



TECHNICAL AND COMPLIANCE COMMITTEE
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IMPLEMENTATION STATUS OF THE 2009 TCC WORK PROGRAMME

WCPFC-TCC5-2009/26 (Rev.1)
30 September 2009

Prepared by the Secretariat

Introduction

1. The Fifth Regular Session of the Commission (WCPFC5) discussed the proposed TCC work programme for 2009-2013 in the TCC4 Summary Report, Attachment M. In discussion, the following items were identified as priorities for 2009:
 - a) finalizing and implementing the Regional Observer Programme;
 - b) developing a measure on transshipment;
 - c) revising procedures for granting CNM status;
 - d) improving/elaborating IUU listing procedures;
 - e) developing a measure regarding control of nationals;
 - f) determining a more lasting solution to the issue of non-CCM flagged carriers and bunkers;
 - g) developing port State measures pursuant to the outcome of the FAO consultations;
 - h) developing a Catch Documentation Scheme;
 - i) developing a Vessel Day Scheme for the high seas;
 - j) defining guidelines for chartering arrangements;
 - k) finalizing the Rules and Procedures for the Protection, Access to and Dissemination of Data; and
 - l) developing a process of monitoring compliance by CCMs.
2. WCPFC5 identified the following work priorities for 2009:
 - a) further development and implementation of the Regional Observer Programme;
 - b) implementation of the Commission's vessel monitoring system;
 - c) complete outstanding work on MCS data (by AHTG-Data);
 - d) review of IUU vessel listing procedures;

- e) consider means to avoid annual extension of the waiver for non-CCM flag carriers and bunkers;
 - f) adopt a CMM to monitor and regulate transshipment activities;
 - g) further work on a high seas VDS;
 - h) develop a proposal for the control of nationals;
 - i) further develop the process for monitoring compliance; and
 - j) develop a charter arrangements scheme for consideration at WCPFC6.
3. The 2009 work programme and budget, and indicative budgets for 2010 and 2011, as recommended by the Finance and Administration Committee, were adopted by the Commission at WCPFC5, and are posted on the WCPFC website.

Implementation Status of the 2009 TCC Work Programme

Regional Observer Programme

4. The implementation status of the Regional Observer Programme is reported separately in WCPFC-TCC5-2009/07 [Annual Report – Regional Observer Programme].

Commission VMS

5. The implementation status of the Commission VMS is reported separately in WCPFC-TCC5-2009/12 [Annual Report for the Commission VMS].

Development a Measure on Transshipment

6. During 2009 the Secretariat maintained regular contact with, and offered assistance to, Marshall Islands on its timetable towards facilitating the development of a draft Measure on transshipment, based on progress achieved at WCPFC5 (WCPFC5-2008/DP02 [Rev.3]). This process has resulted in the preparation of WCPFC-TCC5-2009/DP-08 [Marshall Islands - Draft CMM on Regulation of Transshipment].

Revising Procedures for Granting CNM Status

7. WCPFC5 adopted CMM 2008-02 governing the process of considering CNM applications from 2009 onward, agreed that incorporating a flowchart illustrating the process into CMM 2008-02 would be useful and referred the matter to TCC5 for action. In early 2009 the Secretariat circulated a draft flowchart to CCMs for their comments. WCPFC-TCC5-2009/25 presents a draft flowchart prepared by the Secretariat based on comments received from CCMs.

Improving/Elaborating IUU Listing Procedures

8. WCPFC5 agreed that further development of guidelines for how the Commission should consider and assess the adequacy of any actions taken or sanctions imposed in relation to CMM 2007-03 should be a priority work item and referred the matter to TCC5. It was noted that work on a control of nationals measure may inform this process.

Review of paragraph 3(j) of CMM 2007-03

9. Paragraph 3(j) of CMM 2007-03 permits the inclusion on the WCPFC IUU Vessel List of vessels that have not themselves engaged in IUU fishing activities but are associated with such vessels by reason of ownership or control. WCPFC5 endorsed a TCC4 recommendation not to apply para. 3(j) of CMM 2007-03 as a criterion for IUU listing in developing the Draft IUU Vessel List in 2009. The Secretariat has prepared WCPFC-TCC5-2009/16 [Review of para.3(j) of CMM 2007-03] to inform TCC5's discussions on this issue.

Developing a Measure Regarding Control of Nationals

10. Following discussion at TCC4 of New Zealand's paper on this issue (WCPFC-TCC4-2008/DP-01, New Zealand agreed to act as coordinator for this subject. CCMs were invited to contribute comments to New Zealand by 15 November 2008 with a view to discussing this in the margins of WCPFC5.

11. During 2009 the Secretariat maintained contact with New Zealand regarding its work with other CCMs on the development of a draft Measure on this issue.

Non-CCM flagged Carriers and Bunkers

12. Although WCPFC5 adopted a TCC4 recommendation that the exemption for non-CCM carrier and bunker vessels be extended for a further year, it identified as a priority for 2009 the determination of a more lasting solution to the issue of non-CCM flagged carriers and bunkers. The Secretariat has prepared WCPFC-TCC5-2009/11 [Non-CCM Flag Carrier and Bunker Vessels] to inform TCC's discussions on this issue.

Developing Port State Measures

13. WCPFC5 adopted a TCC4 recommendation for deferral of the Commission's discussion of the issue of Port State Measures until the conclusion of the FAO process to develop text for an international agreement for a Model Scheme for port State measures. This text was finalized in accordance with the instructions of FAO's Committee on Fisheries (COFI) at the Third Resumed Technical Consultation on this issue that took place from 24-28 August 2009 at FAO headquarters, Rome, Italy. The Secretariat has prepared WCPFC-TCC5-2009/32 (Rev.2) that contains as an attachment the Chairperson's draft text for information.

Developing a Catch Documentation Scheme

14. At WCPFC5 the EC provided a report on progress with developing a WCPFC Catch Documentation Scheme for bigeye tuna. After raising the issue for discussion at WCPFC4, the EC attempted to progress a draft CMM intersessionally, and discussed the issue at TCC4.

15. The EC committed to continuing its work on this issue in 2009, including the possibility of convening an intersessional workshop. Early in 2009 the EC advised the Secretariat that it was unable to continue this work. The Secretariat has prepared WCPFC-TCC5-2009/24 (Rev.2) that may serve as a basis for considering other means of progressing this issue.

Developing a Vessel Day Scheme for the High Seas

16. WCPFC5 invited CCMs to provide comments on the options and recommendations contained in WCPFC5-2008/13 and referred the issue of a Vessel Day Scheme for the high seas to SC5 and TCC5 for further discussion. The Secretariat has prepared WCPFC-TCC5-2009/21 (Rev.2) [Options for a High Seas Vessel Day Scheme] to inform TCC5's discussion on this issue.

Defining Guidelines for Chartering Arrangements

17. TCC4 directed the Secretariat to produce an analysis of existing draft CMMs by Japan and FFA with respect to chartering and to review provisions of existing decisions of the Commission in relation to chartering for consideration at TCC5. The Secretariat has prepared WCPFC-TCC5-2009/10 [Charter Arrangements Options] to inform TCC5's discussions on this issue.

Finalising the Rules and Procedures for the Protection, Access to and Dissemination of Data

18. WCPFC5 recommended that the Ad Hoc Task Group [Data] (AHTG [Data]) request comments on the latest draft of the Rules and Procedures by mid-February, and work electronically to produce a final draft Rules and Procedures for the Protection, Access to, and Dissemination of Non-Public Domain Data and Information Compiled by the Commission for the Purpose of Monitoring, Control or Surveillance (MCS) Activities in High Seas Areas and Scientific Purposes (R&P) document for discussion at TCC5. During 2009 the Secretariat distributed to WCPFC Official Contacts the third and fourth drafts of the AHTG [Data] Chair's R&P documents.

19. The Secretariat has arranged for the second meeting of the AHTG [Data] (AHTG [Data]2) at the TCC5 meeting venue from 28-28 September 2009. The AHTG [Data] Chair, Holly Koehler (USA), will present the AHTG [Data]2 Summary Report to TCC5.

Developing a Process for Monitoring Compliance by CCMs

20. After consideration of TCC4's recommendations on this issue, WCPFC5 agreed that further discussions of the terms of reference for a compliance with conservation and management measures (CCMM) working group would occur through electronic means with a view toward holding more focused discussions on the topic at TCC5. On 26 June 2009 the Secretariat distributed to all WCPFC Official Contacts a letter from Australia dated 26 June 2009 and draft Terms of Reference for the CCMM working group. These documents are presented as attachments to WCPFC-TCC5-2009/IP-06 [Draft TORs for the CCMM Working Group].

Information Management System

21. WCPFC5 endorsed a TCC4 recommendation regarding the development of an information management system (IMS) to support the work of the Commission, under the auspices of its TCC, and the Commission's Secretariat, to manage information and data associated with monitoring the implementation of CMMs and other decisions adopted by the Commission. The Secretariat sought requests for expressions of interest in this work, resulting in a contract being signed in July 2009 for development of an IMS that can be administered by the Secretariat in accordance with notifications of changes and deletions by CCMs, interrogated by the Secretariat to produce ad-hoc reports, and summarised for circulation to CCMs as required. The IMS will also have the capacity to cater for the data needs of future CMMs or changes in current CMMs. This work is scheduled for completion in November 2009.

Amendments to WCPFC Record of Fishing Vessels and Web Facility

22. WCPFC5 endorsed a TCC4 recommendation that the Secretariat, in consultation with CCMs, develop a web-based system for vessel record information. The WCPFC Record of Fishing Vessels (RFV) has been re-developed with emphasis on data quality assurance and security. CCMs will be able to enter details of their flag vessels to the RFV system using a web facility while the Secretariat's role will be to cross-check these entries for data integrity and accuracy, before posting them for public viewing.

23. A "read-only" version of the draft amended RFV will be available on the WCPFC website in mid-September for CCMs' assessment. The Secretariat will further amend the system based on CCMs' comments received prior to, and during, the TCC5 meeting in early October 2009.

By-Catch Mitigation

24. WCPFC5 approved funding in 2009 for the further development of a Bycatch and Bycatch Mitigation Information System (BBMIS). The Oceanic Fisheries Programme of the

Secretariat of the Pacific Community (SPC-OFP) has developed a database for the WCPFC Secretariat that will be made publically available on the WCPFC website by the end of 2009.

25. Initial work in 2007 and 2008 focused on the technical development of the database. In 2009 the emphasis has been on compiling the information content so that it becomes a practical and useful information system for CCMs, NGOs and independent researchers. Further information about the status of the BBMIS is available in WCPFC-SC5-2009/EB-WP-05.

Conclusion

26. TCC5 is invited to note the implementation status of the 2009 TCC Work Programme.