



**TECHNICAL AND COMPLIANCE COMMITTEE**

**Ninth Regular Session**

26 September- 1 October 2013

Pohnpei, Federated States of Micronesia

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**PROVISIONAL ANNOTATED AGENDA**

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WCPFC-TCC9-2013-03\_rev1<sup>1</sup>

14 September 2013

<p><b>AGENDA ITEM 1    OPENING OF MEETING</b> The meeting will open at 08:30 on Thursday 26 September 2013.</p>	
<p><b>1.1    Welcome</b> The Chair (Ms Rhea Moss-Christian) will open the Ninth Regular Session of the Technical and Compliance Committee (TCC9) of the Western and Central Pacific Fisheries Commission (WCPFC) and welcome delegations of the WCPFC Members, Cooperating Non-Members, Participating Territories (CCMs) and Observers.</p>	
<p><b>1.2    Adoption of agenda</b> The Chair will introduce the Provisional Agenda for TCC9 (WCPFC-TCC9-2013/02) that was distributed in accordance with Rule 1 of the Commission’s Rules of Procedure. The Rules of Procedure adopted at WCPFC1 in December 2004 will apply <i>mutatis mutandis</i> 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).</p>	
<p><b>1.3    Meeting arrangements</b> The Chair will invite TCC9 to review the Indicative Schedule, noting logistical arrangements in place to support the meeting, proposed meeting times and any social events.</p>	
<p><b>AGENDA ITEM 2    IUU LIST</b>  In accordance with CMM 2010-06, the TCC9 will review the current WCPFC IUU list and the draft IUU list, and any suitably documented information.</p>	
<p><b>AGENDA ITEM 3    CNM APPLICATIONS</b>  In accordance with CMM 2009-11, TCC9 will consider the applications for CNM status for 2013, and make recommendations and technical advice to the Commission. It is expected that a working group will develop a first draft of draft recommendations and technical advice for TCC9.</p>	

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<sup>1</sup> Reordered and included agenda numbers to reflect proposed scheduling in WCPFC-TCC9-2013-02\_rev3/4. A reference to the agreed TCC8 summary report outcome on seabird mitigation measures was also included under agenda 11.6.

<b>AGENDA ITEM 4 STATUS OF FISHERIES PRESENTATION (SPC-OFP)</b>	
<b>AGENDA ITEM 5 SPECIAL REQUIREMENTS OF DEVELOPING STATES</b>	
In accordance with Rule 2 (h) of the WCPFC Rules of Procedure, <i>Consideration of the Special Requirements of Developing States pursuant to Part VIII of the Convention</i> is a standing agenda item on the provisional agenda. In the past, developed CCMs provided reports on initiatives to implement Article 30, specifically in relation to the activities and work program of the TCC. TCC9 is invited to discuss the special requirements of developing States as it relates to the work of TCC, noting that the approved TCC workplan 2013-2015 identified that a TCC priority was to “give effect to obligations related to Small Island Developing States”	
<b>5.1 Review effectiveness of Resolution 2008-01 on Aspirations of Small Islands Developing States</b>	
TCC9 is invited to discuss this priority project specific task which was included in the approved TCC workplan 2013-2015.	
<b>AGENDA ITEM 6 DRAFT MULTI-YEAR MANAGEMENT PROGRAMME FOR TROPICAL TUNAS AND COMPLIANCE ISSUES (CMM 2012-01)</b>	
<i>WCPFC9 agreed that TCC9 would focus on the draft multi-year management programme for tropical tunas and compliance issues (WCPFC9 Summary Report para 218).</i>	
<b>6.1 Review draft multi-year management programme for tropical tunas</b>	
As directed by WCPFC9, TCC9 is to consider the output from the Working Group on Tropical Tunas, which is to be held in late August in Japan.	
<b>6.2 Reports from CCMs implementing the alternative FAD measure in CMM 2012-01 (CMM 2012-01 Att B, para 2)</b>	
<i>Conservation and Management Measure for Bigeye, Yellowfin and Skipjack tuna in the Western and Central Pacific Ocean (CMM 2012-01) Attachment B, paragraph 2 states “A CCM implementing the alternative measure shall report the status of implementation of the project through Part 2 report and to SC as well as TCC. If there is a comment from a Committee, the CCM shall respond within one month through the Secretariat.”</i>	
<b>6.3 Review available information on compliance issues for CMMs on tropical tunas (2009 – 2013)</b>	
As directed by WCPFC9, TCC9 is directed to consider compliance issues related to tropical tuna management. It is suggested that TCC9 that this review might include implementation of provisions in CMM 2008-01, CMM 2009-02, CMM 2011-01 and CMM 2012-01.	
<b>AGENDA ITEM 7 COMPLIANCE MONITORING SCHEME</b>	
This is the third trial year for the WCPFC Compliance Monitoring Scheme. At WCPFC9, adopted CMM 2012-02 <i>Conservation and Management Measure for Compliance Monitoring Scheme</i> which applies for 2013 only.	
<b>7.1 Review of draft CMR</b>	
In accordance with CMM 2012-02 TCC9 is to review the draft combined CMR report 2012 prepared by the Secretariat, focusing on any potential compliance issues identified with respect to each CCM, and in particular will consider any information provided by CCMs in response to their individual CCM section of the draft CMR (paragraph 13, CMM 2012-02)	
- <i>CONSIDERATION OF dCMRs WILL BE IN CLOSED WORKING GROUP SESSION</i>	

<p><b>7.2 Provisional CMR report and Executive Summary</b></p> <p>In accordance with CMM 2012-02 paragraphs 14 and 15, TCC9 shall take into account any additional information provided by CCMs, and where appropriate non-governmental organizations, and develop a Provisional CMR that will include a provisional assessment of each CCMs compliance Status and recommendations for any corrective action needed, based on potential compliance issues identified in respect of that CCM and using the criteria in Annex I of CMM 2012-02.</p> <p>The Provisional CMR will also include an executive summary including recommendations and observations from TCC regarding: (i) amendments or improvements to existing CMMs to address implementation or compliance difficulties experienced by CCMs (proposed to be discussed under <b>TCC9 Agenda 11.7</b>); (ii) capacity building requirements or other obstacles to implementation identified by CCMs, in particular SIDS and participating Territories ( proposed to be discussed under <b>TCC9 Agenda 7.3</b>); and (iii) additional priority obligations that should be reviewed under the CMS pursuant to paragraph 4 of CMM 2012-02.</p>	
<p><b>7.3 Target capacity assistance to areas of need identified by CMR process</b></p> <p>TCC9 is invited to discuss this priority project specific task which was included in the approved TCC workplan 2013-2015, noting linkages to recommendations that may be made by TCC in the Provisional CMR Executive Summary.</p>	
<p><b>7.4 Review of CMM 2012-02 Compliance Monitoring Scheme and discuss potential refinements to the scheme (WCPFC9 para 296)</b></p> <p>As directed by WCPFC9 and, TCC9 is to discuss potential refinements to the Compliance Monitoring Scheme, noting that CMM 2012-02 <i>Conservation and Management Measure for Compliance Monitoring Scheme</i> applies for 2013 and the Commissions intention to adopt a revised CMM at WCPFC10.</p>	
<p><b>7.5 Review of Annual Reporting templates and deadlines, online interface further development</b></p> <p>As directed by WCPFC9, the Secretariat developed and provided CCMs with an online interface for Part 2 annual reporting. TCC9 is invited to discuss 2013 experiences, and to consider recommending further refinements to streamline annual reporting requirements (including Annual Report Part 1 and Part 2) and in online interface developments to complement and support the future WCPFC Compliance Monitoring Scheme.</p>	
<p><b>7.6 Developing a systematic analysis, prioritization and response mechanism for non-compliance (TCC workplan 2014)</b></p> <p>TCC9 is invited to discuss this priority project specific task which was included in the approved TCC workplan 2013-2015.</p>	
<p><b>AGENDA ITEM 8 8.1 ANNUAL REPORT OF ED</b>  <i>Highlights of WCPFC Secretariat administered MCS and Compliance programmes (reports for each of the WCPFC's MCS Programmes will be available)</i></p>	
<p><b>8.2 ROP Coverage/ ROP data monitoring – suggestion from SC9</b></p>	

<p><b>AGENDA ITEM 9 DATA PROVISION AND DATA GAPS</b></p>	
<p><b>9.1 Impact of gaps in CCM data submission on Commissions compliance functions (final CMR 2012)</b></p> <p>At TCC8 the issue of operational data provision was raised. The Final CMR 2012 tasked the Secretariat with including provision of data by CCMs in this years dCMR analysis. TCC9 may find the dCMR report, Section v) useful for their discussions. TCC9 is invited to discuss this matter.</p>	
<p><b>9.2 Purse Seine Catch Composition Data Improvement (FFA request para 18 of TCC8 report)</b></p> <p>At TCC8, FFA members noted that the plan for improvement of the purse seine species catch composition data needed further work to be done on compliance aspects. TCC9 is invited to discuss this matter.</p>	
<p><b>AGENDA ITEM 10 INTERSESSIONAL ACTIVITIES AND TASKS FROM TCC8 and WCPFC9</b></p>	
<p><b>10.1 Report from ROP-TAG Chair</b></p> <p>The ROP-TAG was established at WCPFC8, and WCPFC9 agreed to extend the work of the ROP-TAG until March 2014. The Chair of the ROP-TAG will provide an update to TCC9 on progress to date</p>	
<p><b>10.2 Report from CDS-IWG Chair (as per WCPFC9 approved TOR)</b></p> <p>WCPFC9 approved the Terms of Reference for the CDS-IWG, and a meeting is planned for the second half of 2013. The CDS-IWG Chair will provide a brief report of progress to TCC9.</p>	
<p><b>10.3 E-monitoring and E-reporting applications</b></p> <p>As advised by the Secretariat in WCPFC Circular 2013/38, the WCPFC Secretariat together with the scientific services provider SPC, has a consultancy study being undertaken on electronic systems for data and information in the WCPFC as directed by WCPFC9 and TCC8 paragraphs 184-189. The information flowing from this study will be provided to TCC as a basis for making recommendations in relation to future investment and use of these technologies in the WCPFC. One possible area of future use for these technologies which was identified by TCC8, was electronic ROP data entry.</p>	
<p><b>10.4 Port Coordinator Proposal (TCC8, para 30)</b></p> <p>TCC8 requested that the WCPFC Secretariat prepare a brief paper for TCC9 examining relevant issues relating to establishment of port coordinator positions. TCC9 is invited to consider this item.</p>	
<p><b>10.5 RFV-SSPs proposal</b></p> <p>TCC8 noted an offer by the U.S. to revise the proposed RFV SSPs through further intersessional consultation with a view to submitting a revised proposal to TCC9.</p>	
<p><b>10.6 Review VMS SSPs</b></p> <p><b>10.6.1 Review Implementation of WCPFC9 decision on VMS SSPs Manual Position Reporting (Section 5)</b></p> <p>WCPFC9 agreed to amendments to the Standards Specifications and Procedures (SSPs) for the Commission VMS for 1 March 2013 to 1 March 2014. It was also agreed that these standards will be reviewed for MCS effectiveness at TCC9. TCC9 is invited to discuss this matter.</p>	

<p style="text-align: center;"><b>10.6.2 Review list of approved ALC/MTUs maintained by the Secretariat (SSPs Section 2.7)</b></p> <p>TCC8 recommended that WCPFC9 task the Secretariat with updating its report on manual reporting and with carrying out an assessment of whether certain models of ALC/MTU units, and whether particular vessels, are failing more often than others. TCC8 recommended that TCC9 be tasked to consider the updated report and the assessment and make recommendations to WCPFC10 on options regarding the use of those ALC/MTU units and suggestions to improve the performance of those vessels that fail repeatedly. TCC9 is invited to discuss this matter.</p>	
<p style="text-align: center;"><b>10.7 Guidelines for handling and safe release of Whale Sharks (CMM 2012-03) (WCPFC9 para 363)</b></p> <p>CMM 2012-03 <i>Conservation and Management Measure for Protection of Whale Sharks from purse seine fishing operations</i>, noting that the CMM does not include handling and safe release guidelines. WCPFC noted the need to continue development of such science-based guidelines through discussions at SC and TCC, including establishing field tests to assess handling, post-release mortality, practicality and effectiveness. TCC9 is invited to discuss this matter.</p>	
<p style="text-align: center;"><b>10.8 Annual list of changes required to observer training programmes – report on progress (TCC8, para 33)</b></p> <p>TCC8 requested the WCPFC Secretariat consider providing an annual list of changes required to observer training programmes based on changes in Commission CMMs, rules and procedures and report progress on this at TCC9. TCC9 is invited to discuss this matter.</p>	
<b>AGENDA ITEM 11 REVIEW OF EXISTING CMMs AND RESOLUTIONS</b>	
<p style="text-align: center;"><b>11.1 South Pacific Albacore (CMM 2010-05)</b></p> <p>TCC9 is invited to discuss this priority project specific task which was included in the approved TCC workplan 2013-2015.</p>	
<p style="text-align: center;"><b>11.2 South Pacific Swordfish (CMM 2009-03)</b></p> <p>TCC9 is invited to discuss this priority project specific task which was included in the approved TCC workplan 2013-2015.</p>	
<p style="text-align: center;"><b>11.3 Eastern High Seas Pocket Special Management Area (CMM 2010-02)</b></p> <p>TCC9 is invited to discuss this priority project specific task which was included in the approved TCC workplan 2013-2015.</p>	
<p style="text-align: center;"><b>11.4 Transshipment (CMM 2009-06)</b></p> <p style="text-align: center;"><b>11.4.1 Review draft guidelines for determining Impracticability prepared by ED (CMM 2009-06 (paras 37))</b></p> <p>CMM 2009-06 paragraph 37 states: “The Executive Director shall prepare draft guidelines for the determination of circumstances where it is impracticable for certain vessels to tranship in port or in waters under national jurisdiction. The Technical and Compliance Committee shall consider these guidelines, amend as necessary, and recommend them to the Commission for adoption in 2012. In the meantime, CCMs shall use the following guidelines when determining the practicability of high seas transshipments</p> <p style="margin-left: 40px;">a. The prohibition of transshipment in the high seas would cause a significant economic hardship, which would be assessed in terms of the cost that would be incurred to transship or land fish at feasible and allowable locations other than on the high seas, as compared to total operating costs, net revenues, or some other meaningful measure of costs and/or</p>	

<p>revenues; and</p> <p>b. The vessel would have to make significant and substantial changes to its historical mode of operation as a result of the prohibition of transshipment in the high seas; TCC9 will consider a paper by the Secretariat in response to paragraph 37 of CMM 2009-06.</p>	
<p style="text-align: center;"><b>11.4.2 Review application of exemption (para 36)</b></p> <p>CMM 2009-06 paragraph 36 states: “The Commission, through the TCC, shall review the application of the exemptions by relevant CCMs after a period of 3 years and every 2 years thereafter to establish whether monitoring and verification has been effective. After review, the Commission may prohibit transshipment on the high seas by any vessel or vessels in relation to which monitoring and verification of transshipment on the high seas is proven to have been ineffective, or establish or vary any conditions for transshipping on the high seas.” TCC9 is invited to provide any recommendations to the Commission on this matter.</p>	
<p style="text-align: center;"><b>11.5 Paragraph 24(a) of High Seas Boarding and Inspection Procedures (CMM 2006-08)</b></p> <p>A number of CCM MCS personnel who are directly involved in High Seas Boarding and Inspection activities have indicated to the Secretariat that the paragraph 24(a) requirement to “provide a copy of the text of the relevant measures in force pursuant to the Convention in the relevant area of the high seas” is problematic. TCC9 is invited to discuss, and provide recommendations and advice to the Commission on this matter.</p>	
<p style="text-align: center;"><b>11.6 Paragraph 10 of Seabirds CMM (CMM 2012-07)</b></p> <p>CMM 2012-07 states that in 2013, the TCC will evaluate the constraints and opportunities for small vessels to employ seabird mitigation measures in the North Pacific.</p> <p>TCC8 paragraph 387 says: “For the purpose of strengthening seabird mitigation in the North Pacific, and as a complement to the recommendation of SC8 regarding the provision of longline fleet size compositions, TCC8 agreed to recommend that CCMs report to TCC9 on any practical or technical constraints facing their small vessels with respect to the use of seabird mitigation methods in the North Pacific, as well as descriptions of any mitigation methods that could be used by such vessels.”</p> <p>TCC9 is invited to provide any recommendations to the Commission on these matters.</p>	
<p style="text-align: center;"><b>11.7 Consider recommendations from CMS process about CMMs provisions that were ambiguous or problematic</b></p> <p>TCC9 is invited to discuss this priority project specific task which was included in the approved TCC workplan 2013-2015, noting linkages to recommendations that may be made by TCC in the Provisional CMR Executive Summary.</p>	
<p style="text-align: center;"><b>11.8 Sharks (CMM 2010-07)</b></p> <p>TCC9 is invited to discuss this priority project specific task which was included in the approved TCC workplan 2013-2015.</p>	

<b>AGENDA ITEM 12 PROPOSALS FOR NEW CMMs</b>	
<b>12.1 FADs proposal – United States</b>	
<b>12.2 UVI Proposal – United States</b>	
<b>AGENDA ITEM 13 OTHER MATTERS REQUIREMENT TCC ADVICE</b>	
<b>13.1 Development of metrics for measuring fishing effort and capacity (TCC Workplan 2013)</b> TCC9 is invited to discuss this priority project specific task which was included in the approved TCC workplan 2013-2015.	
<b>13.2 Management Objectives</b>	
<b>AGENDA 14 REVIEW TCC-RELATED RECOMMENDATIONS ON PERFORMANCE REVIEW OF WCPFC</b> TCC9 will review the TCC portion of the Performance Review Matrix (paragraph 429 of the WCPFC9 Summary Report) – see WCPFC Circular 2013-17.	
<b>AGENDA ITEM 15 TCC BUDGET AND WORKPLAN</b>	
<b>15.1 Update report on WCPFC Secretariat IMS developments 2013/14</b> TCC8 recommended that subject to available funds the Secretariat continue work to develop its internal systems to streamline the process of generating draft Compliance Monitoring Reports including, the further development of an enhanced and integrated WCPFC Information Management System to improve the integration of WCPFC MCS information. WCPFC9 approved in the 2013 budget, and indicative budget for 2014 the Secretariats proposal on IMS enhancement (WCPFC8-2012-FAC-16). The Secretariat will provide a report on progress on these developments.	
<b>15.2 Report on WCPFC Security Audit 2012/13</b> The Secretariat will update TCC9 on the 2013 review of the integrity of WCPFC VMS data, which is required under paragraph 6.10 of the WCPFC VMS SSPs to be conducted by the Secretariat annually. As was the case in 2012, this will include a review of the Secretariats Information Security.	
<b>15.3 Proposed TCC Work Plan and budget for 2014-2017</b> At WCPFC9, 2013 Technical and Compliance Programme was approved as <i>sub-item 2.3 Technical and Compliance Programme</i> of the WCPFC9 Approved Budget with indicative budgets for 2014 and 2015. A modified TCC Work Plan 2013-2015 was approved by WCPFC9. TCC9 is invited to provide recommendations and advice to the Commission.	
<b>AGENDA ITEM 16 OTHER MATTERS</b> Other requests from any Member, in accordance with Rule 3 of the Rules of Procedure, for the inclusion of a supplementary item on the provisional agenda which were submitted with an explanation at least thirty days before the start of TCC9.	
<b>AGENDA ITEM 17 ELECTION OF OFFICERS</b> Rule 8 of the WCPFC Rules of Procedure state that the Chair and a Vice-Chair shall assume office at the end of the session at which they are elected, shall hold office for a period of two years and shall be eligible for re-election. Ms Rhea Moss-Christian (FSM) commenced as TCC Chair in March 2012 (WCPFC8), and Ms Alexa Cole (U.S.) commenced as TCC Vice-Chair in December 2012 (WCPFC9). TCC9 is invited to provide a recommendation to the Commission on the election of officers.	

<p><b>AGENDA ITEM 18    NEXT MEETING</b>  TCC9 is invited to consider the 25<sup>th</sup> – 30<sup>th</sup> September 2014, and Pohnpei, Federated States of Micronesia as the dates and venue for TCC10.</p>	
<p><b>AGENDA ITEM 19    ADOPTION OF REPORT OF TCC9</b></p>	
<p><b>AGENDA ITEM 20    CLOSE OF MEETING</b></p>	