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**Support For TCC21 Recommendations to Update the WCPFC Compliance Case File System to  
Enhance the Compliance Monitoring Scheme**

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**WCPFC22- 2025-DP16**  
**16 November 2025**

**Submitted by the United States of America**

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## EXECUTIVE SUMMARY

The 21st meeting of the WCPFC Technical and Compliance Committee recommended that WCPFC22 adopt the following recommendations to update the Commission's [Compliance Case File System \(CCFS\)](#) in order to enhance the Compliance Monitoring Scheme (CMS):

1. Case Notification for Re-flagged Vessels. WCPFC22 endorse the development of a CCFS re-flagging notification function that enables the "original" flag CCM to notify and provide case access to the "new" flag CCM; the "original" flag CCM shall retain responsibility to investigate and prosecute infringements conducted within its jurisdiction, provided it is technically feasible and has minimal impact on the Secretariat's work plan and does not require significant additional Secretariat resources.

2. Automated Investigation Timelines. WCPFC22 endorse implementation of automated CCFS prompts and reminders to support CCMs in tracking investigations, provided it is technically feasible and has minimal impact on the Secretariat's work plan and does not require significant Secretariat resources.

3. Improved Messaging Tool Identifiers. WCPFC22 agree that each narrative CCFS "Response" entry be appended with a secure and short identifier code linked to the contributing CCM user, with codes managed by the Secretariat and known only to the Secretariat and the contributing CCM's flag, to balance transparency and privacy, provided it is technically feasible and has minimal impact on the Secretariat's work plan and does not require significant additional Secretariat resources.

4. Identify Multiple Initiating CCMs. WCPFC22 endorse creation of a CCFS function allowing identification of and case access for [up to two] [multiple] Initiating CCMs, in accordance with CMM 2006-08, if applicable, who have collected direct evidence of the alleged infringement(s), based on a joint, written confirmation to the Secretariat by each proposed Initiating CCM, including the identification of a lead Initiating CCM. TCC21 requested the Secretariat to provide information on the technological feasibility, and the impact on the work plan and Secretariat resources in implementing the recommendation 1-4.

This delegation paper provides the rationale for these proposals, for WCPFC22 reference

Additionally, one other related CCFS update was presented with the four provided above, also applies to all CCFS cases, and should be adopted together with the above:

5. Enhanced Investigation Statuses. WCPFC22 endorse the revision of so-called "infringement statuses" assigned to CCFS cases—to: **(a)** add a new status for "Marked as 'CCM Completed'"; and **(b)** to update the status given to new cases to include a notation for the automated investigation timeline (see #2), reading: "NEW CASE (initiate investigation & update by: [60-days])"—provided it is technically feasible, has minimal impact on the Secretariat's work plan, and does not require significant additional resources.

## I. INTRODUCTION

The [CCFS](#) is a central tool for facilitating investigations into alleged infringements. Yet, Secretariat reporting and TCC discussions have consistently highlighted operational CCFS challenges, including: cases that remain unresolved for years, unrefined criteria for observer-type case referrals, creation of new cases arising out of observer data before verification of allegation and compilation of relevant evidence, and delays in access to observer reports, among others. These shortcomings create imbalances between case types, hamper efficiency, and reduce the likelihood of successful enforcement outcomes.

This paper summarizes a package of four targeted reforms endorsed by TCC21 to address operational challenges within the CCFS. These reforms apply to all types of CCFS cases and include: (1) re-flagged vessel notifications, (2) automated investigation-benchmark tracking, (3) improved communication tools, and (4) recognition and case access for up to two initiating CCMs.<sup>1</sup>

For a discussion of the United States' other proposed recommendations that were referred to the Regional Observer Programme Intersessional Working Group (**ROP-IWG**), see:

- [WCPFC22-2025-DP15](#) – U.S. Delegation Paper: *Challenges with Observer-Sourced Enforcement Referrals and Proposed Reforms to Strengthen the Compliance Monitoring Scheme (CMS)*.
- [WCPFC22-2025-DP17](#) – U.S. Delegation Paper: *A Proposal to Address the Current Imbalance in Enforcement Monitoring without the use of Sub-Sampling*.

Collectively, these measures would build on years of effort to improve transparency, consistency, and timeliness across all CCFS functions.

## II. BACKGROUND

The CCFS is the Commission's primary tool for recording, tracking, and monitoring alleged infringements of its conservation and management measures (**CCMs**).<sup>2</sup> The CCFS supports investigations into alleged infringements of those CCMs by allowing initiating and Responsible CCMs<sup>3</sup> to upload information, track progress, and communicate with other

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<sup>1</sup> See [WCPFC22-2025-09](#) at ¶¶ 42–43 (TCC21 Outcomes & Next Steps); [WCPFC-TCC21-2025-TCC21\\_FINAL](#) at ¶¶ 234–36 (TCC21 Summary Report); [WCPFC-TCC21-2025-outcomes](#) at ¶¶ 42–43 (TCC21 Provisional Outcomes).

<sup>2</sup> See [CMM 2023-04](#) ¶¶ 10–14.

<sup>3</sup> In this Paper, “**CCM**” refers to the WCPFC's Members, Cooperating Non-Members, and Participating Territories. Because a flag CCM, coastal CCM, and/or a chartering CCM may each independently exercise jurisdiction over an alleged infringement, this Paper refers to them generally as the “**Responsible CCM(s)**.”

implicated CCMs and the Secretariat. The CCFS also provides the Secretariat with a mechanism to monitor cases and report annually to the TCC on their status.<sup>4</sup>

While the CCFS has proven useful, enhancements can increase its effectiveness. For example, Secretariat reporting and TCC discussions have highlighted the facts that many CCFS cases remain unresolved for more than two years, a substantial number close without completed investigations when vessels re-flag, and in many cases arising out of Regional Observer Program (ROP) data, key documents and evidence are unavailable.<sup>5</sup>

The Commission has already undertaken steps to address some of these issues.<sup>6</sup> However, a more comprehensive package of targeted improvements will further improve the CCFS' ability to fully serve its intended purpose and will reduce known discrepancies in the quality of cases arising from Inspection-Sourced and Observer-Sourced material.

The following proposals build on prior Commission and intersessional work, were refined during TCC21 to reflect feedback to the U.S. both in writing and in the margins, and they are intended to address identified issues in order to increase effectiveness of the CCFS as a compliance monitoring and enforcement tool, and streamline processes for efficiency.

### III. DISCUSSION

The following proposals are intended to address gaps in the CCFS' ability to facilitate thorough, dynamic, and effective investigations. Together, they aim to improve accountability, ensure consistency, and reduce administrative burdens on both the Secretariat and CCMs.

#### A. WCPFC22 SHOULD ADOPT TCC21'S FOUR RECOMMENDED IMPROVEMENTS FOR ALL CCFS CASES.

##### 1. Case Notification for Re-flagged Vessels.

Currently, when a vessel re-flags, investigations can stall, particularly where a vessel's owner and/or operator at the time of the alleged infringement dissolves,<sup>7</sup> and the CCFS lacks a

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<sup>4</sup> See [Overview of the CCFS and linkage to Convention Article 25\(2\) \(07 Jun 2023\)](#).

<sup>5</sup> See [WCPFC-TCC20-2024-09 rev1](#) at ¶¶ 2–6; [WCPFC-TCC18-2022-15](#) (discussing 2022 enhancements).

<sup>6</sup> For example, the ROP-IWG has been working to harmonize Case Type identifiers for Observer-Sourced cases to better align observer Trip Monitoring Issue (TMI) codes and other of the Minimum Standard Data Fields (MSDFs) used in observer data. *E.g.*, [WCPFC-ROP-IWG05-2025-04](#) (ROP-IWG's 2023–2025 workplan); [WCPFC22-2025-IP04](#) (ROP-IWG Workplan, as endorsed at WCPFC21 and updated with 2025 progress and SC21 and TCC21 outcomes). The Secretariat has also adopted refinements to reporting formats and CCFS case Infringement Status identifiers. Every CCFS case webpage includes a notation to indicate the case's Infringement Status. In recent years, the Secretariat has enabled sub-categories of investigation outcomes for cases with a status of "Investigation NOT COMPLETED" to identify the reason for such a result. See generally, [Providing responses to individual cases in the CCFS \(25 Mar 2022\)](#).

<sup>7</sup> See, e.g., [WCPFC-TCC20-2024-10](#) at Appendix 1 (¶ 43) (WCPFC20 acknowledging difficulties arising in

structured method for alerting the new flag CCM. Cases with an Infringement Status of “Investigation NOT COMPLETED” due to reflagging and dissolution of the vessel’s owner/operator represent a significant portion of the United States’ unresolved files.

Without a CCFS mechanism to alert the new flag State of the re-flagging and engage its cooperation with the ongoing investigation, alleged infringements could go unaddressed, creating enforcement loopholes and increasing the likelihood that misconduct will continue. Such an alert would not constitute a transfer of responsibility from the original flag CCM, who is charged with investigating and prosecuting all alleged infringements before the re-flagging.

The United States proposes a mechanism within the CCFS that would:

- Enable “tagging” of the new flag CCM, ensuring it receives notifications and access to case materials, and providing a forum for narrative exchanges between both flag CCMs;
- Provide a standardized re-flagging notification memorandum template describing any investigative assistance the original flag CCM anticipates seeking from the new flag CCM, if any; and
- Facilitate improved accountability when vessels under investigation re-flag.

To this end, TCC21 adopted the following:

1. Case Notification for Re-flagged Vessels. WCPFC22 endorse the development of a CCFS re-flagging notification function that enables the “original” flag CCM to notify and provide case access to the “new” flag CCM; the “original” flag CCM shall retain responsibility to investigate and prosecute infringements conducted within its jurisdiction, provided it is technically feasible and has minimal impact on the Secretariat’s work plan and does not require significant additional Secretariat resources.

Adopting this Proposal will promote continuity, reduce duplication of effort, and help to close or narrow one of the most common loopholes in CCFS-based enforcement. Adopting this Proposal will not impose additional burdens on the new flag because the original flag CCM will remain responsible for investigating and prosecuting alleged infringements before re-flagging.

## **2. Automated Investigation Timelines.**

Investigations by responsible CCMs into both Inspection- and Observer-Sourced CCFS cases are often delayed, and the lack of uniform and easily tracked benchmarks for case progression may be a contributing factor. Articles [23\(5\)](#) and [25\(2\)](#) require a responsible CCM to

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these investigations, particularly where they depend on observer reports, the receipt of which is often delayed).

provide an investigative progress report within 2-months.<sup>8</sup> However, there are no similar requirements or guidelines for the preferred timing of any of the numerous other investigation benchmarks (e.g., the provision of requested observer materials). Not only may enforcement actions be delayed, such delays may exceed the statute of limitations in some jurisdictions, preventing any enforcement from taking place.<sup>9</sup>

To address these issues, the CCFS should automatically generate recommended investigation timelines linked to refined Infringement Statuses discussed in Proposal #4. These would include recommended benchmarks, rather than hard deadlines, based on consensus between CCMs, and they would cover both Inspection- and Observer-Sourced cases as well as the Secretariat’s review of certain actions, where applicable. In the meantime, the timeframe provided in Articles [23\(5\)](#) and [25\(2\)](#) and a suggestion for yearly narrative updates at a minimum, should be adopted and automatic notifications should be implemented. E.g.:

- In all CCFS cases:
  - Narrative updates required: every year, at minimum, with an automatically generated notation in the “Response” feed indicating number of days since last update/action; and
  - Acknowledge notice and initiate investigation: within 60 days (per Article 25(2)).
- In Observer-Sourced CCFS cases, assuming that case packages will be provided upon creation of the CCFS case pursuant to the [Convention](#):
  - Acknowledge receipt of case notification and observer-sourced case package, provide completeness assessment of the case package, and submit any follow-up request for missing or supplemental observer information: within 60 days (per Article 25(2));
  - Initiating-CCM response to supplemental requests or characterizations of case package inadequacy: within 60 days.<sup>10</sup>

TCC21 recommended that WCPFC adopt the following proposal regarding automated

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<sup>8</sup> Under [Convention](#) Articles [23\(5\)](#) and [25\(2\)](#), updates “on the progress of the investigation . . . shall be provided to the member making the request and to the Commission as soon as practicable and in any case within two months . . .” Notably, this progress report need not include investigation outcomes if none are yet available.

<sup>9</sup> A significant number of CCFS cases go unresolved for more than 24 months, with a clear disparity based on how the case is initiated. See [WCPFC-TCC20-2024-10 ¶¶ 6–7](#) (“There are usually delays of 1-2 years from when an observer reports data, to when a case is notified in the CCFS, [but the time between] when an event takes place compared to the time an [Inspection-Sourced] case is notified, generally [is] in the scale of weeks-months[.]”).

<sup>10</sup> These recommendations will be obsolete once the ROP-IWG’s updated case flow provision for automatic transmission of Observer-Sourced case packages has been finalized and implemented.

reminders for consensus investigation benchmarks in the CCFS:

2. **Automated Investigation Timelines.** WCPFC22 endorse implementation of automated CCFS prompts and reminders to support CCMs in tracking investigations, provided it is technically feasible and has minimal impact on the Secretariat’s work plan and does not require significant Secretariat resources.

By automating reminders and suggested target dates for completion of various investigative tasks, the Secretariat will have objective benchmarks for assessing case statuses, and CCMs will have clarity on expected progress and be better able to manage expectations regarding verification of reported investigation outcomes.

### 3. Improved Messaging Tool Identifiers.

The CCFS “Response” function is a key tool for case communication because it allows for narrative messages. But in its current form, the tool does not indicate which authorized user within each CCM contributed each entry. The lack of user identifiers makes it difficult for CCMs to internally track accountability for entries attributed to them, particularly when multiple agencies within a CCM contribute.<sup>11</sup>

To improve transparency, the United States proposes enhancing the CCFS messaging tool to automatically append a short, bracketed identifier code (2–4 letters) to the end of each Response corresponding to the authorized user who posted it. These codes could be set by each CCM and provided confidentially to the Secretariat to reduce privacy concerns. Specifically, the proposed recommendation is as follows:

3. **Improved Messaging Tool Identifiers.** WCPFC22 agree that each narrative CCFS “Response” entry be appended with a secure and short identifier code linked to the contributing CCM user, with codes managed by the Secretariat and known only to the Secretariat and the contributing CCM’s flag, to balance transparency and privacy, provided it is technically feasible and has minimal impact on the Secretariat’s work plan and does not require significant additional Secretariat resources.

This improvement would make it easier to identify the sources of Responses, while still maintaining sufficient confidentiality in the event that a CCM does not wish to share such specific information with every user who can see the CCFS case page; it would also streamline communication and improve record integrity.

### 4. Identify Multiple Initiating CCMs.

Articles [23\(5\)](#) and [25\(2\)](#) of the [Convention](#) contemplate investigations “at the request of

<sup>11</sup> See generally, [Providing responses to individual cases in the CCFS \(25 Mar 2022\)](#).



any other member” when provided with relevant information. The CCFS currently recognizes a single “initiating CCM” and lacks a mechanism to capture joint submissions. But in practice, detection of alleged infringements can involve multiple CCMs—*e.g.*, in Inspection-Sourced CCFS cases, aerial surveillance conducted by one CCM and high-seas boarding and inspection by another; or in Observer-Sourced CCFS cases, observer placement by one CCM and debriefing of the observer after disembarkation by another. This limitation to a single initiating CMM may underestimate (and disincentivize) joint compliance efforts, and it reduces the ability of all CCMs with potential evidence of the alleged violation to seamlessly provide ongoing support for the investigation.

The United States proposes creating a CCFS function to list and provide case access for up to two initiating CCMs within a single CCFS case. Each relevant CCM styling itself as an Initiating CCM would confirm its role in identifying the alleged infringement in writing to the Secretariat before listing. By limiting the total number of Initiating CCMs to two, there would be little risk of over-sharing operational level compliance data with unnecessary parties, while retaining case access for key players with direct evidence of alleged infringements:

4. Identify Multiple Initiating CCMs. WCPFC22 endorse creation of a CCFS function allowing identification of and case access for [up to two] [multiple] Initiating CCMs, in accordance with CMM 2006-08, if applicable, who have collected direct evidence of the alleged infringement(s), based on a joint, written confirmation to the Secretariat by each proposed Initiating CCM, including the identification of a lead Initiating CCM. TCC21 requested the Secretariat to provide information on the technological feasibility, and the impact on the work plan and Secretariat resources in implementing recommendation 1-4.

This addition would improve accuracy, acknowledge cooperative enforcement, and help resolve jurisdictional disputes. It would also encourage greater regional collaboration in line with the Commission’s cooperative compliance mandate under Convention Article 25.

**B. WCPFC22 SHOULD ADOPT ONE MORE RELATED IMPROVEMENT FOR ALL CCFS CASES (FOR A TOTAL PACKAGE OF FIVE PROPOSALS).**

The United States offers one additional and related improvement to the CCFS that applies to all types of CCFS cases (both Observer- and Inspection-Sourced alike), which would logically complement the four aforementioned TCC21-recommended CCFS enhancements.

**5. Enhanced ~~Infringement~~ Investigation Statuses.**

The participants at TCC21 initially unanimously supported recommending an additional U.S. proposal for a CCFS enhancement regarding Secretariat-assigned administrative investigation statuses—which Secretariat HelpDesk materials refer to as “infringement

statuses”—for improved data analysis and efficiency during its outcomes review,<sup>12</sup> but ensuing confusion about the intent of this proposal during the final outcomes adoption discussion lead to a decision to direct the ROP-IWG to consider it, rather than to keep it in TCC21 outcomes.<sup>13</sup> However, technical, administrative enhancements to the CCFS that would affect *all* compliance case files are *outside the scope of the ROP-IWG’s authority pursuant to its current workplan*.<sup>14</sup> The United States therefore respectfully reiterates a clarified version of this proposal for WCPFC22’s consideration.

The following nine labels (referred to in Secretariat materials as “Infringement Statuses” but referred to hereinafter as **Investigation Statuses**) are currently in use:



Although helpful, these Investigation Statuses do not capture the procedural nuances of most CCFS investigations.<sup>15</sup>

For example, there is no current “investigation status” for CCFS cases pending Secretariat review (to officially be marked as closed) after the “Investigation IN PROGRESS” case is marked as “CCM Completed” by the responsible CCM in the space indicated. The below images are redacted screenshots of the CCFS case page for one of the United States’ pending Observer-Sourced CCFS cases, pointing to the checkbox where parties can make the case as

<sup>12</sup> See [WCPFC-TCC21-2025-TCC21\\_FINAL](#) at ¶ 228.

<sup>13</sup> But see [WCPFC-TCC21-2025-TCC21\\_FINAL](#) at ¶¶ 235-36 (showing that final outcomes failed to address one of the originally agreed proposals noted in ¶ 228).

<sup>14</sup> See [WCPFC22-2025-IP04\\_rev1](#) and [WCPFC-ROP-IWG05-2025-04](#).

<sup>15</sup> Some nuances—such as the fact that statuses do not distinguish by case-initiation method despite significant disparities between them (See, e.g., [WCPFC-TCC20-2024-10](#) at ¶¶ 6–7 (describing some of the key differences); Observer-Sourced CCFS cases with “PAI” Case Type designations have proven “ineffective as a pre-notification tool” ([WCPFC-TCC21-2025-17B](#) at ¶¶ 7, 9, 10, 13(a); see also [WCPFC-TCC21-2025-RP02\\_suppl](#) at ¶¶ 30–34; [WCPFC-ROP-IWG06-2025-01](#) at ¶ 5; [WCPFC-TCC-20-2024-09\\_rev1](#) at ¶¶ 47–48); and may be more appropriately eliminated—are addressed by other U.S. proposals for CCFS enhancements. See, e.g., [WCPFC22-2025-DP15](#) at pp. 6–7 (Proposal #s 1–3) and 16–19 (Proposal #s 6–7 in the U.S. Delegation Paper: *Challenges with Observer-Sourced Enforcement Referrals and Proposed Reforms to Strengthen the WCPFC Compliance Monitoring Scheme (CMS)*) and [WCPFC22-2025-DP17](#) at p. 7 (Proposal #3 in U.S. Delegation Paper: *A Proposal to Address the Current Imbalance in Enforcement Monitoring Without the Use of Sub-Sampling*)

“CCM Completed,” as described:

WCPFC > Compliance Case File System

Logged in as ██████████ Support My Account

Western and Central Pacific Fisheries Commission

# Compliance Case File System

Secure Area

**Case ID:** US-██-██

**2023** Investigation IN PROGRESS

Type: ██████████

**Parties Involved:**  
Responsible CCM: ██████████ US  
Provider: ██████████ FAOB

CCM Completed  
CCM considered for this case has been completed, in accord with CMS measure

Submit

**Status History**  
• ██████████ 2025 - Investigation IN PROGRESS (WCPFC Secretariat)

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To address the some of the challenges described above, the U.S. recommends as follows:<sup>16</sup>

5. Enhanced Investigation Statuses. WCPFC22 endorse the revision of so-called “infringement statuses” assigned to CCFS cases—to: **(a)** add a new status for “Marked as ‘CCM Completed’”; and **(b)** to update the status given to new cases to include a notation for the automated investigation timeline (see #2), reading: “NEW CASE (initiate investigation & update by: [60-days])”—provided it is technically feasible, has minimal impact on the Secretariat’s work plan, and does not require significant additional resources.

<sup>16</sup> Although the original version of this proposal also sought to distinguish between the investigation statuses used for Observer- versus Inspection-Sourced cases, if the recommendation in [WCPFC22-2025-DP17](#) at pp. 4–5 (U.S. Paper: *A Proposal to Address the Current Imbalance in Enforcement Monitoring Without the Use of Sub-Sampling* at Proposal #3: Adopt a Revised CCFS Case ID Structure) is adopted, the method of detection would be included in every CCFS case ID, so the investigation-status distinction would be redundant.

Ultimately, these refinements would provide both CCMs and the Secretariat with more granular, actionable information, which will help to clarify case stages and responsibilities for increased accountability.

#### **IV. CONCLUSION**

The CCFS is a practical tool that provides a transparent, reliable mechanism for following up on alleged infringements. After more than a decade of operation, its strengths are evident, but so too are its limitations. Cases remain unresolved for years, procedural gaps allow investigations to stall, and key evidence—such as observer reports—can be out of reach for Responsible CCMs who need it. These shortcomings undermine the effectiveness of the CMS and erode confidence in the CCFS. The TCC21-endorsed proposals set out in this Paper address these gaps in practical, incremental ways. By implementing vessel-reflagging notifications, automating notifications and tracking of agreed-upon investigation benchmarks, enhancing communication tools, and recognizing multiple initiating CCMs engaged in joint enforcement to reflect the cooperative spirit of Article 25, the CCFS will better support all cases.

These reforms are neither radical nor burdensome. They build on work already underway in the ROP-IWG, align with practices CCMs already employ domestically, and can be implemented with modest adjustments to existing CCFS architecture. The reforms directly respond to challenges repeatedly identified by TCC and the Secretariat to ensure the system fulfills its core purpose: enabling fair, timely, and effective follow-up of alleged violations.

The United States seeks other members' feedback on these proposals with a view to recommending their adoption to strengthen the CCFS as a cornerstone of the WCPFC CMS.