FFA members would take this into account in the review of the measure.

191. The Compliance Manager stated that there had been some unforeseen delays in the analytical work on transshipment, which had to be rescheduled. She indicated the Secretariat would consult with SPC and

that the work would hopefully be carried out prior to the end of the year, with a final report prepared in the first quarter of 2023.

192. The Acting TCC Chair stated that CCMs would look forward to receiving a progress update at WCPFC19.

193. The USA addressed the meaning of the phrase “transshipment observers”, and sought to ensure that there was a clear understanding among CCMs that this referred to all observers witnessing transshipment activities. Japan confirmed that this was its understanding. The WCPFC Regional Observer Coordinator indicated that all observers are trained to observe transshipment activities, and that the term reflected the activities being observed (transshipment), rather than any particular qualifications on the part of the observers.

194. TCC18 recommended that WCPFC19 adopt the WCPFC ROP Minimum Standard Data Fields identified in FC-1 and FC-2 (**Attachment F**) as data fields to be collected by transshipment observers during transshipment events, as of 1 January 2023.

195. TCC18 recommended that TCC20, and the IWG-ROP if it is reinitiated, consider the ROP data fields in FC-1 and FC-2 data fields and whether any revisions are necessary.

196. TCC18 recommended the TS-IWG and the IWG-ROP if it is reinitiated, consider FC-3 and its data fields for inclusion in the WCPFC ROP Minimum Standard Data Fields.

197. TCC18 recommended that the ‘Data fields’ item of the Agreed Minimum Standards and Guidelines of the Regional Observer Programme be amended to read as follows:

“For transshipment on the high seas, transshipment ROP providers shall send the agreed ROP minimum standards data in forms FC-1 and FC-2 to the Commission Secretariat within 90 days of the disembarkation of the observer from the carrier.”

198. TCC18 noted the Commission has already adopted ER standards for observer data and that the development of standards for ER by transshipment observers or providers in 2023 could significantly shorten the required timeline for ER of transshipment observer data to the Secretariat.

199. TCC18 requested the Secretariat to report on the implementation of observer reporting of transshipments for WCPFC19.

(b) CMM 2015-02 South Pacific albacore

200. Fiji on behalf of the Chair of the South Pacific albacore Roadmap Intersessional Working Group (SPA-IWG) referenced **WCPFC-SPALB-RM-2022-00 Chair’s Summary Report of the South Pacific Albacore Roadmap IWG Meeting**, and stated that no agreement had been reached regarding the reference period. Fiji stated that general agreement was reached to revise the Workplan and focus on the management procedures, and the revised CMM, to begin in 2023. Fiji noted much work remained and the IWG would need to work intersessionally to progress this.

201. Niue on behalf of FFA members stated that they continue to emphasize the ineffectiveness of the existing measure to control catch and effort for the fishery, and to improve the economic conditions by increasing catch rates. They stated they remain committed to a comprehensive new measure for South

Pacific albacore and are optimistic that the SPA-IWG can make good progress on the development of a new measure. Key areas that have been mentioned in the past that should be reflected in a revised or new CMM include the recognition of zone-based management in the FFA waters. They stated they look forward to engaging with other CCMs on this important matter. The need to set a realistic and appropriate management objective for the South Pacific albacore fishery is urgent and should be prioritized; FFA members urged strong collaboration among CCMs to reach an agreement on an objective at the WCPFC19.

202. The USA thanked FFA members and supported the FFA position, stating it would welcome an in-person meeting in the margins of WCPFC19 to advance these discussions.

203. Cook Islands supported the statement from FFA members, and noted its strong concern regarding the lack of MCS in the albacore fishery, and longline fisheries more generally, which serve to undermine the effectiveness of the CMM, and efforts to manage the stock.

204. TCC18 noted the update from the Chair of South Pacific Albacore Roadmap Intersessional Working Group (Fiji).

(c) CMM 2009-03 Southwest Pacific swordfish

205. Australia introduced **TCC18-2022-DP01_rev1** *A revised draft conservation and management measure for southwest Pacific swordfish in the WCPFC Area*. Australia stated that the purpose of the paper is to seek technical feedback from CMMs on a revised draft CMM for southwest Pacific swordfish. Specifically, TCC18 was asked to provide feedback regarding:

- The robustness of MCS provisions to achieve the objective of the revised and strengthened CMM.
- Alternate or additional MCS provisions to achieve the objective.
- Further data gaps that should be taken in consideration for monitoring the longline sector in the Commission targeting swordfish or taking swordfish as bycatch.

Australia stated it would use this feedback, along with feedback from further bilateral consultations, to inform a revised draft CMM for WCPFC19 consideration.

206. Tonga on behalf of FFA members thanked Australia for leading the development of the revised CMM for southwest Pacific swordfish. In particular, FFA members stated they believe the draft CMM will help to keep the southwest Pacific swordfish stock sustainable throughout the WCPFC area south of the equator without hindering SIDS from exploring and developing their swordfish fisheries, and by accommodating sub-regional zone-based management approaches. Furthermore, FFA members believe that the MCS measures proposed in the draft CMM are robust enough to achieve the objectives for this stock. FFA members stated they favour the use of bycatch limits for their ease of implementation and monitoring, and are pleased that this provision is in the draft CMM with the flexibility for CCMs to negotiate annual catch limits. Given the rate of technological development in fisheries and importance of stock sustainability, FFA members recommended adding data elements that could inform survivability and long-term environmental impacts, such as line material, to the minimum reporting requirements. Finally, they welcomed further discussions with Australia to inform the revised draft CMM for WCPFC19 consideration, should it be needed.

207. Australia stated that in addition to feedback from TCC it welcomed bilateral discussions prior to WCPFC19, and would seek to undertake a full SIDS evaluation prior to the Commission meeting in collaboration with SIDS.

208. The EU stated it does not fully agree with the rationale of the approach, noting the current CMM has resulted in a stock that is at a sustainable level, and has been increasing; it stated this indicates the CMM that is in place is producing the desired effect. It acknowledged the CMM could be improved, and in that respect the EU stated the key priority should be to expand the scope of the CMM to fisheries that are not currently covered. The EU noted that nothing in the current CMM would prevent any SIDS from developing their fisheries for these stocks. The EU stated it hoped to have the chance to speak more on MCS arrangements that could be introduced for the component of the fishery not currently covered by the measure, both as proposed by Australia and the EU.

209. Japan noted its interest in the concept of zone-based management, and stated that the MCS measure should possibly be considered separately, possibly through the ERandEM WG. Japan stated it looked forward to consulting with FFA members on this proposal.

210. China agreed regarding the proposed extension of the area of application, but stated that para. 3 in the proposed CMM regarding sustainability and economic viability was beyond the ability of CCMs to control.

211. Chinese Taipei reiterated that it does not support zone-based management, but does support flag-based management that operates in the context of historical fishing levels. It looked forward to discussing that issue at the Commission, or bilaterally. It also stated it would seek to have a discussion regarding the scientific basis for expanding the area of management.

212. New Zealand supported the MCS provisions laid out in the proposed CMM, and stated these are well balanced, forward leaning, and take into account EMandER concerns. It stated that it would address some fishery management issues at the Commission.

213. Australia thanked CCMs for their input, and observed that as indicated by New Zealand, issues of fisheries management and stock status would be addressed at SC or the Commission, and that the CMM, in terms of overlap with the EMandER work stream, was intended to be interim and complementary, and would adopt agreed standards for EMandER in the measure.

214. TCC noted the updated proposal from Australia and that Australia plans to prepare an updated proposal for consideration at WCPFC19.
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(d) CMM 2010-01 North Pacific striped marlin

215. The USA stated it remained committed to revising the CMM, and would be submitting a revised draft CMM next year based on a new North Pacific striped marlin stock assessment.

216. The EU noted the poor conservation status of the stock, and stated its disappointment at the lack of progress, given that the issue remains a priority. It suggested that because Australia has put in a lot of effort to design options and ideas for improving particular MCS measures for fisheries that are mainly bycatch fisheries, perhaps some collaboration between the members that are involved in harvesting North Pacific striped marlin and Australia could help in progressing this matter.

217. RMI on behalf of FFA members reiterated their position expressed at WCPFC18 on the review of CMM 2010-01 and the rebuilding plan for striped marlin in the North Pacific as follows: the rebuilding plan for striped marlin in the North Pacific should take into account zone-based management. FFA members stated they will not support flag-based limits that cover their EEZs, especially if they are based on flag-

based catch history in FFA waters. Furthermore, this rebuilding plan should not limit SIDS access to the high seas as per Article 30 of the Convention and Article 25 of the Fish Stocks Agreement. They noted that the setting of appropriate limit reference points and catch limits will be an important part of the rebuilding plan; in addition, an effective longline monitoring regime is required for the high seas in order to monitor flag-based catches effectively. FFA members stated that ideally there should be mandatory ER and EM, a catch documentation scheme with independent verification in place, as well as robust port inspections and transshipment monitoring regimes.

218. Palau on behalf of the PNA and Tokelau supported the FFA statement, noting that as they said at WCPFC18, the current management arrangement for this stock isn't working, and needs to be replaced with zone-based management arrangements that include effective monitoring and verification for any catch limits. They stated their understanding that this will take time. In the meantime, given the urgent need for stronger measures to reduce fishing mortality, they stated the Commission should look at alternative measures to remove targeting of striped marlin in the North Pacific, such as non-retention.

219. Japan stated it was a pity that the Commission could not complete the assessment on this species. It stated it is committed to working with the USA to review the existing CMM for this species, and looked forward to development of a CMM in 2023.

(e) CMM 2019-04 Sharks proposed revision

220. The USA introduced proposed revisions to CMM 2019-04 to ensure that the provisions in the measure do not expire prior to its review in 2023 by TCC19.

221. TCC18 recommended that WCPFC19 amend CMM 2019-04 as follows:

8. In order to implement the obligation in paragraph 7, in 2020, 2021, and 2022 and 2023, CCMs shall require their vessels to land sharks with fins naturally attached to the carcass.

9. Notwithstanding paragraph 8, in 2020, 2021, and 2022 and 2023, CCMs may take alternative measures as listed below to ensure that individual shark carcasses and their corresponding fins can be easily identified on board the vessel at any time:

(1) Each individual shark carcass and its corresponding fins are stored in the same bag, preferably biodegradable one;

(2) Each individual shark carcass is bound to the corresponding fins using rope or wire;

(3) Identical and uniquely numbered tags are attached to each shark carcass and its corresponding fins in a manner that inspectors can easily identify the matching of the carcass and fins at any time. Both the carcasses and fins shall be stored on board in the same hold. Notwithstanding this requirement, a CCM may allow its fishing vessels to store the carcasses and corresponding fins in different holds if the fishing vessel maintains a record or logbook that shows where the tagged fins and correspondingly tagged carcasses are stored, in a manner that they are easily identified by inspectors.

7.7 Provide advice on intersessional work to improve crew safety, including advice on the development of a draft CMM

222. The Co-Chair of the intersessional work on to improve crew safety (Indonesia) referenced **TCC18-2022-22_rev1** *Update from Co-Chairs on Intersessional Work to Improve Crew Labour Standards*, which was also posted on the TCC18 ODF as Topic H. She recalled that the proposal was first introduced at WCPFC17 in 2020. The proposal received support from almost all CCMs when discussed at WCPFC18. The Commission agreed to conduct intersessional work, led by Indonesia and New Zealand. Work commenced via email and two virtual workshops, held in July 2021 and July 2022. The Co-Chair thanked CCMs for their feedback, and noted that significant progress had been made, although additional work was needed on the following: the scope of the measure; roles and responsibilities for port CCM, flag CCM, vessel owner/operator, and crewing agency; and status of the crew agreement. An additional workshop was held in the margins of TCC18, and agreement was reached to continue intersessional work and hold a workshop prior to the WCPFC19; CCMs would be notified by the Co-Chairs regarding that work and workshop following TCC18.

223. The USA express its thanks to Indonesia and New Zealand for their efforts to progress the issue, but expressed disappointment regarding the pace of progress. The USA did note significant progress had been made on some issues, but stated that in order to adopt a CMM at WCPFC19 very significant progress would have to be made at the virtual session to be held prior to WCPFC19, including a detailed paragraph-by-paragraph review.

224. Cook Islands on behalf of FFA members thanked Indonesia and New Zealand for progressing work on the draft CMM through the intersessional period, and thanked the CCMs and observers that participated in the intersessional working group. FFA members stated that they continue to stress the importance of progressing the adoption of the CMM on Safety and Security for Crew on Fishing Vessels as a legally binding measure to protect the safety, welfare and rights of fishers. FFA members thanked China for their input into the intersessional working group held in July 2022, which they stated has helped move the process forward. With regards to the accessibility of remuneration, FFA members urged CCMs to ensure accessibility of remuneration is clearly defined and works effectively for crew, stating that it is imperative to FFA members that crew onboard fishing vessels are paid on a timely basis and have access to their pay and are given the means to transmit all or part of their payments received, including advances, to their families at no cost.

225. TCC noted the updated proposal from New Zealand and Indonesia, and the plans by the Co-Chairs to hold a virtual intersessional workshop and to prepare a proposal for WCPFC19.

AGENDA ITEM 8 — SPECIAL REQUIREMENTS OF DEVELOPING STATES

226. The Acting TCC Chair stated that in accordance with Rule 2 (h) of the WCPFC Rules of Procedure, Consideration of the Special Requirements of Developing States pursuant to Part VIII of the Convention is a standing agenda item on the provisional agenda. She noted that the approved TCC workplan 2022-2024 identifies that monitoring obligations relating to SIDS and Territories is a TCC priority core business task. She also noted the following documents: **TCC18-2022-09**, which is an extract of information CCMs provided in their Annual Report Part 2 with respect to CMM 2013-07 paragraph 19; and **TCC18-2022-08**, which summarises Capacity Assistance Needs identified by CCMs, based on this year's Annual Report Part 2 reporting, and/or draft CMR replies. The summary provided also indicates where CCMs have provided submissions related to Capacity Development Plans (CMM 2021-03 para 14 -15) as part of their replies to the 2022 dCMR. She noted the information in the summary was up to date as of 17 September 2022.

227. Vanuatu, on behalf of FFA members, thanked CCMs and the Commission for all assistance rendered to SIDS. They also thanked members who have reported on this in their Annual Report Part 2, noting that the level of detail differs amongst CCMs and some of the assistance reported is not directly related to fisheries. They reiterated that Article 30 of the Convention is fundamental and must be taken into consideration in every aspect of the work of the Commission and its subsidiary bodies. TCC's main agenda item for the past years has been the CMS and they emphasized that the CMS and its associated processes must recognise the special requirements of SIDS. They also stressed the importance of CMM 2013-06 assessment of any proposed measure, in close consultation with SIDS, to ensure that it does not result in transferring, directly or indirectly, disproportionate burden of conservation action onto SIDS and territories. In addition, they stated that CMM 2013-06 is also about facilitating dialogue between CCMs and SIDS with the aim that CCMs understand what is important for SIDS and ensures that those are not impacted by new proposals. They stated that WCPFC is unique among tuna RFMOs because the great majority of the catch is taken in SIDS' coastal State waters. They stated that entire SIDS economies can depend on keeping these tropical fisheries sustainable and productive, and that they are the custodians of these ocean spaces. They stated the need to acknowledge the continued disparity in the two sectors and the impact that this disparity has on SIDS. This includes the way the fishery is managed, and the decisions that are (or are not taken) impact SIDS, noting such impacts can be disproportionate. FFA members stated this should be central to every consideration made in TCC, and stated that a failure to manage the fisheries to the standard FFA members seek can result in an inequitable distribution of burden. FFA members stated that what they are seeking are fisheries management arrangements, and compliance outcomes, that are genuinely equitable in terms of where the implementation burden lies and the way benefits are distributed. They stated their preference to achieve this through inclusivity rather than through exemptions for SIDS. To this end, they reiterated that compliance with CMM 2013-06 is a Commission requirement and failure to consult with SIDS is a failure to comply with a Commission adopted measure. Furthermore, acknowledging the disparity between the two sectors is critical to SIDS' development aspirations. Therefore, FFA members would not entertain any proposal without a CMM 13-06 assessment and consultation with SIDS.

228. USA thanked FFA members for their intervention, and highlighted that the USA is committed to building the capacity of SID and Territories. The USA encouraged all DWFN CCMs to report regarding their obligations to build the capacity of SIDS and territories.

229. The EU stated that it demonstrates each year that this is an important aspect of the Convention that needs to be taken into account, and noted that while it provided a detailed report of its activities, it consistently received no feedback, and suggested that there should be two-way communication regarding these issues. Regarding the assessments undertaken under CMM 2013-06, the EU stated that while the obligation to consult with SIDS was clear, how this interaction should take place for the satisfaction of all CCMs and the benefit of the Commission was not defined. The EU stated that there is room for further improvement to ensure that these consultations are constructive and fruitful and do not affect the capacity of CCMs to propose improvements to the framework of WCPFC.

230. Japan agreed that this is an important agenda item, and asked for clarification from the USA regarding the failure by some DWFNs to report their capacity building assistance, noting that this is done via the Annual Report Part 2.

231. China agreed on the importance of the issues, and noted that the obligation for reporting is not for DWFNs, but developed CCMs.

232. The USA stated that in reviewing the Annual Report Part 2 submissions from CCMs, the USA noticed what appeared to be reporting gaps. It stated its expectation that all members would report on this as appropriate.

AGENDA ITEM 9 — ADMINISTRATIVE MATTERS

9.1 Anticipated forecast of Secretariat work commitments for TCC

233. The Compliance Manager referenced the Executive Director's report (**TCC18-2022-04**), and noted the various factors contributing to an increased pressure on the Secretariat's resources. She stated that the Secretariat would work with the TCC Chair and TCC Vice Chair to better articulate the TCC work program and the various IWGs that feed into the TCC process to ensure the Secretariat could support TCC's work within the time frame that CCMs sought. She noted that a further forecast of the Secretariat's work commitments and consideration of long-term resource needs would be provided to WCPFC19.

234. TCC18 commended the Secretariat for its excellent work and noted the intention of the Secretariat to work intersessionally to prepare additional information about the preliminary forecast of future work commitments of the Secretariat's MCS and Compliance Programme to acquire the appropriate level of resources to support implementation of the TCC workplan 2022 – 2024 and to support Commission directives.

9.2 Update of TCC Workplan 2022 – 2024

235. TCC noted the intention of the TCC Vice Chair to work intersessionally to prepare an updated TCC Workplan 2022 - 2024 for adoption at WCPFC19.

9.3 Update on WCPFC IT/VMS Security Audit

236. The IT Manager referenced **TCC18-2022-23 Update on Annual Task that the Secretariat Review the Integrity of VMS Data** and the related paper **TCC18-2022-RP09 2021 Review of Integrity of Secretariat VMS data, and Review of Integrity of IMS and RFV**. He noted recent challenges in having VMS security audits completed in a timely fashion, and the decision by the Secretariat's auditor (Deloitte Guam) to cease operations. He noted the rapid pace of changes in IT security threats argues for a more agile and dynamic response by the Secretariat, and recommended a change be made to a monthly review conducted by an externally contracted security organization. He also recommended that annual penetration testing be conducted of the Secretariat's information systems.

237. TCC18 supported the Secretariat's recommendation to expand the annual VMS Security Audit budget, to include a more dynamic and continual assessment of the WCPFC information systems, with an estimated budget of \$11,900 USD.

238. TCC18 recommended to the Commission that an additional budget allocation of \$15,000 USD be set aside for annual penetration testing of the WCPFC information systems.

9.4 Election of Officers

239. TCC acknowledged with appreciation the hard work of Mat Kertesz and Emily Crigler in their roles as TCC Chair and TCC Vice-Chair.

240. TCC18 welcomed the nomination by FFA members of Mat Kertesz for a second term as TCC Chair. Noting the TCC Chair's absence from TCC18, this nomination should be finalized at WCPFC19.

241. TCC18 also noted that the TCC Vice-Chair's nomination would be finalized at WCPFC19.

9.5 Next meeting

242. TCC18 recommended that TCC19 be held in Pohnpei, Federated States of Micronesia, from Wednesday 20th September to Tuesday 26th September 2023.

243. TCC18 noted that the Commission may need to consider whether an additional day should be added to TCC19 to facilitate review of two years' CMRs in 2023.

AGENDA ITEM 10 —MATTERS FOR TCC ADVICE ARISING FROM THE TCC18 ODF

(a) DRAFT Graphics to illustrate the Best Handling Practices for the Safe Handling and Release of Cetaceans

244. The TCC Acting Chair referenced **TCC18-2022-24** *draft Graphics to illustrate the Best Handling Practices for the Safe Handling and Release of Cetaceans*. The paper was considered at SC18, and forwarded to TCC18 for its consideration. One comment was posted to the TCC18 ODF.

245. TCC18 recommended the graphics for Best Practices for the Safe Handling and Release of Cetaceans (Attachment 1 to **TCC18-2022-WP24**) be forwarded to WCPFC19 for consideration and adoption. (**Attachment G**)

(b) Preliminary review of available information on biodegradable FADs

246. The Acting TCC Chair stated that **TCC18-2022-25** *Preliminary Review of Available Information on Biodegradable FADs* had been prepared by the Secretariat and the FAD-MO IWG Chair, and was intended to inform TCC of SC18's preliminary review of information regarding biodegradable FADs, and related SC18 recommendations. She noted that the issue received a number of comments on the TCC18 ODF.

247. TCC18 supported the SC18 recommendations related to biodegradable FADs as detailed in supporting paper **TCC18-2022-25**.

248. TCC18 recommended that WCPFC19 endorse the interpretation of paragraph 17 of CMM 2021-01 as presented by the FAD Management Options IWG Chair in the TCC18 ODF Summary Report (TCC18-2022-05): “paragraph 17 prohibits deploying FADs with mesh net after 1 January 2024.”

249. TCC18 noted the need to revisit the ROP minimum data fields related to FADs, particularly monitoring of non-entangling and biodegradable FADs implementation in the future, to improve data quality in this area. TCC18 recommended that if the IWG-ROP, once it is reactivated that it, be tasked to undertake this work.

(c) Summary of High Seas Boarding and Inspections carried out by NZ, France, Australia and United States during 2022

250. The Acting TCC Chair stated that posting of **TCC18-2022-DP02_rev1** *Summary of High seas boarding and Inspections carried out by NZ, France, Australia and United States during 2022* had been delayed, so no comments had been made on the ODF.

251. New Zealand stated that Operation Nasse 22 was conducted during May to August 2022, and involved aerial, fisheries, and maritime assets from Australia, France, New Zealand, and the United States. The operation provided partners the opportunity to once again work together following the easing of restrictions related to COVID-19. Over the course of the operation, 15 vessels were boarded and inspected, and 19 potential issues of non-compliance with the CMMs and non-binding measures were identified and communicated to relevant CCMs. New Zealand noted that during the high seas boardings and inspections, all fishing crew were cooperative, and it thanked CCMs for this. In summarizing the boarding activities, New Zealand stated that four common themes of potential non-compliance were identified. These included potential issues with the retention of sharks, use of seabird mitigation measures (notably tori lines not meeting the specifications of the CMM), the absence of protected species recorded in daily catch and effort reporting, and concerns with crew standards pursuant to CMM 2018-01. As a result of the operation, CCMs have been informed of potential non-compliance and further enquiries remain ongoing. New Zealand stated bilateral correspondence had been received from some CCMs regarding some of the issues raised. New Zealand closed by stating on behalf of its partners that they would like to thank those CCMs for their involvement in the operation and the Secretariat for its support, and stated that New Zealand and its partners looks forward to future opportunities to work collaboratively in the region.

252. CCMs acknowledged the services undertaken by the nations involved in Operation Nasse.

(d) Future use of the ODF

253. TCC18 recommended that the online discussion forum continue to be used in future meetings.

AGENDA ITEM 11 — CLEARANCE OF TCC18 RECOMMENDATIONS

254. The TCC18 recommendations were cleared (**TCC18-2022-outcomes**). The Chair confirmed that the Summary Report would be cleared intersessionally.

AGENDA ITEM 12 — CLOSE OF MEETING

255. The TCC Acting Chair thanked CCMs for their constructive engagement during TCC18, and the Secretariat for its support and hard work. She offered condolences to the TCC Chair and his family, and stated that she looked forward to engaging with all CCMs at WCPFC19 in Vietnam.

256. The TCC Acting Chair closed TCC19 at 2:48 pm (Pohnpei time) on 27 September, 2022.

ATTACHMENTS

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TCC18

[Virtual meeting on 21 – 27 September 2022]

Opening Remarks by WCPFC Executive Director

Madam Vice Chair and Acting Chair for TCC18, Ms Emily Crigler.

Thank you for affording me this opportunity to share some remarks at this opening session of TCC18.

I do acknowledge the Commission Chair: Ms Riley Kim and distinguished Member delegates and representatives of observer delegations, including states, inter-governmental and non-governmental organisations, and other stakeholders of the Commission.

Let me join you and Madam Commission Chair in welcoming all participants to this annual meeting of the technical and compliance committee for this year.

We at the Secretariat, like delegates in attendance, were hopeful that we will meet physically at TCC this year, but unfortunately, we are not quite there yet, with the ever evolving and changing international travel landscape, as it continues to be impacted by the COVID-19 pandemic.

But current indications are promising as we continue to prepare for a physical meeting (and potentially a hybrid meeting setup) for the annual Commission meeting WCPFC19 in Da Nang Vietnam at the end of the year.

Madam Acting Chair, please permit me to express on behalf of the Secretariat, our sincere sympathies and condolences to the TCC Chair; Mr Mat Kertez and family for the recent loss of a family member and we wish them well with arrangements for the upcoming funeral. Our thoughts and prayers are with them in their difficult times.

Madam Acting Chair, as you acknowledged at the Heads of Delegation meeting yesterday, as evident from the agenda itself, the agenda for this TCC18 meeting is quite a formidable one despite the Commission's directive that the consideration of this year's compliance monitoring report to be differed to next years' TCC19 meeting.

So, I am very mindful of the premium we placed on the meeting time for these virtual meetings and I will be very brief with remarks.

There are two points I wish to highlight.

The first is to acknowledge the Secretariat's gratification to bear witness to major intersessional work being undertaken to progress reforms to enhance the efficiency, effectiveness, and equity of the Commission's compliance monitoring scheme. A scheme that lies at the core of the work of the TCC,

The reforms emanated from the report of the dedicated review of the compliance monitoring scheme undertaken way back in 2017. And they included the development of audit points; a risk-based assessment framework; guidelines for the participation of observers in closed meetings of the Commission considering the compliance monitoring reports; and a process for reviewing aggregated information drawn from the compliance case file system to name a few.

These are substantial bodies of work that you, Acting Chair, in your capacity as TCC Vice Chair and Chair of the IWG on Future Work on the Compliance Monitoring Scheme, has overall oversight and leadership. So, I would like to acknowledge with appreciation your contribution in that regard, and those of the Leads that led those specific work - Ms Rhea Moss-Christian for the audit points; Ms Heather Ward for the RBAF and the TCC Chair Mr Mat Kertez for the aggregated tables.

I also wish to acknowledge the work of the Compliance Manager Dr Lara Manarangi-Trott and the compliance team in supporting progression of those reforms. Supporting those reforms did place a huge toll on the resources of the Secretariat and somewhat affected the timely delivery of some of the Secretariat's more routine compliance and MSC responsibilities.

The groundwork has now been done, and I hope TCC in this meeting will be able in the week ahead to progress consideration of those reforms to the point that would lay the foundation for the Commission to enact them at the end of the year and bring them into operation next year, and that they are consistent with the objective of enhancing the efficiency, effectiveness, and equity of the Commission's compliance monitoring scheme.

The second and last point, Madam Acting Chair, concerns the resource implications on the Secretariat of the ever-expanding demands of the Workplan for TCC.

This year was a classic year in point.

Despite, our internal efforts to properly assess and map out the resource implications required on the Secretariat to implement the workplan for TCC this year, the Secretariat found itself severely challenged to progress on a timely basis the implementation of some aspects of the workplan for TCC for this year.

The Secretariat's situation was certainly not assisted by the disruptions to the functioning of the Secretariat caused by the arrival of the COVID-19 pandemic in Pohnpei in mid-July that saw the office closed for several weeks.

The other routine operational compliance functions of the Secretariat proved to be far more taxing than usually the case.

For example, developing the draft compliance monitoring report for this year involved far more work because of the addition of a lot of new obligations.

The support expected from the Secretariat to service the good work of the many intersessional working groups like the working group on future work for the CMS –proved to be far more resource intensive than initially anticipated.

As we look to next year and outer years, and in anticipation of the various reforms to the compliance monitoring scheme coming on board and other work streams that may flow on from the good work of the various intersessional working groups, I fear that without proper assessment and evaluation of their resource implications on the Secretariat's capacity to deliver on those emerging work streams, your Secretariat would fall short of the Commission's expectations.

I know there is an opportunity towards the end of the meeting under agenda item 9.1 where the Committee would discuss anticipated forecast of Secretariat work commitments to TCC, but I would respectfully submit that the Committee as it works its way through the agenda from today and all other days of the meeting, to continue to be cognizant of the resource implications on the Secretariat as it considers its recommendations to the Commission on each of the agenda items and related issues.

Madam Acting Chair, I will leave it here and would wish you, the Committee and all of us success as we deliberate over the next 6 days of TCC18.

Your Secretariat remains available to support your deliberations.

Thank you.

Meetings

Attachment B

Attendees - 18th Regular Session of the Technical and Compliance Committee

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TECHNICAL AND COMPLIANCE COMMITTEE
Eighteenth Regular Session
Electronic Meeting 21 – 27 September 2022

ADOPTED AGENDA

WCPFC-TCC18-2022-02_rev2
21 September 2022

AGENDA ITEM 1 OPENING OF MEETING

- 1.1 Welcome
- 1.2 Adoption of agenda
- 1.3 Meeting arrangements

AGENDA ITEM 2 ANNUAL REPORT OF THE EXECUTIVE DIRECTOR *Overview report of the WCPFC MCS and Compliance Programmes, will be taken as read*

AGENDA ITEM 3 IUU VESSEL LIST

AGENDA ITEM 4 CNM REQUESTS

- 4.1 Assess applications for CNM status and provide recommendations and advice on CNM applications

AGENDA ITEM 5 MONITORING AND REVIEW OF COMPLIANCE

- 5.1 Review progress of the work included in the multi-year workplan of tasks to enhance the Compliance Monitoring Scheme by the CMS-IWG (CMM 2021-03 Section IX, WCPFC18 Summary Report paragraph 352, TCC Workplan 2022-2024 Priority project specific task f)
 - (a) Develop audit points to clarify the assessment of existing obligations under the CMS
 - (b) Develop a risk-based assessment framework to inform compliance assessments and ensure obligations are meeting the objectives of the Commission
 - (c) Develop guidelines for participation of observers in closed meetings of the Commission and its subsidiary bodies which consider the Compliance Monitoring Report

- (d) Develop corrective actions to encourage and incentivize CCM's compliance with the Commission's obligations, where non-compliance is identified
 - (e) Advice and recommendations related to the process for reviewing the aggregated information referred to in CMM 2021-03 paragraph 26(ii) drawn from the online Compliance Case File System
 - (f) Advice on appropriate compliance assessment decision-making processes
- 5.2 Advice and recommendations related to TCC19's consideration of the Compliance Monitoring Report that assesses CCMs' compliance over the previous 2-year reporting period (RY2021 and RY2022) (WCPFC18 Summary Report, para 352 (v), CMM 2021-03)
- 5.3 Advice and recommendations related to the continued development of the Commission's Information Management System to support implementation of the Compliance Monitoring Scheme with the aim of making it more efficient and effective by streamlining processes (TCC Workplan 2022-2024 Priority project specific task i)
- (a) Update on enhancements to the online Compliance Case File System and 2022-2023 project to enhance Secretariat analytical capacity and associated integrated-IMS tools to support the Compliance Monitoring Scheme and MCS activities of members (*paper will be taken as read*)
- 5.4 Provide advice on CMMs that need revision to improve compliance and monitoring, including those for which interpretation issues have been identified through the CMS process (TCC Workplan 2022-2024 Priority project specific task g)
- (a) Advice on the baseline period or limit for the Indonesia Large Fish Handline Fishery (WCPFC18 Summary Report paragraph 144, CMM 2021-01 paragraph 47)
 - (b) Advice on the basis for defining vessels subject to limits based on the interpretation of terms "actively fishing for" and similar terms such as "directed" and "targeting" under some CMMs (WCPFC18 Provisional Outcomes Document paragraph 86)
- 5.5 Review and provide advice on improvements to the ROP data fields, including those in ROP pre-notifications, to allow for more useful consideration in the Compliance case file system and compliance review process (TCC Workplan 2022-2024 Priority project specific task j)
- (a) Advice on improvements to ROP minimum standard data fields for whale sharks and cetaceans to allow for a distinction between an interaction and a possible infraction in the compliance case file system

**AGENDA ITEM 6 TECHNICAL AND COMPLIANCE MATTERS
ARISING FROM COVID-19 RELATED INTERSESSIONAL DECISIONS**

- 6.1 Review available information on the implementation of Intersessional Decisions taken in response to COVID-19 in 2021/22 (WCPFC18 Summary Report paragraph 75 and WCPFC SS4) and provide recommendation and advice

**AGENDA ITEM 7 TECHNICAL MATTERS REQUIRING TCC ADVICE,
INCLUDING WITH RESPECT TO IMPLEMENTATION OF COOPERATIVE
MCS AND ENFORCEMENT** *will include update reports from the relevant IWG/TCC
WGs that will be taken as read*

- 7.1 Review information about scientific data provision (TCC Workplan 2022-2024 Priority project specific task b) (paper will be taken as read)
- 7.2 Enhance how CCM's and Secretariat's VMS practices integrate to facilitate ongoing monitoring and compliance with CMM 2014-02 (VMS) (TCC Workplan 2022-2024 Priority project specific task m)
(a) Advice on future work to enable direct/simultaneous VMS reporting by vessels/ALCs reporting to the WCPFC VMS
- 7.3 Review and provide advice on the trial CCFS messaging tool to track observer report requests and responses, as part of TCC task to develop improved mechanisms for the flow of observer information from ROP Providers to CCMs needing such information for their investigations (TCC Workplan 2022-2024 Priority project specific task n)
- 7.4 Advice and recommendations related to the continued development of the Commission's Information Management System to support MCS activities, including exploration of IMS data submission and extraction tools (TCC Workplan 2022-2024 Priority project specific task i)
(a) Update on RFV upgrade (IT-related systems consolidation) (*paper will be taken as read*)
- 7.5 Provide advice on outputs from the ER and EM Working Group, including those related to existing obligations, data gaps and the prioritization of ER and EM and draft minimum standards for electronic monitoring (TCC Workplan 2022-2024 Priority project specific task r)
- 7.6 Review the ongoing work of relevant IWG/TCC WGs related to reviews of existing CMMs (TCC Workplan 2022-2024 core business task h) or through work led by Members
(a) CMM 2009-06 Transhipment (TCC Workplan 2022-2024 Priority project specific task q, WCPFC18 Summary Report paragraph 309)
(b) CMM 2015-02 South Pacific albacore (TCC Workplan 2022-2024 Priority project specific task d, WCPFC18 Summary Report paragraph 322)
(c) CMM 2009-03 Southwest Pacific swordfish (WCPFC18 Summary Report paragraph 229)
(d) CMM 2010-01 North Pacific striped marlin (WCPFC18 Summary Report paragraph 242)

~~(e) CMM 2021-04 Charter Notification Scheme (TCC Workplan 2022-2024 Priority project specific task e)~~

(e) CMM 2019-04 Sharks (member led review of existing CMMs with technical issues)

- 7.7 Provide advice on intersessional work to improve crew safety, including advice on the development of a draft CMM (TCC Workplan 2022-2024 Priority project specific task e, WCPFC18 Summary Report paragraph 320)

AGENDA ITEM 8 SPECIAL REQUIREMENTS OF DEVELOPING STATES

- 8.1 Monitor obligations relating to, and support building the capacity of, SIDS and territories – (TCC Workplan 2022-2024)

AGENDA ITEM 9 ADMINISTRATIVE MATTERS

- 9.1 Anticipated forecast of Secretariat work commitments for TCC
- 9.2 Update of TCC Workplan 2022 – 2024 (*if needed*)
- 9.3 Update on WCPFC IT/VMS Security Audit
- 9.4 Election of Officers
- 9.5 Next meeting

AGENDA ITEM 10 OTHER MATTERS FOR TCC ADVICE ARISING FROM THE TCC18 ONLINE DISCUSSION FORUM

This agenda item is intended to provide a limited opportunity to consider outcomes on other topics from the TCC18 online discussion forum.

AGENDA 11 CLEARANCE OF TCC18 RECOMMENDATIONS

AGENDA 12 CLOSE OF MEETING

Attachment D

Outcome of CMS Audit Point Small Working Group discussions at TCC18

Part A. CMS Audit Points Small Working Group Agreed Audit Points

Part B. List of Obligations to be Reviewed in the 2022 draft Compliance Monitoring Report

Part C. List of Available Sources of Data to Review Implementation of Obligations

Part A: DRAFT Audit Points Agreed to by the SWG

#	CMM/para	Category	SWG DRAFT AUDIT POINT
Part B: Quantitative Limits in CMMs for Tuna and Billfish			
1	SWP Str Marlin 2006-04 01	L	The CCM reported in AR Pt2 the number of its flagged vessels fishing for MLS south of 15S and the Secretariat can verify the CCM’s reported number of vessels and confirm that the CCM’s allowable limit has not been exceeded.
2	SWP Str Marlin 2006-04 04	R	The Secretariat confirms that the CCM submitted in its ARPt1: <ul style="list-style-type: none"> a. the number of its flagged vessels that fished for MLS south of 15S between 2001-2004 and has nominated the maximum number of its flagged vessels that are permitted to continue to fish for MLS south of 15S b. the catch levels of CCM flagged vessels that have taken MLS as a bycatch c. the number and catch levels of its vessels fishing for MLS south of 15S.
3	Swordfish 2009-03 01	L	The CCM reported in AR Pt2 its total number of flagged vessels fishing for SWO south of 20S and the Secretariat can verify the CCM’s reported catch level and confirm that the CCM’s allowable limit has not been exceeded.
4	Swordfish 2009-03 02	L	The CCM reported in AR Pt2 its total catch of SWO by its flagged vessels in the area south of 20S and the Secretariat can verify the CCM’s reported catch level and confirm that the CCM’s allowable limit has not been exceeded.
5	Swordfish 2009-03 03	I	<ol style="list-style-type: none"> 1. CCM submitted a <i>statement</i> in AR Pt2 that: <ul style="list-style-type: none"> a. confirms CCM’s implementation through adoption of a national binding measure that ensures that CCM flagged vessels do not shift effort (for swordfish) to the area north of 20S b. describes how it is monitoring its flagged vessels to ensure they do not shift effort for SWO to the area north of 20S and how the CCM responds to potential infringements or instances of non-compliance with this requirement. 2. The Secretariat can verify that the CCM’s flagged vessels have not shifted effort to the area north of 20S.

#	CMM/para	Category	SWG DRAFT AUDIT POINT
6	Swordfish 2009-03 08	R	The Secretariat confirms that the CCM submitted the required information contained in the template in Annex 2 of CMM in its AR Pt 1.
7	NP Str Marlin 2010-01 05	L	The CCM reported its catch level in AR Pt2 and the Secretariat can verify the CCM's reported catch limit and confirm that its allowable limit was not exceeded.
8	SP Albacore 2015-02 04	R	The Secretariat confirms that the CCM submitted information on annual catch levels by its flagged vessels taking SP Albacore, as well as the number of CCM flagged vessels actively fishing for SP Albacore south of 20S, with catch levels reported by species groups.
9	Tropical Tuna 2021-01 24	L	<ol style="list-style-type: none"> Coastal CCM or PNA Office on behalf of PNA Parties+Tokelau notified their EEZ PS effort or catch limit or collective PNA+Tokelau EEZ effort or catch limit to the Secretariat. Coastal CCM confirms in AR Pt2 that its notified EEZ limit or the PNAO confirms on behalf of PNA+Tokelau that the notified collective EEZ limit has not been exceeded and the Secretariat can verify the CCM's reported information and confirm that the notified EEZ or collective EEZ limit has not been exceeded.
10	Tropical Tuna 2021-01 25	L	CCM submitted its high seas PS effort level in the area between 20N and 20S in AR Pt 2 and the Secretariat can verify the CCM's reported information and confirm that the allowable limit has not been exceeded.
11	Tropical Tuna 2021-01 Att 2 03	R	<ol style="list-style-type: none"> CCM submitted reports to the Secretariat at least 24 hours prior to entry and no more than 6 hours prior to exiting HSP1-SMA in the required format: VID/Entry or Exit: Date/Time; Lat/Long Secretariat review of VMS alerts for CCM vessels operating in HSP1-SMA against received entry/exit reports does not show any discrepancies and Secretariat confirms CCM has no vessels with VTAF data gaps or other VMS reporting anomalies.
12	Tropical Tuna 2021-01 37	L	The CCM reported its total bigeye catch in its AR Pt2 and the Secretariat can verify the CCM's reported catch level and confirm that the allowable limit has not been exceeded.
13	Tropical Tuna	R	The Secretariat confirms that it received 12 bigeye longline catch reports for each month of the reporting year.

#	CMM/para	Category	SWG DRAFT AUDIT POINT
	2021-01 38		
14	Tropical Tuna 2021-01 40	L	CCM reported its total bigeye catch in its AR Pt 2 and the Secretariat can verify the CCM's reported catch level and confirm that it does not exceed 2,000mt.
15	Tropical Tuna 2021-01 42	L	The CCM reported its number of CCM flagged PS vessels >24m with freezing capacity and operating between 20N and 20S and the Secretariat can verify the CCM's reported information and confirm that the allowable limit has not been exceeded.
16	Tropical Tuna 2021-01 44	L	The CCM reported in AR Pt2 its number of flagged LL vessels with freezing capacity targeting bigeye and the Secretariat can verify the CCM's reported information and confirm that the allowable limit has not been exceeded.
17	Tropical Tuna 2021-01 45	L	The CCM reported in AR Pt2 its number of flagged ice-chilled LL vessels targeting bigeye and landing exclusively fresh fish and the Secretariat can verify the CCM's reported information and confirm that the allowable limit has not been exceeded.
18	Pacific Bluefin 2021-02 08 (2020-02 05)	R	The Secretariat confirms CCM submitted a complete report to the Secretariat on total fishing effort and catch levels of PBT by fishery for the previous three years and catch information includes discards.
19	Pacific Bluefin 2021-02 02 (2020-02 02(1))	L	CCM reported its total level of fishing effort by CCM's flagged vessels fishing for PBF north of 20N in its report to the Secretariat as required by paragraph 8 of the CMM, and the Secretariat can verify the CCM's reported total fishing effort and confirm that the CCM's allowable limit was not exceeded.
20	Pacific Bluefin 2021-02 03 (2020-02 02(2))	L	CCM reported its total catches of PBF less than 30kg and 30kg or larger and the Secretariat can verify the CCM's reported total catches and confirm that the total catch level does not exceed the CCM's allowable annual limit.
21	Pacific Bluefin 2021-02 04	L	CCM reported its total catches of PBF 30kg or larger and the Secretariat can verify the CCM's reported total catches and confirm that the CCM's catch of PBF 30kg or larger has not increased by more than 15% above its allowable

#	CMM/para	Category	SWG DRAFT AUDIT POINT
			limit, or that the CCM's catch of PBF 30kg or larger has not exceeded 10mt beyond the CCM's applicable baseline catch limit.
22	Pacific Bluefin 2021-02 14	R	The Secretariat confirms receipt of a complete report by the CCM on national binding measures adopted to implement paragraphs 2, 3, 4, 7, 8, 10, 11, 13, and 16 of the CMM, and that the report includes results of the CCM's monitoring of international trade of products derived from PBF.
Part C: Additional Measures for Tropical Tunas			
23	Tropical Tuna 2021-01 14	I	<p>CCM submitted a <i>statement</i> in AR Pt2 that:</p> <ol style="list-style-type: none"> a. confirms CCM's implementation through adoption of a national binding measure that prohibits CCM flagged PS vessels from fishing on FADs between 1 July and 30 September in EEZs and high seas between 20N and 20S. b. describes how CCM is monitoring its flagged PS vessels to ensure they do not fish on FADs in EEZs and on high seas between 20N and 20S and how potential infringements or instances of non-compliance with this requirement are handled. <p>*FOR PNA MEMBERS THAT NOTIFY EXEMPTIONS AS PER FOOTNOTE 1: In addition to the statements required in a and b for its flagged vessels operating in other EEZs and on the high seas between 20N and 20S, the PNA member submitted a notification to the WCPFC ED within 15 days of its approval of an arrangement to which domestic vessels that the 3-month FAD closure will not apply in PNA member EEZ.</p>
24	Tropical Tuna 2021-01 15	I	<p>Based on the CCM's notification by the required deadline of its choice of implementation of which two consecutive additional months of FAD closure on the high seas, the CCM has submitted a statement that:</p> <ol style="list-style-type: none"> a. confirms CCM's implementation through adoption of a national binding measure that prohibits CCM flagged PS vessels from fishing on FADs on the high seas between 20N and 20S during the chosen additional two months closure period b. describes how CCM is monitoring its flagged PS vessels to ensure they do not fish on FADs on the high seas between 20N and 20S during the chosen additional two months closure period, and how potential infringements or instances of non-compliance with this requirement are handled.

#	CMM/para	Category	SWG DRAFT AUDIT POINT
Part E: Mitigating Impacts of Fishing, Including on Species of Special Interest			
25	Cetaceans 2011-03 01	I	CCM submitted a <i>statement</i> in AR Pt2 that: <ul style="list-style-type: none"> a. confirms CCM’s implementation through adoption of a national binding measure that prohibits CCM flagged PS vessels from setting a purse seine net on a school of tuna associated with a cetacean (if sighted prior to commencement of the set) b. describes how CCM is monitoring its flagged PS vessels to ensure they do not set a purse seine net on a school of tuna associated with a cetacean where a sighting occurs prior to commencement of the set, and how potential infringements or instances of non-compliance with this requirement are handled.
26	Cetaceans 2011-03 02	I	CCM submitted a <i>statement</i> in AR Pt2 that: <ul style="list-style-type: none"> a. confirms CCM’s implementation through adoption of a national binding measure that requires the vessel master of CCM flagged PS vessels to follow safe release guidelines in the event a cetacean is unintentionally encircled in the PS net b. describes how CCM is monitoring its flagged PS vessels to ensure safe release guidelines are followed and how potential infringements or instances of non-compliance with this requirement are handled.
27	Sea Turtles 2018-04 06	I	CCM submitted a <i>statement</i> in AR Pt2 that: <ul style="list-style-type: none"> a. confirms CCM’s implementation through adoption of a national binding measure that requires operators of CCM flagged LL vessels to carry and use line cutters and de-hookers to handle and promptly release sea turtles caught or entangled and where appropriate, carry and use dip-nets in accordance with WCPFC guidelines b. describes how CCM is monitoring its flagged LL vessels to ensure this requirement is followed and how potential infringements or instances of non-compliance with this requirement are handled.
28	Sea Turtles 2018-04 07a	I	CCM submitted a <i>statement</i> in AR Pt2 that: <ul style="list-style-type: none"> a. confirms CCM’s implementation through adoption of a national binding measure that requires operators of CCM flagged LL vessels to employ at least one of the three mitigation methods listed in paragraph 7a of the CMM

#	CMM/para	Category	SWG DRAFT AUDIT POINT
			<p>b. describes how CCM is monitoring its flagged LL vessels to ensure that at least one of the mitigation measures in paragraph 7a of the CMM is being employed, and how potential infringements or instances of non-compliance with this requirement are handled.</p> <p>and the Secretariat confirms that CCM provided information in AR Pt 2 of any CCM vessel interactions with sea turtles in fisheries managed under the Convention and confirmation that CCM vessels are required to record all incidents involving sea turtles during fishing operations.</p>
29	Sharks 2019-04 05	R	The Secretariat confirms that CCM reported in AR Pt 2 information on alternative measures not contained in the CMM that the CCM is applying in areas under CCM's national jurisdiction.
30	Sharks 2019-04 23	R	The Secretariat confirms CCM submitted a report in AR Pt2 that addresses each of the elements contained in the template at Annex 2 of the CMM.
31	Sharks 2019-04 07-10	I	<p>CCM submitted a <i>statement</i> in AR Pt2 that:</p> <p>a. confirms CCM's implementation through adoption of a national binding measure that requires CCM flagged vessels to fully utilize any sharks that are retained on board and to prohibit any finning from taking place, or required alternative measures to ensure individual shark carcasses and their corresponding fins can be easily identified on board the vessel at any time</p> <p>b. describes how CCM is monitoring its flagged vessels to ensure that sharks are being fully utilized and fins are naturally attached to the carcass or alternative measures are applied as per the CMM, and how potential infringements or instances of non-compliance with this requirement are handled.</p>
32	Sharks 2019-04 11	R	The Secretariat confirms receipt of a report from CCM in AR Pt 2 with information on CCM implementation of measures taken to require CCM vessels to land sharks with fins naturally attached to the carcass, including a detailed explanation of implementation of paragraphs 8 and 9 of CMM 2019-04 and CCM's compliance monitoring activities.
33	Sharks 2019-04 12	I	<p>CCM submitted a <i>statement</i> in AR Pt2 that:</p> <p>a. confirms CCM's implementation through adoption of a national binding measure that prohibits CCM flagged fishing vessels from retaining on board, transshipping, landing, or trading any fins harvested in contravention of CMM 2019-04</p>

#	CMM/para	Category	SWG DRAFT AUDIT POINT
			b. describes how CCM is monitoring its flagged fishing vessels to ensure that no fins are retained on board, transhipped, landed or traded, and how potential infringements or instances of non-compliance with this requirement are handled.
34	Sharks 2019-04 13	I	CCM submitted a <i>statement</i> in AR Pt2 that: <ul style="list-style-type: none"> a. confirms CCM’s implementation through adoption of a national binding measure that requires CCM flagged fishing vessels to land or tranship all shark carcasses with their corresponding fins and in a manner that enables inspectors to verify b. describes how CCM is monitoring its flagged fishing vessels to ensure that all shark fins that are landed or transhipped with their corresponding carcasses can be verified, and how potential infringements or instances of non-compliance with this requirement are handled.
35	Sharks 2019-04 14-15	I/R	Based on the CCM’s notification to the Secretariat of which option will apply to the CCM or its individual vessels, the CCM has submitted a statement in AR Pt 2 that: <ul style="list-style-type: none"> a. confirms CCM’s implementation through adoption of a national binding measure that requires its flagged LL vessel or vessels to apply the CCM’s selected option b. describes how CCM is monitoring its flagged LL vessels to ensure that the selection option is being applied and how potential infringements or instances of non-compliance with this requirement are handled.
36	Sharks 2019-04 16	R	The Secretariat confirms CCM submitted a report in its AR Pt 2 of its management plan for CCM’s flagged LL vessels targeting sharks (note report guidance in CMM Annex 2 para 5).
37	Sharks 2019-04 18	I	CCM submitted a <i>statement</i> in AR Pt2 that: <ul style="list-style-type: none"> a. confirms CCM’s implementation through adoption of a national binding measure that requires CCM flagged vessels with observers or electronic monitoring cameras on board to haul any sharks that are caught alongside the vessel before being cut free to facilitate species ID b. describes how CCM is monitoring its flagged vessels with observers or electronic monitoring cameras on board to ensure that any sharks caught are hauled alongside to facilitate species ID, and how potential infringements or instances of non-compliance with this requirement are handled.
38 39 40	Sharks (OWT, SS) 2019-04 20 (01-03)	I	CCM submitted a <i>statement</i> in AR Pt2 that:

#	CMM/para	Category	SWG DRAFT AUDIT POINT
			<ul style="list-style-type: none"> a. confirms CCM’s implementation through adoption of a national binding measure that prohibits CCM flagged vessels or vessels under CCM charter to retain on board, tranship, store, or land any oceanic whitetip or silky shark, in whole or in part; requires release of any oceanic whitetip or silky shark that is caught, in accordance with applicable safe release guidelines; surrender in whole any unintentionally caught oceanic whitetip or silky shark that are frozen as part of CCM flagged PS vessels’ operation to the responsible government authorities or discard them at the point of landing or transshipment, upon which any surrendered OWT or SS may be donated for human consumption b. describes how CCM is monitoring its flagged vessels or vessels it charters to ensure the requirements are met, and how potential infringements or instances of non-compliance with this requirement are handled.
41 42	Sharks (Whale) 2019-04 21 (01-07) 2019-04 21(04)	I/R	<p>CCM submitted a <i>statement</i> in AR Pt2 that:</p> <ul style="list-style-type: none"> a. confirms CCM’s implementation through adoption of a national binding measure that: prohibits its flagged and chartered vessels from setting a purse seine on a school of tuna associated with a whale shark if the animal is sighted prior to the commencement of a set, or retaining on board, transshipping, or landing any whale shark caught in the Convention Area, in whole or in part, in the fisheries covered by the Convention; ensures that all reasonable steps are taken to ensure safe release of incidentally encircled whale sharks and that the incident is reported to the CCM’s relevant authority b. describes how the CCM is monitoring its flagged and chartered vessels to ensure the requirements are met and how potential infringements or instances of non-compliance with this requirement are handled. <p>*CCMs with vessels authorized to fish in the EEZ of any member of the PNA shall include in their statement in AR Pt 2 the requirement for this prohibition to be in accordance with the PNA 3IA. (para 21.3)</p> <p>*CCMs with vessels authorized to fish in EEZs of CCMs north of 30N, the CCM shall implement the CMM or compatible measures consistent with obligations in the CMM and provide a description of those measures in AR Pt 2. (para 21.4)</p>
43	Mobulids 2019-05 04-06, 08, 10	I	<p>CCM submitted a <i>statement</i> in AR Pt 2 that:</p> <ul style="list-style-type: none"> a. confirms CCM’s implementation through adoption of a national binding measure that: prohibits its flagged vessels from retaining on board, transshipping, or landing any part or whole carcass of a mobulid ray, and require prompt release alive and unharmed any mobulid ray that is caught, in accordance with safe handling practices in the CMM; requires CCM PS vessel operators to surrender any unintentionally caught and landed mobulid rays to the relevant government authorities at the point of landing or transshipment, or discard them

#	CMM/para	Category	SWG DRAFT AUDIT POINT
			<p>where possible, and allows observers to collect biological samples of mobulid rays that are caught and dead at haul back</p> <p>b. describes how the CCM is monitoring its flagged vessels to ensure the requirements are met and how potential infringements or instances of non-compliance with this requirement are handled.</p>
Part F: Operational Requirements for Fishing Vessels			
44	VMS 2014-02 09a	I	<p>1. CCM submitted a statement in AR Pt 2 that:</p> <ul style="list-style-type: none"> a. confirms CCM's implementation through adoption of national binding measures or management plans that require its flagged vessels to comply with the Commission standards (contained in CMM 2014-02 and the VMS SSPs) for WCPFC VMS including being fitted with ALCs/MTUs that meet Commission requirements. b. describes how the CCM is monitoring its flagged vessels to ensure the requirements are met and how potential infringements or instances of non-compliance with this requirement are handled. <p>2. The Secretariat confirms that CCMs:</p> <ul style="list-style-type: none"> a. have binding measures or management plans requiring vessels to install ALC units that are on the Commission ALC/MTU Approved List; b. have binding measures or management plans outlining its processes for taking action when vessels that are 'fishing in the Convention Area beyond their area under national jurisdiction' stop reporting to the Commission VMS; and c. have MTUs/ALCs that are successfully activated and reporting to the Commission VMS. For any unsuccessful activation, the Secretariat shall confirm whether this is an issue requiring flag CCM or Secretariat action. d. [In cases where after a successful initial activation, transmission problems are experienced, the Secretariat shall confirm whether: i) the flag State is(has) cooperating(ed) with the Secretariat to resolve these issues and ii) whether, pending reactivation, the vessel concerned has been reporting to the flag State and all positions have been transmitted to the Secretariat.] <i>still under discussion</i>

#	CMM/para	Category	SWG DRAFT AUDIT POINT
45	VMS SSPs 2.8	R	1. The Secretariat confirms that CCM's flagged vessels are on the FFA Good Standing List. or 2. The Secretariat confirms that the CCM has provided complete VTAF details.
46	RFV 2018-06 09	R	The Secretariat confirms that a fished/did not fish report has been received from the CCM using the required template.
47	RFV 2018-06 03	I	CCM submitted a <i>statement</i> in AR Pt 2 that: a. confirms CCM's implementation through adoption of a national binding measure that prohibits fishing by CCM flagged vessels beyond areas of CCM's national jurisdiction without the appropriate CCM authorization b. describes how the CCM is monitoring and ensuring that its flagged vessels are not operating beyond the CCM's areas of national jurisdiction without the appropriate CCM authorization, and how potential infringements or instances of non-compliance with this requirement are handled.

Part G: Activity Related Requirements

48	SciData 01 (annual catch estimates)	R	Assessment is in accordance with Tier-Scoring Evaluation Level:	
49	SciData 02 (number of active vessels)		<ul style="list-style-type: none"> • A Tier Score of III = COMPLIANT • A Tier Score of I or II = NON-COMPLIANT/PRIORITY 	
50	SciData 03 (operational level C/E data)		I	No data are provided, or data have been provided but they have been evaluated as 'unusable' (instances where none of the data provided can be used in assessments). This level of data gap is the most severe and has by far the greatest impacts on the scientific work of the Commission.
51	SciData 05 (size composition data)			

#	CMM/para	Category	SWG DRAFT AUDIT POINT				
			<table border="1"> <tr> <td style="background-color: yellow;">II</td> <td>Data have been provided, most of which can be used for the scientific work of the Commission, but (i) there are one or several (minimum-standard) data fields not provided an/or (ii) the coverage of the data is not according to the requirements. In these cases, some of the scientific work of the Commission cannot be undertaken. The % value assigned in this category represents the estimated proportion of the key attribute data provided compared to the full set of key attribute data required as stipulated in the WCPFC data submission guidelines.</td> </tr> <tr> <td style="background-color: lightgreen;">III</td> <td>Data have been provided, there are no gaps in the data provided and the coverage of data is according to the requirements.</td> </tr> </table>	II	Data have been provided, most of which can be used for the scientific work of the Commission, but (i) there are one or several (minimum-standard) data fields not provided an/or (ii) the coverage of the data is not according to the requirements. In these cases, some of the scientific work of the Commission cannot be undertaken. The % value assigned in this category represents the estimated proportion of the key attribute data provided compared to the full set of key attribute data required as stipulated in the WCPFC data submission guidelines.	III	Data have been provided, there are no gaps in the data provided and the coverage of data is according to the requirements.
II	Data have been provided, most of which can be used for the scientific work of the Commission, but (i) there are one or several (minimum-standard) data fields not provided an/or (ii) the coverage of the data is not according to the requirements. In these cases, some of the scientific work of the Commission cannot be undertaken. The % value assigned in this category represents the estimated proportion of the key attribute data provided compared to the full set of key attribute data required as stipulated in the WCPFC data submission guidelines.						
III	Data have been provided, there are no gaps in the data provided and the coverage of data is according to the requirements.						
52	Charters 2019-08 07	R	The Secretariat confirms that it received a report from the chartering CCM on the catch and effort of vessels notified as operating under charter to the CCM.				
53	Charters 2019-08 02	R	The Secretariat confirms that notification from a CCM of which vessels are to be identified as operating pursuant to a chartering arrangement with the CCM was received within the required timeframe.				
54	Transhipment 2009-06 29	L	<p>The Secretariat verifies the information reported by the CCM in AR Pt 2 and confirms that the CCM's allowable limit of PS vessels transhipping outside of port has not been exceeded.</p> <p>*Note additional reporting obligations for COVID19-related requirements:</p> <p>The Secretariat has received information in AR Pt 2 of the CCM's approach to implementation of the suspension from 20 April to 31 December 2021.</p>				
55	Transhipment 2009-06 11	R	The Secretariat confirms receipt by the CCM in AR Pt 1 of the required information in the prescribed format contained at Annex II of CMM 2009-06, and confirms that the report includes the required information for all CCM transhipment events in the Convention Area of all HMFS covered by the Convention, as well as HMFS taken in the Convention Area and transhipped outside the Convention Area, in accordance with paras 10, 11, and 12 of CMM 2009-06.				
56	Transhipment 2009-06 34	L	The Secretariat confirms that none of the vessels for which the CCM is responsible has engaged in high seas transhipment, unless the CCM indicated in the WCPFC Record of Fishing Vessels or by other means of				

#	CMM/para	Category	SWG DRAFT AUDIT POINT
			communication that the vessel or vessels are authorized pursuant to paragraph 37 of CMM 2009-06 to engage in high seas transshipment activities.
57	Transshipment 2009-06 35(a)(ii)	R	The Secretariat confirms that CCM indicated its flagged vessels authorized to tranship on the high seas, including by completing the relevant data field in the RFV data.
58	Transshipment 2009-06 35(a)(iii)	R	Where a CCM (or chartering CCM) has indicated that it has authorized its flagged vessels to engage in high seas transshipment and indicated such authorization in its RFV, the Secretariat confirms that it has received the corresponding WCPFC high seas transshipment notification in respect of each CCM-authorized vessel in accordance with Annex III of CMM 2009-06 or WCPFC ER Standards for high seas transshipment.
59	Transshipment 2009-06 35(a)(iv)	R	Where a CCM (or chartering CCM) has indicated that it has authorized its flagged vessels to engage in high seas transshipment and indicated such authorization in its RFV, the Secretariat confirms that it has received the corresponding WCPFC high seas transshipment declaration in respect of each CCM-authorized vessel in accordance with Annex I of CMM 2009-06 or WCPFC ER Standards for high seas transshipment.
Part I: Observer Activity Related Requirements			
60	Tropical Tuna 2021-01 Att2 05-06	I	CCM submitted a <i>statement</i> in AR Pt 2 that: <ul style="list-style-type: none"> a. confirms CCM’s implementation through adoption of a national binding measure that requires CCM flagged vessels to employ a WCPFC Regional Observer while operating in HSP-1 SMA b. describes how the CCM is monitoring and ensuring that its flagged vessels are not operating in HSP-1 SMA without a WCPFC Regional Observer, and how potential infringements or instances of non-compliance with this requirement are handled

Part B: List of obligations to be reviewed in the
2022 draft Compliance Monitoring Report (covering 2021 activities)

Key: To indicative Risk Rating Low Moderate High Severe

	CMM	Para and risk rating	Description	Category
1	Sci Data	SciData 01	Estimates of Annual Catches	Report
2		SciData 02	Annual number of vessels active	Report
3		SciData 03	Operational Level catch and effort data	Report
4		SciData 05	Annual Size Composition Data	Report
5	Tropical Tuna Measure	2020-01:16	Purse seine 3-month FAD closure (July-Sept) for purse seine vessels in EEZ and HS.	Implementation
6		2020-01:17	Additional 2-month FAD closure on high seas (April/May/Nov-Dec)	Implementation & Report
7		2020-01:25	Restrict purse seine effort/catch within EEZ as notified in Table 1	Limit
8		2020-01: 26	Restrict high seas purse seine effort (20°N-20°S) - Table 2	Limit
9		2020-01:39	Restrict longline BET catch to limits set in Table 3	Limit
10		2020-01:41	Bigeye longline catch limits for 2021, with adjustment to be made for any overage in 2020 (Table 3)	Report
11		2020-01:43	Bigeye longline catch limits by flag for certain other members which caught less than 2000t in 2004	Limit
12		2020-01: 45	Limit by flag on number of purse seine vessels >24m with freezing capacity between 20N and 20S	Limit
13		2020-01: 47	Limit by flag on number of longline vessels with freezing capacity targeting bigeye above the current level (applying domestic quotas are exempt)	Limit
14		2020-01: 48	Limit by flag on number of ice-chilled longline vessels targeting bigeye and landing exclusively fresh fish above the current level or above the number of current licenses under established limited entry programmes (applying domestic quotas are exempt)	Limit
15		2020-01: Att2 03	Philippines vessels Entry/Exit reports for HSP1-SMA	Report
16		2020-01: Att2 05-06	Specific requirements for deploying observers on Philippines vessels fishing in HSP-1	Implementation
17	Pacific Bluefin Tuna	2020-02:02 (1)	Total effort by vessels for Pacific Bluefin limited to 2002 - 2004 levels in Area north of 20N	Limit
18		2020-02: 02 (2)	Catches of Pacific bluefin tuna less than 30kg shall be reduced to 50% of 2002-04 level. Overage or underage may be used in following year	Limit
19		2020-02: 3	Take measures not to increase catches of BFT >30kg from 2002-04 levels with some exceptions	Implementation

20		2020-02: 5	Report annually Pacific bluefin effort and catch <>30kg (3 years)	Report
21		2020-02: 11	Report annually on implementation of Pacific bluefin CMM (2,3,4,5,7,8,10,13)	Report
22	South Pacific Albacore	2015-02: 04	Annual report of SP ALB by vessel by species	Report
23	NP Marlin	2010-01: 05	NP striped marlin catch limits applicable to CCMs with vessels fishing in the Convention Area north of the equator: commencing 2011	Limit
24		2006-04: 01	L Limit number of fishing vessels fishing for MLS south of 15S to 2000 – 2004 levels	Limit
25	SWP. Marlin	2006-04: 04	Annual catches of MLS (bycatch), and annual numbers of vessels fishing for MLS south of 15S and their catch levels	Report
26		2009-03: 01	Limit number of vessels fishing for SWO south of 20S to the number in any one year between 2000-2005	Limit
27		2009-03: 02	Limit the catch of SWO by its vessels in area south of 20S to the amount in any one year during 2000-2006	Limit
28	Swordfish	2009-03: 03	CCMs shall not shift their fishing effort for SWO to the area north of 20°S	Limit
29		2009-03: 08	Report annually on total catch and effort for SWO S 20°S	Report
30		2018-06: 03	CCMs should only allow its fishing vessels to be used for fishing, if properly authorised	Implementation
31	RFV	2018-06: 09	Submission by Member to ED a list of all vessels on national record in previous year, noting "fished" or "did not fish" for each vessel	Report
32		2014-02: 09a	Fishing vessels comply with the Commission standards for WCPFC VMS including being fitted with ALC/MTU that meet Commission requirements	Implementation
33	VMS	2014-02: 09a VMS SSPs 2.8	Provision of ALC/MTU 'VTAf' data	Implementation
34		2009-06: 11	Annual report on all transshipment activities covered by this Measure (including transshipment activities that occur in ports or EEZs) in accordance with the specified guidelines (Annex II)	Report
35	Transshipment	2009-06: 29	Limit on purse seine vessels transshipment outside of port to vessels that have received an exemption from the Commission. Where applicable, flag CCM authorisation should be vessel-specific and address any specific conditions identified by the Commission.	Limit
36		2009-06: 34	Ban on high seas transshipment, unless a CCM has determined impracticability in accordance with para 37 guidelines, and has advised the Commission of such.	Limit

37		2009-06:35 (a) (ii)	Flag State's notification to the Secretariat on its flag vessels that are authorised to transship on the high seas	Report
38		2009-06: 35 (a) (iii)	WCPFC Transshipment Advance Notification (including fields in Annex III)	Report
39		2009-06: 35 (a) (iv)	WCPFC Transshipment Declaration (including information in Annex I)	Report
40	Charter Notification	2019-08: 02	Notification of charter arrangements made to the ED	Report
41		2019-08: 07	Report annually to ED the catch and effort of chartered vessels in the previous year (unless specifically provided in other CMMs)	Report
42	Sea turtles	2018-04: 06	CCMs to require longline vessels to carry and use line cutters and de-hookers to handle and promptly release sea turtles, as well as dip-nets where appropriate	Implementation
43		2018-04: 07 (a)	Sea Turtle mitigation requirements for shallow-set longline vessels	Implementation
44	Sharks	2019-04: 05	Report to describe, where applicable, any alternative measures from those in CMM 2019-04 SHARKS which are applied by CCMs in areas under national jurisdiction (provide in Part 2 Annual Report)	Report
45		2019-04: 07-10	Take measures necessary to require all sharks retained on board their vessels are fully utilized and ensure the prohibition of finning (provide in Part 2 Annual Report) <i>Includes consideration of para 10</i> Request from CCM for TCC and the Commission to consider endorsing alternative measures to fins naturally attached from those listed in para 9	Implementation
46		2019-04: 11	Report annually on shark fins attached/alternative measures	Report/Deadline
47		2019-04: 12	Take measures necessary to prevent fishing vessels from retaining on board (including for crew consumption), transshipping and landing any fins harvested in contravention of CMM 2019-04	Implementation
48		2019-04: 13	Shark carcasses/fins landed/transhipped together to ensure verification	Implementation
49		2019-04: 14-15	Implement at least one option to minimize bycatch of sharks in longline fisheries, and notify choice and whenever the selected option is changed	Implementation
50		2019-04: 16	Develop and report annually on management plans for longline fisheries targeting sharks in Pt 2 Annual Report	Implementation

51		2019-04: 18	Ensure that sharks that are caught but are not to be retained, are hauled alongside the vessel in order to facilitate species identification (only applicable where observer or EM camera is present, and where safe for crew and observers)	Implementation
52		2019-04: 20 (1)	Prohibit retaining/transshipping/storing/landing oceanic whitetip & silky sharks	Implementation
53		2019-04: 20 (2)	Requirement to release oceanic whitetip & silky sharks asap	Implementation
54		2019-04: 20 (3)	If oceanic whitetip & silky sharks caught, must be given to govt or discarded	Implementation
55		2019-04: 21 (1-7)	Prohibit purse seine setting on whale sharks, retaining/transshipping/landing of whale sharks	Implementation
56		2019-04: 21 (4)	CCMs implement compatible measures for whale sharks in zone N30N	Report
57		2019-04: 23	Report annually on implementation of shark CMM (Annex 2 template)	Report/Deadline
58	Cetaceans	2011-03: 01	Prohibit purse seine setting on cetaceans, if animal is sighted prior to commencement of the set	Implementation
59		2011-03: 02	Requirements in the event of unintentional encircling of cetaceans in the purse seine net, including incident reporting requirements	Implementation
60	Mobulids	2019-05: 04-06, 08, 10:	Mobulids: Prohibit retaining/transshipping/landing of mobulid rays	Implementation

Available Data Sources for Reviewing Implementation of Obligations (*for reference*)

- 1. Annual Report Part 1**
- 2. Annual Report Part 2**
- 3. Annual Catch and Effort Tables**
- 4. Catch and Effort Data Summaries**
- 5. HSP1 Entry/Exit Reports**
- 6. WCPFC VMS Data**
- 7. WCPFC Record of Fishing Vessels**
- 8. Fished/Did Not Fish Reports from CCMs**
- 9. Annual Report to Northern Committee**
- 10. Regional Observer Program Data**
- 11. Summary of Reports received pursuant to Tropical Tuna CMM**
- 12. Relevant CCM Management Plans provided pursuant to certain reporting requirements**
- 13. WCPFC VRST data**
- 14. FFA Report on daily position counts**
- 15. FFA Good Standing records**
- 16. CCM and Secretariat Communications**
- 17. Commission Database of WCPFC VMS Data**
- 18. HSBI data**
- 19. SPC advice on SciData reporting**
- 20. Commission database of WCPFC Charter Notification data**
- 21. CCM Applications to TCC (high seas transshipment)**
- 22. High Seas Transshipment Reports**
- 23. High Seas Transshipment Notifications**
- 24. Commission data on PI observer requests**

Attachment E – Recommended modifications to CMM 2014-03 to support the Upgraded RFV

Box 1: Recommended Modifications to CMM 2014-03 Attachment 3 and 4 to support the Upgraded RFV

Attachment 3. Electronic Formatting Specifications

These specifications describe the electronic files that CCMs must provide if they choose to submit information via the electronic transmission mode (paragraph 3.a).

A) File type

The information must be provided in Microsoft Excel format. ~~one of the following formats~~
~~Microsoft Excel file~~

File name

~~The name of the file must be: —XX_RFV_UPDATES_DDMMYYYY.sssss~~
~~where:~~

- ~~• —XX— two letter ISO country code (Attachment 7) of the CCM providing the file~~
- ~~• —DDMMYYYY— the date of the provision of the file~~
- ~~• —sssss— the standard file suffix (xls or xlsx if Excel file)~~

~~For example:~~

~~AU_RFV_UPDATES_11082013.xlsx (Excel file provided by Australia, on 11 August 2013)~~

B) File content

The RFV update file must contain only the vessels to be added to or deleted from the RFV, or whose details are being updated (i.e., the file must not include vessels for which no changes are being made). The type of change required for a particular vessel must be indicated by the “Data Action Code” (text) field, which must consist of one of the following values:

“ADDITION” (for a vessel that has not been on the RFV (active or previously delisted), to be added to the RFV),

“MODIFICATION” (for a vessel that: i) is currently on the RFV and which is to be modified by the current submitted by CCM, and to remain on the RFV; or ii) has previously been on the RFV but was deleted (delisted) at some stage, and which is to be modified by the current submitted by CCM (relisted) or a different submitted by CCM (reflagged),), or

“DELETION” (for a vessel to be removed from the RFV by the same submitted by CCM).

For a MODIFICATION, all the minimum data requirement fields for the vessel must be completed in the record so that the fields to be updated can be clearly identified. For an ADDITION, all minimum data requirement fields with the exception of the VID must be completed. For a DELETION, at a minimum, the following fields must be completed in the record: VID, name of the fishing vessel, flag of the fishing vessel, registration number, WCPFC Identification Number, and reason for deletion.

C) File structure

Each record in the electronic file represents a single vessel. Each record must have the structure specified in Attachment 1, including the same sequence of fields.

Sample MS Excel files with the proper formats are available [to download](#) from the [WCPFC RFV Web Portal](#).

Attachment 4. Web Portal Specifications

These specifications provide details on the web portal interface that the WCPFC Secretariat will maintain to support CCMs' submission of information via the manual transmission mode (paragraph 3.b).

The WCPFC Secretariat will provide a web portal interface for authorised RFV personnel of CCMs to directly enter and provide updates to RFV data for their vessels, and where applicable chartered vessels. Access to the web portal will be secure, and will require authorised RFV personnel to log in using a ~~CCM specific~~ [their WCPFC website](#) user name and password.

The web portal will be [accessed from a link prominently displayed on the public WCPFC website](#).
~~hosted on:~~ <https://intra.wcpfc.int/Lists/Vessels/Active%20Vessels%20by%20CCM.aspx>

This web portal will be designed to meet the standards and specifications of Attachment 1 and the SSPs, and where data relate to a specific list of alternative categories that is determined by the WCPFC Secretariat, this will be provided where possible as a drop-down menu option. In other instances, the option of numerical entries or text entries will be possible. There will be a capability for photos to be uploaded and updated.

After submission of a change or entry to the RFV via the web portal, each change or entry will be checked ~~by the WCPFC Secretariat~~ for consistency with the SSPs before being incorporated into the RFV. The CCM user will be ~~promptly~~ notified as to whether a given entry or change was incorporated into the RFV, and if not, the nature of the problem.

6. Noting that there have been updates to CMMs which are referenced in CMM 2014-03 since its adoption, the Secretariat also suggests the following edits are made in **Attachment 1. List of Fields in the WCPFC RFV and their Format and Content**
 - Replace various instances of “~~CMM 2013-10~~” with “[CMM 2018-06 or its replacement](#)” and “~~CMM 2012-05~~” with “[CMM 2012-04 or its replacement](#)”

TCC18 recommended that WCPFC19 adopt the WCPFC ROP Minimum Standard Data Fields identified in FC-1 and FC-2 (enclosed) as data fields to be collected by transshipment observers during transshipment events as of 1 January 2023.

**REGIONAL OBSERVER PROGRAMME
FISH CARRIER GENERAL VESSEL DESCRIPTION**

**FORM
FC-1**

WCPFC DEC 2011 FOR USE ON CARRIER VESSELS

OBSERVER INFORMATION & TRIP DETAILS

OBSERVER NAME WCPFC ROP Minimum Standard Data Field	OBSERVER TRIP STARTED AT: WCPFC ROP Minimum Standard Data Field	OBSERVER TRIP START (SHIP'S DATE AND TIME) DD MM YY hh mm
OBSERVER TRIP ID NUMBER WCPFC ROP Minimum Standard Data Field	OBSERVER TRIP ENDED AT: WCPFC ROP Minimum Standard Data Field	OBSERVER TRIP END (SHIP'S DATE AND TIME) DD MM YY hh mm
OBSERVER NATIONALITY WCPFC ROP Minimum Standard Data Field	VESSEL TRIP DEPARTURE PORT: WCPFC ROP Minimum Standard Data Field	VESSEL TRIP START (SHIPS DATE AND TIME) DD MM YY hh mm
OBSERVER PROVIDER WCPFC ROP Minimum Standard Data Field	VESSEL TRIP PORT of RETURN: WCPFC ROP Minimum Standard Data Field	VESSEL TRIP END (SHIPS DATE AND TIME) DD MM YY hh mm

VESSEL IDENTIFICATION, ATTRIBUTES, & CREW INFORMATION

CARRIER NAME "Name of Vessel" used in ROP	VESSEL REGISTRATION NUMBER "Flag State Registration Number" used in ROP	VESSEL FLAG	VESSEL OWNER OR COMPANY & ADDRESS WCPFC ROP Minimum Standard Data Field
INTERNATIONAL RADIO CALLSIGN: (IRCS) WCPFC ROP Minimum Standard Data Field	VESSEL AUTHORIZATION NUMBER "WCPFC Authorisation" in the ROP	WIN No IF APPLICABLE (if no IRCS) WCPFC ROP Minimum Standard Data Field	
NAME OF CAPTAIN WCPFC ROP Minimum Standard Data Field	NATIONALITY OF CAPTAIN WCPFC ROP Minimum Standard Data Field	TOTAL NUMBER OF CREW INCLUDING CAPTAIN / MASTER WCPFC ROP Minimum Standard Data Field	
VESSEL TONNAGE - Circle GRT Unit WCPFC ROP Minimum Standard Data Field	VESSEL LENGTH (LOA) Circle Unit Used WCPFC ROP Minimum Standard Data Field	DID VESSEL OPERATE IN IATCC YES NO IOTC ON THIS TRIP (Circle)	FOR WHAT PERIOD/S Recommend adding if the data field to the left is adopted
No of Wells	Carriers have "holds" that may not be divided abeam. Rather they have fore/aft "wells". Consider adopting after further discussion or at a later date?	PORT STARBOARD OTHER TYPE	CARRIER TOTAL FISH HOLD (Well) CAPACITY "Vessel Fish Hold Capacity" used in ROP

VESSEL COMMUNICATIONS

COMMUNICATION SERVICES	PHONES	SATELLITE: Y / N	Phone No.:	MOBILE: Y / N	Phone No.:
	OTHER	FACSIMILE: Y / N	Fax No.:	EMAIL: Y / N	Email:
VMS	TYPE WCPFC ROP Minimum Standard Data Field	VMS OPERATIONAL do not recommend?	Difficult for observers to determine	YES NO SOMETIMES - DON'T KNOW	TRANSHIP TIMES Recommend? 24 HR - DAY ONLY - NIGHT ONLY

COMMENT ON HOW FISH ARE WEIGHED OR WEIGHT IS ESTIMATED WHEN TRANSHIPPING

Recommend adding

OTHER COMMENTS

Recommend adding



WCPFC Observer Transshipment Report Jan 2012

Regional Observer Programme Observer "At Sea" Transshipment Report

Form FC-2

OBSERVER NAME WCPFC ROP Minimum Standard Data Field	TRIP NUMBER WCPFC ROP Minimum Standard Data Field	OBSERVER PROVIDER WCPFC ROP Minimum Standard Data Field	PAGE OF
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OFF LOADING FISHING VESSEL			
NAME OF VESSEL WCPFC ROP Minimum Standard Data Field	CALL SIGN WCPFC ROP Minimum Standard Data Field	WIN NUMBER	FLAG VESSEL REGISTRATION NUMBER WCPFC ROP Minimum Standard Data Field

OFFLOADING VESSEL GEAR TYPE	Longline, Pole & Line, Purse Seine, Other Recommend Adding, or already in RFV based on other info?	VESSEL MASTER NAME WCPFC ROP Minimum Standard Data Field	VESSEL COMPANY OR OWNER WCPFC ROP Minimum Standard Data Field
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RECEIVING VESSEL			
NAME OF VESSEL WCPFC ROP Minimum Standard Data Field	CALL SIGN WCPFC ROP Minimum Standard Data Field	WIN NUMBER WCPFC ROP Minimum Standard Data Field	FLAG VESSEL REGISTRATION NUMBER WCPFC ROP Minimum Standard Data Field

TRANSHIPMENT DETAILS			
DATES OF TRANSHIPMENT DD / MM / YY Recommend Adding	TIMES TRANSHIPMENT COMMENCED & FINISHED (24 hr time clock) FROM TO Recommend Adding	TRANSHIPMENT POSITION LATITUDE Recommend Adding N S	TRANSHIPMENT POSITION LONGITUDE Recommend Adding E W
		TOTAL WEIGHT TRANSFERRED KILLOGRAMS Recommend Adding	AVERAGE TRANSHIPMENT PER HOUR NUMBERS KILLOGRAMS Recommend Adding
DOES OFFLOADING VESSEL HAVE AN OBSERVER ON BOARD? YES NO Recommend Adding	IF "YES" NAME OF OBSERVER & PROVIDER	OBSERVER NAME (OFFLOADING VESSEL) WCPFC ROP Minimum Standard Data Fields	OBSERVER PROVIDER WCPFC ROP Minimum Standard Data Fields

Catch and Weight of Product Transshipped (kg)											Weight already on board Receiving Vessel			
Species	Type of Product Processing										Convention Area where fish on board were caught			
	Area ¹ Caught	Fresh ² Frozen	Whole Weight	Gilled & Gutted	Gutted Headed	Gill/Gut Tailed	Gut/Head & Tailed	Fillet	Other	Total Weight	WCPFC	IATTC	IOTC	ICCAT
Recommend Adding														
Big Eye (BET)														
Yellowfin (YFT)														
Swordfish (SWO)														
Stripe Marlin (MLS)														
Black Marlin (BLZ)														
Blue Marlin (BUM)														
Wahoo (WAH)														
Sharks (SHK)														
Shark Fins - (SHF)														
Opah (LAG)														
Pomfrets (BRZ)														
Other Tuna (TUN)														
Other Billfish														
Other Species(UNS)														
Totals														

1 Area in which fish being transhipped were caught. WCPFC IATTC IOTC ICCAT

2 Fresh - FR Frozen - FZ

TCC18 recommended the graphic for Best Practices for the Safe Handling and Release of Cetaceans (enclosed) be forwarded to WCPFC19 for consideration and adoption.

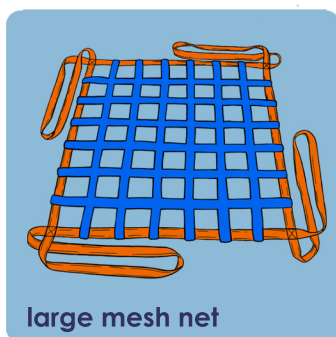
ANNEX I: GUIDELINES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS PURSE SEINE GEAR:

The following are guidelines for best handling practices of marine mammals, specifically cetaceans, for purse seine and longline vessels fishing for tuna and tuna-like species in the western and central Pacific Ocean:

GENERAL PROVISIONS:

Safety First: These guidelines should be considered in light of safety and practicability for crew. Crew safety should always come first. Cetaceans can be very powerful and hooked or entangled cetaceans can be unpredictable, therefore it is not safe to enter the water in order to release an animal.

Suggested Equipment: Vessels should have equipment on board to facilitate the release of cetaceans. For purse seine vessels, suggested equipment includes: canvas or net slings or stretchers for carrying or lifting, large mesh net or grid to cover hatches/hoppers, and tools for cutting/removing net. For longline vessels, suggested equipment includes long handled cutters and de-hookers. Long handled cutters should be safety cutters or have a safety blade to avoid injuring the animal.



ANNEX I: GUIDELINES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS PURSE SEINE GEAR:

The following are guidelines for best handling practices of marine mammals, specifically cetaceans, for purse seine and longline vessels fishing for tuna and tuna-like species in the western and central Pacific Ocean:

GENERAL PROVISIONS:

Training: Crew should be provided with training on best practices for the safe handling and release of cetaceans, including the use of appropriate equipment carried on board for such purposes.

Notifications: Once a cetacean is observed inside a purse seine net or hooked or entangled on longline gear, immediately notify the captain or fishing master and ensure the crew knows what to do.

General Guidelines: For all gear types, keep animals in the water whenever possible. Removing a cetacean from the water is extremely stressful for the animal and can cause injury, so they should be released while in the water, wherever possible. However, cetaceans can be very powerful and hooked or entangled cetaceans can be unpredictable, therefore it is not safe to enter the water in order to release an animal. If it is necessary to land small cetaceans on deck in purse seine fisheries, always minimize time on deck and release cetaceans back to the water as soon as possible. When handling cetaceans, it is always best to handle with two or more people.

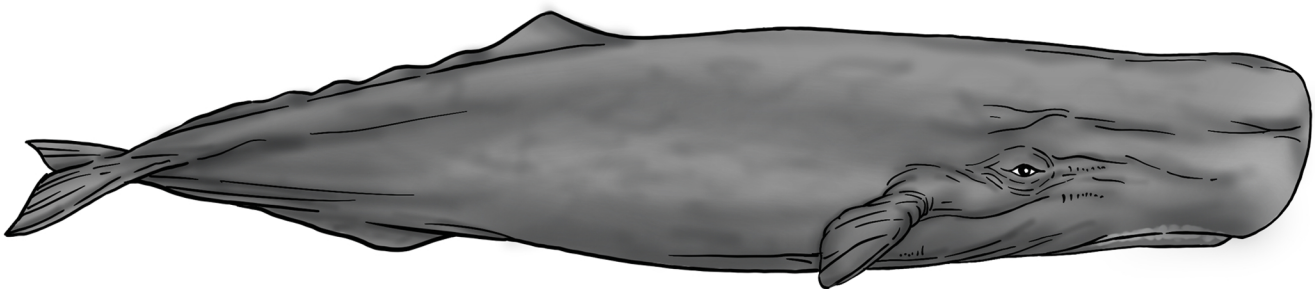
BEST PRACTICES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS

ANNEX I: GUIDELINES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS PURSE SEINE GEAR:

FOR LARGE CETACEANS (baleen whales and sperm whales) :
(examples)



Sei Whale
(*Balaenoptera borealis*)

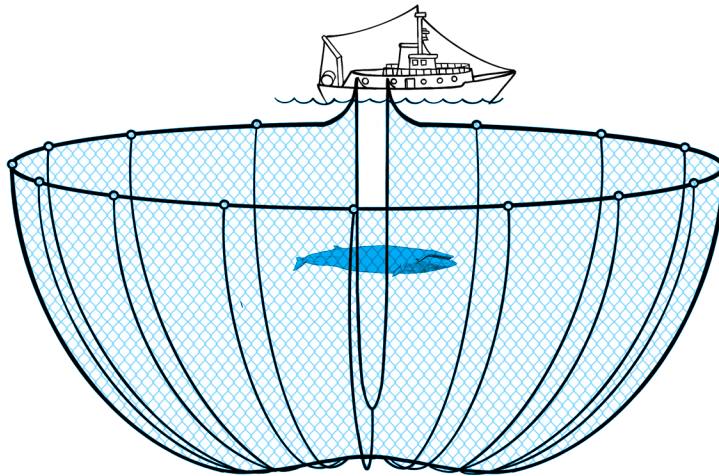


Sperm Whale
(*Physeter macrocephalus*)

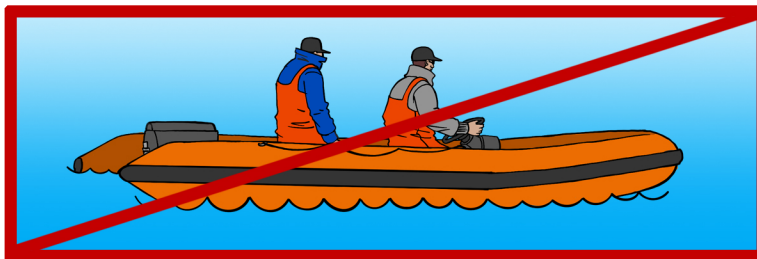
BEST PRACTICES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS

ANNEX I: GUIDELINES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS PURSE SEINE GEAR:

1. Large cetaceans should remain in the water



2. Do not attempt to release large cetaceans by having crew in the water, to the extent possible



3. Release the animal as quickly as possible, without jeopardizing the safety of the crew



BEST PRACTICES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS

ANNEX I: GUIDELINES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS PURSE SEINE GEAR:

FOR SMALL CETACEANS
(all toothed whales other than sperm whales):
(example)

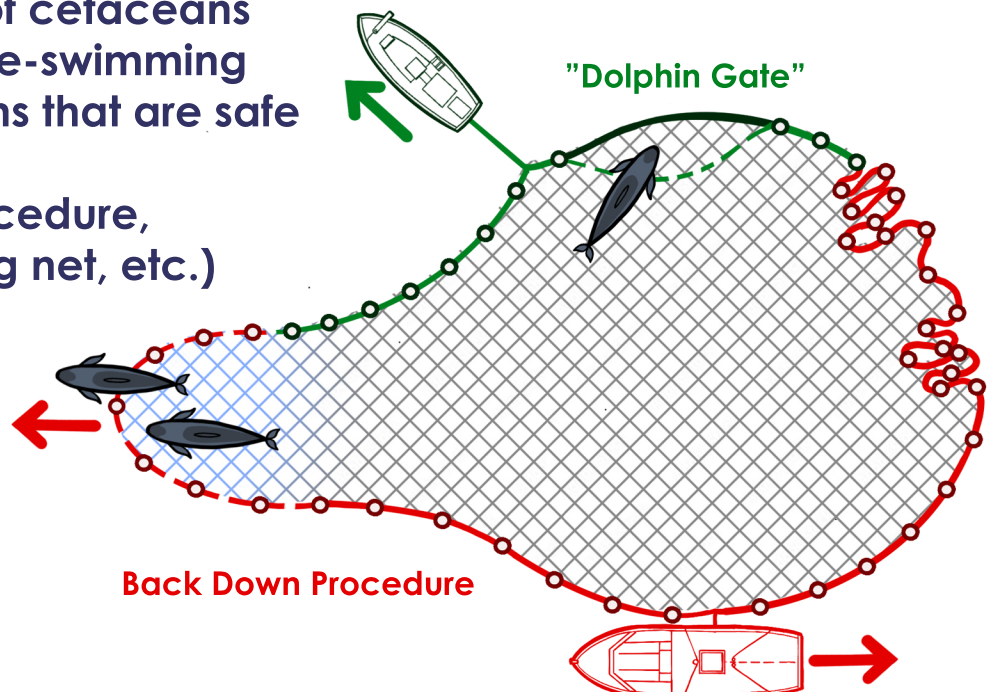


False Killer Whale
(*Pseudorca crassidens*)

DO'S:

If in purse seine net:

1. Facilitate release of cetaceans while they are still free-swimming using whatever means that are safe and practical (e.g. back down procedure, 'dolphin gate', cutting net, etc.)



BEST PRACTICES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS

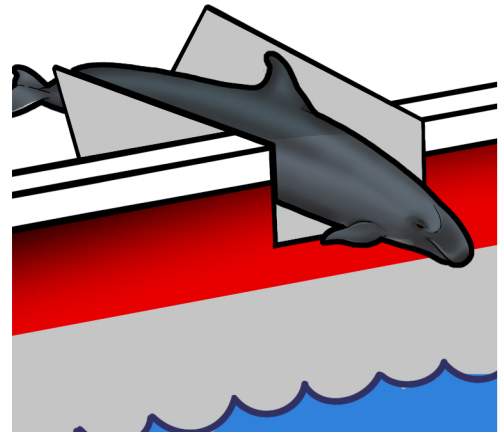
ANNEX I: GUIDELINES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS PURSE SEINE GEAR:

FOR SMALL CETACEANS (all toothed whales other than sperm whales):

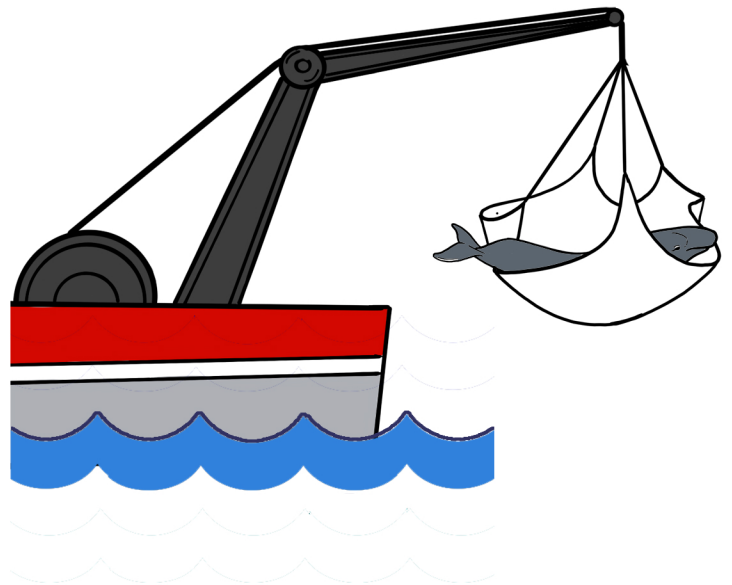
DO'S:

If in brail or on deck:

1. Cetaceans that cannot be released in the water without compromising the safety of the crew or the cetacean itself should be returned to the water as soon as possible, either utilizing a ramp from the deck connecting to an opening on the side of the vessel, or through escape hatches.



If ramps or escape hatches are not available, cetaceans should be lowered with a sling or cargo net, using a crane or similar equipment, if available.



BEST PRACTICES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS

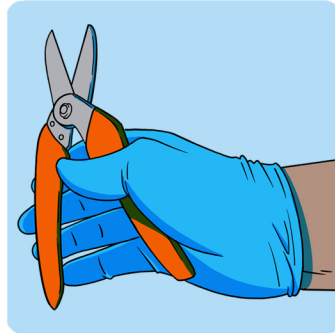
ANNEX I: GUIDELINES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS PURSE SEINE GEAR:

FOR SMALL CETACEANS (all toothed whales other than sperm whales):

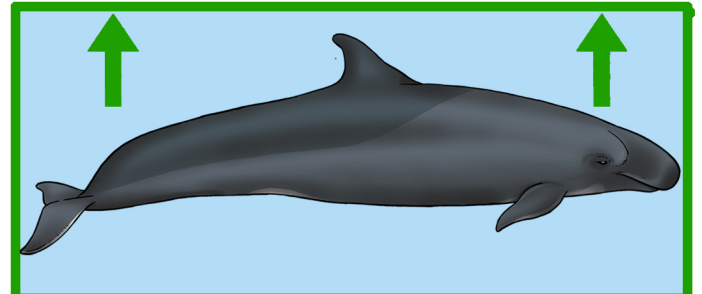
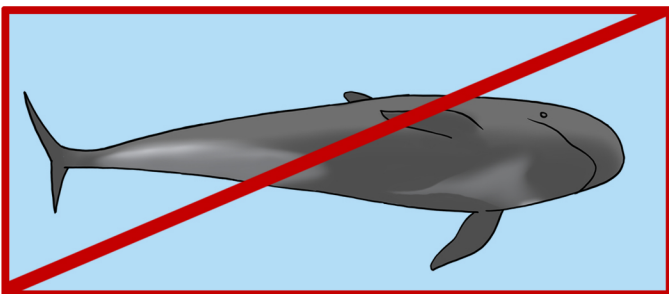
DO'S:

If in brail or on deck:

2. If entangled in netting, carefully cut the net away from the animal and release it to sea as quickly as possible with minimal or no netting attached to the animal.



3. If on deck, keep the animal in an upright position, with dorsal side up.



BEST PRACTICES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS

ANNEX I: GUIDELINES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS PURSE SEINE GEAR:

FOR SMALL CETACEANS (all toothed whales other than sperm whales):

DO'S:

If in brail or on deck:

4. Be cautious of the tail, which is powerful and can cause injury. Lift from the mid-section of the cetacean when possible, and never from the tail.



5. Cease hauling until cetacean is released, release cetacean as soon as possible.



6. Release cetaceans away from fishing operations, when main engines are in neutral to minimize the risk of further entanglement. Maintain observation of released animals until they have disappeared from sight or are sufficiently distant from the vessel to ensure no further interaction before resuming fishing operations.



BEST PRACTICES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS

ANNEX I: GUIDELINES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS PURSE SEINE GEAR:

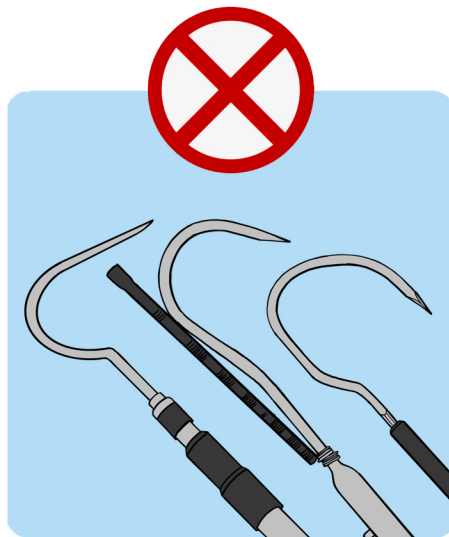
FOR SMALL CETACEANS (all toothed whales other than sperm whales):

DON'TS:

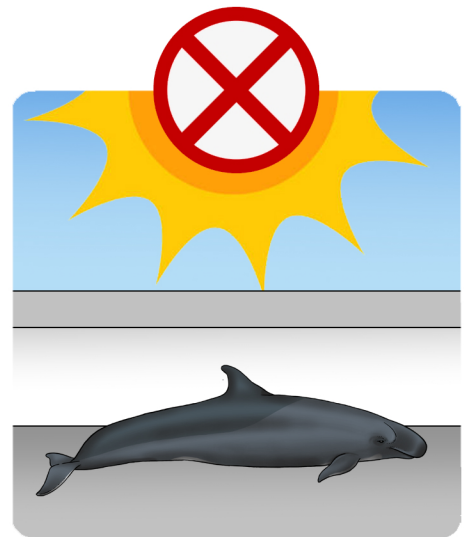
1. Do not handle the animal in any way that could cause harm, including:



a. Do not cut or punch holes through the animal's body



b. Do not use gaffs or sharp objects to grab, move, or hold the animal



c. Do not leave the animal exposed to sunlight for extended periods on deck

BEST PRACTICES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS

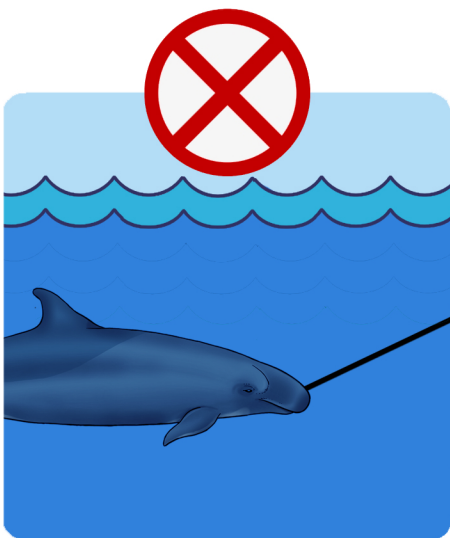
ANNEX I: GUIDELINES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS PURSE SEINE GEAR:

FOR SMALL CETACEANS (all toothed whales other than sperm whales):

DON'TS:

1. Do not handle the animal in any way that could cause harm, including:

d. Cetaceans breathe through their blowhole.



Do not drag or pull the cetacean underwater in a manner that prevents it from surfacing to breathe.

Do not cover or block the blowhole, or spray water in or near it, or allow water or other material to flow into the blowhole.

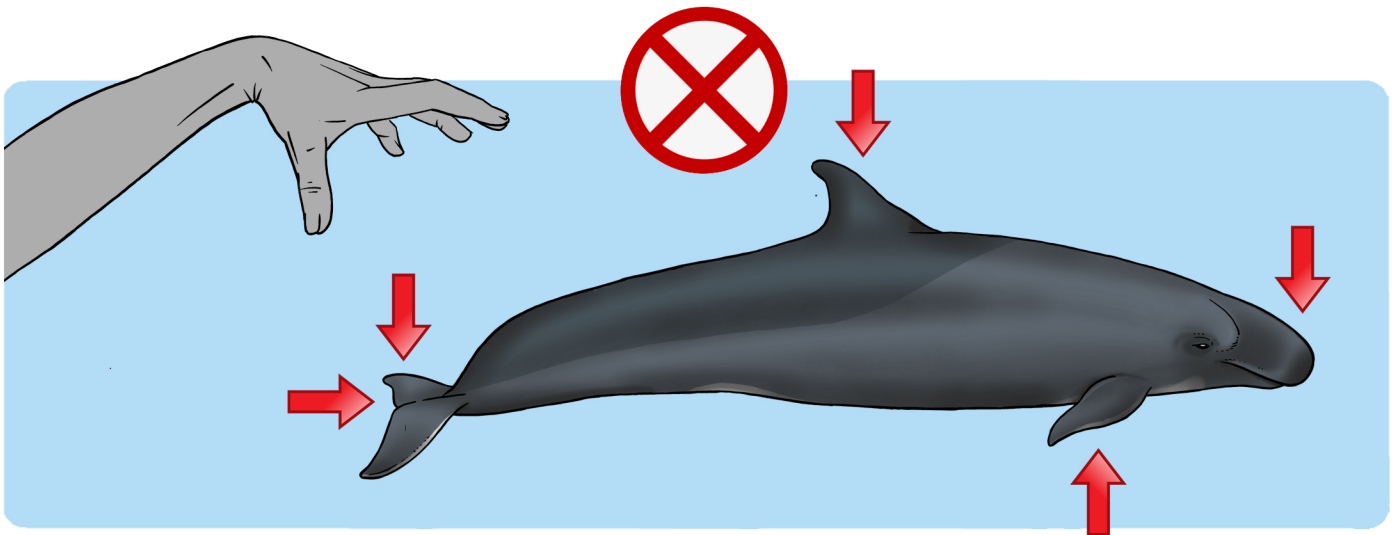
BEST PRACTICES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS

ANNEX I: GUIDELINES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS PURSE SEINE GEAR:

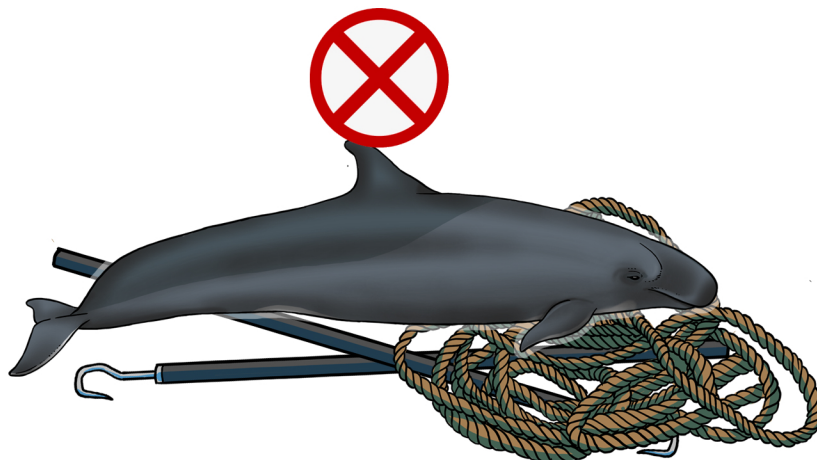
FOR SMALL CETACEANS (all toothed whales other than sperm whales):

DON'TS:

e. Do not push, pull, bend, or lift by tail, flippers, fins, flukes or beaks



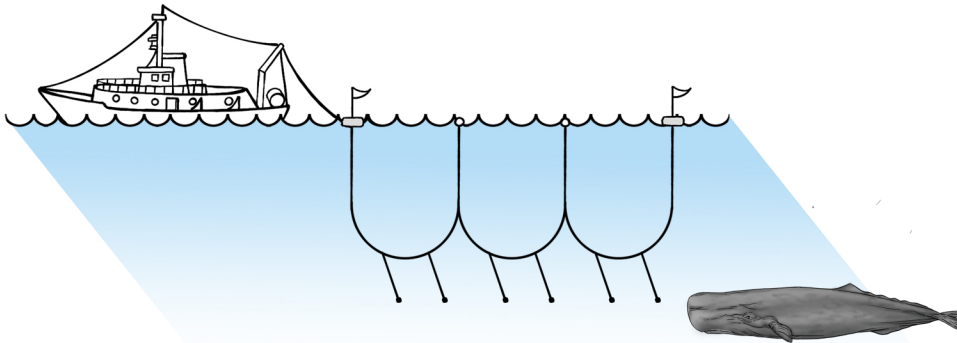
f. Do not rest the cetacean on sharp or rough surfaces.



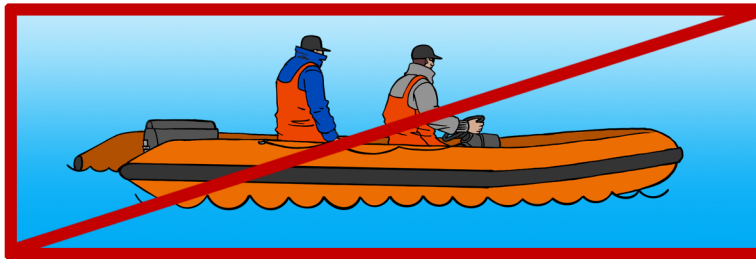
BEST PRACTICES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS

ANNEX II: GUIDELINES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS IN LONGLINE GEAR:

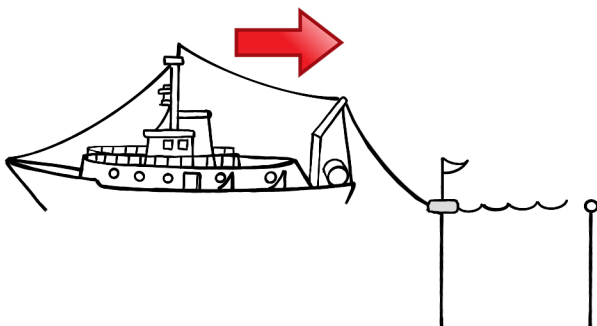
1. Large cetaceans should remain in the water



2. Do not attempt to release large cetaceans by having crew in the water, to the extent possible



3. Maneuver vessel to minimize tension on the fishing gear, to the extent possible



4. Release the animal as quickly as possible, without jeopardizing the safety of the crew



BEST PRACTICES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS

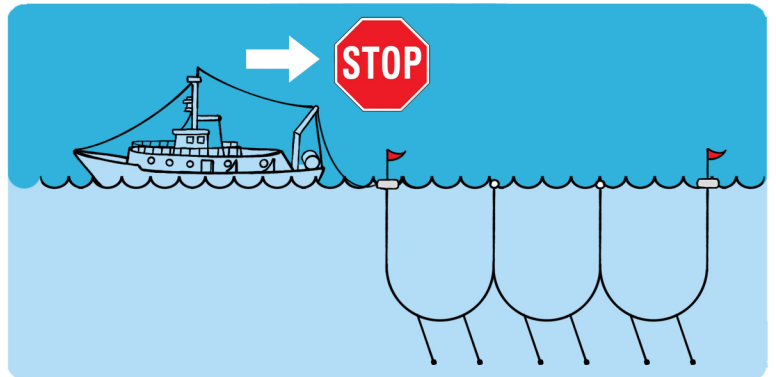
ANNEX II: GUIDELINES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS IN LONGLINE GEAR:

FOR SMALL CETACEANS (all toothed whales other than sperm whales):

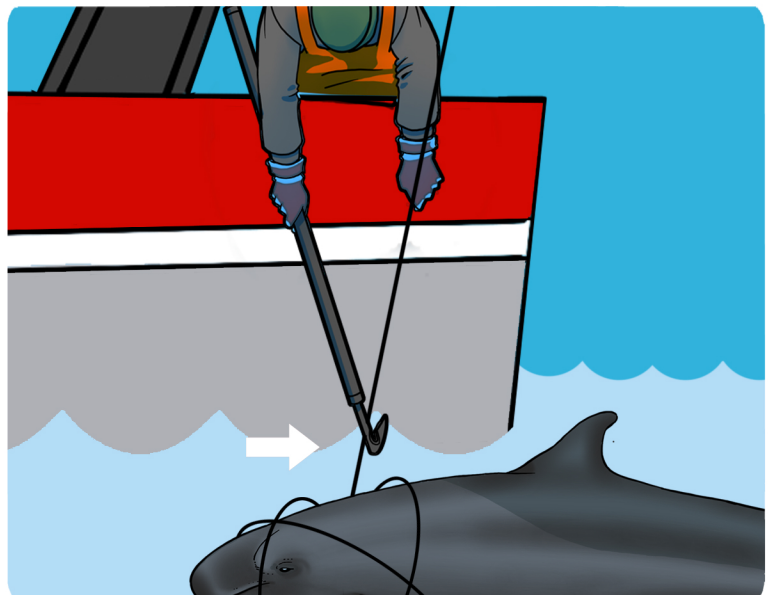
DO'S:

1. Determine if the animal is hooked or entangled and prepare to remove the line.

a. If entangled: To the extent possible, maneuver the vessel in a way that will reduce tension on the line.



Use a long-handled line cutter to cut as much line off of or as close to the animal as you can.



ANNEX II: GUIDELINES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS IN LONGLINE GEAR:

FOR SMALL CETACEANS (all toothed whales other than sperm whales):

DO'S:

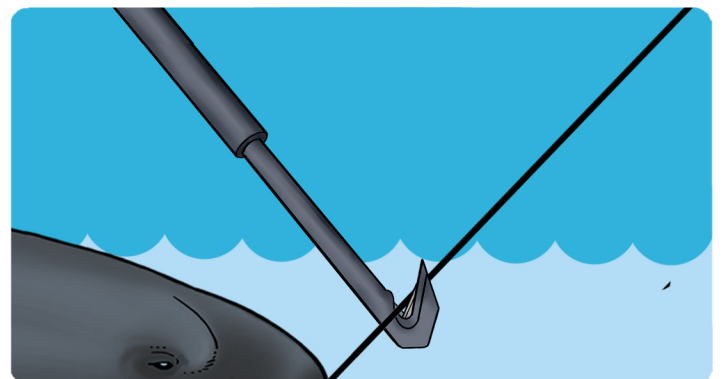
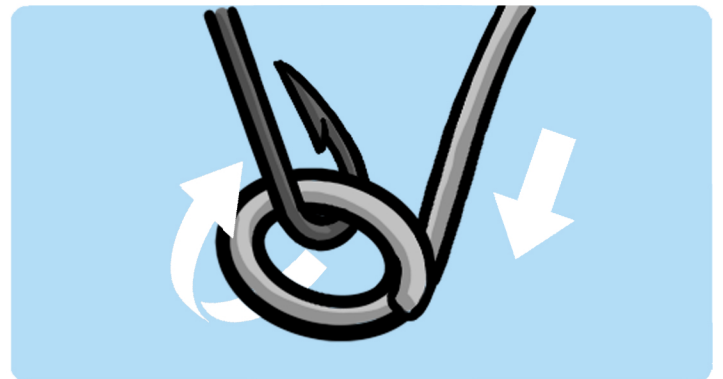
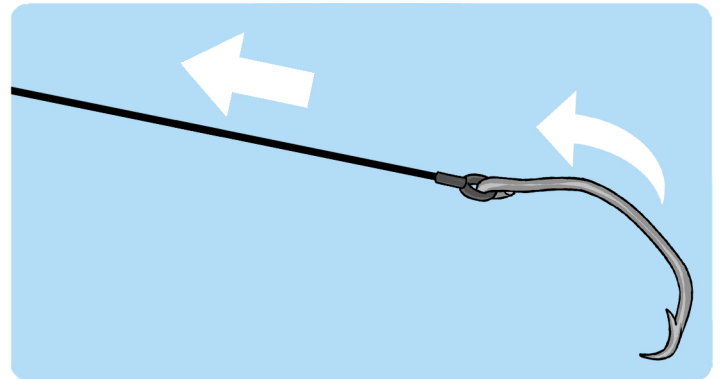
ii. *If the hook is not ingested:*

1. *If using "weak*" circle hooks:*

a. To the extent possible, maintain tension on the line, giving the hook a chance to straighten and release the animal without the hook or trailing line attached.

b. If the hook does not straighten, use a de-hooker to remove the hook and trailing line

c. If the hook is not straightened or removed, use a long-handled line cutter to cut the line as close as you can to the hook, removing as much gear as possible.



*Circle hooks with a wire diameter of 4.5 mm or less with an offset not to exceed 10 degrees

BEST PRACTICES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS

ANNEX II: GUIDELINES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS IN LONGLINE GEAR:

FOR SMALL CETACEANS (all toothed whales other than sperm whales):

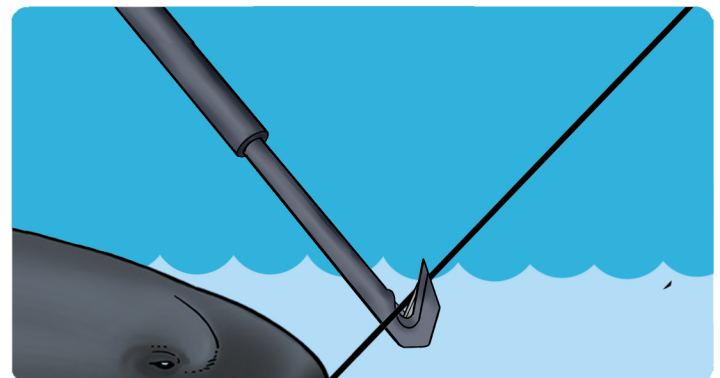
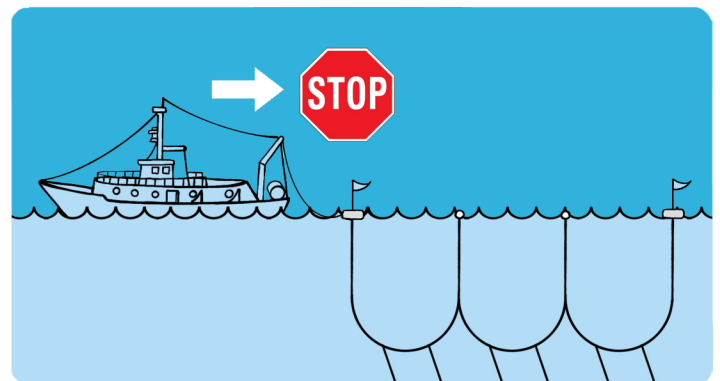
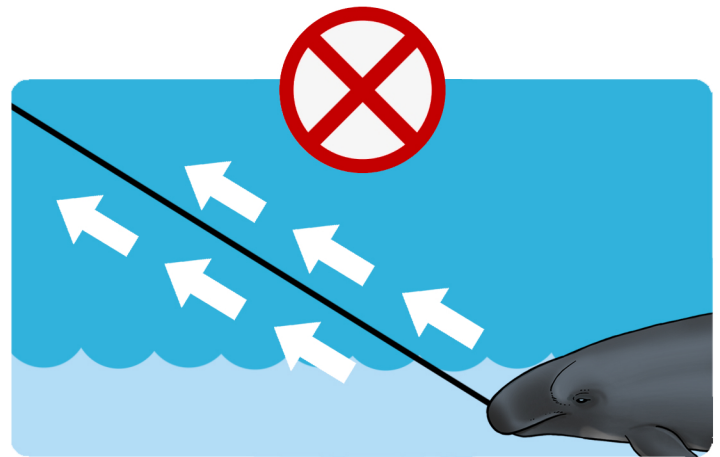
DO'S:

2. If not using weak circle hooks:

Avoid pulling sharply on the branchline.

To the extent possible,
maneuver vessel in a way that
will reduce tension on the line.

Use a long-handled line cutter
to cut the line as close to the
hook as possible, removing as
much gear as possible



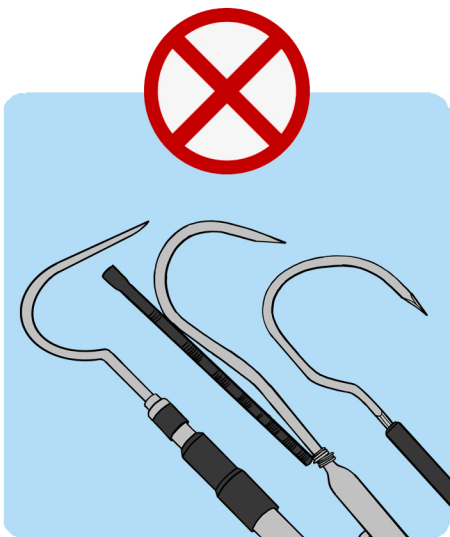
BEST PRACTICES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS

ANNEX II: GUIDELINES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS IN LONGLINE GEAR:

FOR SMALL CETACEANS (all toothed whales other than sperm whales):

DON'TS:

1. Do not handle the animal in any way that could cause harm
 - a. Do not use gaffs or sharp objects to grab, move, or hold an animal
 - b. Do not cover or block the blowhole, or spray water in or near it, to allow uninterrupted breathing



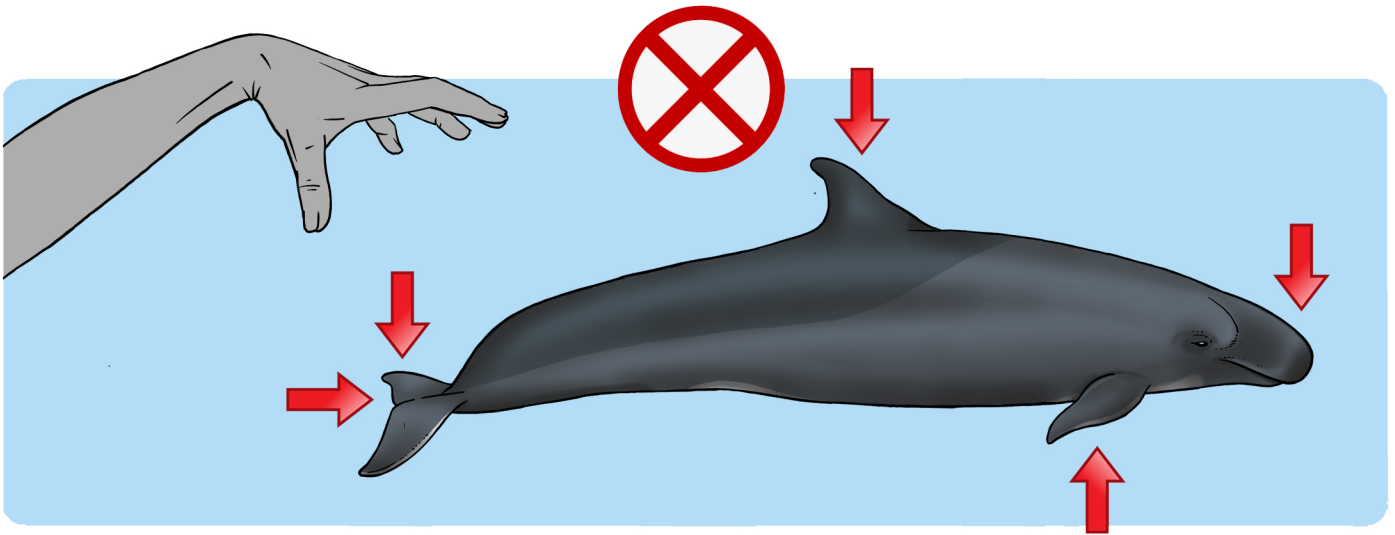
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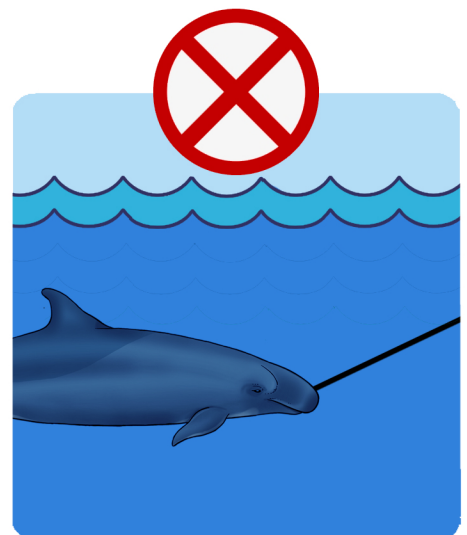
FOR SMALL CETACEANS (all toothed whales other than sperm whales):

DON'TS:

c. Do not push, pull or lift by tail, flippers, fins, flukes or beaks



d. Do not drag or pull the cetacean
underwater in a manner that prevents it
from surfacing to breathe.



LIST OF ABBREVIATIONS

ALC	–	Automatic Location Communicator
ANCORS	–	Australian National Centre for Ocean Resources and Security
CCM	–	Members, Cooperating Non-members and participating Territories
CCFS	–	Compliance Case File System
CDS	–	catch documentation scheme
CMM	–	Conservation and Management Measure
CMR	–	Compliance Monitoring Report
CMS	–	Compliance Monitoring Scheme
CNM	–	Cooperating Non-Member
CNMI	–	Commonwealth of the Northern Mariana Islands
(the) Convention		The Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean
CPUE	–	catch per unit effort
EEZ	–	exclusive economic zone
EM	–	electronic monitoring
ER	–	electronic reporting
ERandEM	–	electronic reporting and electronic monitoring
ERA	–	ecological risk assessment
EHSP-SMA	–	Eastern High Seas Pocket-Special Management Area
EU	–	European Union
F	–	fishing mortality rate
FAC	–	Finance and Administration Committee
FAD	–	fish aggregation device
FAO	–	Food and Agriculture Organization of the United Nations
FFA	–	Pacific Islands Forum Fisheries Agency
F _{MSY}	–	fishing mortality that will support the maximum sustainable yield
FMA	–	fishery management area
FNA	–	fins naturally attached
FSI	–	Flag State Investigation
FSM	–	Federated States of Micronesia
HSBI	–	high seas boarding and inspection
IATTC	–	Inter-American Tropical Tuna Commission
ICCAT	–	International Commission for the Conservation of Atlantic Tunas
IELP	–	International Environmental Law Project
IGOs	–	intergovernmental organizations
IMO	–	International Maritime Organization
IMS	–	information management system
IOTC	–	Indian Ocean Tuna Commission
IPNLF	–	International Pole and Line Foundation
ISC	–	International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean
ISSF	–	International Seafood Sustainability Foundation
IT	–	information technology
IUU	–	illegal, unreported and unregulated

IWG	–	intersessional working group
JTF	–	Japan Trust Fund
LRP	–	limit reference point
M	–	mortality
MCS	–	Monitoring, control and surveillance
MIMRA	–	Marshall Islands Marine Resources Authority
MOC	–	management options consultation
MOU	–	memorandum of understanding
MP	–	management procedure
MSC	–	Marine Stewardship Council
MSE	–	management strategy evaluation
MSY	–	maximum sustainable yield
mt	–	metric ton
MTU	–	mobile transceiver unit
NC	–	Northern Committee
NGO	–	non-governmental Organization
NP	–	North Pacific
OM	–	operating model
PBFWG	–	Pacific bluefin tuna working group (ISC)
pCMR	–	provisional Compliance Monitoring Report
PEW	–	The Pew Charitable Trusts
PI	–	performance indicator
PITIA	–	Pacific Islands Tuna Industry Association
PNA	–	Parties to the Nauru Agreement
PNG	–	Papua New Guinea
PRM	–	post-release mortality
PSMA	–	Port state Measures Agreement
RFV	–	Record of Fishing Vessels
ROP	–	Regional Observer Programme
RFMO	–	regional fisheries management organization
RMI	–	Republic of the Marshall Islands
SC	–	Scientific Committee of the WCPFC
SIDS	–	small island developing states
SIP	–	strategic investment plan
SPC	–	The Pacific Community
SPC-OFP	–	The Pacific Community Oceanic Fisheries Programme
SRA	–	spatial risk assessment
SRF	–	Special Requirements Fund
SRR	–	stock-recruitment relationship
SSI	–	species of special interest
SSP	–	standards, specifications and procedures
SST	–	sea surface temperature
SWG	–	small working group
T	–	metric ton
TCC	–	Technical and Compliance Committee
TNC	–	The Nature Conservancy
TRP	–	target reference point
UN	–	United Nations
USA	–	United States of America
USD	–	US dollars
VDS	–	vessel day scheme

VID	–	vessel identification (number)
VMS	–	vessel monitoring system
WCPFC	–	Western and Central Pacific Fisheries Commission
WCPFC Convention Area	–	Area of competence of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, as defined in Article 3 of the Convention
WCPFC Statistical Area	–	The WCPFC Statistical Area is defined in para. 8 of “Scientific data to be provided to the Commission” (as adopted at WCPFC13)
WCNPO	–	western and central North Pacific Ocean
WCPO	–	western and central Pacific Ocean
WG	–	working group
WPEA	–	West Pacific and East Asian Seas
WPO	–	Western Pacific Ocean
WPFMC	–	Western Pacific Regional Fishery Management Council
WTPO	–	World Tuna Purse Seine Organisation
WWF	–	World Wide Fund for Nature