



**TECHNICAL AND COMPLIANCE COMMITTEE**

**Nineteenth Regular Session**

20 – 26 September 2023

Pohnpei, Federated States of Micronesia

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**STATEMENT TO THE 19<sup>th</sup> REGULAR SESSION OF THE TCC**

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**WCPFC-TCC19-2023-OP02**

**13 September 2023**

The Pew Charitable Trusts and The Ocean Foundation

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Statement to the 19<sup>th</sup> Regular Session of the Technical and Compliance Committee  
September 20-26, Pohnpei, Federated States of Micronesia**

The Pew Charitable Trusts and The Ocean Foundation welcome the opportunity to participate as observers to the 19<sup>th</sup> regular session of the Technical and Compliance Committee (TCC) of the Western and Central Pacific Fisheries Commission (WCPFC). We appreciate the work of the Chair, Members and Secretariat to convene this meeting for in-person and virtual participation. We hope this return to face-to-face negotiations accelerates progress and urge all members to consider how to hasten adoption of approaches that would provide greater resilience and stability to the region's fisheries. In relation to the agenda, we urge TCC to:

**Compliance**

***Recommend the Commission renew the Compliance Monitoring Scheme (CMS) as a permanent measure.*** To ensure the Commission meets its mandate to sustainably manage its stocks, it needs a robust CMS that ensures members are held accountable for implementing their obligations, identifies capacity needs, and highlights where measures need to be amended to increase clarity and effectiveness. By agreeing to a CMS without a sunset date, WCPFC would send a powerful message that compliance is a lasting priority and members could avoid the recurring and protracted discussions over the measure's continuation. The time saved could be used to cooperatively identify areas of additional improvement, benefiting the Commission, its members, and its fisheries.

***Accelerate progress on the remaining CMS 'future work' items.*** In 2018, WCPFC committed itself to the laudable goal of improving the CMS by identifying several priority work items. To continue to act on this commitment, TCC should:

- agree on as many outstanding audit points as possible to streamline the assessment of compliance and agree at TCC on a process to complete the rest in 2023;
- agree on a terms of reference for the corrective actions work to develop responses for non-compliance and pair that work with the development of incentives, such as additional capacity building, to encourage deeper engagement with the compliance process; and
- develop guidelines that ensure accredited observers can participate in the review of compliance monitoring reports, recognizing that greater transparency is permitted by WCPFC rules and observer participation in the CMS process is consistent with the WCPFC Convention.

**Transshipment**

***Recommend that the Commission adopt improvements to the monitoring of at-sea transshipment.*** Those improvements should include amendments to the rules governing the data collection and management of transshipment, including CMM 2009-06, to reflect the FAO

Guidelines on Transshipment as a set of minimum standards. Specifically, those improvements should include:

- strengthening reporting requirements to include catch quantities on board prior to and post transshipment events to aid verification of catch data and transshipment quantities;
- the provision of information on non-fish interactions such as bunkering or supply transfer;
- inclusion of IMO numbers on transshipment observer forms and transshipment declarations; and
- submission of observer reports on transshipments in the overlap area to both IATTC and WCPFC Secretariats.

In addition, TCC should recommend that the IWG-ROP prioritize the development of draft modifications to ROP data fields for observer transshipment monitoring to strengthen reporting and monitoring of these activities.

### **Electronic Monitoring**

***Recommend the Commission prioritize the adoption of electronic monitoring (EM) standards and tools for members to satisfy their data collection and reporting obligations.*** WCPFC lacks independent data in sufficient quantities to verify the activities of key fisheries, particularly those pursued by longline vessels. To support the work to develop a WCPFC EM program, TCC should recommend the Commission provide resources to enable the Electronic Reporting and Electronic Monitoring Working Group to hold at least one in-person meeting in 2024 so it can finalize EM standards and a draft EM CMM by the 2024 Commission meeting.

### **Port State Measures**

***Recommend amendments to better align the port State measure CMM with the United Nations Food and Agriculture Organization's Port State Measures Agreement and the Pacific Islands Forum Fisheries Agency's Regional PSM Framework.*** WCPFC adopted CMM 2017-02 on minimum standards for port State measures in 2017. The resolution is non-binding and members must designate ports to opt-in. However, only a small proportion of Members (eight of 26) have done so, to date. At a minimum, a revised measure should be binding and include additional provisions to require port designation and advance entry requests; allow denial of port entry; and ensure effective national coordination and exchange of information among States that facilitates risk assessment in port. Adoption of a binding measure would bring WCPFC practice in line with other RFMOs and international best practice and ensure that ports are not an avenue for illegal products to enter the seafood supply chain.

### **Data Sharing Agreement**

***Recommend the Commission adopt the data sharing agreement with the North Pacific Fisheries Commission.*** The Memorandum of Understanding would provide avenues for the two organizations to exchange information, including lists of authorized vessels and the names of vessels identified as having engaged in illegal, unreported and unregulated fishing. The

exchange of information is essential given the substantial overlap in the two organizations' management areas and the imperative to monitor fishing activities.

### **Fish Aggregating Devices**

***Recommend the Commission reduce the impact of fish aggregating devices (FADs) on the ecosystem.*** The Scientific Committee noted that the Inter-American Tropical Tuna Commission (IATTC) adopted a requirement that FADs shall be made of non-entangling, biodegradable materials (aside from the buoy) by 2029. Although WCPFC has been discussing a transition to biodegradable FADs, consensus has not emerged on a timeline. TCC should advise the Commission that adoption of IATTC's timeline would be advantageous, given that several fleets fish in both RFMOs' waters and FADs drift between the eastern and western Pacific.