



**TECHNICAL AND COMPLIANCE COMMITTEE  
SECOND REGULAR SESSION**

**28 September – 03 October 2006  
Brisbane, Australia**

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**CHAIR'S BRIEF ON THE PROVISIONAL ANNOTATED AGENDA**

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**WCPFC-TCC2-2006/20  
15 September 2006**

**Paper prepared by the Secretariat**

This brief is intended as a supplement to the provisional annotated agenda. It is intended to support the assimilation and discussion of the best technical and compliance information available during the Second Regular Session of the Technical and Compliance Committee. The Chair and participants may consider this brief as a guide for assisting with the identification of key issues that need to be considered during the meeting.

**AGENDA ITEM 1    OPENING OF MEETING**

The meeting will open at 08:30 on Thursday 28 September 2006.

The Chair (Mr Apolosi Turaganivalu, Fiji) will open the Second Regular Session of the Technical and Compliance Committee (TCC2) of the Western and Central Pacific Fisheries Commission (WCPFC) and welcome delegations of the WCPFC Members, Cooperating Non-Members, Participating Territories (CCM) and observers.

**1.1    Welcome**

The Chair will introduce (TBA) of (TBA) who will make the welcoming address.

***Purpose***

*To introduce participants.*

***Background***

*CCMs may, at the discretion of the Chair, be given an opportunity to make a brief opening statement.*

*The Government of Australia has advised that since it wishes to have the meeting start promptly, it will not be providing a dignitary to officially open the meeting.*

**1.2    Adoption of agenda**

The Chair will introduce the Provisional Agenda for the Second Regular Session of the Technical and Compliance Committee (WCPFC-TCC2-2006/03) that was prepared and distributed on 28 June 2006 in accordance with Rule 1 of the Commission's Rules of Procedure. The Rules of Procedure adopted at WCPFC1 in December 2004 will apply *mutatis mutandis* until such time as the TCC adopts its own Rules of Procedure (Rule 31). The Rules of Procedure provide that Members may propose supplementary agenda items up until 30 days before the meeting (Rule 3). The Agenda, as modified, will need to be adopted by the meeting (Rule 5).

***Purpose***

*To adopt the agenda for TCC2.*

***Background***

*If a suitable venue can be arranged, heads of delegations may meet on Wednesday evening prior to TCC2 and discuss refinements to the provisional agenda. The Technical and Compliance Committee is required to adopt an agenda, if necessary as refined by the Committee.*

**1.3 Meeting arrangements**

The Chair will invite TCC2 to review the Indicative Schedule (WCPFC-TCC2-2006/05), noting logistical arrangements in place to support the meeting, proposed meeting times and any social events.

***Purpose***

*To brief participants on the meeting schedule and house-keeping matters.*

***Issues***

1. *Time schedule of the meeting sessions*

*The Committee will be invited to review an Indicative Schedule of the meeting and refine it as necessary. This may also be discussed during the Heads of Delegation meeting on Wednesday evening prior to TCC2 if that meeting can be arranged.*

2. *Daily meeting schedule*

*0830-1800 with a lunch-break from 1230 to 1400 and two tea-breaks from 1030 to 1100 and 1530 to 1600.*

3. *Evening sessions*

*Evening sessions from 1900 to 2100 have been scheduled for Thursday 28 September and Friday 29 September. A third evening session from 1900 to 2100 on Monday 2 October may be scheduled if needed.*

4. *Sunday session*

*An afternoon session from 1400 to 1800 on Sunday 1 October may be scheduled if needed.*

5. *Functions*

*A cocktail function hosted by the Commission Secretariat has been scheduled for the evening of Saturday 30 October.*

***Discussion***

*The Chair may inquire if participants have any questions concerning meeting arrangements.*

## **AGENDA ITEM 2    REVIEW OF STATUS OF MEASURES**

### **2.1    Report by the Secretariat**

Article 14 (1) of the Convention describes the functions of the TCC. The Secretariat will provide a report to TCC2 on information received from Members, Cooperating Non-Members and Participating Territories, including information received under Article 24(5) of the Convention.

#### ***Purpose***

*To provide participants with a summary of the information from CCMs received by the Commission Secretariat since TCC1, particularly information, technical advice and recommendations relating to the implementation of, and compliance with, the Decisions of the Commission.*

#### ***Background***

*The Commission has adopted several conservation and management measures that apply equally to CCMs, several of which impose reporting and monitoring obligations. These include:*

- a. Record of Fishing Vessels and Authorization to Fish;*
- b. Conservation and Management Measures for Bigeye and Yellowfin Tuna in the Western and Central Pacific Ocean;*
- c. Conservation and Management Measures for North Pacific Albacore; and*
- d. Annual Reports to the Commission.*

*Conservation and Management Measure-2004-01 imposes an obligation on CCMs that fishing in the Convention Area will only be conducted by vessels flying the flag of a CCM.*

#### ***Issues***

*Issues to be discussed under this agenda item are included in WCPFC-TCC2-2006/07 'Review of Status of Measures'. Obligations on CCM related to operationalizing the Convention and implementing Commission decisions have created difficulties for some CCM in terms of complying with current requirements. Since these obligations are expected to increase, procedures to support CCM with monitoring and reporting compliance need to be gradually refined to attain improved efficiency and effectiveness.*

*Application of Conservation and Management Measure-2004-01 means that vessels flagged to non-CCM cannot be used in fishing operations, e.g. transshipping or bunkering, in the Convention Area. If implemented immediately this has the potential to cause major disruption to the WCPO purse seine fishery. This issue will be discussed in detail under Agenda Item 4.1.*

### **2.2    Reports from Members and Cooperating Non-Members**

Pursuant to Article 14 (2) and Part VI of the Convention, CCMs are invited to supplement the report by the Secretariat by reporting on measures taken to implement and monitor these provisions of the Convention or Decisions of the Commission. Reports will be based on Part II of the Annual Report adopted by the Commission at its second regular session (Comm2) in December 2005.

#### ***Purpose***

*To provide participants with an opportunity to report on actions taken to implement and monitor Article 14 (2) and Part IV of the Convention, and to suggest amendments to the Annual Report form to remove certain ambiguities in some of the data fields.*

### **Background**

*At TCC1, CCMs agreed to provide an Annual Report to the Commission, Part 2 of which relating to management and compliance is to be submitted one month before the regular session of the Commission, or TCC2, combined with Part 1 of the Annual Report. CCMs have agreed to provide in Part 2 of their Annual Report to the Commission:*

- a. information on inspections undertaken in their respective ports and any violations detected; and*
- b. a report on steps taken to implement Resolution-2005-04 'Resolution to mitigate the impact of fishing for highly migratory fish species on sea turtles'.*

*Preparation of the Annual Report also provides an ideal opportunity for CCMs to report progress on several other issues.*

### **Issues**

*Issues to be discussed under this agenda item are included in WCPFC-TCC2-2006/07 'Review of Status of Measures.' Developing an optimal flow of information to and from CCMs and the Commission is an on-going priority for the Commission Secretariat. To assist in this development, CCMs are invited to:*

- a. submit part 2 of the Annual Report relating to management and compliance one month before the regular session of the Commission, or TCC2, combined with Part 1 of the Annual Report; and*
- b. provide suggested amendments to the Annual Report form to improve its utility and minimize ambiguities.*

## **AGENDA ITEM 3 MEMBERS' COMPLIANCE REVIEW**

### **3.1 Development of compliance mechanisms and sanctions**

The first regular session of the Technical and Compliance Committee (TCC1) developed a two-part reporting format for reporting on compliance with conservation and management measures that would be subject to periodic revision and possible elaboration. This Annual Report was subsequently adopted by Comm2. TCC1 noted that agreeing to this reporting format was only the first step in the process and that it may later need to develop compliance mechanisms, sanctions etc. consistent with the prescribed functions of the TCC as outlined in Article 14 of the Convention. TCC2 will consider whether or not the current reporting format requires revision and/or elaboration, and commence the development of compliance mechanisms, sanctions etc. consistent with Article 14.

### **Purpose**

*To provide participants with an opportunity to discuss issues relating to the current reporting format to the Commission and to consider the development of compliance mechanisms, sanctions etc. consistent with Article 14.*

### **Background**

*The Annual Report has the potential to be a useful tool for monitoring CCMs compliance with the provisions of the Convention and Commission decisions. This potential will be realized if a high level of accountability is associated with the Annual Report and a means developed to respond to incidences of inadequate reporting or non-compliance.*

*At this relatively early stage in the evolution of the mechanisms for monitoring and reporting on compliance, it is appropriate that the Commission considers a structure and process to manage non-compliance by CCMs. This structure and its associated procedures need to be practical, transparent and equitable so that they support integrity in implementation of the Convention and provide transparency and certainty for CCMs.*

### **Issues**

*Issues to be discussed under this agenda item are included in WCPFC-TCC2-2006/09, 'Structure for Monitoring and Reviewing Compliance with Conservation and Management Measures'. TCC2 is invited to comment on the draft procedures for investigating and responding to non-compliance in the WCPFC.*

## **AGENDA ITEM 4 IMPLEMENTATION OF COOPERATIVE MEASURES FOR MONITORING, CONTROL, SURVEILLANCE AND ENFORCEMENT**

### **4.1 Authorization to Fish**

Conservation and Management Measure-2004-01 requires that CCMs submit to the Executive Director by 1 July 2005 certain information about vessels they have authorized to fish in the Convention Area beyond their respective areas of national jurisdiction. Further, there is a requirement that any changes to the information contained in a Member's Record of Fishing Vessels shall be notified to the Executive Director within 15 days of that change occurring or at least 72 hours before the commencement of fishing activities.

Because several CCMs did not include fish carriers and bunker vessels in their respective lists, during 2006 these vessels were denied licences to operate in the EEZs of some coastal States. Also, since the majority of the fish carriers operating in the WCPO region are flagged to States that are not CCMs, these vessels were similarly denied licences to operate in the WCPO region.

### **Purpose**

*To assist participants formulate advice and recommendations for Comm3 relating to the issue of fish carriers and bunker vessels not flagged to CCMs.*

### **Background**

*The immediate application of this measure has the potential to disrupt some purse seine fishing operations in the WCPO region. With this in mind, in June 2006 the Commission Chair wrote to CCMs (Circular 2006-03) seeking an inter-sessional decision to endorse a temporary exemption from Conservation and Management Measure-2004-01 for fish carriers and bunker vessels flagged to non-CCMs until the implications of the strict application of this measure can be considered by the Commission at its next meeting in December 2006 (Comm3).*

### **Issues**

*Issues to be discussed under this agenda item are included in WCPFC-TCC2-2006/08, 'Fishing and Non-CCM Vessels in the Convention Area.' TCC2 will consider advice and recommendations to the Commission on this measure, including the possible options of:*

- a. a medium-term (possibly five-year) schedule, commencing immediately, for full implementation of Conservation and Management Measure-2004-01; or
- b. a permanent waiver for certain categories of support vessel providing essential services to the purse seine fishery in the Convention Area; and
- c. the establishment of a Registry of Support Vessels for Fisheries for Highly Migratory Species in the Convention Area. The Registry could include, inter alia, similar information as is currently provided for in the WCPFC Record of Fishing Vessels, require the annual renewal of a vessel's registration, and include a commitment from CCMs not to permit activities of unregistered vessels.

#### **4.2 Commission VMS**

Comm2 adopted several recommendations about the Commission VMS that had been agreed by TCC1. These recommendations were in relation to agreed functions of the Commission VMS, ALC standards, two options as potential solutions for Commission VMS implementation, a cost assessment and feasibility study to be undertaken by the Secretariat and a process for establishing the Commission VMS. Discussion in TCC2 on this issue will focus on consideration of a Secretariat report detailing progress with the various elements of this process.

##### ***Purpose***

*To provide participants with an opportunity to discuss and provide advice to Comm3 on the following three elements of the TCC work program related to establishing the Commission VMS:*

- a. cost assessment and feasibility of the short-listed options for the Commission VMS;
- b. draft certification requirements for Automatic Location Communicators (ALC); and
- c. draft Commission rules and procedures for the release and use of VMS data.

##### ***Background***

*In the inter-sessional period since TCC1, the Commission Secretariat:*

- a. organized a consultancy to provide advice on the estimated cost and feasibility of two options for the implementation of the Commission VMS;
- b. received written comments on a draft specification for the use of Automatic Location Communicators (ALC); and
- c. arranged for discussion of Commission Rules and Procedures for the Release and Use of VMS Data during the Ad Hoc Task Group [Data] meeting held at Manila, Philippines in August 2006.

##### ***Issues***

*Issues to be discussed under this agenda item are included in WCPFC-TCC2-2006/10, 'Progress with Implementation of the Commission VMS.' CCM are invited to make recommendations to the Commission on the Commission VMS in regard to:*

- a. the preferred option for its implementation;
- b. a cost-recovery mechanism;
- c. final ALC certification requirements; and
- d. rules and procedures for the release and use of Commission VMS data.

*In relation to 'a' and 'b', Dr Graeme Parkes, Marine Resources Assessment Group Ltd, London, U.K. will present a summary of Attachment 1 of WCPFC-TCC2-2006/10 entitled 'Feasibility Study and Assessment of Operational Costs of Options for the Commission Vessel Monitoring System – Final Report'.*

*In relation to 'c', Mr Jason Webb, Advanced Global Communications Ltd, Auckland, New Zealand, will facilitate a discussion based on Attachment 2 of WCPFC-TCC2-2006/10 entitled 'Draft WCPFC Members' Vessel Monitoring System Certification Requirements for Automatic Location Communicators, V 1.0, 7 December 2005'.*

*In relation to 'd', the Chair of the AHTG [Data], established by Comm2, will provide a summary of the work of the AHTG [Data] and facilitate further discussion on TCC-related issues that will assist with the finalization of a report to Comm3 under Agenda Item 7.2.*

### **4.3 Regional Observer Program**

Comm2 adopted several recommendations about the Regional Observer Programme that had been agreed by TCC1. These recommendations related to the program's scientific and compliance functions, coordination with existing national, regional or sub-regional programs, development of standards and procedures, collaboration between the SC and TCC, and recruitment of an Observer Programme Coordinator in 2006 who would draft a comprehensive program document. Discussion in TCC2 on this issue will focus on consideration of a Secretariat report detailing progress with the implementation of these recommendations.

#### ***Purpose***

*To inform participants on the implementation status of the Regional Observer Programme and to invite contributions on the development of its program of work.*

#### ***Background***

*Because it has not proven possible to recruit an Observer Programme Coordinator in 2006 on the terms and conditions offered for this post, the Commission Secretariat has engaged a consultant to draft a Program Document for the Regional Observer Programme describing:*

- a. the immediate objectives of the Regional Observer Programme;*
- b. institutional arrangements for its implementation;*
- c. science, technical and compliance-related elements of the program, including collaboration between the SC and the TCC; and*
- d. a timetable and plan for implementation of the Regional Observer Programme across all fleets operating in the WCPO.*

*Following consideration of several aspects of the Regional Observer Programme, including means to promote close coordination and cooperation between the SC and TCC, SC2 that met at Manila in August 2006 recommended that:*

- a. the initial objective of the Regional Observer Programme should be to attain a minimum coverage of five (5) per cent of fishing effort;*
- b. the distribution of observer effort is to be representative of species of interest, fishing areas, seasons and fishing fleets (types); and*
- c. there are five (5) scientific objectives that should be considered in the development of the Regional Observer Programme, all of which have high priority.*

## **Issues**

*Issues to be discussed under this agenda item are included in WCPFC-TCC2-2006/11, 'Status Report on Implementation of the Regional Observer Programme.' CCMs are invited to consider the draft Program Document for the Regional Observer Programme and make recommendations to the Commission on the Regional Observer Programme in regard to:*

- a. its objectives;*
- b. its compliance elements;*
- c. its institutional arrangements;*
- d. a timetable for its implementation;*
- e. collaboration between the SC and the TCC; and*
- f. improving observer coverage in the Convention Area.*

*In relation to 'a-d', Dr Graeme Parkes, Marine Resources Assessment Group Ltd, London, U.K. will present a summary of Attachment 1 of WCPFC-TCC2-2006/11 entitled 'Design Elements of a Regional Observer Programme for the Western and Central Pacific Ocean Region – Final Report'.*

### **4.4 High seas boarding and inspection procedures**

Comm2 adopted a recommendation proposed by TCC1 that an intersessional working group on high seas boarding and inspection procedures be established, in accordance with agreed terms of reference, to be convened by Mr William Gibbons-Fly (United States). Discussion in TCC2 on this issue will be centered on the report of this intersessional working group.

#### **Purpose**

*To present participants with draft boarding and inspection procedures developed by an intersessional working group as a basis for further discussion on this issue.*

#### **Background**

*The Second Regular Session of the Commission (Comm2) agreed that as per Article 26(2) of the Convention, Articles 21 and 22 of the Agreement will apply as of 19 June 2006, until the adoption of a specific boarding and inspection scheme, when and if the Commission agrees to such a scheme. However, noting that the practical application of Articles 21 and 22 of the Agreement would require the elaboration of additional measures and procedures, the Commission decided that these boarding and inspection procedures should not be utilized until additional measures and procedures have been discussed intersessionally, and resolved at the Third Regular Session of the Commission (Comm3).*

## **Issues**

*Issues to be discussed under this agenda item are included in WCPFC/TCC2/2006/12, 'High Seas Boarding and Inspection Procedures.' CCMs are invited to consider the draft boarding and inspection procedures and agree on a revised draft for consideration and possible adoption by Comm3 in December 2006.*

### **4.5 Port State measures**

Comm2 adopted several recommendations about port State measures and port inspection that had been agreed by TCC1. These recommendations related to use of the 2005 FAO Model Scheme on Port States Measures to Combat IUU Fishing to serve as the basis for developing a

Commission port State Scheme, the preparation of reports by CCMs describing their existing port State and/or port inspection schemes, and provision by CCMs of information on inspections undertaken in their ports and any violations detected.

**Purpose**

*To provide participants with an update on progress made towards the development of a harmonized port State scheme.*

**Background**

*TCC1 noted the importance of port State measures and port inspections in meeting the objectives of the Convention, increasing cooperation and coordination, addressing illegal, unreported, and unregulated (IUU) fishing activities and ensuring compliance with conservation and management measures adopted by the Commission. In early April 2006 the Executive Director requested all CCMs to provide copies of their existing port State schemes to the Secretariat in accordance with the decision of Comm2. This request was followed by a reminder in early June 2006 on the same subject.*

*Discussion in TCC2 was to have focused on a Commission Secretariat report containing various reports and a ‘gaps analysis’ between existing port State Schemes and the 2005 FAO Model Scheme. As a result of the low response rate by CCMs the Commission Secretariat has not been able to compile this report.*

**Issues**

*Issues to be discussed under this agenda item are included in WCPFC-TCC2-2006/13, ‘Port State Measures and Port Inspections.’ CCMs are invited to consider means to achieve the TCC Work Program for 2006/2007 on this issue given the limited progress made on the strategy approved at Comm2.*

**4.6 Transshipment monitoring**

Comm2 adopted several recommendations about Transshipment Monitoring that had been agreed by TCC1. These recommendations related to the Commission taking early action to regulate transshipment in the Convention Area by developing procedures and other measures, that such procedures be closely coordinated with the implementation of Article 27 on port State measures, and that the Non-Members whose vessels fish in the Convention Area to cooperate fully with the Commission on transshipment matters.

**Purpose**

*To assist participants in developing procedures and other measures to regulate transshipment in the Convention Area to give effect to Article 29 and Article 4 of Annex III of the Convention, for forwarding to Comm3.*

**Background**

*TCC1 agreed that transshipment is a global issue necessitating a comprehensive system of regulation that is consistently applied across all RFMOs and oceans to prevent IUU activity. Comm2 agreed to defer discussion of the issue of regulating transshipment until TCC2, at which time a more comprehensive strategy will be developed incorporating longline and other vessels.*

*In accordance with Article 29(5) of the Convention, Comm2 agreed to:*

- a. *exempt the Philippines from the prohibition on transshipping at sea by purse seine vessels for a period of 12 months, until procedures for transshipment are agreed at Comm3; and*
- b. *grant exemptions to all FFA countries currently engaging in purse seine transshipment at sea in waters under national jurisdiction for a period of 12 months, until procedures for transshipment are agreed at Comm3.*

*Discussion in TCC2 was to have focused on a Secretariat report containing a draft Transshipment Verification Scheme. However, since the Philippines delegation has prepared a draft transshipment scheme, this draft will provide the focus for TCC2 discussions on this issue while the Secretariat paper will provide background material including an historical context.*

### **Issues**

*Issues to be discussed under this agenda item are included in WCPFC-TCC2-2006/14 'Regulating Transshipment' and WCPFC-TCC2-2006/DP01, 'Draft Rules of Procedures for Philippine Vessels Transshipping At Sea in the High Seas' submitted by the Philippines delegation. CCMs are invited to consider these and other papers that may be available to TCC2 on this issue.*

### **4.7 Charter Arrangements Scheme**

*Comm2 adopted measures for bigeye and yellowfin conservation which included the provision that, "For the purpose of these measures, vessels operating under charter, lease or other similar mechanism by developing islands States and participating territories, as an integral part of their domestic fleet, shall be considered to be vessels of the host island state or territory. Such charter, lease or other similar mechanism shall be conducted in a manner so as not to invite IUU vessels. The Commission shall develop a Charter Arrangements Scheme, which will include notification provisions, at its third Session in 2006." Discussion in TCC2 on this issue will focus on draft Charter Arrangements Scheme prepared by the Secretariat.*

### **Purpose**

*To assist participants develop recommendations on a draft WCPFC Fishing Vessel Charter Arrangements Scheme (Scheme).*

### **Background**

*Charter vessels have played a significant role in the development of domestic tuna fleets by various CCMs, particularly developing island State CCMs. Three key issues were discussed in relation to charters during the PrepCon and Commission meetings, including:*

- a. *the need to satisfy the economic needs of some CCMs who rely on charters for the sustainable development of their tuna fisheries;*
- b. *concerns that the unregulated use of charters may lead to an increase or transfer in fishing effort that undermines the effectiveness of Commission measures; and*
- c. *the need to ensure that charters do not become a loophole leading to IUU fishing in the Convention Area.*

*The experiences of other regional fisheries management organizations (RFMOs) are also important in developing a Scheme. However, it appears that only two RFMOs, ICCAT and NAFO, have addressed issues related to chartering of vessels by their members.*

## ***Issues***

*Issues to be discussed under this agenda item are included in WCPFC-TCC2-2006/15, 'WCPFC Fishing Vessel Charter Arrangements Scheme.' CCMs are invited to develop recommendations based on a draft WCPFC Fishing Vessel Charter Arrangements Scheme for forwarding to Comm3.*

### **4.8 Options for catch and trade documentation with a focus on bigeye tuna**

The draft 2006 Work Program and Budget for the TCC adopted by the Commission tasks the Secretariat to request for background material on catch and trade documentation schemes to assist the Commission and, if required, conduct a review of catch and trade documentation options with a focus on bigeye tuna, and to draft report forms/templates. Because this issue was ranked by Comm2 as a lower priority than other issues and due to scarce resources within the Secretariat, the Secretariat has not made progress on this issue in 2006.

## ***Purpose***

*To provide participants with the opportunity to provide suggestions as to how to proceed on options for catch and trade documentation, with a focus on bigeye tuna.*

## ***Background***

*Noting the concerns expressed by several Members relating to the proposal only requiring the documentation of traded products rather than all catch, Comm2 agreed to defer consideration of a proposal for the adoption and implementation of a statistical documentation scheme for bigeye tuna. Comm2 agreed that concerned Members should work intersessionally to develop a more comprehensive scheme covering all catch for consideration at Comm3.*

*Several RFMOs operate catch and/or trade documentation schemes that form part of their respective compliance and enforcement regimes. However, each RFMO takes a different approach in the implementation of their respective schemes.*

## ***Issues***

*Due to scarce resources within the Secretariat, no material has been prepared by the Secretariat on this issue. The Secretariat welcomes suggestions from CCMs as to how to proceed on this issue, time permitting.*

### **4.9 MCS priorities**

Comm2 endorsed a TCC1 agreement that the priority components for the elaboration of the Commission's MCS framework for the next two years are as follows:

- i. Members' and Commission's lists of fishing vessels;
- ii. Vessel monitoring system;
- iii. Regional observer program;
- iv. Port State scheme and transshipment;
- v. High seas boarding and inspection scheme;
- vi. Catch verification;
- vii. Catch and statistical documentation scheme; and
- viii. Gear marking.

TCC2 is invited to review these items, tasks and relative priorities agreed by TCC1.

***Purpose***

*To provide participants with an opportunity to review the priority components for the elaboration of the Commission's MCS framework for the next two years.*

***Background***

*Fisheries MCS issues facing the Commission may be divided into short, medium and long-term issues. Given its relatively scarce resources, the Commission Secretariat requires clear direction from TCC2 regarding the current priorities for the Commission's MCS framework.*

***Issues***

*There are no particular issues known to the Commission Secretariat that may influence the current priorities for elaboration of the Commission's MCS framework.*

## **AGENDA ITEM 5      ADVICE ON MEASURES REQUESTED BY THE COMMISSION**

### **5.1      Exploration and evaluation of catch mitigation measures for juvenile bigeye and yellowfin taken around FADs.**

Comm2 adopted “Conservation and Management Measures for bigeye and yellowfin tuna in the western and central Pacific Ocean” that includes a requirement beginning in 2006 for the Scientific Committee, and the Technical and Compliance Committee to undertake to explore and evaluate mitigation measures for juvenile bigeye and yellowfin tuna taken around FADs, in cooperation with other RFMOs, and present the results annually to the Commission.

### **5.2      Exploration and evaluation of mitigation measures for incidental catch of seabirds, including those applied and tested by CCAMLR.**

Comm2 adopted “Resolution on the Incidental Catch of Seabirds” that includes a requirement for the Commission at its annual meeting in 2006, in consultation with the Technical and Compliance Committee, to consider measures for the mitigation of incidental catch of seabirds, including those applied and tested by CCAMLR.

### **5.3      Exploration and evaluation of the use of circle hook gear technology in longline fisheries as part of turtle catch mitigation measures.**

Comm2 adopted “Resolution to Mitigate the Impact of Fishing for Highly Migratory Fish Species on Sea Turtles” that includes requirements for the Commission at its annual meeting in 2006:

- i. to consider measures related to the use of circle hook technology in longline fisheries, taking into account the results of research and trials; and
- ii. through the Technical and Compliance Committee, monitor the progress of Members and Cooperating Non-Members in applying this resolution and developing relevant strategies for the further consideration of the Commission in 2007.

CCMs are invited to report on developments in relation to circle hook technology, to review progress relating to implementation of this Resolution and to report on strategies developed for possible consideration by the Commission in 2007.

#### ***Purpose***

*To assist participants discuss by-catch and by-catch mitigation issues and in particular to facilitate the preparation of advice and recommendations to the Commission’s specific requests on these issues.*

#### ***Background***

*The Commission has previously deliberated on issues related to the by-catch of seabirds, sea turtles, sharks and other non-target fish species, including by-catch mitigation. SC2 has recently provided specific advice and recommendations on these issues on request from Comm2.*

#### ***Issues***

*Issues to be discussed under this agenda item are included in WCPFC-TCC2-2006/16, ‘Advice on Measures Requested by the Commission.’ CCMs are invited to report on national or collaborative efforts relating to the decisions concerning by-catch and by-catch mitigation adopted by Comm2.*

*TCC2 is invited to:*

- a. *consider and endorse the SC2 recommendations on by-catch and by-catch mitigation issues, and if appropriate, further elaborate on their effective implementation;*
- b. *provide advice and recommendations in relation to the by-catch of seabirds, sea turtles, sharks and other non-target fish species, including by-catch mitigation; and*
- c. *identify priority actions relating to by-catch and by-catch mitigation for funding in the 2007 TCC Work Program.*

## **AGENDA ITEM 6 FUTURE WORK PROGRAM**

### **6.1 Work program for 2007**

Based on the outcomes of discussion on matters before TCC2, and other matters relating to conservation and measures that may be considered by the Commission, TCC2 will recommend a program of work for the TCC for 2007 for subsequent consideration by Comm3.

#### ***Purpose***

*To provide the Commission with a detailed work program for the TCC in 2007 including budgetary implications.*

#### ***Background***

*Having reviewed the progress made with implementation of its current work program and after considering the outcomes of SC2, TCC2 has the required information at its disposal to formulate a TCC work program for 2007 and an indicative budget for 2008.*

#### ***Issues***

*CCMs are invited to provide recommendations for the TCC 2007 work program and an indicative budget for 2008. TCC2 will prepare for the Commission's deliberation and possible adoption a consolidated table that will specify priority tasks, an indicative budget for each task and explanatory comments as necessary.*

## **AGENDA ITEM 7 OTHER MATTERS**

### **7.1 Cooperation with other organizations**

Comm2 endorsed the TCC1 report that stated relationships with the IATTC, CCAMLR, CCSBT, FFA and SPC should be priorities for the Commission, urged the Commission to cooperate with the International MCS Network and establish a relationship with the North Pacific Anadromous Fish Commission. Discussion in TCC2 will concentrate on a Secretariat report that describes progress with cooperation with other organizations.

#### ***Purpose***

*To provide participants with an opportunity to comment on progress with cooperation with other organizations.*

#### ***Background***

*Convention Article 22 requires the Commission to collaborate with other relevant intergovernmental organizations, particularly those with related objectives and which can contribute to the attainment of the Convention's objectives.*

#### ***Issues***

*Issues to be discussed under this agenda item are included in WCPFC-TCC2-2006/17, 'Cooperation with Other Organizations' that includes a reference to SC2's recommendation that additional MoU's be developed with the IOTC, ACAP and SPREP. TCC2 is invited to provide advice and recommendations concerning relations with the organizations referred to in this paper and other organizations with which mutually beneficial relationships should be explored.*

## **7.2 Consideration of the report of the Ad-Hoc Task Group (Data)**

TCC2 will consider a report prepared by the Ad-Hoc Task Group [Data] relating to science and compliance data dissemination, and data confidentiality and security.

### ***Purpose***

*For TCC2 to consider, and subsequently prepare advice for, the Commission on rules and procedures on the security and confidentiality of data.*

### ***Background***

*The report of the Ad Hoc Task Group [Data] that forms an attachment to WCPFC-TCC2-2006/18 'Access to, and Use of WCPFC Data, and Data Confidentiality and Security' will provide material for discussion under this agenda item*

### ***Issues***

*TCC2 is invited to:*

- a. consider, and endorse as appropriate, the recommendations of the AHTG [Data];*
- b. review, and refine where appropriate, the Draft Rules and Procedures for the Access to and Dissemination of Data Compiled by the Commission;*
- c. provide guidance to the AHTC [Data], where appropriate, on data security and data management in the areas of interest to the TCC.*

## **7.3 Requirements of developing States**

Comm2 endorsed a TCC1 recommendation that the Secretariat develop a strategy for capacity-building prior to finalizing procedures for the operation of a fund described in Article 30 of the Convention to assist small island developing States and participating territories to build their fisheries compliance capacity, as well as guidelines to give effect to Article 30.

### ***Purpose***

*To provide participants with an opportunity to be briefed on current progress towards development of procedures of a fund described in Article 30 of the Convention.*

### ***Background***

*Comm2 was informed that FFA members would prepare a strategy to guide the capacity building work of the Commission for developing States and Participating Territories that would be supported by the Special Requirements Fund. The finalization of the draft Guidelines prepared by the Secretariat would wait for adoption of that strategy.*

### ***Issues***

*At the time of writing of this brief, the Secretariat had not received a strategy to guide the capacity building work of the Commission for developing States and Participating Territories.*

#### **7.4 Election of Chair**

Rule 8 of the Rules of Procedure states that the Chairs shall hold office for a period of two (2) years and shall be eligible for re-election. Since the current Chair has served for two years an election must be held. Rule 8 of the Rules of Procedure also states that the Chairs shall assume office at the end of the Session at which they are elected.

##### ***Purpose***

*To elect a Chair of the Technical and Compliance Committee.*

##### ***Background***

*The current TCC Chair took office at the end of Comm1 in December 2004 and so will remain in office until the end of Comm3 in December 2006. The current TCC Chair is eligible for re-election.*

##### ***Issues***

*TCC2 is invited to elect a Chair of the Technical and Compliance Committee.*

#### **7.5 Rules of Procedure**

Rule 31 of the Rules of Procedure states that “Subject to the provisions of the Convention, each subsidiary body of the Commission may formulate and submit to the Commission for approval such rules as may be necessary for the efficient conduct of its functions.”

##### ***Purpose***

*To provide the Commission with consolidated comments for possible adoption of revised draft rules of procedure for the TCC.*

##### ***Background***

*Discussion at TCC2 on this issue will be informed by a Secretariat paper WCPFC-TCC2-2006/19 “Draft Rules of Procedure for the WCPFC Technical and Compliance Committee”.*

##### ***Issues***

*SC2 recommended that the proposed Rules of Procedure for the Scientific Committee be forwarded to the Commission for adoption at Comm3 and also be provided to the Technical and Compliance Committee and Northern Committee for their consideration. SC2 noted that while the Rules of Procedure were proposed for the Scientific Committee, they were written in a general manner that would include the other subsidiary bodies of the Commission: the TCC and the NC.*

#### **7.6 Other business**

In accordance with Rule 3 of the Commission’s Rules of Procedure, any Member, the Chair or the Executive Director may, at least thirty (30) days before the date of the meeting, request the inclusion of supplementary agenda items.

*Neither any Member, the Chair nor the Executive Director has requested the inclusion of supplementary agenda items.*

#### **7.7 Next meeting**

*Members are invited to propose the date and venue for the third meeting of the TCC (TCC3). The date and venue for TCC3 will be agreed.*

**AGENDA ITEM 8    REPORT TO THE COMMISSION**

**8.1    Adoption of the report of the second regular session of the Technical and Compliance Committee, and any recommendations to the Commission.**

*TCC2 will need to adopt a report, including advice and recommendations, to the Commission.*

**AGENDA ITEM 9    CLOSE OF MEETING**

**9.1    Closing of the meeting**

*The meeting is scheduled to close at 1800h on Tuesday, 03 October 2006*

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