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List of Obligations to be Reviewed by the CMS in 2024

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Paper prepared by Secretariat

Purpose and Introduction

1. This paper proposes principles for selecting obligations to be assessed in the annual review of CCM compliance and applies these to produce a possible list of obligations for review through the Compliance Monitoring Scheme (CMS) in 2024 (relating to activities in 2023). The proposed list of obligations for 2024 is presented in **Annex 1**.
2. Options for further streamlining and supporting the processes for CCMs to complete reports in ARPt2 are also proposed for the consideration of WCPFC20.
3. The CMS is recognised through [CMM 2021-03/CMM 2019-06](#) as an important means to ensure that CCMs implement and comply with obligations under the Convention and CMMs and is the basis for:
 - a. assessing CCMs' compliance with obligations;
 - b. identifying areas in which technical assistance or capacity building may be needed to assist CCMs in attaining compliance;
 - c. identifying aspects of CMMs which may require refinement or amendment for effective implementation;
 - d. responding to non-compliance by CCMs through remedial and/or preventative options; and
 - e. monitoring and resolving outstanding instances of non-compliance by CCMs with their WCPFC obligations.
4. Through Annual Report Part 2 (ARPt2), CCMs report annually on their compliance with obligations that have been listed for annual consideration and are in the list of obligations approved by the Commission at the previous year's Commission meeting. CCMs aim to ensure the reporting process is effective and balances the workload particularly for smaller administrations including Small Island Developing States (SIDS). The Secretariat has been progressively identifying and implementing ways to reduce the burden of reporting on CCMs and to increase the efficiency of its own work in administering annual reporting and

the CMR process, which is resource intensive for all. This paper proposes ideas for further streamlining reporting based on the maturity of the current CMR process.

5. At WCPFC18 in 2021, a small working group considered the list of obligations to be assessed in 2022, covering 2021 activities. The List of Obligations agreed by WCPFC18 is shown in **Annex 1** (refer to the three columns on the left side of table). Based on discussions on the renewal of the Compliance Monitoring Scheme CMM 2019-06 which expired on 31 December 2021, at WCPFC18 the Commission also adopted [CMM 2021-03](#), which extended CMM 2019-06 for two years (until 31 December 2023) and deferred the CMR process in 2022 to allow consideration of revisions to the CMS and the CMR process.
6. The WCPFC18 agreement included that CCM's would continue to provide annual reporting in accordance with the CMS process however, the assessment of reporting at TCC for RY 2021 and RY2022 would not occur until TCC19 in 2023. WCPFC19 endorsed the list of obligations to be reviewed through the CMS in 2023, noting it was the same list as adopted in 2022 (refer to [WCPFC19 Summary Report](#), paragraph 415 and **Annex 1** of this paper).

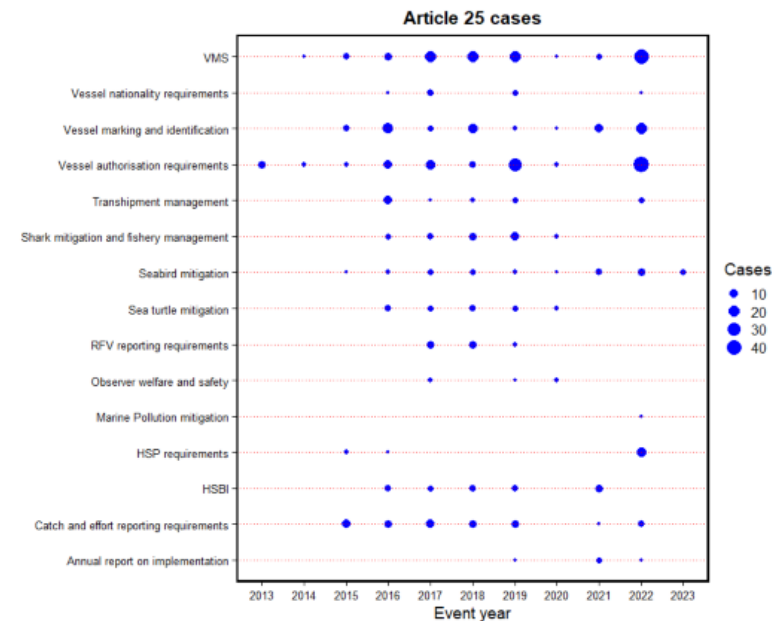
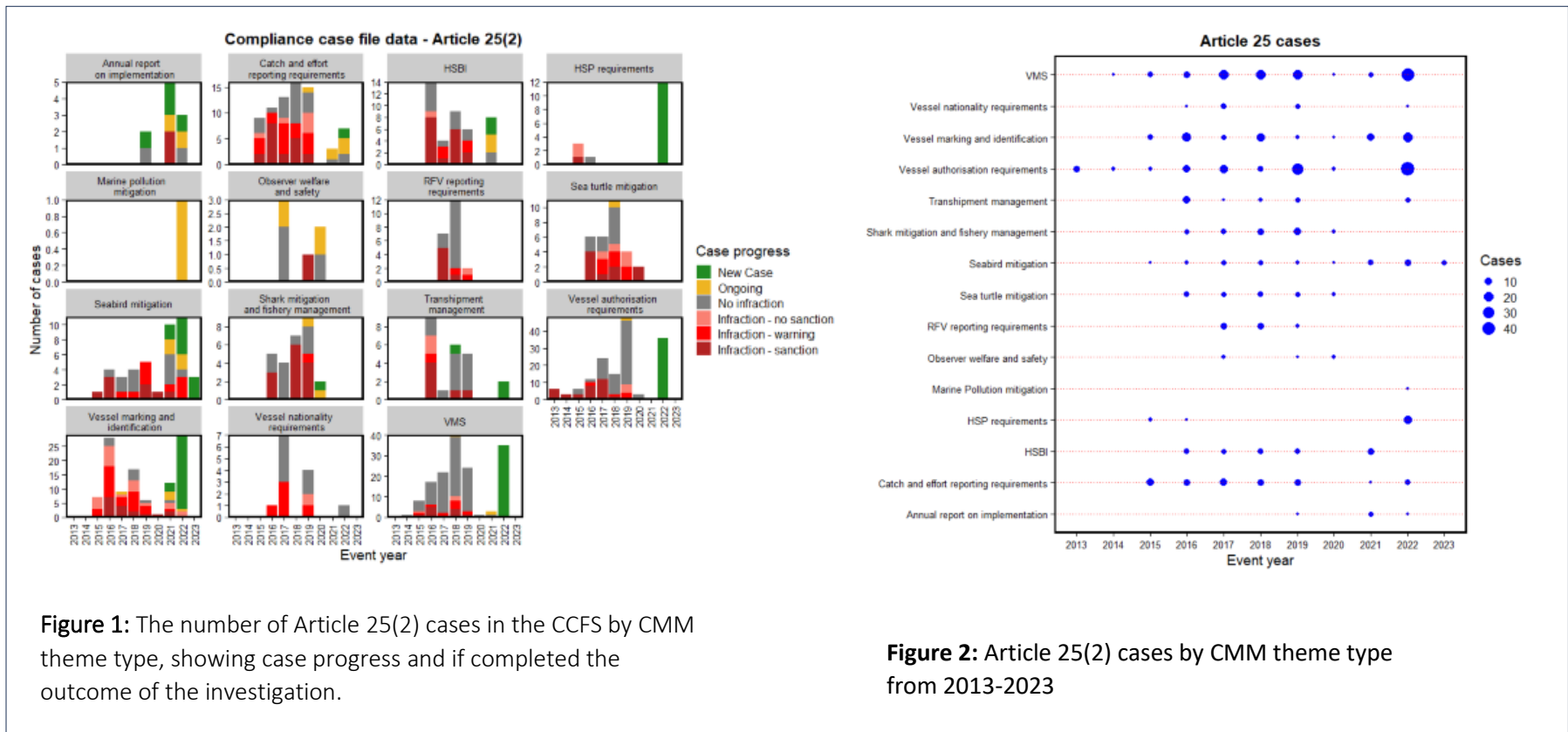
Proposed Principles to Guide Obligation Selection

7. The proposed principles draw on the direction in [paragraph 6](#) of CMM 2021-03 as well as key points from extensive discussions during the development of the risk-based assessment framework (RBAF). The principles also build on TCC and Commission meeting discussions during 2022 and 2023, particularly in relation to the approach to the CMR review during TCC19 which included the application of Audit Points for the first time. It is likely more than one of the principles will apply to consideration of any one obligation.
 - a. Prioritise consideration of obligations with potential compliance issues
 - **Table 1, Figure 1, and Figure 2** (next page) provide summary information about CCM-initiated cases in the online Compliance Case File System (CCFS), supporting CCMs consideration of areas of risk. These cases are for alleged infringements in which a flag State investigation has been requested by another WCPFC member, in accordance with Article 25(2) of the Convention.¹ The data includes reported findings from Member's MCS activities, including High Seas Boarding and Inspection (HSBI) and Port Inspections.

¹ **Convention Article 25(2):** Each member of the Commission shall, at the request of any other member, and when provided with the relevant information, investigate fully any alleged violation by fishing vessels flying its flag of the provisions of this Convention or any conservation and management measure adopted by the Commission. A report on the progress of the investigation, including details of any action taken or proposed to be taken in relation to the alleged violation, shall be provided to the member making the request and to the Commission as soon as practicable and in any case within two months of such request and a report on the outcome of the investigation shall be provided when the investigation is completed.

Table 1. Summary counts of the Article 25(2) cases between 2013 and May 2023 (AIR: Aerial Surveillance, HSBI: HSBI outcomes, PORT: Port Inspection Outcomes, VMS: VMS-related query, OTH: Investigation through other means).

	Case type	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Article 25 (2)	AIR	0	1	1	6	21	3	1	0	6	108	0
	HSBI	0	1	24	96	67	116	130	5	35	28	0
	PORT	0	0	3	0	6	4	0	2	0	0	3
	VMS	6	2	5	3	0	6	0	1	0	0	0
	OTH	0	0	1	3	9	8	0	4	0	1	0
	Total	6	4	34	108	103	137	131	12	41	137	3



- The information in the above figures show more prevalent or persistent potential compliance issues identified through members' MCS activities and reported to WCPFC as Article 25(2) matters for investigation. For example, the notified Article 25(2) cases in 2022, included VMS, vessel authorization, vessel and gear marking, seabird mitigation and HSP requirements are potential compliance issues.
 - There could also be additional data and information from WCPFC monitoring programmes that suggests potentially higher risk obligations such as discrepancies in information reported to the Commission by CCMs through routine processes. This could relate particularly to Implementation (IM) or Report (RP) forms of obligations.
- b. Consider the potential risks of non-compliance expressed as likelihood and consequence.
- The principle recognises the direction on the obligations to be assessed in paragraph 6 of CMM 2021-03² and draws on the RBAF noted by WCPFC18³ as assisting CCMs to prioritise obligations for inclusion in the annual CMS. The RBAF allows consideration of the risk of non-compliance undermining the ability to achieve CMM objectives. Information on likelihood and consequence for WCPFC obligations is available on the enhanced CMM pages on the WCPFC website which was released in early 2023.⁴
- c. Prioritise obligations that relate to current Commission work priorities including:
- monitoring priorities for the Commission, as reported through SC and TCC, and
 - CMMs that are to be reviewed by the Commission considering work that is planned through SC and TCC. For example, the SC has planned in 2024 stock assessments for south Pacific albacore and SWP striped marlin, and TCC has planned to review CMM 2017-02 on Minimum Port State standards, so obligations in CMM 2015-02, CMM 2006-04 and CMM 2017-02 could be considered in the list of obligations for review by the CMS in 2024.

² Noting this is not affected by the proposal in the PNA and Tokelau paper proposing amendments to CMM 2021-03 in [WCPFC20-2023-DP05](#).

³ [WCPFC18](#) Summary Report, paragraph 331.

⁴ In early 2023, the Secretariat released an enhanced CMM page that includes Audit Points, Compliance History of obligations, RBAF evaluations and Limits (<https://cmm.wcpfc.int/>)

- d. Prioritise obligations where there are adopted audit points and no pending interpretation issues.
 - To establish benchmarks given a new, consistent approach to reporting by CCMs and for IM obligations, to clarify that legally binding mechanisms have been updated to reflect the intent of the obligation (where required).
 - Conversely, assess the practicality of selecting obligations identified for review versus the risk of not having a report in any one year for that obligation i.e. is it a high priority for the Commission’s work and/or higher risk given the likelihood and potential consequences of non-compliance, noting obligations/audit points with interpretation issues undermine the compliance assessment as CCMs are not reporting on a consistent basis. Examples might be that Quantitative Limit (QL) obligations continue to be selected based on the risk of not reporting compliance with limits (or see suggestion for trial below).
 - e. Prioritise new or amended obligations in existing or new CCMs.
 - Desirably, reporting to occur within the first full one to two years a new/amended obligation is in effect as a benchmark to ensure implementation and consistent interpretation.
8. Other considerations for selecting or removing obligations:
- a. Where an obligation has been evaluated in the CMS in its IM form (i.e. implemented through a legally binding mechanism) and there are no compliance issues, consider the objective of continuing to require annual evaluation through the CMS. If a high priority, consider whether the CMS evaluation objective would at that time, be better met with the CMS evaluation focused on reviewing the CMM Reporting (RP) obligations, including for data quality. Consideration could also be given as to whether the CMS evaluation of the reported information should be focused on activity in the reporting year or whether to have a reporting cycle, for example, reported on in ‘X’ year or through a reporting cycle of, for example 2 or 3 years.
 - b. Adopting a shorter list than 60 obligations (2,395 rows of reporting in the draft Compliance Monitoring Report (dCMR)) will provide TCC and the Secretariat with an opportunity to explore the proposed streamlining ideas outlined below.

Proposals for Potential Streamlining

- 9. Two sets of proposals are presented in this section. The first proposes an approach to be trialed in 2024. The second are some suggestions of areas for future consideration, which could be further explored by the Secretariat working with the TCC Chair and TCC Vice-Chair in the future.

An approach to be trialed through CMS Reviews completed in 2024

- 10. For some IM obligations reviewed through the CMS in 2023 (covering RY 2021 and RY2022), TCC19 reviews have confirmed no compliance issues for the majority of CCMs. As IM

obligations test for implementation through a legally binding mechanism, frequent change in circumstances is not anticipated. Typically, triggers for change would be where an obligation is amended or the *circumstances* of the CCM change.

11. Where TCC completes a review of an IM obligation for all CCMs based on agreed Audit Points, a new step in the TCC CMS process is proposed involving:
 - i. Acknowledgement that most CCMs have fully implemented an IM obligation and are confirmed by TCC to have met the agreed Audit Point.
 - ii. The individual update reports (which would be the Annual Report Part 2 previous year issue response), from those few CCMs with identified implementation gaps (i.e. have not met the agreed Audit Point), being reviewed annually by TCC until the CCM and TCC *confirms* that a CCMs implementation meets the Audit Point.
 - iii. To track progress, the Provisional CMR Executive Summary prepared by TCC (and final CMR adopted by the Commission) would record a summary of the reports by relevant CCMs on their progress to resolve individual obligation implementation gaps from the previous year, and the outcome of the TCC assessment would consider if the Audit Point had been met.
12. The rationale for this proposal is that currently, many CCMs ‘held on file’ responses do not change from year to year. Where it is a priority for the Commission to continue to include the obligation in its list each year, there is unlikely to be significant additional benefit from imposing additional reporting on all CCMs. The periodic inclusion of the obligation for reporting in ARPt2 by all CCMs would allow a ‘check’ on implementation and identify any change in circumstances not already notified by a CCM to the Secretariat for example, through an update to a ‘hold on file’ response. Also, where an amendment to the obligation occurs, the above principles would also necessitate the potential inclusion of the obligation on the full list for reporting by all CCMs. Information is routinely available to identify when an obligation has previously been assessed and can be considered during the process to agree a List of Obligations at any Commission meeting.
13. WCPFC20 could consider trialing this approach for the following Implementation (IM) obligations in 2024 reporting (covering 2023 activities) as shown in **Annex 1**.
 - a. **2021-01 14** Purse seine 3-month FAD closure (1 July - 30 September).
 - b. **2018-06 03** CCMs should only allow its fishing vessels to be used for fishing, if properly authorized.
 - c. **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.
 - d. **2019-04/2022-04 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.

- e. **2019-04/2022-04 13** Take measures necessary to ensure carcasses and their corresponding fins are landed or transshipped together, in a manner that allows inspectors to verify.
 - f. **2019-04/2022-04 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).
 - g. **2019-04/2022-04 20 (02)** Requirement to release oceanic whitetip & silky sharks asap.
 - h. **2019-04/2022-04 20 (03)** If oceanic whitetip & silky sharks caught, must be given to govt or discarded.
 - i. **2019-04/2022-04 21 (01-07)** Prohibit purse seine setting on whale sharks, retaining/transshipping/landing of whale sharks.
 - j. **2011-03 01** Prohibit purse seine setting on cetaceans, if animal is sighted prior to commencement of the set.
 - k. **2011-03 02** Requirements in the event of unintentional encircling of cetaceans in the purse seine net, including incident reporting requirements.
14. If successful, the Secretariat could work with the TCC Chair and Vice-Chair to consider this further in the process to review the CMS. Issues to be considered include whether there is merit in setting a time period for the process to apply for example, 3- 5 years before all CCMs implementation is re-reviewed by TCC. Additionally, there may be merit in considering the development of a process around how TCC can take into consideration circumstances of a CCM that changes the applicability of implementation obligation to a CCM over time, such as a CCM becoming a flag State or for a new type of fishing vessel. The process would need to be developed taking into consideration the principles set out in the CMS CMM.

Possible streamlining opportunities for future consideration

15. For Quantitative Limit (QL) obligations, it may be possible to present in advance, in the ARPt2 online system, available information for CCMs from ACE tables in support of each CCMs review as part of ARPt2. The CCMs response in ARPt2 could be the equivalent of the response to the Secretariat's review in the initial dCMR. This could be a way to streamline the reviews of all QL obligations in the CMS by drawing on the information currently used by the Secretariat in its assessments. The expectation would be that the Secretariat would present summary information for TCC's review each year. The Secretariat could work with the TCC Chair and TCC Vice-Chair to explore streamlining opportunities for QL and report to TCC20.
16. For some Implementation (IM) obligations, Report (RP) and Deadline (DL) obligations with Audit Points that indicate the Secretariat confirms or verifies a report received, there is opportunity to streamline drawing on work currently being undertaken by the Secretariat to streamline the preparation of summary reporting and analyses. It may be possible to

consider an alternative reporting option for CCMs that uses the data already reported to the Commission. Over time, where good quality data (that is verified) is reported by CCMs, it may be possible to provide CCM-specific presentations of these data as pre-populated information in the AR Pt2, and look at ways to reduce the need for duplicate reporting i.e. of data already reported routinely during the reporting year. Examples are to prepopulate the ARPt2 with the analysis of high-level reporting gaps such as for VMS or missing or inconsistent transshipment reports or inconsistencies. A similar process to that outlined in paragraphs 10 and 11 above could be adopted. These are areas the Secretariat routinely works with CCMs to resolve in advance of TCC with only 'exceptions' noted by the Secretariat in the dCMR.

17. This potential approach builds on the use of existing and new analytical reporting tools for CCMs that identifies unresolved reporting issues which relate to obligations reported on in ARPt2 and which would provide the initial response for CCMs based on information each CCM already has access to.
18. Issues to be considered are to ensure there is a reasonable level of verification possible from other sources of data available to the Secretariat and that there is no additional value to be gained from the annual response as additional reporting. Where that is the case, the compilation and presentation of CCM self-reported data provided during the reporting year would be used to populate the initial CCM response for CCM review in the dCMR.
19. Fifteen (15) obligations have notation in **Annex 1** of *(potential for future alternative reporting option)* indicating the Secretariat's suggestion that the reporting could be streamlined and supported through the approach in paragraph 16 – 17, above. The Secretariat proposes to work with the TCC Chair and Vice-Chair to consider this further in the process to review the CMS and provide an update to TCC20

Application of Principles to Consider Obligations for Inclusion in List for review by the CMS in 2024 (covering RY2023)

20. The list of obligations as approved at WCPFC18 and WCPFC19 (covering RY2021 and RY2022) has been used as the basis for consideration of the Secretariat's recommendations/suggestions on the potential list of obligations for review through the CMS in 2024. The Secretariat also considered the principles set out in paragraph 7 above and has included notation. The outcome of this review is shown in the columns on the right side of **Annex 1**, and fifty-three (53) obligations are proposed to be included in the list for 2024. Some key points on the suggested list of obligations for 2024 are:
 - a. Although many quantitative limits (QL) were assessed by TCC based on self-reported information, most are proposed for inclusion in the list of obligations because they have a Severe or High risk-rating.
 - b. If TCC19 found no or few compliance issues with implementation (IM) obligations, it is suggested that they be omitted from the list of obligations for review by the CMS in 2024.

- c. The principle discussed at TCC19 to include **CMM 2019-04 23 (RP)** in the list of obligations, if the substantive obligations in the CMM were not proposed for assessment has been applied.
 - d. For report obligations, with no compliance issues identified at TCC19 and a lower risk-rating, it is suggested that they be omitted from the list of obligations for review by the CMS in 2024.
 - e. New Implementation (IM) obligations were added to the list of obligations for review by the CMS in 2024 considering the recent CMM themes identified as potential compliance issues identified in Article 25(2) CCFS cases initiated by CCMs, and the likelihood of agreement on Audit Points through the CMS-IWG work to be presented at WCPFC20.
21. As they are priorities for SC and TCC in 2024, if the CMM interpretation issues and Audit Point reviews can be completed at WCPFC20, it is suggested that obligations in CMM 2015-02, CMM 2006-04, and CMM 2017-02 could also be considered for inclusion in the list of obligations for review by the CMS in 2024. Their inclusion would add additional obligations to the list of 53 obligations in **Annex 1**. If not resolved, they should be identified as necessary for selection in the first year after interpretation is agreed.
22. A further eleven (11) obligations have notation in **Annex 1** of *Possible exception reporting for CCMs with IM issues* indicating the Secretariat's suggestion that they be handled by the trial in 2024 set out in paragraph 10 and 11 above. The list of these is provided in paragraph 13 above. Notation within the Executive Summary of the pCMR would be used to distinguish these obligations and their differing applicability.

Recommendations

23. The Commission is invited to:
- a. **consider** the analysis presented in **Annex 1** which is intended to inform the Commission's consideration of a list of obligations for review through the CMS in 2024;
 - b. **recognise** that in principle adopting a shorter list than sixty (60) obligations (2,395 rows of reporting in the draft Compliance Monitoring Report (dCMR)) is highly desirable to provide opportunities for proposed streamlining ideas presented in this paper and others that CCMs might suggest to be further explored and outcomes reported to TCC;
 - c. **adopt** the list of fifty-three (53) obligations presented in the right side of the table in **Annex 1** for review through the CMS in 2024;
 - d. **task** the Secretariat, working with the TCC Chair and TCC Vice-Chair, to
 - support a trial at TCC20 of the suggested approach for certain Implementation (IM) obligations where most applicable CCMs met the audit point, based on the obligations listed in paragraph 12 above, and to request that TCC20 provide an update to WCPFC21; and

- consider additional future streamlining opportunities arising from information routinely reported and analysed to support CCM resolution of issues during each year, building on information in paragraphs 15-19, above.
- e. **ensure** information on obligations considered higher priority by CCMs that are excluded from the List of Obligations for 2024 reporting is collated and presented for consideration in subsequent Commission processes.

LIST OF OBLIGATIONS TO BE REVIEWED IN 2023 DRAFT COMPLIANCE MONITORING REPORT (COVERING 2022 ACTIVITIES) AND SUPPORTING NOTES FOR A POTENTIAL LIST FOR 2024 (COVERING 2023 ACTIVITIES)

Key: Indicative Risk Rating (based on compliance history up to RY 2020)

Low	Moderate	High	Severe
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Category: **RP** = Report, **IM** = Implementation, **QL** = Limit, **DL** = Report Deadline

CMM	RY2021/2022 Para and risk rating	Description	Category	Agreed AP	CMM or AP being revised/interpretation issue?	Comment re: RY2023 inclusion	RY2023 list of obligations
1	Sci Data	Annual Catch Estimates - Flag CCM responsibility	RP	Y	Recs for amendments to address data gaps in Scientific Data to be Provided in WP18, WP20 and WP21 .	Scidata provision is a priority data collection programme supporting harvest strategies (see WP14). Assessment at TCC19 used Tier-Scoring Evaluation Level based on CCM submissions to SSP. There were no compliance issues, only one Capacity Assistance Needed assessment, raised at TCC19.	SciData 01 (potential for future alternative reporting option)
2		Number of Vessels Active - Flag CCM responsibility	RP	Y			SciData 02 (potential for future alternative reporting option)
3		Operational Level Catch and Effort Data - Flag CCM responsibility	RP	Y			SciData 03 (potential for future alternative reporting option)
4		Size Composition Data - Flag CCM responsibility	RP	Y			SciData 05 (potential for future alternative reporting option)
5	Tropical Tuna Measure	Purse seine 3 month FAD closure (1 July - 30 September).	IM	Y	TCC19 – APs to be reviewed through CMS-IWG to determine whether it remained appropriate and applicability TCC19 – APs to be reviewed through	TCC in the past evaluated this obligation annually, last evaluated in 2020, with average compliance score 94%. Two repeat year compliance issues for two CCMs for 2021 and 2022 raised at TCC19	Possible exception reporting only for CCMs with IM issues

CMM	RY2021/2022 Para and risk rating	Description	Category	Agreed AP	CMM or AP being revised/interpretation issue?	Comment re: RY2023 inclusion	RY2023 list of obligations
6					CMS-IWG to determine whether it remained appropriate and applicability		
		Annual advice on choice and implementation of two additional month high seas purse seine FAD closure (April- May or Nov-Dec)	IM RP	Y []	RP - Draft AP proposed – CMS-IWG AP	TCC in the past evaluated this obligation annually, last evaluated in 2020, with average compliance score >95%. IM and RP reviewed by TCC19 no compliance issues. Noting no IM compliance issues, suggest that in 2024 that only the RP is assessed.	RP: 2021-01 15 (potential for future alternative reporting option)
7	Tropical Tuna Measure	Purse seine EEZ limits (for skipjack, yellowfin and bigeye tuna) and advice from other coastal CCMs of EEZ limits to be applied	QL	Y	Current AP conflates quantitative limit and notification requirement, needs consideration in proposals to amend CMM 2021-01 (WP33).	The current data collection and monitoring programmes provide data from multiple sources that can be used to verify CCMs implementation of purse seine days fished implementation. For catch limits, information reported against limit obligations is self- reported. TCC19 agreed there was a need for resolution of the outstanding EEZ purse seine effort limits in the context of the ongoing work in revising the TTM, particularly in relation to EEZs where purse seining is not currently taking	2021-01 24 (potential for future alternative reporting option)

CMM	RY2021/2022 Para and risk rating	Description	Category	Agreed AP	CMM or AP being revised/interpretation issue?	Comment re: RY2023 inclusion	RY2023 list of obligations
8						place but may do so in the future, otherwise no compliance issues raised at TCC19.	
9	Tropical Tuna Measure	High seas purse seine effort limits applying 20N to 20S	QL	Y		The current data collection and monitoring programmes provide data from multiple sources that can be used to verify CCMs implementation of purse seine days fished implementation. No compliance issues raised at TCC19	2021-01 25 (potential for future alternative reporting option)
10		Bigeye longline annual catch limits for 2021-2023, with adjustment to be made for any overage	QL	Y		SC19 management advice, mostly healthy state. Information reported against limit obligation is self-reported. One compliance issue for limit in RY2021 raised at TCC19.	2021-01 37
11		Monthly reporting of bigeye longline catches	RP	Y			(potential for future alternative reporting option)
12		Bigeye longline catch limits by flag for certain other members which caught less than 2000t in 2004	QL	Y			2021-01 40
13		Limit by flag on number of purse seine vessels >24m with freezing capacity between 20N and 20S	QL	Y		Information reported against limit obligations is partially verified, no compliance issues raised at TCC19.	2021-01 42
		Limit by flag on number of longline vessels with freezing capacity targeting bigeye above the current level (applying domestic quotas are exempt)	QL	Y		Information reported against limit obligations is self-reported, no compliance issues raised at TCC19.	2021-01 44

	CMM	RY2021/2022 Para and risk rating	Description	Category	Agreed AP	CMM or AP being revised/interpretation issue?	Comment re: RY2023 inclusion	RY2023 list of obligations	
14		2021-01 45	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)	QL	Y		Information reported against limit obligations is self-reported, no compliance issues raised at TCC19.	2021-01 45	12
15		2021-01 Att2 03	Philippines vessels Entry/Exit reports for HSP1-SMA	RP	Y		Information reported is verified using data from multiple sources, repeat year compliance issue raised at TCC19.	RP: 2021-01 Att 2 03	13
16		2021-01 Att2 05-06	Specific requirements for deploying observers on Philippines vessels fishing in HSP-1	IM	Y		IM reviewed by TCC19 no compliance issues		
17	Pacific Bluefin	2021-02 02	Total effort by vessels for Pacific Bluefin limited to 2002 - 2004 levels in Area north of 20N	QL	Y	Sect rec for additional reporting requirement to assist TCC in completing future assessments of limit in WP13	ISC stock status and management advice noted by SC18, stock is in a depleted state but likely recovering as planned or possibly faster.	2021-02 02	14
18		2021-02 03	Pacific bluefin tuna catch limits for Japan, Korea and Chinese Taipei applying from 2022	QL	Y	NC rec to amend CMM footnote 8 in WP19 .		2021-02 03	15
19		2021-02 04	Pacific Bluefin 30kg or larger catch limits, by flag for certain other members	QL	Y			2021-02 04	16
20		2021-02 08	Reporting of recent fishing effort and catch for Pacific Bluefin and where applicable also report on implementation of paragraph 5 and 6	RP	Y			Information reported against limit obligations is self-reported, no compliance issues raised at TCC19.	

	CMM	RY2021/2022 Para and risk rating	Description	Category	Agreed AP	CMM or AP being revised/interpretation issue?	Comment re: RY2023 inclusion	RY2023 list of obligations
21		2021-02 14	Annual report on measures for Pacific Bluefin, including monitoring of international trade	RP	Y			
22	SP Albacore		2015-02: 01 Limit on number of vessels actively fishing for SP ALB south of 20S above 2005 or 2000-2004 levels	QL	Y	Sect rec for additional reporting requirement to assist TCC in completing future assessments of limit in WP13 FFA rec for proposal to address the term “actively fishing for” in CMM 2015-02 in DP03	SC17 management advice, mostly healthy state, stock assessment scheduled with start year and end year of 2024. Information reported against limit obligation is self-reported. No compliance issues for reporting requirement raised at TCC19. Continuing difficulties in assessing the limit.	<i>Pending resolution of CMM limit issues</i>
		2015-02 04	Annual report of SP ALB by vessel by species	RP	Y			2015-01 04
	NP Albacore			2019-03: 02 CCMs take measures to ensure level of fishing effort by vessels fishing for NP ALB is not increased	QL	Y	Sect rec for additional reporting requirement to assist TCC in completing future assessments of limit in WP13	ISC stock status and management advice noted by SC19, mostly healthy state. Information reported against limit obligations is self-reported, no compliance issues raised when this obligation was last evaluated at TCC17.
			2019-03: 03 Annual report of catches and fishing effort north of the equator directed at ALB	RP	Y			

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	CMM	RY2021/2022 Para and risk rating	Description	Category	Agreed AP	CMM or AP being revised/interpretation issue?	Comment re: RY2023 inclusion	RY2023 list of obligations	
23		NP Marlin	NP striped marlin catch limits applicable to CCMs with vessels fishing in the Convention Area north of the equator: commencing 2011	QL	Y	SC19 discussed precautionary reduction in catch limits	ISC stock status and management advice noted by SC19, less than healthy state, rebuilding plan needed. Information reported against limit obligations is self-reported, no compliance issues raised at TCC19	2010-01 05	18
24		SWP. Marlin	Limit number of fishing vessels fishing for MLS south of 15S to 2000 – 2004 levels	QL	Y	Sect rec for additional reporting requirement to assist TCC in completing future assessments of limit in WP13	SC15 management advice, less than healthy state, stock assessment scheduled with start year and end year of 2024. Information reported against limit obligations is self-reported, no compliance issues raised at TCC19	2006-04 01	19
25			Annual catches of MLS (bycatch), and annual numbers of vessels fishing for MLS south of 15S and their catch levels	RP	Y	TCC19 – AP to be reviewed through CMS-IWG to determine whether it remained appropriate	Information reported against limit obligations is self-reported, no compliance issues raised at TCC19	<i>Pending review of AP</i>	
26		Swordfish	Limit number of vessels fishing for SWO south of 20S to the number in any one year between 2000-2005	QL	Y	Sect rec for additional reporting requirement to assist TCC in completing future assessments of limit in WP13	SC17 management advice is that is mostly healthy state, stock assessment scheduled with start year and end year of 2025. Information reported against limit obligations is self-reported, no compliance issues were raised at TCC19.	2009-03 01	20
27			Limit the catch of SWO by its vessels in area south of 20S to the amount in any one year during 2000-2006	QL	Y			2009-03 02	21
28			CCMs shall not shift their fishing effort for SWO to the area north of 20°S	IM	Y				

	CMM	RY2021/2022 Para and risk rating	Description	Category	Agreed AP	CMM or AP being revised/interpretation issue?	Comment re: RY2023 inclusion	RY2023 list of obligations	
29		2009-03 08	Report annually on total catch and effort for SWO S 20°S	RP	Y				
30	RFV		CCMs to ensure its fishing vessels only transship to/from, and provide bunkering for/ are bunkered by or otherwise supported by vessels on the RFV	IM	[]	Draft AP proposed – CMS-IWG AP	TCC in the past evaluated this obligation annually, last evaluated in 2019, with average compliance score 98%	2018-06 02	22
		2018-06 03	CCMs should only allow its fishing vessels to be used for fishing, if properly authorised	IM	Y		IM reviewed by TCC19. One compliance issue for RY2022 raised at TCC19. This may be resolved considering additional CCM information submitted post-TCC19	Possible exception reporting only for CCMs with IM issues	
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	RP	Y		CMM requires annual report	2018-06 09 (potential for future alternative reporting option)	23
			Requirement to report extraordinary circumstances as to why IMO or LR number is not able to be obtained	RP	[]	Draft AP proposed – CMS-IWG AP	Never evaluated by TCC	2018-06 11	24
			Flag CCM to ensure fishing vessels are on RFV is accordance with this CMM. Vessels not on RFV shall be deemed not authorized to fish for, retain on board, transship or land HMFS in Convention Area beyond the national jurisdiction of its flag State	IM	[]	Draft AP proposed – CMS-IWG AP	TCC in the past evaluated this obligation annually, last evaluated in 2019, with average compliance score 99%	2018-06 17	25
			CCMs to prohibit landings in ports or transshipment to vessels not on RFV	IM	[]	Draft AP proposed – CMS-IWG AP	Last evaluated by TCC in 2013 with compliance score of 97%	2018-06 18	26

	CMM	RY2021/2022 Para and risk rating	Description	Category	Agreed AP	CMM or AP being revised/interpretation issue?	Comment re: RY2023 inclusion	RY2023 list of obligations	
32	VMS	2014-02 09a	Fishing vessels comply with the Commission standards for WCPFC VMS including being fitted with ALC/MTU that meet Commission requirements	IM	[]	Draft AP proposed – CMS-IWG AP	TCC has evaluated this obligation annually, last evaluated in 2020, with average compliance score 86%. CMM requires annual review – CMM 2014-02 Annex 2 template applies. Eleven compliance issues were raised at TCC19 for RY 2021 and thirteen compliance issues for RY 2022. The counts of issues may change considering additional CCM information submitted post-TCC19	2014-02 9a (potential for future alternative reporting option)	27
33		2014-02 09a VMS SSPs 2.8	Provision of ALC/MTU 'VTAF' data	RP	Y		TCC has evaluated this obligation annually and it was last evaluated in 2020, with average compliance score 91%. No compliance issues raised at TCC19	2014-02 09a VMS SSPs 2.8 (potential for future alternative reporting option)	28
34	Transshipment	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)	RP	Y		TCC has evaluated this obligation annually, last evaluated in 2020, with average compliance score 80%. Partially able to be verified and three compliance issues were raised at TCC19 for RY2022 and one compliance issue for RY2021. These may all be resolved considering	2009-06 11	29

CMM	RY2021/2022 Para and risk rating	Description	Category	Agreed AP	CMM or AP being revised/interpretation issue?	Comment re: RY2023 inclusion	RY2023 list of obligations
35						additional CCM information submitted post-TCC19.	
36	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.	QL	Y		Due to current analytical and data limitations the evaluations in CMR reviewed by TCC19 were partially verified, no compliance issues	
37	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.	QL	Y			
38	2009-0635 (a) (ii)	Flag State's notification to the Secretariat on its flag vessels that are authorised to transship on the high seas	RP	Y			2009-0635 (a) (ii) (potential for future alternative reporting option)
39	2009-06 35 (a) (iii)	WCPFC Transshipment Advance Notification (including fields in Annex III)	RP	Y		No compliance issues raised at TCC19 Secretariat adopts administrative process to ensure complete transshipment reports for all transshipment events	2009-06 35 (a) (iii) (potential for future alternative reporting option)
39	2009-06 35 (a) (iv)	WCPFC Transshipment Declaration (including information in Annex I)	RP	Y		No compliance issues raised at TCC19 Secretariat adopts administrative process to ensure complete	2009-06 35 (a) (iv) (potential for future alternative reporting option)

CMM	RY2021/2022 Para and risk rating	Description	Category	Agreed AP	CMM or AP being revised/interpretation issue?	Comment re: RY2023 inclusion	RY2023 list of obligations
						transshipment reports for all transshipment events	
40	Charter Notifications	Notification of charter arrangements made to the ED	RP	Y		Three compliance issues raised for this RP related to RY 2022 at TCC19, these are deadline issues.	(potential for future alternative reporting option)
41		Report annually to ED the catch and effort of chartered vessels in the previous year (unless specifically provided in other CMMs)	RP	Y		No compliance issue raised at TCC19	(potential for future alternative reporting option)
42		CCMs to ensure fishermen use proper mitigation and handling techniques and foster the recovery of any turtles that are incidentally captured	IM	[]	Draft AP proposed – CMS-IWG AP	Effective 1 January 2020, no compliance history.	2018-04 04
	Sea turtles	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	IM	Y		Effective 1 January 2020 Evaluated by TCC for RY2020. One compliance issue raised at TCC19 for RY 2022, this may be resolved considering additional CCM information submitted post-TCC19. A Capacity Assistance Need was also recognised for one CCM for RY2021 and RY2022.	Possible exception reporting only for CCMs with IM issues

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CMM	RY2021/2022 Para and risk rating	Description	Category	Agreed AP	CMM or AP being revised/interpretation issue?	Comment re: RY2023 inclusion	RY2023 list of obligations
43	2018-04 07 (a)	Sea Turtle mitigation requirements for shallow-set longline vessels	IM	Y	Draft revised AP proposed – CMS-IWG AP	Effective 1 January 2020 Evaluated by TCC for RY2020 No compliance issued raised at TCC19	
			IM	[]	Draft AP proposed – CMS-IWG AP	Effective 1 January 2020, no compliance history.	2018-04 7 (d)
44	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)	RP	Y	TCC19 - agreed the need for clarification of obligation and its applicability. Measure for review	One compliance issue identified by TCC for RY2021 and 2022, and one capacity assistance need identified for RY2021 and RY2022	<i>Pending resolution of CMM interpretation issues and AP review</i>
45	Sharks	2019-04 07-10	IM	Y	TCC19 – AP to be reviewed through CMS-IWG to determine whether it remained appropriate and its applicability Measure for review in 2024	Two compliance issues identified by TCC for RY2021 and 2022, and one capacity assistance need identified for RY2021 and RY2022. The counts may be updated considering additional CCM information submitted post-TCC19	<i>Pending resolution of CMM interpretation issues and AP review</i>
46		2019-04 11	RP DL	Y []	TCC19 – AP to be reviewed through CMS-IWG to determine whether it remained appropriate Measure for review in 2024	TCC19 noted limited information available on alternative measures implemented to inform the review of the measures and TCC19 not in position to evaluate effectiveness of such measures. Some CCMs to	<i>Pending resolution of CMM interpretation issues and AP review</i>

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CMM	RY2021/2022 Para and risk rating	Description	Category	Agreed AP	CMM or AP being revised/interpretation issue?	Comment re: RY2023 inclusion	RY2023 list of obligations
						provide information before TCC20. Evaluated RY2021 and 2022 Two reporting issues identified by TCC for RY2021 and one for RY2022, one or more may be resolved considering additional CCM information submitted post-TCC19. Seven deadline issues identified by TCC for RY 2021 and three for RY 2022. One capacity assistance need identified for RY2021 and RY2022 for the report and the 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	IM	Y	Measure for review in 2024	One compliance issue identified by TCC for RY2022, and one capacity assistance need identified for RY2022	Possible exception reporting only for CCMs with IM issues
48	2019-04 13	Take measures necessary to ensure carcasses and their corresponding fins are landed or transshipped together, in a manner that allows inspectors to verify	IM	Y	Measure for review in 2024	One compliance issue identified by TCC for RY2022, and one capacity assistance need identified for RY2021 and RY2022	Possible exception reporting only for CCMs with IM issues
49	2019-04 14-15	Implement at least one option to minimize bycatch of sharks	IM	Y	Measure for review in 2024	No compliance issues identified by TCC for RY	

CMM	RY2021/2022 Para and risk rating	Description	Category	Agreed AP	CMM or AP being revised/interpretation issue?	Comment re: RY2023 inclusion	RY2023 list of obligations
50		in longline fisheries, and notify choice and whenever the selected option is changed				2021 and RY2022, and one capacity assistance need identified for RY2021 and RY2022	
	2019-04 16	Develop and report annually on management plans for longline fisheries targeting sharks in Pt 2 Annual Report	RP	Y	Measure for review in 2024	No compliance issues identified by TCC for RY 2021 and RY2022, and one capacity assistance need identified for RY2021 and RY2022	
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)	IM	Y	TCC19 – further consideration of obligation applicability, noting that the obligation only applies where there is an observer present. Measure for review in 2024	Two compliance issues identified by TCC for RY 2021 and RY2022, and one capacity assistance need identified for RY2022	Possible exception reporting only for CCMs with IM issues
52	2019-04 20 (01)	Prohibit retaining/transshipping/storing/landing oceanic whitetip & silky sharks	IM	Y	Measure for review in 2024	No compliance issues identified by TCC for RY 2021 and RY2022, and one capacity assistance need identified for RY2022	
53	2019-04 20 (02)	Requirement to release oceanic whitetip & silky sharks asap	IM	Y	Measure for review in 2024	Two compliance issues identified by TCC for RY 2021 and RY2022, one or more may be resolved considering additional CCM information submitted post-TCC19. One capacity assistance need identified for RY2022	Possible exception reporting only for CCMs with IM issues

	CMM	RY2021/2022 Para and risk rating	Description	Category	Agreed AP	CMM or AP being revised/interpretation issue?	Comment re: RY2023 inclusion	RY2023 list of obligations	
54		2019-04 20 (03)	If oceanic whitetip & silky sharks caught, must be given to govt or discarded	IM	Y	Measure for review in 2024	One compliance issue identified by TCC for RY 2021 and two compliance issues for RY2022, and one capacity assistance need identified for RY2021 and RY2022	Possible exception reporting only for CCMs with IM issues	
55		2019-04 21 (01-07)	Prohibit purse seine setting on whale sharks, retaining/transshipping/landing of whale sharks	IM	Y	Measure for review in 2024	One compliance issue identified by TCC for RY 2021 and two compliance issues for RY2022, and one capacity assistance need identified for RY2022	Possible exception reporting only for CCMs with IM issues	
56		2019-04 21 (04)	Where applicable, describe any alternative measures for whale sharks from CMM 2019-04 21 that are applied by CCMs specifically in EEZs located N30N (provide in Part 2 Annual Report)	RP	Y	Measure for review in 2024	No compliance issues were raised at TCC19		
57		2019-04 23	Report annually on implementation of shark CMM (Annex 2 template)	RP	Y	TCC19 - paras 05 and 11 for review but are within scope of expected response to para 23 Measure for review in 2024	TCC19 did not assess because 8 substantive issues in AP were considered separately. TCC19 therefore agreed that this obligation should not be assessed this year, but noted that this would be a useful obligation to assess in future years where the substantive obligations in	RP: 2022-04 23	35
	DL			[]	DL: 2022-04			36	

CMM	RY2021/2022 Para and risk rating	Description	Category	Agreed AP	CMM or AP being revised/interpretation issue?	Comment re: RY2023 inclusion	RY2023 list of obligations	
58						this CMM were not assessed		
		Prohibit purse seine setting on cetaceans, if animal is sighted prior to commencement of the set	IM	Y		Two compliance issues were raised at TCC19 for RY2022, these may be resolved considering additional CCM information submitted post-TCC19.	Possible exception reporting only for CCMs with IM issues	
59	Cetaceans	Requirements in the event of unintentional encircling of cetaceans in the purse seine net, including incident reporting requirements	IM	Y		One compliance issue for RY 2022 was raised at TCC19, and also one Capacity Assistance Needed for RY2022.	Possible exception reporting only for CCMs with IM issues	
60		Prohibit targeted fishing or intentional setting on mobulid rays	IM	[]	Draft AP proposed – CMS-IWG AP	Effective 1 January 2021, never evaluated by TCC	2019-05 03	37
		Mobulids: Prohibit retaining/transshipping/landing of mobulid rays	IM	Y		Effective 1 January 2021 CMM requires annual report ARPt2 Evaluated RY2021 and 2022 Seven compliance issues raised at TCC19 for RY2021 and RY 2022, and also a Capacity Assistance Need for RY 2021 and RY 2022.	2019-05 (04-06, 08, 10)	38
		Report on Implementation of CMM 2019-05 Mobulid rays (Part 2 Annual Report)	RP	[]	Draft AP proposed – CMS-IWG AP	Effective 1 January 2021, never evaluated by TCC and no risk rating.	2019-05 07	39

CMM	RY2021/2022 Para and risk rating	Description	Category	Agreed AP	CMM or AP being revised/interpretation issue?	Comment re: RY2023 inclusion	RY2023 list of obligations	
Regional Observer Programme		Vessels to be prepared to accept an observer from the ROP, if required	IM	[]	Draft AP proposed – CMS-IWG AP	This is a priority data collection programme supporting harvest strategies (see WP14). TCC in the past evaluated this obligation annually, last evaluated in 2016, with average compliance score 99%	2018-05 07	40
		CCMs shall source observers for their vessels as determined by the Commission	IM	[]	Draft AP proposed – CMS-IWG AP	Last evaluated by TCC in 2014, with average compliance score of 92%	2018-05 09	41
		CCMs shall achieve 5% coverage of the effort in each fishery under the jurisdiction of the Commission	IM	[]	Draft AP proposed – CMS-IWG AP Proposal to expand LL coverage requirements in WP33	Previously assessed by TCC annually, last assessed in 2019 with no Compliance issues noted. The current 5% minimum ROP requirement means there is limited independent verification of CCMs reporting of their compliance with longline limits.	2018-05 Annex C 06	42
		CCMs shall achieve 5% coverage of the effort of each fishery fishing for fresh fish beyond the national jurisdiction in area N 20N	QL	[]	Draft AP proposed in WP20	Never evaluated by TCC	2012-03 02	43
NP Swordfish		CCMs take measures to ensure level of fishing effort by fisheries taking NP SWO N20N is not increased	QL	[]	Draft AP proposed in WP20	ISC stock status and conservation status noted by SC19, indicates a mostly healthy state.	2022-04 02	44

CMM	RY2021/2022 Para and risk rating	Description	Category	Agreed AP	CMM or AP being revised/interpretation issue?	Comment re: RY2023 inclusion	RY2023 list of obligations	
		Annual report of catches of North Pacific swordfish in waters N20N and fishing effort in N20N, using the template and by gear type, for those fisheries subject to the limits in paragraph 2 of the CMM	RP	[]	NC rec to expand reporting requirement, draft AP proposed in WP20	CMM first implemented in 2023, no compliance history and no risk rating. The self-reported baseline limits, applicability of limits and annual reporting obligation are yet to be reviewed by TCC through the CMS.	2022-04 04	45
Vessel Marking and Sneers		Fishing vessel marking and technical specifications	IM	[]	Draft AP recommended by CMS-IWG	Last evaluated by TCC in 2013 and 2016, with average compliance score 96%	2004-03 02	46
High Seas Driftnets		Measures necessary to prohibit use by their vessels of large-scale driftnets in the high seas	IM	[]	Draft AP recommended by CMS-IWG	Never evaluated by TCC	2008-04 02	47
Marine Pollution		Prohibit fishing vessels from discharging any plastics (including plastic packaging, items containing plastic and polystyrene) but not including fishing gear	IM	[]	Draft AP recommended by CMS-IWG	Last evaluated by TCC in 2020, no compliance issues	2017-04 02	48

CMM	RY2021/2022 Para and risk rating	Description	Category	Agreed AP	CMM or AP being revised/interpretation issue?	Comment re: RY2023 inclusion	RY2023 list of obligations	
		Encourage adoption of additional measures to reduce marine pollution, including retrieval of abandoned, lost or discarded fishing gear.	RP	[]	Draft AP recommended by CMS-IWG	Never evaluated by TCC, and no risk rating. Report could be useful to inform future Commission discussions on measures supporting reducing marine pollution	2017-04 05	49
		Requirement to actively support SIDS and Territories through provision of adequate port facilities for receiving and appropriately disposing of waste from fishing vessels	RP	[]	Draft AP recommended by CMS-IWG	Never evaluated by TCC. Report could be useful to inform future Commission discussions on measures supporting reducing marine pollution	2017-04 08	50
		Required longline mitigation measures to be used by longline vessels in specific waters of the Convention Area	IM	[]	Draft AP recommended by CMS-IWG	Last evaluated by TCC in 2020, some compliance issues raised at the time.	2018-03 01,02, 06	51
	Seabird Mitigation	Report on which mitigation measures are used north of 23N or south of 30S, as well as technical specifications. Subsequent years include advice on any changes	RP	Y		Last evaluated by TCC in 2015 and 2016, with no Compliance issues raised	2018-03 08	52
	IUU Vessel List	CCMs shall take all necessary non-discriminatory measures, including under their applicable legislation, to take certain actions in respect of vessels listed on the WCPFC IUU Vessel List	IM	[]	Draft AP recommended by CMS-IWG	Last evaluated by TCC in 2016, with average compliance score of 97%	2019-07 22	53

CMM	RY2021/2022 Para and risk rating	Description	Category	Agreed AP	CMM or AP being revised/interpretation issue?	Comment re: RY2023 inclusion	RY2023 list of obligations
Port State Minimum Standards				[]	TCC19 recommended WCPFC20 tasks TCC20 to review CMM Draft AP are under discussion through CMS-IWG.	Question of interpretation raised in AP development process. Recommend: that inclusion of obligations from Port State CMM should wait for the adoption of APs by the Commission.	<i>Pending adoption of APs</i>