



**Commission for the Conservation and Management of
Highly Migratory Fish Stocks in the Western and Central Pacific Ocean**

**Technical and Compliance Committee
Eleventh Regular Session**

**Pohnpei, Federated States of Micronesia
23-29 September 2015**

SUMMARY REPORT

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SUMMARY REPORT

AGENDA ITEM 1 - OPENING OF THE MEETING

1.1 Welcome address

1. The Chair, Alexa Cole, called the meeting to order. Justino Helgen (FSM) provided the opening prayer.
2. The Chair, Alexa Cole, opened the Eleventh Regular Session of the Technical and Compliance Committee (TCC11), welcoming delegations of WCPFC Members, Cooperating Non-Members, Participating Territories (CCMs) and Observers. The Chair thanked FSM for hosting TCC11 and noted with appreciation that the Secretariat, ably led by the WCPFC Executive Director, had been working for many months preparing reports, analysing compliance and preparing for TCC. The Chair observed that TCC is essentially a group made up of volunteers – sovereign nations which have chosen to come together to achieve common goals. She noted that TCC has serious work to do and important advice to provide to the Commission, and while TCC was not always going to agree it should remain mindful that the choice has been made to work together, collegially, and asks CCMs to be open to finding paths forward together.
3. The Commission Chair, Rhea Moss-Christian, congratulated the Chair of TCC for taking up this new role and echoed her sentiments about the Secretariat's hard work leading up to TCC. The Commission Chair stressed that she was looking for outcomes that will help move the Commission move forward at the December Commission meeting in Bali. TCC will be able to advise the Commission on how well CCMs are adhering to the rules WCPFC is setting and how strong its monitoring programs are. She noted that the Regional Observer Programme (ROP) has come a long way. The Compliance Monitoring Scheme (CMS) continues to develop and evolve and was an important tool for the Commission, acting as a deterrent and providing incentives and punishments. The Commission Chair noted how important it was for the Commission to know if its objectives are being met. It was noted that the TCC meeting this year was provided with an extra day to conduct its work and come up with technical recommendations that will help the Commission develop its objectives.
4. The Commission Executive Director, Feleti Teo OBE, acknowledged the important work of the Chairs of the four intersessional working groups, whose work was integral to the work of TCC and the Commission. He thanked the Secretariat, in particular the Compliance Manager, Dr Lara Manarangi-Trott, and her team, and paid respects to FSM for hosting and its continued support for the Secretariat. The Executive Director commended Mr Eugene Pangelinan's recent appointment as head of NORMA. He acknowledged the important work of the Chairs of TCC's working groups, whose activities were integral to the work of TCC. The Executive Director prioritised lifting the profile of the Commission and the Secretariat through deeper engagement with, between, and amongst members and stakeholders. The

Executive Director noted that the Secretariat represented the common interests and positions of the Commission and both he and the Commission Chair have initiated and sustained channels of dialogue and communication with Commission members and stakeholders well in advance of the Bali meeting. The Executive Director's remarks are at **Attachment A**.

5. The following members and participating territories attended TCC11: American Samoa, Australia, China, Cook Islands, European Union (EU), Federated States of Micronesia (FSM), Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Republic of the Marshall Islands (RMI), Nauru, New Caledonia, New Zealand, Palau, Papua New Guinea (PNG), Philippines, Samoa, Solomon Islands, Chinese Taipei, Tokelau, Tonga, Tuvalu, United States of America (USA) and Vanuatu. Cooperating Non-Members (CNMs) representing Ecuador, El Salvador, Panama and Vietnam also attended TCC11.
6. The following intergovernmental organisations attended TCC11: the Pacific Islands Forum Fisheries Agency (FFA), the Parties to the Nauru Agreement (PNA), and the Secretariat of the Pacific Community (SPC).
7. Observers representing Environmental Defense Fund, Greenpeace, the International Seafood Sustainability Foundation (ISSF), the Pew Charitable Trusts, University of the South Pacific (USP) and World Wildlife Fund (WWF) also attended TCC11.
8. A list of participants is provided in **Attachment B**.

1.2 Adoption of agenda

9. The meeting adopted the TCC11 agenda WCPFC-TCC11-2015-02_rev2, a revision which took into account discussions during the heads of delegation meeting on 22 September 2015, immediately prior to TCC11 (**Attachment C**).

1.3 Meeting arrangements

10. The Compliance Manager introduced Secretariat staff present at the meeting, the Indicative Schedule and newly posted documents, and noted logistical arrangements in place to support the meeting, proposed meeting times and social events.
11. Small working groups were established to discuss and draft recommendations on the following issues:
 - a. CNMs
 - b. TCC Workplan
12. The Chair noted that efforts would be made to avoid concurrent small working group meetings. In addition, working groups for the four proposals that had been received would also be established where there was interest and need. Informal groups at TCC11 included: data standards (New Zealand), Harvest Strategy work plan (Australia), CDS-IWG work plan (A. Kinol – CDS-IWG Chair), sharks CMMs (EU) and seabirds (New Zealand). The Chair asked CCMs interested in the topic of the working groups to make every effort to attend, commenting that not doing so would limit the working group's functioning and effectiveness and would result in revisiting issues at length in plenary. The Chair outlined her intention to pause at the end of each item number to draft recommendation text for CCMs to consider for adoption.

1.4 Introduction of Proposals: new CMMs or draft revisions to current CMMs

13. Japan enquired of the Chair how the four delegation proposals would be handled. In its reading of the Convention text, this CCM thought some of the proposals might be beyond the scope of the TCC, opining that TCC is about technical and compliance issues and discussion of new proposals is a responsibility of the Commission. This CCM asked for confirmation that discussions in TCC will not pre-empt Commission meeting discussions.
14. The Chair confirmed that TCC's mandate is technical and compliance issues and noted her expectation that the Committee would discuss the proposals and members could raise any technical and compliance issues they have with the proposals. This would allow the proponents to account for these issues before the submission of proposals to the Commission for possible adoption. The Chair noted the Commission Chair's wish that proposals be submitted to the Commission as fully formed as possible, so advice and recommendations would be valuable and if there is consensus of opinion TCC can forward that. The Chair clarified that proposals are not adopted by TCC, TCC is to provide recommendations and advice to the Commission.
15. Discussions in response to the Chair's direction, confirmed that TCC11 should focus on discussions that are relevant to technical and compliance issues.
16. Proponents of new CMM proposals briefly introduced their proposals (in the order listed in WCPFC-TCC11-2015-06_rev1).

Amend Scientific Data to be Provided to the Commission – New Zealand

17. New Zealand introduced WCPFC-TCC11-2015-DP01a (an explanatory note) and WCPFC-TCC11-2015-DP01b, a proposal to amend Annex K of the Scientific Data to be Provided to the Commission. New Zealand explained that the principle reason for this proposal was to enable the WCPFC Commission to fulfil its obligations, as outlined in the Convention. New Zealand drew the meetings attention to Convention Article 5 noting that as a principle the Commission is to maintain the integrity of marine ecosystems and to minimise the risk of long-term irreversible effects of fishing operations. New Zealand proposed including key bycatch species such as opah, mahimahi, sunfish, spearfish, oil fish and wahoo. This CCM was mindful that changes to these standards require significant changes in practice at both the vessel level and at the flag state level and appreciated that a significant period of time for implementation will be required if these changes are accepted.
18. Noting that the Commission mandate covers highly migratory species in the WCPO, Korea acknowledged that a number of the proposed species, including mahimahi and sunfish are integral parts of the WCPO ecosystem. This CCM asked what data collection on these species aimed to achieve – an increase in the species to be managed by the Commission or to get a picture of the status of the species incidentally caught during operations on main target species.
19. In response, New Zealand explained that collecting this information would reflect the main role of the Commission, which is to manage fish stocks under the Commission's mandate. Information and data are needed to undertake potential stock assessments, without which the Commission's Scientific Services Provider cannot do them. New Zealand noted that this data is not currently being uniformly collected; just in small pockets through the observer program. New Zealand noted that the low rate of observer coverage is not sufficient to collect this data adequately. New Zealand explained that some of the species are not strictly highly migratory but, under UNCLOS, a number of them are; they are an associated species with the target species and the Commission has a responsibility to manage these species. New Zealand

also stressed the food security aspect to these species in the Pacific, commenting that there is limited information on the health of these fish stocks.

20. The Chair asked New Zealand to work with delegations around the room on its proposal.

Harvest Strategy draft work plan – Australia

21. Australia, with the support of the FFA, presented WCPFC-TCC11-2015-DP02, the Harvest Strategy draft work plan, noting that at last year's Commission meeting, WCPFC adopted CMM 2014-06 on establishing a harvest strategy approach for key fisheries and stocks in the Western and Central Pacific Ocean which represented a ground-breaking commitment by all members of the Commission to the sustainable management of Western and Central Pacific tuna stocks for the long term. It draws on Australia's domestic experience implementing harvest strategy policies. WCPFC-TCC11-2015-DP02 captures the requirements of para. 13 of the harvest strategy CMM in proposing a work plan to progress the development of harvest strategies for key stocks. It sets out a schedule of actions towards adopting or refining harvest strategies for skipjack, bigeye and yellowfin tuna and South Pacific albacore. The work plan sets out specific milestones for the Commission and its subsidiary committees, to facilitate planning of science needs and meeting agendas as well as help clearly define roles, responsibilities and decision points. The actions set out in the work plan reflect those essential elements of a harvest strategy contained in CMM 2014-06 – recording management objectives, agreeing on reference points and acceptable risk levels, determining monitoring strategies, developing harvest control rules and management strategy evaluation. Australia has included draft timelines for each step, to help ensure the work is progressed in accordance with the trajectory set out in the harvest strategy CMM. Australia acknowledged the time pressures involved and looked forward to discussing timeframes with members and how to resource the activities, including by developing a budget. Australia had sought input from SC, other FFA members, and a number of other members and experts in developing the work plan. Following consideration by TCC, Australia intends to submit the work plan to WCPFC12 to seek the Commission's endorsement. Australia noted that under the harvest strategy CMM the Northern Committee will develop a similar schedule for Pacific bluefin and North Pacific albacore.
22. The USA welcomed the work plan and looked forward to discussing it further, noting that it did not see a big role for TCC in the development of harvest strategies. This member commented that TCC should focus on the role TCC might have in the proposal's development and noted a general concern: the proposed work plan envisions harvest strategies on a stock by stock basis but the framework CMM calls for harvest strategies for fisheries *or* stocks. This member wondered what the ultimate outcomes were envisioned to be.
23. Australia responded that the stocks the harvest strategy CMM would apply to were listed in the CMM itself and Australia had taken the easiest route initially, at this stage just attempting to deliver what the CMM asked but open to discussing alternatives.
24. The Chair asked Australia to coordinate with the TCC Vice-Chair, who was leading the small working group developing the TCC Workplan, as there were clear intersections between that work and the Harvest Strategy draft work plan.

Skipjack target reference point – PNA

25. FSM, on behalf of PNA members, introduced WCPFC-TCC11-2015-DP04, a draft CMM on WCPO Skipjack target reference point. FSM expressed appreciation for the leadership shown by the Commission Chair and Executive Director in travelling to and meeting with CCMs, including Asian members, to hold discussions in the lead-up to the December meeting seeking views of members and developing nation CMMs. FSM recalled that last year PNA

members presented to TCC a draft CMM to establish a target reference point for skipjack tuna. That proposal was subsequently submitted to WCPFC11. It received strong support but consensus was not reached. The revised proposal takes into account suggestions from delegations at WCPFC11 and comments by members of SC11. FSM outlined the key element in the PNA proposal: that WCPFC adopt a skipjack target reference point of 50% of the adult biomass without fishing, i.e. it aims to cap the depletion of the adult skipjack stock biomass at around 50% – a target these members stated was broadly consistent with the current level and pattern of fishing for skipjack. The measure aims to maintain economic conditions for skipjack fisheries at their current levels with similar catch rates and catch size distribution to that seen now. FSM explained that the proposed target is roughly equivalent to maintaining the adult skipjack biomass at nearly double the spawning biomass needed to support MSY and that it was conservative, responsible and cautious, which is appropriate for a stock that is so important to so many families, communities and industries. PNA members expected that the target may need moderate reductions in skipjack fishing mortality over time, to account for effort creep in particular. FSM noted that DP04 includes an explanatory note to the draft CMM which addresses questions raised by delegations at the Commission and SC and issues that CMM 2013-06 requires the Commission to consider on the impact of the proposal, especially on SIDS. PNA members would seek to work with delegations on the proposal at TCC, at the Management Options Workshop, and at WCPFC12.

26. Korea expressed the view that the proposal is in line with the Commission's move toward the development of harvest strategies for key species. However, Korea commented that in setting the baseline for the target reference point, TCC needed to bear in mind that the relationship between CPUE and abundance in the purse seine fishery is not clearly understood, as noted by SC. Korea asked what would happen to the VDS currently applied to purse seiners if the skipjack resources are managed under a harvest strategy, as VDS is an effort control and harvest strategies are a harvest control. Korea wanted to know how the two management mechanisms would work together.
27. FSM noted that the explanatory note to the draft CMM could assist on this question, explaining that the VDS is how fisheries are managed in PNA waters and is in alignment with SC (the 2010 baseline). This CCM commented that if the Commission were to adopt harvest control rules those responses would be further reviewed.
28. Japan expressed appreciation for PNA's efforts to develop a revised proposal addressing minority views and noted it would make its best efforts to positively solve this issue between now and the Commission meeting.

Eastern High Seas Pocket (EHSP) – Cook Islands

29. In line with discussions at WCPFC11, Cook Islands introduced WCPFC-TCC11-2015-DP07, a draft CMM on the Eastern High Seas Pocket Special Management Area. This proposal provided for a transshipping closure for the EHSP and an amendment to the entry/exit reporting conditions to include the vessel name in the data report. The Cook Islands explained that it has had great difficulties in locating emailed reports when searching by vessel name, which sometimes is not mentioned, making it hard to reconcile the email notifications with the VMS information. A revised proposal reflecting the intervention by the Cook Islands was subsequently tabled as DP07_rev1.

Other issues

30. Fiji, on behalf of FFA members noted the expiration of CMM 2012-05 on the Charter Notification Scheme at year's end and proposed that TCC11 consider recommending to the Commission rolling over the measure for a further three years. These CCMs considered the measure an important part of the Commission's management framework, with impacts

relating to the attribution of catch or effort under others measures. FFA members recognised that more work could be undertaken to develop a more comprehensive measure, but considered the current measure to be a good starting point to begin thinking about potential revisions in advance of WCPFC12.

31. The TCC Chair directed that the proposal would be considered under agenda item 11.7 – Review of existing CCMs.
32. Indonesia asked for clarification about the interaction between Australia’s Harvest Strategy draft work plan and PNA’s TRP proposal, given that skipjack is also incorporated into the harvest strategy work, and wondered if they were separate.
33. FSM responded that discussions would come back to the TRP proposal under agenda item 12 and PNA would discuss it in the margins with any interested members.
34. The FFA Secretariat brought TCC’s attention to WCPFC-TCC11-2015-DP06, an informal note on South Pacific albacore management that spoke to FFA members’ plans regarding this species. FFA offered to talk with any CCMs that wanted to discuss South Pacific albacore during TCC.
35. The Chair commented that the goal of this agenda item is for members to familiarise themselves with the proposals, and encouraged CCMs to talk to the proponents’ points of contact. Plenary would further consider the proposals, including any revisions of the proposals, under the appropriate agenda item.

AGENDA ITEM 7 - ANNUAL REPORT OF EXECUTIVE DIRECTOR

36. As agreed in the TCC11 schedule, the Chair introduced this agenda item early in the meeting (immediately after agenda item 1.4 and in advance of the closed CMR discussions) for the purpose of providing the background context for many of TCC11’s discussions.
37. Noting that this was the third Annual Report of the Executive Director, the Commission Executive Director highlighted aspects of the Secretariat administration of WCPFC’s MCS and compliance programmes (WCPFC-TCC11-2015-14). The structure of the report aligned with the structure of the TCC agenda and consolidated the main findings and recommendations from the technical and operational papers prepared by the Secretariat for TCC11. The Executive Director briefly highlighted some key features of the major WCPFC MCS programmes: the IUU Vessel List – which serves to identify non-compliant vessels and prohibit them from operating within the WCPO while they remain on the list; Cooperating Non-Member applications – this year 7 countries have applied to renew their Cooperating Non-Member status; the Commission CMS – established in 2010 and the heartbeat of the MCS programme, it allows the Commission to assess the performance of each CCM’s compliance with their obligations under the Convention and CMMs. The process has generated a huge volume of work for the Secretariat. The paper presenting the CMS (TCC11-2015-09) proposes working arrangements to alleviate the pressure on the Secretariat in developing the reports, including WCPFC identifying the specific CMMs to be covered in 2016, earlier submission of Annual Report Parts 1 and 2 and continued improvements to the information management system; various MCS tools and management arrangements that constitute the core MCS activities of the WCPFC – updates on these tools and their operational challenges and issues are outlined; the WCPFC Record of Fishing Vessels – as at 27 August 2015, 28 CMMs had submitted 5,706 records of their authorized fishing vessels. The adoption of standards, specifications and procedures for the RFV has improved the completeness and quality of the vessel records in the RFV; the Commission VMS – WCPFC continues to contract out part of its services from the FFA through the Pacific VMS. This two-system programme means it is imperative to ensure compatibility between the two

systems; ROP observers – this year, a number of operational issues and challenges for the ROP were addressed through ROP-IWG’s fourth meeting. TCC11 will be asked to support proposed ROP activities in 2016 that carry budgetary implications relating to cross-endorsement training of observers and the publication of a booklet that contains all ROP-related CMMs.

38. The Annual Report includes details of the performance of the HSBI and transshipment monitoring schemes and highlights proposed improvements to enhance their efficiency and effectiveness; information systems – the Secretariat continues to maintain its systems of controls over approvals for access to data and information from the Commission. In 2014 – 2015 the Secretariat processed 86 requests from members and others for specific WCPFC data, including non-public domain data. The report provides updates on both status and efforts to improve the efficiency and utility of the Commission’s information management system, website development and online reporting systems; intersessional working groups – much compliance work and activities were transacted through IWGs, including E-reporting and E-monitoring, Catch Documentation Scheme and ROP. Their reports will be presented to TCC for its consideration and advice to WCPFC12. The Executive Director also observed that this Annual Report was a little repetitious and sought guidance from the TCC as to its future utility and relevance.
39. In response to the Executive Director’s request, the EU opined that for the wider public the report was useful, and for members who may not have the time or knowledge to go into the detail of the other reports; the Annual Report of the Executive Director highlights the most important points. EU noted that some of the information in the summary report is not also in the more detailed reports, for example costs for VMS. There was added value in them, therefore.
40. Japan expressed appreciation for the Secretariat’s services and noted its view that TCC is well supported in meeting its responsibilities through the work of Secretariat.
41. FFA members thanked the Executive Director and noted that the report was better streamlined than past reports and can be quickly understood. These CCMs commented that the current report structure was limited to providing a summary of TCC agenda items and staff travels, and asked that future reports might better reflect the prioritisation of TCC tasks as reflected in the TCC Workplan.
42. Australia welcomed the comprehensive report and encouraged the Secretariat to continue to focus on facilitating the compilation and dissemination of the data necessary to accomplish the objective of the Commission. This CCM noted the Chair and Executive Director’s opening remarks, reflecting the intention to promote the activities of the WCPFC Commission and considered this to be a useful approach going forward, helping the Commission to see linkages between areas that may not be clear while deeply involved in the detail. The Annual Report of the Executive Director therefore remains relevant.
43. Indonesia was pleased to hear that the Executive Director understands that the problems faced by CCMs are all different, and that the Commission was paying attention to the capacity requirements of CCMs. Indonesia asked the Secretariat to also plan visits to Indonesia which are done with a view to assisting Indonesia with understanding implementation requirements in measures and with the compliance monitoring.
44. WWF made a statement on behalf of WWF and the Association for Professional Observers, expressing appreciation and support for the Secretariat’s work and noting that they had been encouraged by the motivation and activity of the Secretariat, including the approach the Commission Chairs have taken. WWF and the Association for Professional Observers emphasised the role of fisheries observers in the role of the Commission and noted that on 10

September 2015 an observer with MRAG Americas, Keith Davis, went missing during a transshipment of the *MV Victoria 168*, a transshipment vessel flagged to Panama. Both vessels were registered to fish in the WCPFC. It should be noted that the event did not occur in the WCPF Convention Area or as a result of WCPFC origin activities. WWF and the Association for Professional Observers noted the need for greater protections for observers when they are doing the job they have been asked to do, adding that the quality and integrity of information they provide is vital for the Commission's work ensuring sustainability of stocks.

45. The Chair commented that the observer community and the Pacific community had been deeply troubled and saddened by this event, and recalled that TCC had discussed the importance of safety of observers often. It was noted that this issue would be further discussed under agenda item 8.2, the ROP.

46. TCC11 noted the Annual Report of the Commission Executive Director
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AGENDA ITEM 2 - IUU VESSEL LIST

47. Noting that it had been a few years since the TCC had considered nominations to the WCPFC IUU Vessel List, the Chair overviewed the role of TCC in CMM 2010-06 and the proposed process for considering the draft IUU Vessel List. The Chair noted that the draft IUU Vessel List includes six vessels. The Committee would consider each case in turn, and only evaluate the nominations after hearing from the CCM nominating the vessel and a response from flag CCM of the vessel. After those discussions TCC would make a recommendation and develop a Provisional IUU Vessel List for the Commission's consideration and adoption. The Chair noted that she and the Executive Director were available to help facilitate those discussions if it was possible to reach satisfactory resolutions rather than proceeding to provisional IUU listing.
48. TCC11 reviewed the current WCPFC IUU Vessel List and the draft WCPFC IUU Vessel List in accordance with CMM 2010-06 (WCPFC-TCC11-2015-07_rev3). It was noted that TCC's task in accordance with CMM 2010-06 is to adopt a provisional IUU vessel list and submit it to the Commission for consideration and approval and as appropriate recommend any proposed changes to the current WCPFC IUU Vessel list.

Provisional WCPFC IUU Vessel List

FAIMANU V

49. It was noted that the division of responsibilities for this vessel between France and Wallis and Futuna may need to be further clarified. The vessel was nominated for listing by Fiji. On 4 July 2014, the longline fishing vessel *FAIMANU V* called into Suva port without authorization or clearance. On inspection, the vessel did not have a flag state authorisation to fish in areas beyond the flag States waters, a broken MTU unit antennae, no catch logsheets but 13 pairs of oceanic whitetip shark fins were onboard. After further investigations multiple offences were found including failure to report catch, not being on the WCPFC RFV and failure to have an authorisation to fish within the WCPFC convention area onboard. Wallis and Futuna authorities were notified on 29 September 2014 and 19 October 2014. On 19 November 2014 Fiji received an email in French from Wallis and Futuna authorities, to which Fiji responded, requesting a translation in English. Fiji hoped to resolve the issue with either Wallis and Futuna or France.
50. The Chair noted that neither Wallis and Futuna nor France was represented at the meeting, and that both Wallis and Futuna and France had been contacted by the Secretariat in relation

to the draft IUU Vessel List nomination. With no comments or questions from CCMs, the Chair suggested TCC could take a final decision. There were no objections expressed.

51. TCC11 agreed to include FAIMANU V on the Provisional IUU Vessel List.

RONG DA YANG 28

52. Tonga noted that a New Zealand surveillance aircraft had spotted the Chinese-flagged RONG DA YANG 28 in Tonga's EEZ on 18 October 2014. The vessel was not licenced to fish in Tonga's EEZ and was not a vessel in good standing with the FFA. On 17 June 2015 Tonga notified China of the vessel's activities and alleged offences. On 10 July 2015 China's fisheries authorities responded, noting that the vessel had mainlines discarded by other vessels entangled in the vessel's propeller and that the vessel crews lifted the lines to cut them when on the high seas. Both Tonga and China noted that there was evidence that the vessel continued steaming on the high seas. Tonga requested further explanation on the operation of cutting the entangled lines on the high seas. The response from China was that discarded main lines were entangled in the vessel's propeller and the speed of the vessel was reduced as a result. However, Tonga observed that the vessel was keeping its speed and course, and further noted that the last response it had received from China was that the entanglement was resolved when dry docking in Fiji. Tonga noted that no purse seine activity or floating objects were seen in the imagery provided from the surveillance aircraft. According to VMS analysis by FFA there was no evidence of the vessel's speed decrease. China provided the vessel's VMS track within Tonga's EEZ which showed the boat was keeping to its normal speed. Tonga stated that it is not satisfied with the explanation given for this vessel's activities. Tonga's position is that the vessel fished illegally in the Tongan EEZ and should be placed on the IUU list.
53. In response, China noted that it had received a communication from Tonga in June 2015. This member commenced internal investigations, responding to Tonga on July 10 2015. After a second communication from Tonga requesting information, China provided information on 14 September 2015 noting that the vessel was authorized by China to fish in the WCPFC area. China noted that when the vessel was sighted in the Tongan EEZ, the vessel was transiting from west to east. China noted that its information and information from the Secretariat indicated that the vessel was transiting at around 8 knots, the track of the vessel was a straight line and photographs received in evidence from Tonga showed the fishing gear was stowed. China stated that the Mainlines were discarded lines from other vessels; some of these had entered the propeller. After the discarded mainlines entered the propeller, the engine speed dropped and the vessel speed decreased at that point. The master had ordered the crew to keep the Mainlines up to save them getting caught in propeller. China noted that VMS information is not collected at every moment, which may not capture the point when the vessel speed decrease due to the engine speed drop. After the entanglement, the captain further increased the engine speed to maintain the speed of the vessel at normal navigation speed, as the vessel was transiting the EEZ, not conducting fishing activities.
54. The Chair called for questions or clarifying comments.
55. In response to a query from Kiribati, China stated that the captain did not report the incident when it happened because the vessel was transiting in the EEZ of Tonga and the vessel did not conduct any fishing activities; in addition the vessel master did not take measures to remove the entangled lines in the Tonga EEZ. China stated that if the master had decided to remove the entangled lines it would have reported the incident. China said its fisheries authorities are now in communication with Tonga.
56. Tonga stated that it had not received any report from the vessel over the incident. This CCM explained that China reported that the vessel's speed was 8.1 knots during transiting and that

the captain only discovered the entangling lines when the vessel's speed began to decrease. However, Tonga said this was not in evidence from the speed of the vessel, stating there was no evidence that the speed decreased due to an entangled line.

57. China confirmed that, with the maintenance report by a shipyard in Fiji, the entanglement was finally fixed during dry docking in Fiji in July 2015. .
58. Tonga stated that it was not advised until receiving the last response from China, which included a photograph of the lines in the vessel's propeller in dry dock. Tonga noted that there was no date on the photographs and Tonga did not accept the photographs as evidence, observing that they might be from another incident.
59. Kiribati noted that under its national laws vessels are required to report to Kiribati on entry and exit of Kiribati's EEZs, including when transiting.
60. Tonga and China agreed to discuss the issue in the margins of the meeting to try and resolve the matter.
61. Later in the meeting the two parties came back to plenary to report on the progress of their discussions in the margins of TCC11.
62. Tonga reported that China had not provided sufficient information regarding the vessel to change Tonga's position of putting the vessel on the Provisional IUU Vessel List.
63. China stated that: as the flag state, China had sincerely attempted to cooperate with Tonga, though China conceded that Tonga did not think the evidence was clear enough. China noted that the case occurred in October 2014 with the allegation raised in June 2015. China stated that when it was informed of the allegation, China immediately communicated with the fishing company, urging them to investigate, and sought more information from the relevant party, the Secretariat's VMS records and evidence from the shipyard – information which was then provided to Tonga. China stated that the VMS indicated the vessel navigated in the Tongan EEZ at 8 knots. China stated that the mainline became entangled in the propeller, and stated that the maintenance report by the shipyard in Fiji indicated this. China stated that there is lack of evidence chain indicating the alleged IUU activity by the vessel. China stated that it is a responsible government, and would not allow a vessel flagged to China to conduct IUU fishing, but it also would not treat unjustly an innocent vessel. China expressed its concern about abusing the IUU measure, and automatic IUU listing for other vessels under similar situation to the Chinese vessel in question. China had asked Tonga to provide more evidence and did not agree to put the *RONG DA YANG 28* on the IUU list.
64. The Chair noted there was no agreement between the parties, and asked TCC if it supported the vessel's listing on the Provisional IUU Vessel List. The following points were expressed in the general discussions:
 - a. One CCM commented that in its view China had provided enough evidence to prove the vessel was innocent, and urged the committee to consider the information; and
 - b. Other CCMs noted that there remained unresolved questions, Tonga was not satisfied, and the bilateral discussions should continue. These CCMs supported the vessel being placed on the Provisional IUU Vessel List.
65. In summation, the Chair noted that TCC did not achieve consensus on this issue and a majority/minority opinions would need to be recorded.

66. A majority of TCC members supported the inclusion of the RONG DA YANG 28 on the provisional IUU list whilst a minority were against the inclusion of the RONG DA YANG 28 on the Provisional IUU List. TCC11 agreed to place the vessel on the IUU list with a note to WCPFC12 that consensus was not reached on this vessel.

LADY EVELYN-8, F/V MASTER RUSTIN-4, LADY EVELYN 38, LADY GELAINE 18

67. FSM stated that all four Philippine-flagged vessels it was nominating, the LADY EVELYN-8, F/V MASTER RUSTIN-4, LADY EVELYN 38, LADY GELAINE 18, had conducted the same alleged infringements and their presentation would be of the four vessels as a group. FSM noted that there had been a series of incursions by foreign vessels into FSM EEZ between 2013 and 2015 and multiple alleged violations when these vessels were in FSM's EEZ. Ten vessels were picked up by FSM and submitted to the Commission for IUU listing. FSM sent the Philippines a letter on 24 April 2015 asking them to investigate and report back in 2 months, however FSM stated that no acknowledgement or response was received. A second letter was sent on 20 July 2015 to the Philippines requesting that their vessels be placed on the IUU list. In August this year at SC11, FSM was handed a hardcopy letter by the Philippines responding to FSM's allegation rather than being mailed as required. FSM noted that the Philippines had stated that the brailing and hauling was done outside of FSM's EEZ and had drifted into the EEZ; Philippines did not consider this to be IUU fishing. FSM noted that its fisheries laws considered 'fishing' to be any operations at sea which support the taking of fish, and this cannot take place without a valid permit. FSM stated that the vessel did not have valid fishing permits at the time of the incidents, thus they violated FSM's fisheries law and are therefore IUU fishing activities. FSM strongly urged that without a satisfactory explanation the vessel be placed on the Provisional IUU Vessel List.
68. Philippines responded that its reply is contained in letters and attachments which had been supplied to the Commission and FSM, downloadable from the secure section of the WCPFC website. Philippines did not deny the VMS picture but an explanation was outlined in the documents submitted. This CCM sought an opportunity to have bilateral discussions on this matter.
69. Palau noted its support for the IUU Vessel listing based on Palau's geographical location and vulnerability to IUU fishing.
70. Philippines and FSM agreed to meet to discuss the issue. Later in the meeting FSM noted that the two parties had met. FSM stated that the four vessels violated the FSM's Fisheries Act 2002 and the vessels should be retained on the Provisional IUU List until FSM was satisfied.
71. Philippines stated that it had responded immediately to the allegations, noting its investigation and provision to NORMA and the Commission Secretariat the report of its investigation. Various data had shown that the vessels were in FSM waters, but Philippines considered they were not fishing in the waters. This CCM explained the vessels were in transit from the Philippines to the HSP1 to fish from 1 November, but the vessels got to the area early and were instructed not to enter HSP1, and to instead stay at a transit point until entry to HSP1 was authorised by the Philippines. Philippines stated that the taking of the fish happened in HSP1, but once the vessels began closing their nets the engines were turned off – taking about 4 hours to complete the operation – and during this time the boats drifted towards the FSM EEZ. Some vessels were 0.2 nms inside the boundary, some 4 nms. Philippines noted that under FSM's national law, the definition of fishing is different from Philippines', defining as fishing when a vessel enters the waters while undertaking a brailing operation. This CCM noted that under FSM's law it was a violation but from its own perspective the vessels were not fishing, they are adrift. This CCM commented that there was a difference of opinion on the IUU listing, and commented that it did its best as a flag state and would continue to

discuss the matter with FSM. Philippines considered the matter to be pending and did not agree to the vessel being listed.

72. The Chair reminded TCC that there was no ‘pending’ status and explained that TCC puts vessels on the Provisional IUU List and the Commission makes a final determination.
73. FSM thanked Philippines but noted it was not satisfied yet, and commented that the brailing operations may have started in the HSP1, but they ended in FSM waters.
74. The following points were expressed in the general discussions:
 - a. Noting that if the vessels were brailing inside FSM waters that the vessels had met the standard under FSM’s law’s and the vessels were undertaking fishing under FSM’s law and so FSMs national law should apply;
 - b. A view that if the fishers are fishing close to a line they must be aware of the rules, the boats have navigation and should have known the risk of drifting in; and that discussion also relates to CMMs’ ability to monitor their vessels;
 - c. An alternative view that most of the fish taken were not in FSM waters but in HSP1. The vessels had drifted into FSM waters, some only 0.2 nms;
 - d. Also noting there had been a special proviso in tropical tuna CMMs since CMM 2011-01 for the Philippines to be allowed access to the western high seas pocket, of which one was that the Philippines would closely control and monitor its vessels and now there are allegations of illegal fishing by this fleet; and
 - e. General encouragement to the two parties to continue the bilateral discussions which were taking place work this out bilaterally before the Commission meeting.
75. The Chair summarised that there seemed to be consensus to list the four vessels on the Provisional IUU List.

76. TCC11 agreed to include the LADY EVELYN-8, the F/V MASTER RUSTIN-4, the LADY EVELYN 38 and the LADY GELAINE 18 on the Provisional IUU list.

77. The Philippines expressed its discomfort with the decision taken by TCC11 and asked to have its concerns placed on the record. Philippines commented that it had done its part. The Philippines asked who judges that the information provided is correct or not. Any CCM in a similar situation will find it difficult to justify its position, even if they have, in good faith, done what they should have done and provided evidence.

78. The Chair clarified that in accordance with CMM 2010-06 the Commission makes the determination through adoption of the WCPFC IUU Vessel List, and explained that the standard being engaged by TCC in the Provisional IUU Vessel List is ‘has IUU activity occurred’, not ‘what has the flag state done about it’.

79. FSM noted that it had provided a copy of FSM’s laws to the Philippines and offered to answer any further questions.

80. The Chair encouraged the Philippines and FSM to work together to try and reach a satisfactory outcome and noted that the Provisional IUU Vessel List had been adopted.

81. With respect to the Provisional IUU Vessel List, all vessels contained in WCPFC-TCC11-2015- 07_rev3 were reviewed. A Provisional IUU Vessel List was adopted and is attached as Attachment D .

Current WCPFC IUU Vessel List

82. The Chair noted that there were three vessels on the 2015 WCPFC IUU Vessel List; they have been there for several years. The Secretariat advised that it had received no new information from the flag CCMs of the vessels or the nominating Members.

NEPTUNE and FU LIEN No.1

83. There was no discussion, nor were there objections to TCC recommending the retention of the two Georgia-flagged vessels on the WCPFC IUU Vessel List.

84. TCC11 agreed to recommend to WCPFC12 that the NEPTUNE should remain on the WCPFC IUU vessel list.

85. TCC11 agreed to recommend to WCPFC12 that the FU LIEN No.1 should remain on the WCPFC IUU vessel list.

YU FONG 168

86. RMI observed that new information was available on this Chinese Taipei-flagged vessel: it was listed on the IOTC IUU list as of May 2015. RMI stated its belief that the vessel is still operating.

87. The Chair acknowledged that the IUU listing in other tuna RFMOs should be noted. She further commented that perhaps the IUU listing in other tuna RFMOs was a cross-endorsement from the WCPFC IUU Vessel list.

88. RMI clarified for TCC that the vessel is included on both the ICCATs and IOTCs respective IUU Vessel Lists. The ICCAT IUU listing followed a listing on the WCPFC IUU Vessel List, but the vessel was listed in IOTC because of evidence that it was operating in the IOTC area without authorization.

89. TCC11 agreed to recommend to WCPFC12 that the YU FONG 168 should remain on the WCPFC IUU vessel list.

General recommendations on WCPFC IUU Vessel List

90. FFA members confirmed their support to include the six nominated vessels onto the WCPFC IUU Vessel List as the alleged violations within national jurisdictions had not been settled to the satisfaction of the affected coastal States. FFA members reiterated how important fisheries resources are to the Pacific people and the limited resources these CCMs have to undertake monitoring, surveillance and enforcement, so they treat violations of their laws seriously.

91. FFA members highlighted that:

a) offences have occurred in some FFA members' national jurisdictions but cannot be submitted for IUU listing because of the way the current measure is drafted – para. 4 of CMM 2010-06 provides that at least 70 days before TCC, CCMs shall transmit to the Executive Director their list of vessels presumed to be carrying out IUU activities in the Convention Area during the current or previous year. FFA members noted that this allows only an ~18 month window in which vessels can be submitted for IUU listing. These CCMs noted that at least four FFA members have recently highlighted offences that took place in 2013 but under these rules the vessels cannot be submitted for IUU listing. These CCMs noted that SIDS' limited resources to even be made aware of violations or gather information sufficient to make fully informed decisions indicated that such tools need to be more flexible. FFA

members noted they will be looking at this issue with a view to developing a proposal for WCPFC12;

b) Fiji had noted that their request to the flag State for information about an alleged offence was received in French. FFA members commented that it would be useful for the Commission to make clear to CCMs, or remind CCMs, that English is the official language of the Commission, recalling para. 42 of the WCPFC5 Summary Record noting documents submitted to the Commission must be prepared in English, or accompanied by an English translation.

92. FFA members confirmed their support for no vessels being removed from the current WCPFC IUU Vessel List, noting that there had been neither further information from the flag States about these vessels nor advice from the nominating CCMs that the matters had been settled satisfactorily. FFA members noted that these vessels had been on the WCPFC IUU Vessel List for five or six years and stated that they were continuing to conduct fishing and illegal fishing activities. Georgia-flagged NEPTUNE is also on the IATTC and ICCAT IUU lists, Georgia-flagged FU LIEN NO 1 is on the ICCAT IUU list, Chinese Taipei-flagged YU FONG 168 is on the ICCAT and IOTC IUU lists (as recently as 20 May 2015). FFA members proposed some draft recommendation language on general matters related to the IUU Vessel List for TCC's consideration.
93. The Chair made a clarifying comment that these were general recommendations and did not specifically refer to any vessels that had been discussed. It was agreed that the recommendations should be circulated for consideration later in the meeting (WCPFC-TCC11-2015-DP11).
94. Later in the meeting TCC11 adopted a number of general recommendations related to the WCPFC IUU Vessel List:

95. TCC11 encourages strengthening of cooperation among all CCMs to actively work together to locate the vessels that are on the WCPFC IUU vessel list, so as to stop their illegal activities.
96. TCC11 recommends that such cooperation should include, as appropriate and as applicable to each CCM:
- a. prompt advice to the Commission Secretariat from any Flag State or other CCM who has information on any vessel on the WCPFC IUU list, including its whereabouts and any known change in name or other circumstance. In addition, Port States are requested to take any appropriate action, including, if possible, denial of port entry and services to those vessels.
 - b. greater scrutiny of the individuals and companies that have been involved in IUU fishing, and the sharing of this information between CCMs and RFMOs.
97. TCC11 recommends that the Commission Secretariat write to the Flag States of the IUU vessels on the WCPFC IUU list, following TCC11 and WCPFC12 and annually in advance of TCC, to identify their last known operations and track their whereabouts and to advise the Commission of any findings;
98. TCC11 recommends that the Secretariat write a letter to other RFMOs following TCC11, and annually in advance of TCC, for cooperation to locate those vessels listed on the WCPFC IUU list as at the date of TCC11 underlining that they are now listed on a number of IUU lists, and for the Secretariat to provide an update to WCPFC12 on any responses from RFMOs.

99. TCC recommends that the Commission clarify that English is to be used in all communications between relevant CCMs regarding alleged IUU activities.

100. FSM took the opportunity to alert members to Vietnamese-flagged vessels' activities in FSM waters, and noted incidents that had occurred in 2014 and at the beginning of 2015. Thirteen Vietnamese fishing boats had been captured by FSM and taken to Yap, Chuuk and Pohnpei. Three vessels had escaped; one was recaptured when it fished again in FSM waters. 112 crew were detained with most repatriated back to Vietnam with financial assistance of the International Organization for Migration. FSM stated that vessel owners order their crews to fish in FSM waters, and they know their activities are illegal. FSM observed that as a CNM applicant, Vietnam had not responded in a timely manner to FSM's concerns, including in communicating actions taken.
101. The Vietnamese delegation stated that it had not received communications from FSM or the Commission about the incident, although news had been received from the delegate's national colleagues. Vietnam proposed discussions offline with FSM. Vietnam expressed its commitment to providing a response to FSM and the Commission, and noted the timeframe in CMM 2010-06 for vessels to be placed on the IUU vessel list. This CCM hoped to be duly notified of any incidences of alleged IUU fishing by Vietnamese-flagged vessels in the WCPO and in CCMs' EEZs.
102. FSM noted communications with the Vietnamese government in May this year to repatriate the 112 crew had involved documentation.
103. The Chair noted that the Executive Director and the Secretariat could help facilitate these discussions if needed.
104. EU noted that WCPFC has an IUU measure that contains timeframes and procedures and stated a preference to stick to those procedures, especially in light of the tight agenda. This CCM noted that as the vessels had not been nominated, it was currently a bilateral issue. In response, FSM confirmed that its position was not to seek to place the vessels on the IUU list at this time but to share the relevant information with TCC members.
105. Greenpeace made a statement about recent operations of the Rainbow Warrior 3 in the WCPFC area. Greenpeace reported that on 9 September 2015 a Chinese-Taipei longline vessel was in the high seas pockets between PNG, Palau and FSM, and at the time the vessel was not on the Commission RFV or on FFA's good standing list; they did have appropriate markings and identification. Greenpeace sought permission to send a documentation team on board and recorded that the vessel had been fishing for two months but had a very low catch, raising the suspicion that transshipping had taken place. The logbook and contents of the freezer holds were inconsistent. Only one shark carcass had fins attached as required; there were three sacks of shark fins including 42 shark tail fins. Greenpeace requested that the vessels be placed on the Provisional IUU List, reflecting on the possible illegal transshipments the vessel may have conducted prior to being boarded and afterwards. Greenpeace noted that the case had implications for the Commission's 5% fin-to-carcass ratio and flag state reporting requirements, stating that the high seas needs to be closed to fishing activities and transshipment should only be conducted in port.
106. The Chair clarified that the paper referred to by Greenpeace would not be posted as it contains non-public domain data. The Chair further clarified that she and the Secretariat had reviewed the applicable measure and noted that information must be provided within 70 days in advance of TCC; with the Executive Director having some discretion to add a vessel to the draft IUU Vessel list 55 days in advance of TCC. The Chair also noted that this information can potentially be considered 'additional information' which can be considered during the CMS process next year, which will look at 2015 activities.

107. Chinese Taipei stated that any high seas boarding and inspection activities must be consistent with CMM 2006-08. This CCM stated that NGOs do not enjoy an entitlement to conduct boarding and inspections even if the boarding is ‘consensual’, and in such circumstances have breached Chinese Taipei’s jurisdiction. This CCM protested this conduct and stated that evidence obtained should not be used. Chinese Taipei stated that it had conducted strong enforcement action against the vessel in question; it was inspected and directed to stop fishing and return to its home port in the company of the inspection vessel. This CCM further stated that where a vessel violates WCPFC CMMs, there is appropriate punishment in accordance with its national laws.
108. China expressed the same concerns about such high seas boarding and inspections, reflecting on strong discussions in TCC some years ago during discussions about high seas boarding and inspection procedures. This CCM noted that if a fishing vessel operating on the high seas is boarded by an unauthorized inspection vessel, it is not consistent with international laws and may impact the safety of vessels and crews.
109. Australia welcomed Chinese Taipei’s investigation and asked that Chinese Taipei keep TCC informed about the progress of that investigation and any information that might come out of that process.

AGENDA ITEM 3 - CNM REQUESTS

110. In introducing this agenda item, the Compliance Manager noted that all seven CNM requests for 2016 were submitted using the electronic form endorsed last year; additionally, all were received on time. The meeting was directed to WCPFC-TCC11-2015-08_rev3 for detail on the seven CNM requests. The paper provides information around dates of receipt of information and also some notes on the financial contributions received to date.
111. A small working group chaired by New Zealand (Shannon Tau) was requested to develop a first draft of recommendations and technical advice for TCC11’s consideration. The small working group was asked to take note of para. 154 of the WCPFC11 report which “accepted the recommendation from the CNM SWG that a more directive and particularised letter from the Secretariat be provided to a CNM applicant after TCC where an incomplete application had been identified.”
112. The Chair asked that representatives from CNM applicants participate in the working group to provide further information and clarified that TCC’s role was to assess and provide recommendations and technical advice on the CNM applications.
113. Shannon Tau, the small working group Chair directed TCC to working paper WCPFC-TCC11-2015-29 which outlined some of the discussions that had taken place in the small group and draft TCC11 recommendations to WCPFC12.
114. During the SWG, some CCMs noted their position that where CMM 2009-11 requires an explicit commitment to the Commission such as financial contributions that these commitments should be actually met. One CCM noted the FFA position that a proposal to amend the measure to make payment compulsory would be made at WCPFC12. A view was expressed that payment could be linked to the absence or presence of fishing activities but it was observed that the WCPFC11 meeting record stated that some CCMs considered that lack of fishing presence did not justify non-payment. It was observed that if Mexico were a full member this could allow it to make a financial contribution.

115. The conditional decision by WCPFC11 and subsequent non-granting of CNM status in 2015 for Senegal was noted. Vietnam requested that a greater breakdown of the financial contributions be provided by the Secretariat to assist in its internal financial processes and if possible, a forecast of future assessments when the Secretariat write to invite CNM applications following WCPFC12. The issue of general capacity management was raised as an issue to be discussed further at WCPFC12 and all CNM applicants participating in the SWG expressed willingness to cooperate in capacity management in the Convention area
116. As this item came to the floor late on the final day of the meeting, in the interests of time, the Vice-Chair asked TCC if it wanted to accept the recommendations as a report. The meeting agreed to accept the recommendations as drafted by the SWG. The Vice-Chair thanked New Zealand and the CNM small working group for their work.

117. TCC11 provides the following decisions and recommendations to WCPFC12:
- a. TCC11 has reviewed the following CNM applications and is forwarding them to WCPFC12 for consideration: Ecuador, El Salvador, Liberia, Mexico, Panama, Thailand, and Vietnam.
 - b. TCC11 again thanks the Secretariat for the development of the CNM application template which assisted the process greatly and thanks CNM applicants for using the template and submitting their applications in accordance with the prescribed timeframes.
 - c. TCC11 notes with appreciation the attendance and participation of Ecuador, El Salvador, Panama, and Vietnam at this year's meeting and encourages other CNM applicants to attend TCC meetings in the future.
 - d. TCC11 notes the CNM working group process occurred in parallel with the compliance monitoring scheme process and recommends that following TCC11, in consultation with SPC, the Secretariat write a particularised letter to CNMs outlining any identified deficiencies in data provision and requests that CNM applicants provide any information outlined in these letters, and as requested during the CMS process, 30 days in advance of WCPFC12 and that these letters, and any responses be assessed by WCPFC12.
 - e. TCC11 recommends that WCPFC12 take into consideration the Compliance Status of all CNM applicants in making its decision on the CNM applications and participatory rights.
 - f. TCC11 notes that all CNM applicants other than Mexico made a commitment to accept high seas boarding.
 - g. TCC11 notes that all CNM applicants other than Mexico and Vietnam made a financial contribution and notes Vietnam's statement that payment was made over the course of TCC.
 - h. TCC11 notes the position of some CCMs at WCPFC11 regarding provision on non-payment and notes the WCPFC11 summary record which recorded that WCPFC11 agreed to approve the application for renewal of CNM status in 2015 from Mexico on the understanding that the Secretariat will write a letter to Mexico advising that Mexico's non-payment of any financial contribution generated extensive discussion at WCPFC11. Some CCMs noted their strong concern at the unfairness for SIDS CCMs and other CNMs due to this non-payment and those CCMs did not consider the lack of presence of any Mexico vessels to justify non-payment. Those CCMs also noted that if this concern is not addressed before Mexico's next application for CNM status any such application would not be supported by those CCMs.
 - i. TCC11 recommends that Mexico consider the prospect of a voluntary payment in advance of WCPFC12 given this statement in the WCPFC11 record, and its position regarding its national legislation.

- j. TCC11 notes that during the SWG four CNM applicants (Ecuador, El Salvador, Panama and Vietnam) have expressed or reiterated interest in becoming full members and that WCPFC12 consider whether to invite them to become members.
- k. TCC11 notes the following gaps or issues in the applications for individual applicants and encourages applicants to rectify them if possible by WCPFC12:
 - i. Mexico – TCC11 notes that Mexico has not provided a commitment to make a financial contribution. TCC11 further notes that Mexico has not made an explicit commitment to accept High Seas Boardings and Inspections.
 - ii. Ecuador – TCC11 notes that the provision of the Annual Report Part 1 occurred at TCC and requested that Ecuador provide this important information in a timely manner in the future
 - iii. Panama – TCC11 notes that some Panama flagged vessels were listed on the SEAFO IUU list but Panama noted that these vessels had already been removed from the Panamanian ship register and undertook to provide a written update on this in advance of WCPFC.
 - iv. Vietnam – TCC11 noted that Vietnam’s financial contribution had not yet been received during TCC11 but that Vietnam made a statement that payment was pending.

- 118. Japan asked to make one comment regarding the CNM applicant Vietnam for the record. This CCM noted the WCPFC had been promised by Vietnam that information would be provided relating to the construction of large-scale tuna vessels in Vietnam (WCPFC11 Summary Report, paragraph 113). Japan reported that during TCC it had received positive indications from Vietnam. Noting Vietnam’s importance as a vessel construction State, Japan welcomed Vietnam’s positive attitude to addressing capacity management in the WCPO and requested Vietnam to provide the information to the Commission. Japan also sought Vietnam’s continuing cooperation on monitoring the construction of large-scale tuna fishing vessels in the country, and reporting the results to the Commission.
- 119. The Vice-Chair referred the meeting to the last sentence of the report of the SWG (WCPFC-TCC11-2015-29) which says “The issue of general capacity management was raised as an issue to be discussed further at WCPFC12 and all CNM applicants participating in the SWG expressed willingness to cooperate in capacity management in the Convention area.”

AGENDA ITEM 4 - COMPLIANCE MONITORING SCHEME

- 120. The WCPFC Compliance Manager introduced WCPFC-TCC11-2015-09, an overview of the work the Secretariat had done. Noting that the Secretariat continues to support the Compliance Monitoring Scheme (CMS), key dates as per para. 5 of the CMM 2014-07 were met: getting the Draft Compliance Monitoring Report (dCMR) out to CCMs, collating comments then getting the full dCMR out for CCM review. Some additional information received from CCMs was not reviewed in the time available just prior to TCC, and the Compliance Manager suggested more time was needed to provide relevant updates. Noting WCPFC11 had decided on the paragraphs to be included in this year’s draft CMR, the Compliance Manager brought TCC’s attention to Annex 3 page 15, which contained an analysis of the formal decision and the way it matches up with each of the different paragraphs; in some instances slight modifications needed to be made. The Compliance Manager noted that the result of the Commission agreeing to a shorter list of CMMs to be assessed through the dCMR is that it reduced the size of the dCMR, making it more manageable – especially in comparison to the length of last year’s dCMR. The Compliance Manager noted that Table 1 on page outlined some key statistics: this year there were fewer CCMs (largely because there were fewer CNMs), fewer rows (from 5,000 down to about

3,800) which has allowed the Secretariat to focus in a more detailed way on priority obligations for the Commission.

The Compliance Manager highlighted some areas of note within the report which may assist TCC's consideration of the information presented by the Secretariat in this year's dCMR:

- Page 7 contains a note confirming the Secretariat's approach to section vii) in draft CMR relating to timeliness. This section was included to clarify why some paragraphs are listed multiple times in the dCMR.
- Page 8 includes some discussions on SIDS capacity building requests, noting that there were far fewer requests than in previous years, largely reflecting that non-target related measures and mitigation measure requirements were not assessed in the dCMR this year and a lot of the requests had related to those issues. The Compliance Manager suggested that those requests and any others that are noted through the draft CMR process can be noted for inclusion in the provisional CMR report.
- Under the measure, CCMs are required to report on how they have addressed last year's issues. The Compliance Manager referring to the bottom of page 8 noted that most CCMs have done so, but a couple have not, and flagged that TCC has not spent much time considering the adequacy of those replies.
- Page 9 includes an issue which EU had picked up on at HOD, recognising that last year was the first that observer reports could be drawn on in the preparation of the dCMR, and reminded CCMs that there was some discussion in TCC10 plenary about how flag states can get copies of those reports; the paper has reflected those discussions. There had been an attempt at TCC10 to clarify how it might consider the evaluation of those reports and what would be expected in terms of a flag state response, but this was not concluded. For this year's draft CMRs, the Secretariat has provided earlier advice to CCMs of alleged infringements by observers which started in mid-March this year; these were updated based on available data in mid-July. The Secretariat is looking at IT solutions to facilitate a more direct update through the Commissions online systems of the advice of any observer reported alleged infringements.
- Page 10 has a list of a number of CMM paragraphs that TCC might consider giving the Secretariat further guidance on as there are i) still some differences in interpretation among CCMs which complicates the Secretariat's initial assessment or ii) this is the first year that the CMM paragraph is being assessed through the CMS e.g. longline and purse-seine vessel limits.

121. The Secretariat welcomed consideration being given by TCC to earlier due dates for the Annual Report Part 1 and Annual Report Part 2. Lastly, the Compliance Manager noted the importance of the information management system that supports the reporting and analysis, and requested continued support to the Secretariat to continue building those systems.

122. The Chair thanked the Secretariat for its work compiling the dCMR and reminded the committee of the overall goal of the process which is to get to a point where all CCMs are implementing the measures and obligations required. The Chair noted she would be following up the requests for capacity building, so TCC could take them from identified issues to trying to meet and address them, including building them into the TCC Workplan and also the FAC process and Commission meeting. In a similar vein, regarding agenda item 11 which related to amending measures, the Chair noted that the Commission does not always get the measures exactly right in the drafting and adopting process, so TCC should provide recommendations as needed. The Chair further noted that she intends that the progress that has been made should be reflected, stating that greater compliance is being seen with a number of the obligations.

123. Regarding a revised deadline for the annual reports, Japan commented that the revised deadline should take into consideration for maintenance of data quality, for example bycatch

data cannot be submitted from previous year if the deadline was moved to two months earlier. Nonetheless this CCM noted that it would make best efforts to find a nice timing that keeps the quality of data and provides more time to the Secretariat.

124. USA noted that reporting is continually improving, and commented that the current dCMR was comprehensive and helpful. USA expressed some concerns about para 12 section ii of the report that says that no non-target species reporting in the CMR paras were included in the 'WCPFC11 agreed list draft CMR' – therefore none were reviewed. The USA has concerns about the general lack of review of by-catch related measures. The USA further commented that a number of bycatch measures had been adopted and suggested some CCMs may be forgetting their responsibilities. For example CMM 2008-03 on sea turtles contained a number of reporting requirements (e.g. paras. 2, 5b & c, 7d&e) and para. 6 contains requirements to carry mitigation devices. Yet upon review of annual reports our scientists find little reporting and we are not sure that the required data is being collected. On the issue of the annual reports submissions, the USA noted its sensitivity to the Secretariat's concerns about spreading the workload, but also noted that the USA's internal data providers are equally pressed in meeting the extant deadlines. The USA could move the Annual Report Parts 1 and 2 submissions by a week or two but not a month or two as had been suggested in the Secretariat proposal. This CCM thanked the Secretariat for making the link between compliance and observer data issues (para. 30) and noted that the ROP-IWG attempted to address this – observers collect a significant amount of information and there should be a pathway to work with the data providers to make that information more readily available to all users.
125. In response to a query from RMI about the Chair's intentions regarding the capacity building requirements that had been identified, the Chair clarified that her proposal would be to try and build the identified issues into the TCC Workplan to seek to ensure they do not languish as requests without an attempt to address them.
126. Australia supported improvements being made to the CMS and reporting process so that the Secretariat and CCMs can continue to utilise the information to monitor and improve compliance. This CCM was grateful for efforts to support the online systems used to deliver the dCMR and commended improvements in the timeliness of annual reports submissions. A number of CCMs were able to support an earlier date for annual reports submissions, generally supporting June or mid-June.
127. EU noted it could manage an earlier submission of one or two weeks for the annual reports. In relation to the ROP and the availability of observer reports to flag states, this CCM commended the Secretariat for including the issue in the paper. EU noted that by the time they get an indication that there is a compliance issue they do not have sufficient time to investigate the issue before TCC assessment. This CCM felt that the discussion in the ROP-IWG on this issue has not been satisfactory and asked for a pragmatic solution or some kind of technological platform that could facilitate flow of information.
128. New Zealand supported the USA's views on non-target species and opined that TCC needed to find a way forward on those issues.

CMR process - Quick Summary

129. The Chair introduced WCPFC-TCC11-2015-23, a summary of the CMR process for TCC to agree the 'rules of the road' before going forward into the CMR review. A number of paragraphs provoked a lengthy discussion among CCMs, the main points raised were:

On scoring in the provisional CMR and final CMR

- consistency with the WCPFC Convention text requiring all decisions to be made by consensus, noting that the Convention used this wording meaning unanimous agreement; the Convention provided that the TCC decision-making process is by consensus;
- The Chair committed to taking this concern and reflecting it in the Provisional CMR, and that the views would be captured in the meeting report. The Chair asked whether ‘agreement with’ or ‘concurrence with’ the assessment would provide a degree of comfort.
- In circumstance where there was not agreement, a majority/minority view might be taken. If possible TCC would make the assessment based on the majority view, and the provisional CMR text could reflect the minority view.

On alleged infringements reported by observers

- a view that in respect of alleged infringements that a CCM making best efforts to provide evidence and such effort being duly considered;
- an alternative view that there should be some measure of evidence in response to alleged infringements;
- a further view in respect of alleged infringements that in practice there might be challenges for TCC to determine if there was sufficient or credible evidence and who would judge the efforts of the CCM;

Other matters:

- whether there should be some weighting given to exceeding catch and effort limits were major infringements, and a suggestion that there was a difference between being 1 MT over the limit and being 100 MT over the limit and they should not be treated the same in the dCMR;
- confirming that where a CCM considers a deadline was miscalculated it can be revisited;
- noting the need to understand TCC’s role in the CMS process and that the Commission meeting was even shorter than TCC meetings for review and revision of substantive matters related to the provisional CMR report.

130. TCC11 agreed to conduct the dCMR review process using the principles articulated in WCPFC-TCC11-2015-23_rev1, which took into account the above views.

Observer participation in the dCMR review session

131. The Chair noted that she had requested views via Commission Circular 2015-43 on whether the CMR session could be an open session at TCC11. The Chair received responses from several CCMs indicating that they had concerns, and at least two were not prepared to hold an open session at TCC11. Concerns raised were primarily about the issue of non-public domain data. The Chair noted that while TCC would therefore hold a closed session, she wished to provide the CCMs and observers present with the opportunity to speak to this issue.

132. EU noted that it made a similar statement in previous years, one of regret that deliberations on CMS process will be held without the presence of the Commission observers. It was not clear to this CCM what the reservations of the members were. If it was about confidentiality, the EU suggested that agreement could be sought to task the Secretariat with preparing a confidentiality agreement so that observers could be present for the CMR session. This CCM noted that there appeared to be issues beyond confidentiality. Observing that it is not in the interests of the observers to breach confidentiality, EU invited members to collectively find a solution to allow observers to be present.

133. A representative of Pew delivered a statement on behalf of the Pew Charitable Trusts, Birdlife, Environmental Defense Fund, Greenpeace, ISSF and WWF, expressing these

observers' concerns about the ongoing lack of transparency and observer participation with respect to the assessment of the dCMR. These observers noted that they have expressed their concerns in prior interventions at TCC and in letters to the Commission, including in 2013, 2014, and 2015; these can be found on the Commission's website. The observers noted their appreciation of the work of the Chair to identify and resolve these issues and commented that the WCPFC is the only Commission with this limitation on observers. These observers pointed to obligations in the WCPFC Convention and Rules of Procedure with respect to transparency and observer participation in the core functions of the Commission. They noted that they have worked hard to build trust with the Commission and wished to see a resolution of this issue.

134. The TCC Chair noted the concerns of the NGO representatives on observer participation, and indicated that the TCC would be working to see if this issue could be addressed in the revised measure on CMS.

4.1 Review of dCMR

135. Over two and a half days, TCC11 met in closed session to review the dCMR prepared by the Secretariat in the form agreed by WCPFC11 and based on the list of obligations agreed by WCPFC11 (Attachment U of the WCPFC11 Summary Report). Potential compliance issues had been identified by the Secretariat for each CCM, based on information contained in the dCMRs as well as any information provided by CCMs in accordance with para. 12 of CMM 2014-07.

4.2 Provisional CMR and Executive Summary

136. TCC11 also met in closed session to develop the Provisional CMR, including a provisional assessment of each CCM's Compliance Status and recommendations for corrective action, based on identified potential compliance issues and Annex I of CMM 2014-07. The Provisional CMR includes an executive summary including recommendations and observations from TCC related to the development of the Provisional CMR; issues arising during the Compliance Review Process; Requests for Assistance and Capacity Building (TCC11 Agenda 4.3) and two Appendices. The Provisional CMR is classified as non-public domain data. However, agreed recommendations for modification of CMMs or other obligations are included in the TCC11 Summary Report (see TCC11 Agenda 11.7).

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| 137. TCC11 agreed to forward the Provisional Compliance Monitoring Report to WCPFC12. |
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138. On the last day, when plenary resumed the Vice-Chair called for comments or statements for the record related to the agreed Provisional CMR.

139. RMI expressed dissatisfaction at the way the dCMR process had been conducted, and with changes that had been made, in particular the footnote. This CCM stated that this has caused a change in direction that has not progressed the work of the TCC, and commented that the Commission will eventually have to revisit and agree these changes, in particular the footnote¹.

140. New Zealand also expressed dissatisfaction with some of the compliance assessment processes this year, and hoped to address them more satisfactorily through amendment to the CMM on the Compliance Monitoring Scheme. This member hoped that all interested parties would take part in that process and that the TCC can address these matters going forward.

¹ The reference in the intervention is to a "footnote", however to note that the concepts which were initially suggested during the discussions to be included as a footnote were ultimately replaced by paragraphs within the provisional compliance monitoring report.

List of CMM paragraphs to be reviewed by CMR in 2016

141. Australia noted that there had been suggestions about the process to be used for evaluating the CMS in 2016 during the CMR review. This CCM suggested that another list be developed intersessionally and adopted at WCPFC12 for CCMs to agree a process of identifying additional paragraphs to be addressed, implementing a similar process to this year for following years. It could recognise that not all obligations will be assessed every year but could ensure there is a rolling process so all obligations are assessed over a 3 or 4 year period.
142. USA commented that it would be willing to lead an intersessional group to look at bycatch issues in terms of a 2016 process, and took on board Australia's comment about a multi-year schedule.
143. TCC recognised the importance of developing a list of CMM paragraphs to be reviewed in CMR in 2016, and expressed its regret that this could not be completed during TCC11. The meeting agreed that work should continue to develop a list of obligations to be reviewed by CMR in 2016, and to also consider obligations that might be reviewed on a rolling basis. The Vice-Chair noted her appreciation and asked that this be considered by members in the intersessional period prior to WCPFC12.
144. TCC11 recommends that an intersessional working group develops a list of obligations to be assessed by CMS in 2016 prior to WCPFC12, noting the need to review bycatch issues and the potential to develop a rolling schedule of obligations to be assessed on a regular basis. TCC11 is grateful to the United States for leading this work.
145. RMI noted that it would be remiss not to acknowledge and commend Korea and China on their efforts in providing operational level catch and effort data, and encouraged other CCMs to do the same. RMI looked forward to hearing of positive progress from other CCMs, including those that have not yet provided this type of data, not only in the context of the tropical tuna measure but the fishery as a whole.

Possible timeline for 2016 CMR and Annual Reports

146. Early in the meeting, the Secretariat had requested consideration being given by TCC to recommending earlier due dates for the Annual Report Part 1 and Annual Report Part 2, noting the possibility of May or June was considered but not agreed by SC11. The Compliance Manager noted the challenges CCMs face in their annual reports submissions and observed that it did not want to create non-compliance issues by proposing unmanageable dates. The Secretariat confirmed that it would appreciate TCC giving consideration to whatever earlier time seemed reasonable, noting even two or three weeks would be helpful to the Secretariat's preparation of draft CMRs and TCC reports. The Secretariat noted that this year owing to the scheduled dates of TCC, there was only 3 working days provided for the Secretariat to review additional information submitted by CCMs before the complete dCMR needed to be sent out to CCMs.
147. TCC11 participants expressed widespread support for the deadlines for submission of the Annual Reports Part 1 and 2 to be brought forward to mid-June, to give the Secretariat more time to complete its tasks in the lead up to each TCC meeting.
148. Later in the meeting, the Compliance Manager introduced WCPFC-TCC11-2015-27, which outlined a draft proposed timeline including deadlines for the 2016 CMR and Annual Reports Part 1 and 2, which was:
- 15 March: Secretariat makes online AR Pt 2 template available for CCM use (including any CMR-related reporting as agreed at WCPFC12)

- 30 April: scientific data to be provided deadline
- 3 June: AR Pt 2 Deadline (~110 days before TCC)
- 14 June: AR Pt 1 deadline (~ 50 days before SC, or ~100 days before TCC)
- 13 July: Secretariat puts out draft CMR for individual CCM review (~70 days before TCC)
- 12 August: deadline for CCM replies to individual CMR (~40 days before TCC)
- SC12: 3-11 Aug 2016
- 22 August: Secretariat issues full draft CMR (~30 days before TCC)
- 21 – 27 Sept 2016: TCC12

149. The Secretariat noted that this was put forward as a draft proposal for consideration of the Committee. Some possible advantages of the proposed revised timelines could be:
- a. The Secretariat would undertake to ensure that the online AR Pt 2 template is available for use by CCMs earlier in the year;
 - b. The Secretariat having a few more weeks to work on TCC preparations after completing the first draft dCMR;
 - c. CCMs would receive draft dCMRs a few weeks earlier and could have more time to review the draft dCMR before it is circulated to other CCMs;
 - d. The Secretariat is afforded more time to review CCMs additional information in response to the draft dCMR; and
 - e. CCMs would have more time to review the complete draft CMR in advance of TCC.
150. Some CCMs views that were expressed during the discussion on the proposal included:
- a. Noting the relationship between the 30 April deadline and the Annual Report Part 2, noting that the SPC provisional catch estimates lead into the Annual Reports;
 - b. A view that of the two reports, CCMs may have greater flexibility in earlier submission of Annual Report Part 2 (say June 3) than the Annual Report Part 1 (21/28 June);
 - c. An alternative view that the Annual Report Part 2 requires information from the Annual Report Part 1, and perhaps it might be better to have them due at the same time; and
 - d. A concern that the proposed timelines in WCPFC-TCC11-2015-27 would result in the dCMR response from CCMs being due around the time of SC meeting.
151. The TCC Vice-Chair noted that there wasn't agreement on WCPFC-TCC11-2015-27, and further discussion was needed.

152. TCC11 recommends the WCPFC12 consider a revised timeframe for annual reporting for the CMS process for 2016 and beyond.

4.3 Target capacity assistance to areas of need identified by CMR process

153. Recommendations related to this agenda item are included in the Provisional CMR report. Otherwise there was no discussion under this agenda item.

4.4 Recommendations to revise CMMs prioritized by CMS process which were ambiguous or problematic (TCC Workplan 2013-2015)

154. This issue was discussed under 11.7.

4.5 Consideration of an independent audit of the CMS

155. The Executive Director presented WCPFC-TCC11-2015-10, a concept of an independent audit or independent review of the WCPFC Compliance Monitoring Scheme. The Executive

Director noted that the Commission had agreed that there should be an audit of the CMS at some point (WCPFC11 Summary Report para. 674), however the Commission had not taken a position around the timing of such an audit. The Commission Secretariat was tasked with preparing a paper for TCC11 that would include consideration of the costs of conducting an independent audit of the CMS. The Executive Director recalled that views at WCPFC11 on a possible audit had been mixed – those supporting an audit felt that the four years of the CMS’s operation was sufficient to warrant an audit. Others felt the CMS need more time to operate before an audit was warranted. The Executive Director noted that a terms of reference (TOR) would be necessary to guide an audit and to assess the cost implications. With limited guidance from the Commission, the Secretariat was unable to develop a TOR but, if the Commission does decide to undertake an audit, possible elements for such a TOR might include: assessing whether the CMS has achieved its objectives; reviewing the CMS processes and reporting templates; and reviewing TCC’s procedures for considering the compliance monitoring reports. The Executive Director explained that in the absence of a TOR, it was difficult to assess the cost implications of an audit, but the working paper did include costings for other reviews the Secretariat has undertaken, as indicative costs for comparison purposes. TCC11 was asked to discuss the paper and provide guidance on how to progress the suggestion for a possible audit of the CMS.

- 156. The EU commented that given the committee is currently revising and may adopt a new measure this year, the timing may not be right to do an independent audit of the system. If the new measure is adopted, an independent review might be extremely useful after a few years of implementation; it could give TCC helpful input for a future revision of measure.
- 157. Australia supported EU’s comment, expressing the desire to see a measure in place for a couple of years before TCC analyses how it is going or decides what aspects need to be analysed.
- 158. PNG reiterated a past view that an audit may be beneficial at some point, but that time was not now.
- 159. USA suggested that the Secretariat has taken the task as far as it can without further direction. This CCM commented that hardwiring the review or audit into the CMS CMM being revised at this meeting may be a good idea and noted that the measure might also be changed as a result of the audit.
- 160. Noting the suggestion from the USA, the Chair sought views on the possibility of conducting an audit in 2018 and revising the measure in 2019, on the grounds that an audit may inform the review of the measure. The Chair suggested that CCMs think about the timing, and during the month following TCC and before the Commission meeting in December she will capture CCM’s views so the question can be considered.

161. TCC11 noted the paper provided by the Executive Director on the “Concept of an independent audit or independent review of the WCPFC Compliance Monitoring Scheme” and continues to support the concept, but agreed that now was not the right time for such a review. TCC11 noted that such a review might be appropriate after the revised CMS CMM has been in place for at least a couple of years.

4.6 Recommendations to refine CMM 2014-07 Compliance Monitoring Scheme

- 162. The Chair noted that last year the Commission was not able to complete revisions on the CMS CMM so it had been necessary to revert back to the existing measure. Because changes were still needed to the CMS process, the Chair noted that TCC11 had struggled during some

parts of this year's dCMR review. The Chair expressed a hope that TCC could make some good progress in discussing and exchanging views some of the proposed revisions in the draft measure. The Chair noted that a good exchange of views on the proposed amendments during TCC11, and where possible clearing some of the redline amendments, would improve the chances that the Commission can agree on a revision to CMM 2014-07 in Bali. The Chair provided guidance to the meeting on the process for working through the draft revised measure (WCPFC-TCC11-2015-11). She commented that she did not expect a final revised draft CMM proposal to be circulated during this meeting and that there might be intersessional work before the Commission meeting.

163. The discussion during the on-screen review of WCPFC-TCC11-2015-11 included an exchange of views on:
- a. Section II: Scope and application, specifically para iii, para 4bis and para. 8bis.
 - b. Section III - Draft Compliance Monitoring Report. para. 10.
 - c. Section IV – Provisional Compliance Monitoring Report. para. 15, para. 15bis, and para. 16
 - d. Section V - Compliance Monitoring Report. para. 19, para. 20 and para. 21
 - e. Section VI – Responses to Non Compliance. para. 24
 - f. Application and review. para. 27

Some edits and notes were included into the on-screen display of WCPFC-TCC11-2015-11 reflecting the direction of the TCC discussions. While some redline amendments were cleared, others remained in redline as they needed further consideration.

164. The Chair noted that before WCPFC12 she will send out a revised CMM based on the discussions at TCC11.

AGENDA ITEM 5 - STATUS OF FISHERIES PRESENTATION (SPC-OFP)

165. Referencing WCPFC-TCC11-2015-IP09, Peter Williams (SPC-OFP) provided a brief presentation on the status of WCPFC fisheries and the main tuna stocks; the executive summary of the SC11 report provide the best available summary of the current status of the fishery and stocks, and more detailed information are available in respective papers prepared and presented for SC10 and SC11.
166. The provisional total WCP–CA tuna catch for 2014 was estimated at 2,860,648 mt, clearly the highest ever at 170,000 mt above the previous record catch in 2013 (2,690,881 mt). The 2014 WCP–CA catch of skipjack (1,957,693 mt – 68% of the total catch) was the highest recorded, eclipsing the previous record of catch in 2013 by 115,000 mt (1,842,485 mt). The WCP–CA yellowfin catch for 2014 (608,807 mt – 21%) was also the highest recorded (5,000 mt higher than the record catch of 2008 – 603,244 mt) and mainly due to increased catches in several longline fisheries. The WCP–CA bigeye catch for 2014 (161,299 mt – 6%) was slightly higher than in 2013, but relatively stable compared to the average over the past ten years. The 2014 WCP–CA albacore catch (132,849 mt - 5%) was slightly lower than in 2013 and about 15,000 mt lower than the record catch in 2002 at 147,793 mt. The WCP–CA albacore catch includes catches of north and south Pacific albacore in the WCP–CA, which comprised 76% of the total Pacific Ocean albacore catch of 173,702 mt in 2014.
167. Japan noted the important data which SPC's presentation contained and, in the context of the tropical tuna measure, requested two pieces of work from SPC. Firstly, regarding the number of purse-seine vessel in the presentation and also Figure A14 in the WCPFC-TCC11-2015-IP09, noting that the trend in purse-seine vessels was interesting; this CCM also requested the breakdown to be done by CCM fleet, which will be helpful for capacity management of purse-seine vessels operating in the tropical area. Japan also requested effort data on

- longliners in tropical area be broken down by CCM fleet, removing the longline fleet targeting South Pacific albacore, if possible.
168. Williams responded that SPC would endeavour to do that work in time for the December Commission meeting.
 169. EU suggested it would be useful to have information about the northern stocks as well, not just the tropical tunas, and asked if SPC could include an overview of all stocks.
 170. Williams responded that SPC tries to make this presentation as succinct as possible in the interests of time, and noted that northern stocks are included in detailed discussion at SC. Williams commented that SPC could potentially present this information outside of SC, however, the Compliance Manager commented that it was more appropriate for the SC and NC Chairs to coordinate on this issue. It was noted that the Secretariat had taken note of this comment for those meetings' agendas.
 171. Australia noted that in order to effectively manage these stocks appropriately, it was required that the Commission apply best practice fisheries management. Australia opined that the harvest strategy approach that the Commission agreed in CMM 2014-06, in accordance with the proposed work plan, will be key to ensuring the sustainability of these stocks in the long term.
 172. PNA members were encouraged by indicators including reductions in effort in the core areas of the tropical longline fishery, reductions in purse seine effort and reductions in numbers of FAD sets. However, these CCMs commented that the catch increases indicated that the longline bigeye tuna catch limits, purse-seine effort limits and the FAD closure need to be tightened. PNA members flagged that later in the meeting they would outline the package of revisions PNA will be putting forward to strengthen the tropical tuna CMM to address these issues.
 173. PNA members opined that this paper was vital, and observed that there had been cases of inaccurate use of some of its data for the purse-seine fishery. PNA members asked that a table be included in future papers with best estimates of vessel numbers, effort and catch for the tropical tuna fishery. Nauru referred participants to WCPFC-TCC11-2015-DP03 for information on the purse-seine fishery and management in PNA waters.
 174. EU commented that it had considered the PNA paper and found it useful. This CCM noted that while the effort in terms of days had remained constant there was a considerable increase in the total amount of catch.
 175. USA noted the catch in the purse-seine fishery gave a good picture of effort. The USA asked about how SPC calculated effort and days and asked whether SPC had analysed how SPC and PNA parses days and whether there are differences. If the calculation is consistent, the figures in the presentation represent an increase in effort.
 176. Williams explained that there was no difference in the definition of days: SPC provides PNA with the data which they summarise in the tables. Williams explained that the particular graph (Figure 6 in IP09) the USA referred to includes catch/effort the entire Convention area, (i.e. beyond what is produced for the PNA EEZs), and this was an attempt to incorporate the Philippines/Indonesia fisheries, for example. This graph aims to be consistent with the total purse seine effort and tuna catch for the entire Convention area.
 177. USA asked whether SPC uses the non-fishing day definition that the PNA uses.

178. Williams explained SPC does not have access to “non-fishing days” data; he noted that a summary prepared for SC11 and TCC11 on the PNA effort based on logbook data is consistent with what SPC used in their purse seine effort summaries in SC11 papers.
179. In relation to the USA’s query, PNA Secretariat explained that the VDS controls total effort to a limit based on the logsheet total for 2010 in accordance with CMM 2013-01. In general the definition of fishing days is exactly aligned with the SPC definition. PNA Secretariat noted that the data in DP03 is exactly the logsheet data presented by SPC. In response to a further question from the USA asking why the VDS in the iFIMS system was not used as the calculation for fishing days, PNA Secretariat explained that there is a slightly more complicated effort system within the VDS including a mechanism that is designed to deter effort creep by taking into account vessel size. However, the WCPFC effort limit for PNA is the 2010 effort level based on logsheets, which was why DP03 uses the SPC logsheet data as its basis.
180. EU recalled discussions at SC11 which noted that there had been a decrease in the number of searching days and an increase in the number of transiting days (which are not counted as fishing days). This CCM asked why, and noted that it has an impact.
181. Williams noted that SPC did not have an explanation, but they have highlighted it.
182. RMI commented that it did not licence all the purse-seiners that are listed on the RFV, so some vessels may be transiting because they are not authorised to fish, a distinction that is clear for RMI.
183. EU noted that while TCC was assessing the yellowfin section of the tropical tuna measure, there was no baseline current level. However, the SPC presentation outlined agreed text in the SC10 report on yellowfin stock status with management advice that yellowfin tuna should to not increase above 2012 level. This CCM reminded the committee that this might be the kind of baseline that might be used in the tropical tuna measure.
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| 184. TCC11 noted the presentation on status of stocks. |
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AGENDA ITEM 6 - SPECIAL REQUIREMENTS OF DEVELOPING STATES

6.1 Review mechanisms to give full effect to SIDS obligations

185. It was noted that this priority project specific task was included in the approved TCC Workplan 2013-2015.
186. FFA members noted the positive progress around recognition of the special status of SIDS and the implementation of Art. 30 of the Convention. The adoption of CMM 2013-07 on the special requirements of SIDS including, under para. 19, the requirement for CCMs to report annually their implementation of the measure. FFA members saw room for improvement and noted:
- some responses clearly articulated the assistance provided but these responses were few in number
 - several CCMs repeated their statements in response a number of times in the template. While this may be due to overlaps in CMM 2013-07, the reporting needed to be undertaken seriously
 - some CCMs that respond affirmatively do not provide any details
 - two CCMs provided no response at all.

187. FFA members noted that the intention of this reporting is to ensure that systematic and targeted assistance is being provided. However, these reports do not provide sufficient information about assistance to SIDS and there is no clear link between these sometimes sparse reports and the areas where assistance is specifically needed, as set out in the SIDS priority needs checklist in WCPFC11-DP20_rev2. Secondly, FFA members noted the adoption of CMM 2013-06 on the criteria for the consideration of CMM proposals, which are to be used to assess the impact on SIDS of any new proposals, and were encouraged that most new proposals tabled in 2014 had included these assessments. FFA members requested all CCMs to continue to do so. These CCMs further noted that, as agreed at the 2014 workshop on disproportionate burden, FFA members strongly encouraged CCMs to consult with SIDS when preparing proposals, to assist in the early identification of issues and solutions to expedite the Commission's consideration of the proposal. It was noted that the FFA Secretariat is taking steps to establish an email hotline to facilitate this consultation. Thirdly, WCPFC11's adoption of the checklist on SIDS needs and status of assistance (WCPFC11-DP20_rev2) served as a guide and was a living document to be used at each meeting to assess what specific needs have been met and where gaps in assistance are. It also targets the assistance received from developed CCMs. FFA members commented that the checklist will be updated for WCPFC12. Fourthly, the SIDS actively used the Special Requirements Fund over the last year, particularly for capacity-building, and FFA members thanked the developed CCMs contributing to the fund, which currently totalled around USD11,000. FFA members strongly encouraged developed CCMs to contribute.

6.2 Report on implementation of trial WCPFC Port Coordinators Programme 2015-2016

188. It was noted that WCPFC11 agreed to establish a trial WCPFC port coordinators programme (WCPFC11 Summary Report para. 542 and Attachment P). TCC11 was referred to WCPFC-TCC11-2015-13_rev1, a joint report by FSM, Kiribati, PNG, the Secretariat and SPC, which responds to the WCPFC11 decision and provides an initial report on the implementation of the trial over the last nine months.
189. Japan noted the Secretariat/FSM/Kiribati/PNG implementation report which was helpful to understand how the program was progressing. This CCM expressed an interest in the port coordinator programme be used to support monitoring and data collection of in-port transshipments. Japan sought further information on the forms used in the programme in the three participating Members.
190. Kiribati noted that it was just starting with the implementation of the program, with staff starting in early August. In the forthcoming years Kiribati would provide updates on progress.
191. New Zealand lent its support to the initiative, and noted that the timeliness of observer data and the port coordinator initiative will go a long way towards improving flag CCMs ability to react to allegations of offending by their flagged vessels if they exist.
192. EU noted that WCPFC-TCC11-2015-13_rev1, which relates to this agenda item, was a preliminary report and that the program was in the early stages. This member observed that this was a trial to see if it is a useful program and, if it is, to expand it and add more funding. EU asked for a comparison between previous levels of sampling, so that TCC can see whether the collections have improved with the port coordinator.
193. PNG noted that it was one of the first members to benefit from the trial program, with the early transfer of funds. A position was filled in June and this person had taken up a coordinating role for some of PNG's biological sampling programs. This CCM asked for further guidance from the Committee on how they wanted to receive reports on the trial. PNG

undertook to report back on whether the position is doing as intended, and give feedback next year at the completion of the trial.

194. The Chair noted that the WCPFC Secretariat has confirmed there have been discussions with FFA Secretariat, SPC and the three participating members on next years report to SC and TCC. These discussions have included consideration of ways that some additional supporting documentation could be included in the report towards demonstrating the benefits of the trial programme. In any case next years report would cover a longer period of implementation for the trial programme. The Secretariat undertook to work with relevant participating members, and consult with FFA Secretariat and SPC on next years report.

AGENDA ITEM 8 - CORE MCS ACTIVITIES

8.1 Vessel Monitoring System (VMS)

195. The Chair noted that the VMS Annual Report (WCPFC-TCC11-2015-RP01) was for noting and comments. It was taken as read.
196. Referring to para. 9, EU noted that there were vessels reporting to the FFA but not the WCPFC Secretariat, and the solution outlined in the paper suggests that the responsibility is the flag state's. This CCM felt that the responsibility should be FFA's as it is FFA that is managing the system. FFA should notify the Secretariat if the vessel is no longer reporting to the FFA. EU noted that it was happy to send comments to the Secretariat in writing on this issue.
197. USA brought the committee's attention to paras. 22 and 23, indicating MTUs that have not been reporting. This CCM noted that 41 vessels from two CCMs which have these units installed are not reporting to the Secretariat, and referred to a chart in the paper which indicated the percentage of position reports which are overdue. This CCM asked whether there was a plan for sunseting these MTUs so these vessels can start reporting in VMS.
198. The WCPFC VMS Manager explained that the problem with the units is that WCPFC does not have a gateway to track the vessels. The Secretariat confirmed it was waiting on the outcome of the VMS tender to progress, rather than spending money on the system now.
199. USA commented that in CMM 2014-02 and in the SSPs it is a flag state responsibility that MTUs meet the standards in Annex 1, but clearly they are not. It may be that sunseting the MTUs so they are no longer considered type-approved, or some other mechanism, are the solutions.
200. EU had a number of comments on this paper: i) para. 20 – it is difficult for the Secretariat to identify where two consecutive reports have not been received. It is essential for the Secretariat to be able to do so because after that a vessel needs to begin manually reporting; ii) para. 21 – when one of the system went down the Secretariat sent a letter to advise that the Yamaguchi LES was out of operation. WCPFC was not receiving the data, however the flag states were, as most vessels have two boxes reporting both to the Secretariat and the flag state. The EU pointed out the fact that even if the flag state receives the data, that does not free the CCM from its obligation to transmit the data to the Secretariat, which was a collective obligation; iii) the table at para. 23 gives the time of transmission between FFA and WCPFC but is not comparable to the other systems without times of transmission from the vessel to FFA then FFA to WCPFC; this should be added; iv) costs of VMS are outlined in the summary of the Annual Report of the Executive Director but not in the VMS report.

201. FFA members noted that the FFA Secretariat provides the daily FFA VMS reporting status and the FFA Good Standing list to the WCPFC Secretariat via automated reports sent by email. This identifies which vessels are reporting through the FFA VMS and which vessels are currently in good standing on the FFA Vessel Register. FFA members encouraged further collaboration between the WCPFC and FFA Secretariats to facilitate appropriate data transfer mechanisms between the WCPFC VMS and FFA VMS, noting developments around electronic reporting standards.
202. Reflecting on the EU's intervention, USA noted that paras. 22 and 23 point to a serious problem: more than 40 vessels have not been reporting for at least two years. This CCM requested a strong recommendation be made to the Commission to address this issue. This CCM noted that this issue is also raised in the report of the old VMS SWG and suggested that TCC try to reach a conclusion on this issue.
203. The Chair asked the USA to work on some recommendation language, and directed that it might be considered under sub-item b).
204. FFA members noted that it is the responsibility of the flag states to regularly review their respective lists and encouraged flag states to advise the WCPFC Secretariat of changes to the VMS reporting status of their vessels. In the event of a vessel no longer being in good standing on the FFA Vessel Register, the flag state should ensure that the WCPFC Secretariat has an updated VTAF for the vessel and is advised 30 days before the expiry of its good standing with FFA.

(a) Review compatibility of WCPFC high seas VMS with coastal VMS

205. WCPFC Compliance Manager, Dr Lara Manarangi-Trott, introduced WCPFC-TCC11-2015-15, noting that this paper was prepared in response to the priority project specific task that was included in the TCC Workplan 2013-2015. The Compliance Manager noted that the Secretariat only had the heading in the TCC workplan as guidance for this item, so approached the paper by reviewing the background on compatibility between WCPFC and coastal VMS. The paper demonstrates that the principle of compatibility has been considered and is reflected through various iterations of the measure, through the SSPs and the Secretariat's SLA for VMS services with FFA. The WCPFC decisions from 2010 with Flick the Switch was also related to this topic and in accordance with this decision many members have notified the Secretariat that they want the Commission VMS to cover their waters – one as recently as June this year. Finally the paper notes that recent MCS operations by members have identified vessels through surveillance to be non-reporting on the WCPFC VMS, subsequent investigations have shown some of these incidents to be the result of vessels moving from the FFA VMS and there being procedural issues which delayed proper activation to report to the WCPFC VMS system. In response, the Secretariat has put forward some draft recommendation text as a basis for discussions.
206. FFA members supported the Secretariat's proposal to publish a weekly list of RFV vessels' WCPFC VMS reporting status to confirm VTAF details held by the WCPFC, the date of receipt and current VMS reporting channel to the WCPFC VMS (WCPFC-direct/through FFA/manual reporting/ not reporting). FFA members noted that they have requested this information for some years. FFA members sought clarification from the Secretariat whether the proposed weekly list will include the VMS reporting status of all vessels listed on the RFV or just the CCM's flagged vessels. FFA members proposed that for those vessels listed as reporting via the FFA VMS, the WCPFC Secretariat also include the FFA Vessel Registration "Start Date" and "End Date".

207. Noting the importance of the list of RFV vessels WCPFC VMS reporting status, Japan asked the Secretariat whether it was going to expand the number of staff in order to service the new task.
208. The Secretariat confirmed that the first recommendation could be covered within current IMS budget proposal and existing staffing. The information would be extracted from the Secretariat's existing database and be published on the online system. There are not major budgetary implications envisaged from the TCC agreeing to this recommendation as currently drafted.
209. Several CCMs supported the paper's first recommendation. Japan also supported this recommendation and suggested a recommendation to go to this year's FAC for deliberation on budget, including employment of a new staff.
210. There were lively discussions on the second and third recommendations, including questions of clarification sought on the intention of the recommendations and exchange of views on how best to characterise the recommendation. Some of the points included:
- a. Agreement that in principle the two Secretariats should be working more closely together;
 - b. Noting that presently the Secretariat does receive a regular MS Excel file showing reporting rates of vessels reporting through the FFA VMS, and clarifying that the second recommendation had been written deliberately more loosely, along the lines of collaborative work with FFA and to not increase reporting burden on either party. At an IT technical level a data exchange between the two systems can probably be done more frequently than once a week. Because the exchange is already happening, this was just a way to formalise it, to do what is required under the first recommendation.
 - c. In response to a question about whether this would change VMS viewing of coastal waters, the Chair confirmed that nothing being contemplated here would change access to coastal state VMS data by WCPFC, which is managed under Flick the Switch.
 - d. The Secretariat acknowledging that there has been a VTAF activation issue where some vessels have not been activated as quickly as they should have been. Procedurally, the first recommendation is intended to help the Secretariat work more closely with flag states so that all the vessels that should be reporting to the system are doing so. The Secretariat is looking to have the opportunity to work more closely with flag CCMs to share a little bit of the responsibility for CCMs to tell the Secretariat when they have not done something, before a situation requires surveillance action.
 - e. In response to a query about whether the online lists would be publicly accessible, the Chair confirmed the draft recommendation proposes that the list would only be accessible by a CCM's authorised users.
 - f. In response to a question of clarification, the Secretariat offered to provide more detail before WCPFC12 about how the proposed list would be displayed and about how CCMs could access the list through the Commission online systems.
211. TCC11 recommends that WCPFC Secretariat publish and maintain through secure CCM WCPFC online systems, that are accessible by authorised CCM users, a list of all RFV vessels WCPFC VMS reporting status. The list will be updated at least once a week, and will be based on the details of vessels as contained in the RFV. The list will confirm those vessels which VTAF details are held by WCPFC and the date of receipt, and submitted to the related communication satellite provider with the date submitted (VTAF activation date), the current VMS reporting channel to the WCPFC VMS (for example WCPFC direct; through FFA; manual reporting or not reporting). The WCPFC Secretariat is tasked to provide to WCPFC12 more information on the proposed implementation of this

recommendation, including a sample of how the list will be presented.

212. TCC11 recommends that WCPFC Secretariat is tasked to work with the FFA Secretariat in developing a technical solution to ensure that the WCPFC Secretariat has access to the up to date and accurate information on the VMS reporting status of RFV vessels.
213. TCC11 recommends that flag CCMs that report directly to WCPFC VMS are encouraged to regularly review their respective lists and work with the WCPFC Secretariat to resolve any discrepancies in the list.

(b) Review implementation of Commission recommendations from the Joint WCPFC/FFA Review of the WCPFC VMS (WCPFC-2011/27)] from 2012 small working group

214. The WCPFC Secretariat provided WCPFC-TCC11-2015-16 to assist TCC11 in discussing this priority project specific task, which is in the TCC Workplan 2013-2015.
215. Chair noted that this small working group had made some recommendations, some of which were still valid, some of which were obsolete; some new ones might be needed given the time that has passed since the paper was prepared. The Chair noted that it was likely that work would continue on this intersessionally.
216. USA commented that it would be a big undertaking to go through all the recommendations of that working group and some time should be set aside for future work. This CCM noted that the recommendation on page 8 relates directly to discussions at TCC11 about failing VMS units, and suggested taking the opportunity now to review the text of that. USA proposed some draft language (WCPFC-TCC11-2015-DP09).
217. Japan noted that the working group had not come to consensus on the recommendations and agreed that the discussion should continue intersessionally.
218. USA noted that it had been raised during the meeting that some VMS units were not successfully reporting to the VMS; this was also highlighted in the Executive Director report (paras. 22 and 23). This CCM noted that it is very clear that the obligation of flag state is to ensure their vessels are successfully reporting but it appears that what is not in place to make sure the system works are sufficiently firm procedures to implement the Commission's list of approved ALCs. The USA noted that it had taken the small working group's recommendations (p.8 of working paper 16) and tried to strengthen them and referred delegations to the VMS SSPs Section 2, which relates to methods to ensure ALC's comply with WCPFC standards and proposed to revise them to reiterate that CCMs ensure their vessels carry operational ALCs, and more specifically that those ALCs are on the list of approved ALCs. The USA explained that the footnote would establish an initial list, if it is approved by the Commission. In addition to the core list of ALCs, any additional ALCs that are already in use by CCMs would be included and would be listed in Annex 4 of the Secretariat's VMS required report, but only such units that the Secretariat has determined meet the minimum standards in Annex 1. The Secretariat would, between TCC11 and WCPFC12, determine if they meet the minimum standards.
219. The Chair noted that the proposal from the United States includes a tasking of the Secretariat between now the Commission meeting as well as proposed revisions to the SSPs. The Chair clarified that the recommendations from the old VMS-SWG to amend the CMM and SSPs remained in draft format and that the working group had not agreed on the recommendations; the Chair suggested that delegations might need to read them through consider working on this intersessionally.

220. USA agreed and clarified its proposal (WCPFC-TCC11-2015-DP09) was to adopt certain of the old VMS-SWG recommendations, and requested that when CCMs review them they would restrict themselves to just the issue of the ALC approval process to keep the task manageable not to look too broadly at that section of the SSPs.
221. The Chair noted that only a small portion of the working paper was being addressed and asked for comments on the rest of the recommendations in that paper.
222. Australia supported the Chair's initial summary and commented that there is a suite of recommendations that need to be looked at and some may need a bit longer to progress. Australia was keen to work with the USA but suggested that the work did not need a small working group.
223. RMI noted its preference that a list should be developed with FFA and WCPFC, recognising that the SSP for the operation of VMS programs within waters under national jurisdiction is the exclusive responsibility of the coastal states. This CCM suggested it might not be possible to develop that list by December; instead the list should be revisited and in December WCPFC could decide where it would go from there.
224. The Chair noted that this work had languished since its completion in 2012 and suggested that TCC can make a recommendation to WCPFC that the paper can be put forward for further consideration intersessionally, to be discussed again at TCC12. The discussions on DP09 were deferred.
225. Later in the meeting, USA advised TCC that there had been revisions on WCPFC-TCC11-2015-DP09 (now rev1) after feedback from other members. USA noted that it was simpler now and proposes fewer changes to the existing VMS SSPs (Section 2) than originally sought. The changes were limited to addressing a narrow problem – that certain ALCs were not successfully reporting to the Commission VMS. They would strengthen the ALC approval process to tighten things up and minimize the number of boats that are not successfully reporting. USA noted that it had received feedback on related issues but had not taken on board suggestions that were broader than that narrow issue, but recognised that those broader issues could be addressed down the road in some other fora. The changes were revisions to only 3 paragraphs of the SSPs: revisions to para 1 including a footnote (to firm up that the Commission has a list of approved ALCs), removing para. 6 (because it would be come unnecessary with the changes), and revisions to para. 7 (would provide more rigour to ALC types on the list and removing from the list).
226. During the last day, the Vice-Chair opened the floor for comments on DP09_rev1. Japan noted that some new aspects were added to the proposal and wished to seek technical comment from their VMS provider. This CCM therefore preferred that the proposal be discussed intersessionally. Japan expressed concern that only the one section of the SSPs was being discussed, preferring consideration of a revision of the SSPs as a totality
227. USA reminded TCC that the existing SSPs include reference to a list of approved ALC types and a process to maintain that list. USA clarified that it was not proposing technical changes but procedural changes to give the Secretariat a firmer mandate to assess whether a given unit meets the standard which has already been adopted.
228. Australia commented that the work of the USA was taking the issue in the right direction, noting that some of the paragraphs didn't meet the standards in the Annex. This CCM wondered whether TCC could make a recommendation to the Commission that the Secretariat do a review of the units on the list to see if they still meet the requirements of Annex 1.

229. The WCPFC VMS manager noted that the Secretariat does not have a gateway and do not have the physical units, so they cannot test them unless they go to a site or request a unit for testing. The Compliance Manager further noted that the Secretariat does not necessarily expect that there are ALCs on the list that do not meet the requirements of Annex 1.
230. EU supported USA's proposal and commented that if TCC could not agree during the meeting to the changes, it would like to continue the work intersessionally. This CCM noted that failures of manual reporting had been highlighted.
231. Japan noted that the VMS SSPs issue is highly technical and wanted to scrutinize the actual technical impacts of USA's proposal on the vessels currently operating in the region. This CCM preferred that the USA will submit a proposal to the Commission meeting, taking into consideration comments received intersessionally, rather than adopting recommendations at TCC11.
232. The Vice-Chair noted the different views, and the request that the USA should further the proposal intersessionally. The USA confirmed that it was happy to lead an effort to revise DP09_rev1 and bring it to WCPFC12. This CCM encouraged members to submit their comments as soon as possible, and proposed a simple statement in the record reflecting this.

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| 233. | TCC11 notes with concern the findings of the failure of at least 41 vessels to report to the Commission VMS and the urgency of resolving that problem. |
| 234. | TCC11 thanks USA for offering to lead the process up to WCPFC12 to further consider the proposed revisions as set out in WCPFC-TCC11-2015-DP09_rev1. |

8.2 Regional Observer Programme

235. The ROP Annual Report (WCPFC-TCC11-2015-RP02) was tabled and taken as read. TCC11 discussed this matter.

Sharks

236. EU brought Section 10 of this report, on sharks, to the attention of the group for its consideration, noting that it may be discussed during discussion under Agenda item 11, the review of existing CMMs. This section outlines that observer reports clearly demonstrate that some vessels are still finning oceanic whitetip shark and silky sharks, and their bodies are still being discarded. This CCM noted that shark finning is prohibited for all shark species in WCPFC, and oceanic whitetip and silky sharks are even more protected than others, due to the retention ban. EU commented that it underlined the problem that shark finning was taking place in the WCPFC, including in front of observers. Table 5 shows the numbers of silky sharks that are a) Caught, b) Discarded Body, Fins Retained and c) Body and Fins Retained. EU stated that oceanic whitetip shark almost extinct so they are very difficult to catch, but there were still 9 individuals whose carcasses were discarded with fins retained. EU stated that this is the tip of the iceberg because those species have a retention ban, and WCPFC do not have the figures for all sharks. The EU sought to ensure that this table would be taken into consideration during Agenda 11 during discussions on revisions to the shark measure.
237. Japan concurred with EU's views, noting that the report had highlighted a serious violation on related CMMs. This CCM asked the Secretariat or SPC to help the discussions at the Commission by providing more detailed information of Table 5 of the Annual Report. Noting a number of silky shark caught by purse-seine vessels in the Table (27,435 fish), Japan stated

that impact of purse-seine operations should not be overlooked in consideration of conservation and management of sharks.

238. FFA members noted that the Commission has concerns about the stock status of oceanic whitetip and silky sharks in particular and stated if the non-retention measures put in place to reduce fishing mortality are being hindered by continued finning and retention of these two species, the Commission should consider implementing more stringent measures for those CCMs who are not fully implementing and enforcing these requirements. FFA members recommended that TCC endorse the SC11 recommendations to consider implementing a complete ban of wire trace and shark lines to further reduce fishing mortality of both oceanic whitetip and silky sharks.
239. Australia registered concerns on behalf of the FFA about whale shark interactions, which were identified in this report. FFA members were pleased, however, with progress at SC11 in relation to the consideration of safe release guidelines for encircled animals including whale sharks, and recommended that TCC endorse SC11's recommendation that WCPFC12 adopt these guidelines.
240. EU noted that it was also a question of TCC's difficulty in monitoring compliance with the measure, and asked that language be prepared focusing on the compliance issue.
241. The Chair asked that CCMs prepare recommendation language to consider in Agenda 11.
242. USA shared others' concerns and brought the committee's attention to the Secretariat's recommendations set out in the final paragraph of WCPFC-TCC11-2015-RP02, giving support to the recommendations.

CMM booklets

243. FFA members commented that the CMM booklets for observers may be a useful tool, but was a costly exercise to print and distribute annual versions. These CCMs noted that while the budget for it had been underestimated, the proposed 2016 budget represented a 70% increase. If the intent was to provide observer programs with annual revised versions of the booklet, FFA members encouraged exploring methods to reduce costs, such as encouraging the use of electronic versions available on the Commission website and printing limited copies.
244. The WCPFC ROP Manager noted that printing costs were within budget but distribution costs were higher than initially expected. It was noted that a printed copy was around 100 pages and that an electronic copy is available on the website. Although electronic versions are available on the website which could be printed, it was noted that observer programs continue to request copies as they were preferred over website print-outs.
245. Japan generally supported the Secretariat proposed activities in paragraph 20 of the annual report and asked that the Secretariat provide more information for the basis of the discussion on proposed budget at the FAC meeting in December.
246. Philippines noted that it found the booklets to be very useful, and could accept the recommendation supporting a strengthened program.
247. Nauru asked whether the booklet could be made easier to read, outlining just the relevant issues for the data collection.
248. PNG noted that its observer program was one which has asked for more copies, and stated that it was also comfortable using the online version. This CCM noted that it was probably

going to look at having experienced observers being more involved in cross-endorsement training.

249. The WCPFC ROP Manager noted that as E-reporting becomes more prevalent there maybe a reduced need for the hard-copy booklet. On the issue of cross-endorsement training, the Secretariat confirmed that it was seeking in 2016 to include observers from different programmes and to bring them into a central point for the training.
250. Kiribati joined others in thanking the Secretariat for the booklets, which this CCM's observers found helpful. This CCM considered them working books and supported the recommendation.

Misreporting

251. New Zealand expressed concern about the high percentage of trips where target species were recorded inaccurately, noting the ROP report indicated this was the case on 54% of trips according to observers' assessments. New Zealand noted that port state inspections can help ensure accuracy and opined that WCPFC needs a port state measure in place to alleviate these concerns.
252. The WCPFC ROP Manager commented that misreporting of target species mainly occurred around juvenile yellowfin and bigeye tuna.

Cross-Endorsement Training

253. Nauru noted that it supported an increase in cross-endorsement training and expressed interest in having some of their observers involved. On behalf of FFA, this CCM drew TCC's attention to Table 8, the Observer Trip Monitoring Summary 2014. It indicated increasing issues in the purse-seine fishery, especially the safety of observers. As mentioned by WWF, FFA members noted serious issues and the growing trend of obstructing observers.
254. RMI noted the continuance of the cross-endorsement training and recognised the operational patterns of some purse-seiners includes moving between the two halves of the Pacific Ocean. This CCM supported the recommendation to the extent that the priority should be on national trainings. RMI wanted to see increased participation of the WCPFC in national level training (other than the audit system) to fully endorse the second recommendation, but it was seen as a way for the WCPFC regional observer program to be involved in some outreach or awareness. This would have budget implications for the FAC to consider and recommend further ROP involvement at the national level. USA supported the Secretariat's request regarding additional funds for cross-endorsement observer training.
255. The Chair noted that there was endorsement and support of para. a. Regarding para. b, the Chair suggested that the Secretariat further consider and as needed discuss with CCMs the approach through which the information booklet is prepared and distributed.

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| 256. TCC11 recommended the cross endorsement training of observers to be able to carry out duties in IATTC waters and the WCPFC waters on the same trip continues in 2016 and the proposed indicative budget for 2016 be increased from \$25,000 to \$28,000. |
| 257. TCC11 further recommended that the CMM Booklet relevant to observer roles and duties continues to be printed in 2016 and the proposed indicative budget for 2016 be increased from \$8,500 to \$14,500. The WCPFC ROP Manager will provide greater detail on the budget implications of this recommendation for WCPFC12. |

258. WWF made a statement about the critical issue of observer health and safety, and noted market implications of not taking observer safety issues seriously. This included seeking a requirement that all member states regularly report to the WCPFC Secretariat, in a standard format, any event involving threat, intimidation, harassment, or assault of observers that occurs in any ROP or national programme. Associated with this should be a requirement for immediate reporting (to the Secretariat) in a standard format the disappearance of ANY observer or crewmember; the information should also be incorporated into the ROP Annual Report. WWF suggested the issuance of observers with fully functional two way satellite communicators that they would carry on their person when at sea.
259. The Philippines agreed with WWF that there is no justifiable reason for the death of an observer while doing their duty. This CCM stated that no country or CCM should tolerate such an action and thanked WWF for bringing the issue to the floor. The Philippines delegate noted that this was the first time he had heard about the incident which occurred in 2010 to which WWF had made reference in its statement, as this delegate assumed his position in 2011. This delegate made a commitment before all TCC participants that before the December Commission meeting he will personally ensure that an investigation is conducted by the government of the Philippines. He further said that the Philippines will not tolerate or sanction offences against an observer doing his or her job.
260. PNG supported the foregoing comments made about observer safety, and noted the passion with which they were delivered. This CCM took issue with the suggestion that PNG does not take allegations seriously and that PNG sanitises information before it gets to the authorities.
261. RMI agreed with the WWF statement. This CCM noted that although it has been agreed that an investigation would start, it is the results of those investigations that are critically important in addressing safety of observers. RMI noted that observers produce these reports for various reasons, including for scientific data and MCS purposes, however, this CCM was disappointed that TCC was not more closely focused on the safety and the health of observers, as a matter of priority concern; these observers were simply carrying out their duties. RMI noted that it would work with those concerned, including WWF, to resolve this matter in Bali.
262. The Chair noted that WWF had proposed a number of action items, and would allow participants time to mull them over and reopen discussions before closing the ROP agenda item if any members wished to take up those recommendations.

(a) Report of the IWG-ROP4

263. The Chair noted for TCC's benefit that the IWG-ROP reports directly to the Commission, not TCC, so the TCC's role was to address recommendations that might need technical input.
264. The IWG-ROP had been reconstituted to address issues arising with implementation of the WCPFC Regional Observer Programme. The fourth meeting of the IWG-ROP (IWG-ROP4) was held in Nadi, Fiji on 6-8 July 2015 (WCPFC-TCC11-2015-17). IWG-ROP4 Chair, R. Clarke (USA), provided a report of progress to TCC11 for comment, noting that a number of delegations were absent from the meeting but the discussions were robust and the working group had been able to deal with most of the issues. The IWG-ROP4 Chair noted that observer safety was a guiding principle of most of the discussions and commented that he did not plan to discuss each of the recommendations other than one relating to resolving the issue of data and the ability of flags and vessels to investigate allegations. All the recommendations will go forward to the Commission along with the TCC discussions, giving participants another chance to address the issues at the Commission meeting in Bali. Noting the Commission Chair's opening remarks, the IWG-ROP4 Chair commented that, ideally if

CCMs had issues with the IWG-ROP recommendations, it would be helpful if he could be advised of these concerns in advance of the meeting.

265. In explaining the recommendations related to the issue of data and the ability of flags and vessels to investigate allegations, the IWG-ROP4 Chair noted that the recommendation by the IWG-ROP is to establish a process to facilitate earlier advice to flag CCMs of potential issues as noted in ROP observer reports. The IWG-ROP4 further reminded the Committee that in considering the recommendation it must be noted that there had been a polarised debate about the mechanism for observer information to be provided to the vessel, explaining that there is language in the Annex B to CMM 2007-01 and noted that at the same time there was a concern that this process could potentially put observer into a situation where they were not safe. The IWG-ROP4 Chair further noted that the debate has been about finding a balance between the two very important issues, and more recently this matter has specifically come up in this committees deliberations related to the review of information reported by observers, related observer harassment and FAD deployments or misuse during the closed season.
266. He explained that the recommendation from the IWG-ROP4 relates to the WCPFC observer trip monitoring summary (which many programmes call a GEN-3 Form) and proposes a process for earlier notification from the observer provider to the flag State of the GEN-3 Form or observer trip monitoring summary via the Secretariat. This pre-notification process is intended to support flag states to begin their investigations into any possible alleged infringements earlier; flag states would need to request these forms – they would not be sent automatically after every trip. Attention was drawn to para. 29, which relates to some additional data fields to support the pre-notification process. Attachment 7 contains the process for the transmittal of the form in a timely and orderly fashion. The process begins with the observer completing the GEN-3, then at the end of the trip the observer would get off the vessel with the form in his or her possession; it remains confidential. There is no transmittal at the vessel level; it is transmitted to the observer provider. When the observer arrives in port, he or she is debriefed. If, on the form, there is an indication (a simple yes or no) regarding any possible alleged infringements, then that info could be forwarded to the flag state. The IWG-ROP4 Chair stressed that there would be a very tight process for this, which is the IWG-ROP’s attempt to deal with how to allow the flag state some timely notification of possible infringements alleged by an observer, including causing marine pollution, harassment and other issues.
267. In closing the IWG-ROP4 chair noted two other issues:
- a. that the IWG spent a significant amount of time working on was is in para. 49 in the report related to the hybrid approach. There were several different perspectives on the implementation of the hybrid approach – it remains an outstanding problem and wasn’t resolved at the IWG-ROP4. One way would be for programs to provide information on the source of the observer they are using and the recommendation is that this information be provided to the Secretariat. There were a number of ideas for how to progress the approach but at this point it was not sufficiently developed for a recommendation to the Commission.
 - b. that the IWG-ROP4 was a one-off meeting with no apparent mandate to continue. He suggested that TCC consider the benefits to be gain from it versus the cost.
- Lastly, the IWG-ROP4 Chair acknowledged the WCPFC ROP Manager and the Secretariat for their substantial work going into the meeting, with high quality background papers.
268. The Chair noted that TCC does not need to endorse the report as it goes directly to the Commission, and recalled that one of the recommendations addresses directly the issue of observer safety.
269. EU appreciated the intersessional working group’s work and recognised the effort and costs involved in holding such meetings, considering them useful and speaking in favour of

continuing the group's work in a more structured way. This CCM noted that CCMs did have access to the GEN-3 form but the content was very limited, stressing that the issue is not only the process of transmission. This CCM also noted the issue of access to transmission of scientific data, commenting that the information is not transmitted to the flag state but relates to the flag state's compliance. This CCM considered it a priority that there is process developed for accessing scientific data for their vessels.

270. Some CCMs expressed supported for IWG-ROP continuing, with RMI stressing an emphasis on observer safety being a prime consideration. On the issue proposed pre-notification process, RMI suggested that perhaps a diagram could be produced to illustrate the steps in the process.
271. The IWG-ROP4 Chair commented that a subset of highly technical recommendations had been presented at TCC and even for a group like TCC it was very difficult to go through them all. IWG-ROP4 had worked hard to get it done in the time available, and produced several pages of recommendations. The IWG-ROP4 Chair noted there would be limited time at the Commission meeting to address them. Responding to the EU, the IWG-ROP4 Chair said he was happy to take comments; however the recommendations would go wholly to the Commission. The IWG-ROP4 Chair explained that, in terms of the scientific data that observers collect, this is an aspect that would needs continued work so as to ensure access to that information in a more timely manner. The IWG-ROP4 Chair noted the sensitivity to observer health and safety issues and noted that the implementation of the hybrid approach has been problematic. TCC needed to think about the benefits of working on those elements and the costs.
272. The Chair thanked the IWG-ROP for their hard work and comprehensive recommendations. TCC11 accepted the report of the IWG-ROP4.

(b) Measuring and monitoring ROP longline coverage

273. WCPFC11 approved the guidelines for ROP longline coverage by fleet/fishery described in Attachment L Table 1, noting that it should be open to review and adjustments at future TCC meetings (WCPFC11 Summary Report para. 483). Peter Williams (SPC-OFP) introduced the SPC-Secretariat jointly prepared tables based on CCM submissions for ROP longline coverage for 2014 and 2015 (WCPFC-TCC11-2015-IP05_rev1), noting that at WCPFC11 it was agreed that each CCM nominate their metric for measuring ROP longline coverage and report on their coverage rate achieved in 2013 and 2014; Table 4 of the paper is the outcome of that. Table 5 outlines a summary of the breakdown provided to SPC on behalf of the WCPFC. Williams noted that there had been a recommendation at SC11 to add another table to this paper for SC12, which is a combination of the two tables (Table 4 and Table 5), comparing what has been self-reported with what was provided to WCPFC.
274. The Chair invited TCC to discuss and make recommendations on the ROP longline coverage guidelines for monitoring and measuring ROP longline coverage.
275. Regarding Table 4, Japan sought clarification: for example, total estimated days at sea of NZ longline vessels were not shown. In response Williams referred participants to column 2 which confirmed a category of some longline fleets being "domestic" and notes 1 and 2 which confirms that in that in a particular year, no ROP trips were expected for a some fleets. He also acknowledged that in some instances the Table does and doesn't include observer coverage that is non-ROP trips as indicated in the note 2 to the Table.

(c) Review implementation of Commission recommendations from 2012 ROP-TAG

276. Meeting paper WCPFC-TCC11-2015-18 was provided to assist TCC11 with its consideration of this priority project specific task, which was included in the TCC Workplan 2013-2015.
277. The Chair noted that all the recommendations from the ROP-TAG had either been completed or moved under the purview of the IWG-ROP.
278. There were no comments or discussion on this agenda item.

(d) Draft proposed changes to longline ROP observer data collection standards

279. The WCPFC ROP Manager introduced proposed changes to longline ROP observer data collection standards related to bycatch data collection. SC11 endorsed the draft proposed changes to longline ROP observer data collection standards related to bycatch data collection. TCC11 considered the SC11-proposed changes to the ROP Minimum Standard Data Fields contained in Attachment 1 of WCPFC-TCC11-2015-19_rev1. It was noted that the paper included changes to data fields that observers already collected, explaining that the instructions have changed but the fields have not. There were two fields that FFA/SPC collect but they are not listed as minimum standard data fields. Two fields are being collected but slight changes are needed to some of them. Four data fields were brand new, proposed to be collected. They came about during a meeting between RFMOs about harmonizing data fields and trying to enhance collection of information about special interest species.
280. It was noted that Japan has supplied comments on these data fields (WCPFC-TCC11-2015-DP10). The Chair suggested a small group meet during TCC11 to discuss the changes.
281. Expressing its respect to agreement on proposed changes to the ROP Minimum Standard Data Fields at SC11, Japan stated that it provided comments on the Secretariat proposal from the view point of workload of observers.
282. Later in the meeting during the last day, Dr Shelley Clarke presented WCPFC-TCC11-2015-26_rev1, providing revisions from the small working group and discussion that had taken place on WCPFC-TCC11-2015-19. Dr Clarke noted that there were fields that had come out of SC that needed to be changed to give effect to new CMMs requiring mitigation for sharks, turtles and seabirds. They were discussed at SC. The paper indicates the substantive changes to what SC had agreed; and noted that these were not expected to increase the workload of the observer. Some of the SC-approved fields have been removed. The list, if endorsed by TCC, would go to the Commission for adoption.
283. The Vice-Chair noted that lines 10, 11, 12, 13 and 14 had been amended by the small working group and lines 1 and 2 had been split.
284. These changes were accepted by TCC11.
285. TCC11 recommends that WCPFC12 adopt the changes as set out in **Attachment E** (WCPFC-TCC11-2015-26_rev1) to the Regional Observer Programme (ROP) Minimum Data Standards and Fields. TCC11 advised WCPFC12 that some fields are new, some represent splits of prior fields and some are existing fields with new text, otherwise all other fields remain the same.

8.3 High Seas Transshipment Monitoring

286. The WCPFC Compliance Manager introduced the High Seas Transshipment Monitoring Annual Report (WCPFC-TCC11-2015-RP03), for noting.
287. FFA members noted their support for on-going high seas transshipment monitoring developments but continued to advocate that transshipments be carried out only in designated transshipment ports where effective monitoring could take place. These CCMs acknowledged that there are costs to such a policy, but stated their belief that this is outweighed by what would be strengthened fisheries monitoring and management. There would also be economic opportunities for SIDS through port usage. FFA members continued to support the timely provision of transshipment information in the WCPFC High Seas Transshipment Annual Report to enhance greater awareness of these activities and identify gaps in monitoring, requesting a review of criteria for assessing ‘impracticability’ as a means to tighten controls and potentially move more transshipment activities into ports. These CCMs requested that analysis of transshipment activities using the VMS TAT tool be provided in subsequent annual reports.
288. The Compliance Manager noted that the Secretariat had hoped to include information on analysis of VMS data in this years report, but was unable to complete the integration of the VMS TAT tool in time. The Secretariat confirmed that it expects to be in a position to provide a more detailed analysis to TCC as part of the Transshipment Report next year. The Secretariat was happy to undertake that work, and that ideally the use of the TAT tool should eventually become a part of the Secretariats day to day monitoring and verification of high seas transshipment activities.
289. Vanuatu thanked the Secretariat and reiterated its request during the dCMR process for assistance to execute its obligations under this measure. The Chair confirmed that the request is noted and would be captured in the Provisional CMR.
290. The EU noted its concern about transshipments taking place on the high seas and commented that WCPFC should try and tighten the rules around transshipments to better monitor those operations. This CCM was worried about the number of transshipments taking place on the high seas and stressed that the way the measure is written is that transshipment should be an exception – forbidden unless certain conditions are met. EU stated that those conditions need to be tightened, noting that TCC had had a long and difficult discussion about this issue two years ago. EU encouraged members that carry out transshipment operations to find a solution or to use ports to transship as much as possible, noting that EU vessels tranship in ports, even though it’s costly and not as practical.
291. RMI supported calls to tighten transshipment and offered to assist whichever CCM chose to lead on this work. The Chair noted the interest in this work and suggested TCC consider a recommendation that a working group be formed to address this issue.
292. Japan noted that it conducts transshipment in the high seas and pointed out that the transshipment measure (CMM 2009-06) chapeau recognizes that transshipment at sea is a common global practice stating that this is a starting point. This CCM stated that what is needed is to prevent IUU activities and in this context CCMs are required to provide data to ensure transshipment activity is transparent and traceable as much as possible. This CCM also stated that what should do be done for CCMs, particularly for longline countries, is to comply with the measure and provide accurate data. This CCM understood the aspirations of SIDS including the benefits of transshipment in their ports but stressed that longline fishing is a business activity and each longlining company has to consider its management. Japan stated that transshipment at sea is still necessary for longlining companies.

293. The Chair proposed a recommendation that WCPFC12 establish an intersessional working group to develop criteria or guidelines for determining the practicability of high seas transshipment.
294. In response, Nauru noted that, as in the past, it advocates for a full high seas closure on transshipments.
295. EU noted it also prefers that outcome but in trying to reinforce what is currently in place this CCM suggested that the group could be an electronic IWG. The Chair sought views on the modified suggestion.
296. Japan supported the Chair's proposal, noting that during the CMR review, some CCMs had compliance issues around the authorisation of transshipment at sea.
297. RMI considered that there is urgency on this issue and preferred a recommendation reflecting a course of action to be taken in Bali, rather than work to be done. This CCM noted that the measure needs to be tightened and preferred a recommendation on what we need to do, taking into account Nauru's long-standing position. The Chair asked RMI to develop some language.
298. USA noted that what RMI was suggesting was more ambitious than the intersessional working group the Chair proposed and suggested that the recommendation should borrow from the wording in the measure around impracticability.
299. Later in the meeting, RMI tabled a proposal with some language about a way forward, and noted that many CCMs at TCC11 had expressed concern about transshipment at sea. The recommendation was to identify the matter as an issue for the Commission rather than recommending that TCC look at it next year.
300. EU commented that transshipment is becoming the norm, noting that the number of vessels authorised to do so is around 2000. This CCM commented that it has been recognised on a number of occasions that the measure should be revised and the monitoring of transshipment activities should be strengthened.
301. RMI offered to lead work intersessionally on this issue in the lead-up to WCPFC12, noting that if it is not progressed it will see if it can be taken further in an intersessional process.
302. New Zealand noted the IWG-ROP4 also came up with some good recommendations around this issue which have not been discussed.

303. TCC11 thanks RMI for offering to lead the process up to WCPFC12 to consider paragraph 34 of CMM 2009-06.

8.4 High Seas Boarding and Inspection (HSBI)

304. The Chair noted the High Seas Boarding and Inspection (HSBI) Annual Report (WCPFC-TCC11-2015-RP04), taking it as read.
305. EU supported the recommendation at para. 17 of WCPFC-TCC11-2015-RP04, but wanted to add something so that the results of an inspection would also be included.
306. In response to a query from Japan, the Chair noted that the intent of the recommendation in the paper is to make available to MCS personnel the list of vessels that have already been

inspected so a CCM can prioritise inspections on different vessels or those that have had violations in the past.

307. Australia noted that it was very supportive of the HSBI and considered it one of an important suite of tools. Australia requested CCMs who have not done so to provide the contact details for the relevant authority, noting that it has had difficulties getting in contact with flag state authorities. This CCM also noted that the HSBI scheme data might be a useful area for some electronic data standards.
308. Chinese Taipei expressed concern about including the result of the inspections, noting that after an investigation an initial view might be changed. This CCM noted as confidential data may be involved it required clarification. This CCM further commented that the HSBI data shall be accessed only in accordance with the WCPFC's Rules and Procedures for the Protection, Access to, and Dissemination of High Seas Non-Public Domain Data.
309. The Chair confirmed that it was only going to be available to authorised MCS personnel on the non-public side of the WCPFC website. One CCM asked whether this included just the flag state's authorised CCM MCS personnel or all CCMs' authorised CCM MCS personnel. The Chair responded that it would include all authorised personnel. As the recommendation was written, the goal was that authorised MCS personnel from other states could see it, in order to prioritise their own inspections.
310. USA supported the recommendation and suggested if the 'result' include a list of potential violations noted during a HSBI, since including investigation results would be impractical.
311. FFA members thanked CCMs that carried out HSBI and noted their support for the HSBI scheme. These CCMs encouraged others to ensure details are updated regularly to facilitate the prior notification of boardings. FFA members supported the recommendation and expressed their appreciation to the US Coast Guard for its continued support, particularly opportunities to participate in HSBI under shiprider agreements. These CCMs thanked the WCPFC Secretariat and USA for updating the multi-language cards and questionnaires, and urged that relevant Members provide translations for the updated cards.
312. Recognising that vessels subjected to HSBI get pre-notification and a summary report once the inspection has been completed and there is a reporting mechanism when there has been an alleged infringement, PNG asked the Secretariat if the list would stem from this information or from what the Secretariat has in its possession.
313. The Chair confirmed that the Secretariat was willing to be guided on this issue, and noted that the Secretariat has information on past boarding and inspections.
314. China could not agree with the drafting, noting that HSBI is an activity that takes place between the inspecting states and the inspected state. Prior to an investigation being finalised, this CCM could not release information as there may be some alleged infringements, which had been wrongly described or there were misunderstandings.
315. Kiribati commented that it would be a good idea to have some initial information for flag states, not necessarily the conclusion of the alleged infringement but information that can assist.
316. EU found it regrettable that agreement had not been reached on adding language reflecting results of inspections and suggested including language around 'preliminary information on potential infringements'. This CCM commented that it hoped WCPFC will adopt some kind of port state measure this year.

317. Australia shared EU's concern about agreement not being reached to provide the information in a quicker and more user-friendly fashion. This CCM noted that inspection reports are provided to the Commission and encouraged that they be incorporated into the Commission IMS.

318. In response to a query about whether these are non-public domain data, the Chair confirmed that it was non-public domain data, only available to members.

319. TCC11 recommended that WCPFC12 task the Secretariat to develop a technical solution to make available to authorized CCM MCS personnel through secure login, a list of vessels that have been previously inspected under the HSBI scheme specifically, the VID, Vessel Name, IRCS, date of boarding and Name of inspecting member.

320. TCC11 encouraged CCMs to check and ensure that their HSBI-relevant contact details are up-to-date, and to use the online capability through their individual CCM portals to update their details as needed.

321. TCC11 requested that CCMs assist in supporting HSBI activities by providing the Secretariat with translated versions of the updated multi-language questionnaire.

322. New Zealand noted that it undertakes annual high seas boarding and inspection activities in the Southern albacore longline fishery, carried out in support of fisheries management objectives set by WCPFC. This CCM noted some positive trends observed through its 2015 activities including:

- Significant increase in the use of SPC log-sheets
- Almost nil evidence of shark finning or non-compliance with 5% ratio rule
- 100% compliance seabird mitigation measures
- Almost all vessels compliant with recently adopted daily reporting measure.

Non-compliance was identified including:

- Certain data fields in logsheets were not completed which constituted breaches of the Daily Reporting measure CMM 2013-05.

New Zealand noted that in some cases vessel markings were not compliant with CMM 2004-03 and New Zealand was working with the relevant CCMs to resolve these issues. This CCM observed that one worrying trend was the volume of rubbish discarded from longline vessels; observations by fisheries officers estimated that, based on extrapolated figures, approximately 2,500 bottles may be discarded over an average three month longline trip. New Zealand reported that in 2015 the first joint high seas patrol between New Zealand, Australia and France took place.

323. USA reported that it was very actively involved in HSBI, conducting 27 boarding and inspections last year on both purse-seine and longline vessels. In three cases there were potential violations noted, and in all three cases, the USA received letters of completed investigations from the flag states. The USA highlighted that it continues to experience challenges with verifying the 5% shark fin-to-carcass ratio, and that for this reason, supports a transition to requiring that fins be naturally attached to the carcass.

324. EU supported USA's views, stating it was basically impossible to monitor compliance with the 5% fin-to-carcass ratio. This CCM wanted a 'fins naturally attached' policy in WCPFC.

325. WWF made a statement on behalf of WWF, Birdlife International, Greenpeace, Pew and ISSF about marine pollution. In reference to the SPREP paper WCPFC-TCC11-2015-OP-06 these observers supported improved measures to address marine pollution associated with tuna fisheries. The SPREP paper analysed data from ten years of Observer GEN-6 reports and found evidence that pollution from purse-seine and longline vessels was a serious issue in the WCPO, with waste dumped being 37% plastics. Marine wildlife such as turtles, marine mammals and seabirds are entangled in discarded nets, and other plastics break down and are ingested by seabirds and even fish, which is a potential vehicle for toxins to be taken into the bodies of these animals. These observers suggested that WCPFC develop a measure to support the implementation of the *International Convention for the Prevention of Pollution from Ships*.
326. Kiribati considered the HSBI scheme to be important, but noted it came with a financial impost. This CCM requested that funding assistance be considered to assist with fully executing its HSBI program.

8.5 Record of Fishing Vessels (RFV)

327. The Record of Fishing Vessels (RFV) Annual Report (WCPFC-TCC11-2015-RP05) was taken as read. The Chair called for comments or questions, noting the paper contained no recommendations.
328. The USA thanked the Secretariat for maintaining an increasingly useful RFV, and asked for a clarification on the annual report at para. 12, which states that the IMO number will become a minimum required field on 1 January 2016. The USA's understanding was that IMO numbers would be required for large vessels from that date and would need to be included in RFV updates, however an IMO number was not a minimum required field for the RFV.
329. The Compliance Manager thanked the USA for spotting the error in RP05, explaining that, in accordance with amendments to the SSPs, IMO is not a minimum required field and confirming that if a vessel does not have that field completed it will not preclude the vessel being included on the RFV as a new vessel. The Compliance Manager added that the Secretariat's reading of CMM 2013-10 suggested that if an IMO number has been issued to a vessel, in practice CCMs would be expected to be included on the RFV.
330. Fiji, on behalf of FFA members, stated that it was important that vessel information provided in the RFV is readily available to all CCMs and is complete, up-to-date, accurate, unambiguous and comparable across other vessel listings. These CCM noted that RFV vessel information is used for verification purposes by the FFA Secretariat when processing applications for the Certificate of Registration required of vessel operators when applying for an FFA member EEZ fishing license. Most CCMs now make their best efforts to comply with the RFV SSPs but FFA members noted that this does not address data gaps created by vessels entered on to the RFV prior to the SSPs coming into force, as highlighted in WCPFC-TCC11-2015-RP05, Figure 5. FFA members recommended that the Commission ensure that these gaps are addressed to ensure that complete records are available for MCS purposes, and include a deadline by which CCMs need to provide missing information for the minimum data requirements.
331. EU made a number of comments including reiterating that transshipment should be the exception, not the rule, noting discrepancies between the fish/did not fish data and the RFV, noting that in ICCAT a fish vessel is not authorized to fish forever but for a certain period of time and commenting that the level of capacity should not increase, but as the baseline is not known TCC cannot know if capacity has increased or not, and there was an opportunity to track the trend in capacity in the region.

332. The Compliance Manager offered to work through some of these concerns with the EU in the margins of the meeting. In response to a query on purse seine transshipment authorised field, it was clarified that the point being made in RP05 was that RFV records as submitted by CCMs do not appear to be correct (for example most vessels aren't purse seine vessels), and this has been drawn to the attention of relevant CCMs. The Compliance Manager confirmed in response to a query that the RFV SSPs provides powers to the Secretariat to not accept vessels without the minimum required fields, and noted that there are gaps because the RFV came into effect at a certain point in time; the Secretariat is expecting that gaps will reduce over time.
333. FFA members made a number of comments: a) Annual Reports Part 2 information on vessels which have fished in the WCPFC Convention Area beyond their national jurisdiction relate to previous year and do not reflect current status, so there is no clear indication from the RFV that determines the number of vessels currently active in the WCPFC Area; b) in the RFV SSPs measure (CMM 2014-03), para. 13 indicates that it is the responsibility of the WCPFC Secretariat to provide for information on vessels' fish/did not fish status each year, as submitted by CCMs, to be integrated with the RFV insofar as being able to display, search, and analyse the information. FFA members requested the WCPFC Secretariat to prioritise integrating RFV and fish/did not fish information in the Secretariat's annual work program and budget.
334. The Compliance Manager offered to talk with the FFA in the margins to clarify current practice as it relates to their requests, and noted that the fish/did not fish information is fully integrated into the IMS and is the basis of much of the CMR reviews.
335. Australia followed up the FFA members' comment and asked that the date when the vessel was last updated be added. It would not require human intervention as it was just a technical update.
336. The Secretariat undertook to consider this from a technical standpoint.
337. Japan thanked the explanation from the Secretariat during the CMR process that clarified the RFV SSPs requires all "minimum required data fields" be completed before a vessel record can be updated on the RFV, but all data fields in the RFV are nonetheless expected to be submitted to complete each vessels record. This CCM noted that this would contribute to reducing data gaps on the RFV in the next year.
338. New Zealand supported EU's suggestion around the RFV not just being an MCS tool but also for monitoring trends. This CCM asked if a query tool could be developed on the RFV to download historical vessel information, if a CCM wanted to undertake that analysis.
339. The Secretariat noted that historical data can be queried at the Secretariat and the Secretariat can assist CCMs, but the Compliance Manager flagged that they would need some time to come back to members on the Secretariat's capability to create a mechanism for all CCMs to be able to directly undertake this analysis - and confirmed there could be significant budgetary implications. On the request to include a date of last update into the public display of the RFV, the Compliance Manager confirmed that presently all CCMs can check the last time a record was updated through their secure login to the Intranet version of the RFV. The RFV version on the website was noted to be updated instantaneously after updates are submitted and approved by the Secretariats online RFV systems – and it undertook to discuss with its IT developers the extent to which a time and date of last update could be included as requested by Australia. In any case, the Secretariat undertook to provide a report in response to these requests to TCC12.

340. The Chair suggested that New Zealand does not make a formal request at this stage and instead the Secretariat would determine how they might do it and what resources they will require.
341. Reflecting on Fiji's suggestion about making the minimum required fields rule applicable not just to new vessels but to vessels already on the RFV, USA noted that they are included only if the flag state provides all the required fields and TCC should make a solid recommendation along those lines; USA suggested this information be required for all vessels on the RFV by no later than 30 June 2016. If it is not provided by that date the vessel would be removed from the RFV.
342. Japan sought clarification around the process, noting that all vessels on the RFV should have the minimum data fields completed because the RFV SSPs should mean that the Secretariat should not accept a vessel record which does not include the minimum required data fields.
343. The Chair explained that some vessels that were added in the early years do not have the minimum required fields; these are historical boats that are still authorized but which do not have the minimum fields completed.
344. EU gave support for the recommendation language, noting that WCPFC already has obligations so the recommendation should go beyond this.

345. TCC11 recommends that WCPFC12 agrees that all vessels on the RFV shall complete the minimum required fields by June 30 2016, and instructs the Secretariat to remove any vessels without the minimum required data fields after that date.

8.6 Eastern High Seas Pocket Special Management Area (EHSP-SMA)

346. The Assistant WCPFC Compliance Manager introduced the EHSP-SMA Annual Report (WCPFC-TCC11-2015-RP06) for noting. It was taken as read.
347. The Cook Islands noted that earlier in the meeting it had introduced WCPFC-TCC11-2015-DP07_rev1, a draft CMM on the EHSP. The Cook Islands was proposing a transshipment closure and amendment to entry and exit rules. As the Cook Islands had explained earlier, it has difficulties locating emailed reports when searching by vessel name as it sometimes is not provided, making reconciliations with the VMS picture difficult. This CCM clarified an amendment that had been made to para. 4 and asked for support for the CMM.
348. Chinese Taipei commented that the proposal does not only relate to vessel names, but the transshipment ban is more complex and needs to be thought about more. This CCM commented that the proposal was only tabled here and more time was needed for internal consultations.
349. Japan noted the frustration of the Cook Islands and neighbouring countries. On the other hand this CCM commented that, the new proposal contains ambitious content, which required more time to digest and consider before the Commission meeting. This CCM also commented that careful consideration needed to be given for consistency with UNCLOS, UNIA and the Convention text.

350. The Chair noted that the proposal was not ready for adoption in its entirety but there was interest in continuing to work on it for consideration at WCPFC12.
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AGENDA ITEM 9 - DATA PROVISION AND DATA GAPS

9.1 Review of tiered scoring system for evaluating the provision of scientific data to the Commission

351. Immediately prior to the CMR discussions which took place at agenda item 4, Peter Williams (SPC-OFP) introduced WCPFC-TCC11-2015-IP04, noting that WCPFC11 adopted a tiered scoring system for evaluating the provision of scientific data to the Commission; this system was proposed to improve the ability of TCC to review the compliance in provision of scientific data and on the understanding that TCC will continue refinement to assist in the CMR process. Williams outlined the three categories within the system (referring TCC to the paper's annex) and explained, in more depth, how the percentage values in the Category II were derived.
352. Korea suggested it might be useful to have the tier-scoring system look at the current status of data provision, rather than linking it directly to compliance issues just yet. This CCM noted that it has contributed to narrowing the data gap and continues to provide data. Korea encouraged CCMs to provide operational data if they have not done so yet.
353. FFA members noted the tiered scoring system was a useful tool to identify gaps in the Commission's data holdings. It also provides a reference for CCMs to identify areas for improvement. These CCMs expressed the view that the scoring system will help to monitor progress over time and enable the Commission to improve its approach to non-compliance by taking into account efforts towards compliance. FFA members were supportive of using the system for evaluating compliance with scientific data provision requirements and welcomed further discussions about how the system could be further refined through its use in the CMS process.
354. EU noted that this had been its request two years ago. EU was grateful for the work that had gone into it and was pleased that members recognised its usefulness; it might serve the purpose of measuring the progress of members in providing more data and, while TCC is still working on the revised CMR process, it will be useful in assessing compliance of members and track the progress of CMMs.
355. Japan generally supported the introduction of the scoring system. However, this CCM expressed the view that it should not apply to the provisional of operational data. This CCM noted that there are significant interpretation gaps among CCMs regarding section 3 of the scientific data rules and stated that Japan complied with the requirement of provision of operational data by providing aggregated data in accordance with the section. Japan also noted that WCPFC11 has adopted the new paragraphs in the tropical tuna measure and this CCM would provide operational data relating to all fishing in EEZs and high seas south of 20N from 2015 in accordance with those paragraphs.
356. The Chair noted that the approach taken by SPC and SC is a funnelling into the CMS proposal and process, it was not a process unto itself; no compliance decisions were made from this work and this wasn't a paper which required adoption.
357. Japan agreed with this approach but suggested SPC should put a footnote on coverage of operational data provision in Table 5 of the document, noting that "0%" without footnote is misleading and gives the impression that Japan has not complied with the data provision.
358. New Zealand agreed with Korea on the importance of this work.
359. Some CCMs congratulated Korea and China for their improvements in data provision in 2015.

360. FFA members observed that the WCPFC11 record states that “WCPFC11 adopted the tier scoring system for evaluating compliance with the provision of scientific data to the Commission.” As such, its use in the CMS is already mandated by the Commission; SC11 also supported its use for compliance evaluation. FFA members noted that the SC11 recommendation included reference to CCMs not necessarily agreeing with the ratings provided. These CCMs made the point that the ratings are based on the Commission’s actual data holdings and if CCMs consider that there are discrepancies they should work with the Secretariat to address them prior to the Commission meeting this year.
361. RMI agreed with New Zealand on the importance of the tier scoring and noted that TCC is engaged in assessing compliance on a fundamental requirement of the Commission – data provision – and asked CCMs to provide that information in the lead-up to the Bali meeting.
362. The USA expressed its view that the tool was useful for both TCC and the Commission, noting that the tool could be improved or tweaked. This CCM pointed out that the system does not appear to include a time element, i.e. whether a data submission was either ‘late’ or ‘very late’ is not captured. This CCM wondered whether that might be potentially important. Secondly, USA noted that Category II is fairly broad and crude – a member could submit 99 out of 100 pieces of information, but the one that is not submitted may be extremely important. The USA acknowledged that the system was probably the best it could be without doing a lot more work on it, but asked SPC what the possible implications of the shortcomings were.
363. The WCPFC Compliance Manager clarified that the way the Secretariat has addressed it in the dCMR is to take into account timeliness in section 7 (all 6 paras). Dr Manarangi-Trott noted that there was a further part relating to how it’s taken into account in the tiered scoring system. Traditionally TCC has separated the qualitative aspects of the information and whether it has been received on time.
364. Regarding the relative importance of the fields, Peter Williams noted that SPC had debated this issue in-house as they were working on the tier scoring system and could not decide because depending on the analysis all the fields are important. Williams made the point that these are considered to be minimum data fields; some were discarded during the process of defining the WCPFC scientific data requirements and what was left are the minimum but most important fields. For this reason, SPC had settled on an equal weighting for all the fields until a more appropriate approach is suggested. Williams noted the suggestion and observed that the system was open for tweaking.
365. Chinese Taipei noted that the Commission adopted a data provision paragraph in the tropical tuna measure last year and this should be taken into consideration; a footnote could be included stating that the rating are not necessarily agreed by each CCM.
366. EU reiterated the helpfulness of the process and the tier scoring document, noting that the system can be refined. This CCM recalled that discussions at SC took place on this point but it had been impossible to identify data that was less important than other data. EU suggested that the system is used during the compliance assessment this year so we can understand how useful it is and whether other elements might be useful or ways in which it could be refined. The discussion to come up with the system has already been taken and it was agreed that it was not a compliance instrument *per se* but an additional tool for TCC.
367. PNG considered the tool to be an excellent way to go about assessing the completeness of the data provided according to the agreed minimum data fields.

368. Later in the meeting the Chair asked TCC11 if the committee wanted to see the Scientific Services Provider undertake the tier-scoring analysis again next year.
369. EU supported the continuation of this exercise as an integrated part of the CMS process, stating that all delegations found it useful. This CCM hoped it would become a core task for each year as it found it to be extremely helpful.
370. New Zealand supported carrying on this work into the future.
371. After discussions in the margins at TCC11, this issue came back to plenary.
372. New Zealand commented that it had become clear during the meeting that not all CCMs were aware of the data holdings of the Secretariat, and thought it would be worthwhile for the Secretariat to prepare a paper outlining those data holdings that are available to them.
373. Japan requested NZ provide an explanation about the proposed recommendation. This CCM noted that there is already provided at SC a comprehensive SPC report regarding data provision, and asked what would be different in the document to be prepared by the Secretariat in this proposal, than the one currently provided by SPC.
374. New Zealand clarified that what was being covered in the current discussion that is not covered by the SC is data holdings that are on the secure side of the website, such as VMS, observer reports and HSBI – MCS information.
375. The Secretariat confirmed that it was able to attempt such a task if that was recommended by TCC11.

376. TCC11 recommends WCPFC Secretariat develop a paper that summarises non-scientific data holdings of WCPFC for information to all CCMs, and to present the paper to TCC12.

377. USA noted that another issue had emerged during the meeting, that in the data rules there is ambiguity between the ‘should’s and the ‘shall’s. This CCM commented that the SC might want to revisit those ‘shoulds and ‘shalls.
378. EU noted that data provision and data gaps were recurrent discussions at TCC, and hoped to see some action not just a recommendation. This CCM flagged an intention to submit to the Commission meeting a revision to the current measure. EU offered to present these ideas to TCC, even if a thorough discussion was not possible it might give food for thought.
379. The Chair advised TCC that this matter had been noted in recommendations drafted into the Provisional CMR, and also directed that discussions on this matter including further recommendations should be taken up under Agenda 11.7.
380. RMI supported the Scientific Services Provider use the tier scoring to produce some sort of collective assessment.
381. EU sought to understand what a collective assessment would be, and noted that there is already a system, the tier scoring system which the EU had expressed appreciation for a number of times.
382. RMI clarified that it was on the same level as EU and wanted to work in tandem with EU on a system that assessed individual CCMs against a collective effort.

383. USA noted that WCPFC has a system that was developed by SPC to look at compliance with scientific data and had developed three categories. SPC had demonstrated how those categories had been evaluated. Some of the drafting language had made it sound like there would be a performance review.
384. EU and RMI worked together on recommendation language in the margins and came back with agreed text.
385. USA flagged that the work will need to be done in a thorough and methodical way. EU concurred that it would need to be useful and robust.

386. TCC11 used the tier scoring system adopted by WCPFC11 for performing the compliance evaluation of CCMs for the provision of Scientific data and concluded that it was very useful and informative tool.
387. TCC11 recommends that the tier scoring system adopted at WCPFC11 is used for assisting in assessing compliance of CCMs for the provision of Scientific data in 2016 and following years.
388. TCC11 recommends that WCPFC12 tasks SPC to further refine the tier scoring system to provide, among other things, an indicator of compliance of CCMs as a whole with provision of Scientific data.
389. TCC11 also recommends that WCPFC12 consider exploring the usefulness of using the system to assist in the evaluation of other CCMs, including the possible development of an indicator of overall compliance of each CCM in relation to the totality of agreed WCPFC obligations.

9.2 Proposal to amend “Scientific Data to be Provided to the Commission” (DP01)

390. After two small working group meetings on its proposal, on the last day of the meeting, New Zealand re-introduced WCPFC-TCC11-2015-DP01, a proposal to amend “Scientific Data to be Provided to the Commission”, noting the key points which had been made by members during those meetings. There was general agreement that considering additional species was the role of the Scientific Committee. Some CCMs were concerned that additional data collection will place a burden on their fishers which may also impact on their ability to collect information on key tuna species. A number of CCMs supported the proposal, in particular referring this proposal to the WCPFC Scientific Committee. One CCM noted that rainbow runner was a common by-catch species in the tropical purse fishery but was also an important food source for Pacific Island countries, and as such wanted this species to be added to the proposed list. One CCM expressed concern that extra data collection may impact on the fishing master’s ability to safely manoeuvre the vessel while hauling longlines. One CCM queried the scientific basis for the inclusion of the species that are outlined in the proposal, and suggested that we refer this proposal to SC for their consideration and discussion.
391. The Vice-Chair sought comments on the proposed draft recommendation.
392. EU supported the recommendations and asked whether New Zealand had included bantam mobilis rays. New Zealand confirmed that it had (DP01_rev1).

393. TCC11 recommends that the proposal (DP01b_rev1) to add additional by-catch species to Annex 1 of the rules on Scientific Data to be provided to the Commission be referred to the

SC12, and that SC12 develop and apply a process similar to that used for designating key shark species for data provision and assessment. (**Attachment F**)

AGENDA ITEM 10 - INTERSESSIONAL ACTIVITIES

10.1 E-monitoring and E-reporting Initiatives

(a) Report from Electronic Reporting and E-monitoring Intersessional Working Group

394. The Electronic Reporting and Electronic Monitoring Intersessional Working Group (ERandEMWG) met in Nadi, Fiji on 8-10 July 2015. The ERandEMWG Chair, Kerry Smith, presented the Chair's report of the workshop (WCPFC-TCC11-2015-20). 15 CCMs participated in the workshop, along with FFA and SPC. She noted that ER and EM initiatives are being trialled and implemented across the region and that these technologies offered benefits in the way of efficiencies, data accuracy and timeliness. She further reiterated that a decision to adopt standards was separate to a decision to require CCMs to report electronically. A priority task for the group was to develop data standards, specifications and procedures (SSPs) for the electronic submission of observer and operational catch and effort data. The workshop considered draft SSPs for five key areas as developed by SPC and the Secretariat and noted that they gave effect to and were consistent with current requirements relating to data fields and data submission. The draft SSPs covered Eastern High Seas Pocket Special Management Area reporting (CMM 2010-02), High Seas Pocket One Special Management Area reporting (CMM 2014-01), manual position reporting in the event of an ALC/MTU failure, Operational level catch and effort data, observer data. The working group agreed with the general approach and agreed that interested CCMs work with the Science Provider to test and further refine the electronic data standards.
395. In response to enquiries from Japan about 'draft electronic data standards' in the proposed recommendation, the ERandEMWG Chair clarified that the standards refer to the technical specifications included in Paper 20 in the columns which give effect to data field formats, validation rules and data collection instructions; and noted that the Commission would retain responsibility over what data fields are collected but the recommendation would enable Secretariat to update and maintain the supporting technical specifications.
396. The ERandEMWG Chair reported that the working group had seen significant value in meeting alongside another intersessional working group.

397. TCC11 adopted the following recommendations:
- a. TCC11 notes that further testing and refinement of the five draft electronic data standards is required by the sub-working group as referenced in Attachment 5 to the ERandEMWG report (WCPFC-TCC11-2015-20);
 - b. TCC11 recommends that a master list of electronic data standards are maintained by the Secretariat with input from the Science Provider and any updates shall be notified to CCMs on an annual basis;
 - c. TCC11 recommends that a decision to report electronically in future be captured by an amendment to the relevant CMM and make reference to the master list;
 - d. TCC11 encourages the development of Electronic Monitoring by CCMs in areas where data gaps exist such as longline observer coverage and high seas transshipment;
 - e. TCC11 recommends WG meet before Scientific Committee in 2016.

(b) Reports from CCMs on outcomes and progress with trials and implementation

398. The Chair invited CCMs and sub-regional agencies to provide brief updates on their progress with ERandEM trials and implementation.

399. USA reported on its implementation of E-reporting in the Hawaii longline fleet. This CCM reported that it is likely that 100% of those vessels will be providing daily at-sea electronic logbook reports early next year, but for now they are still conducting trials. USA is also conducting trials with its observer program to implement daily at-sea E-reporting systems for its on-board observers, whose reporting equipment will be independent of any of the vessel's systems. USA further explained that all of its purse-seine vessels are equipped with iFIMS systems and are capable of E-reporting in the future.
400. New Caledonia reported to TCC that an E-monitoring pilot project in New Caledonia should be completed by mid-2016, allowing information to be available for SC12, TCC12 and the ERandEMWG next year.
401. Philippines reported on the implementation of pilot electronic catch reporting in the HSP1, noting that all the vessels operating in HSP1 were fitted with electronic catch reporting. Philippines noted that it was getting good reporting from more than 80% of the vessels.
402. Australia reported that it has implemented E-monitoring in a number of domestic fisheries, including the Eastern Tuna and Billfish Fishery. The vessels have cameras installed and information from the vessel is being received by the Australian Fisheries Management Authority. The data is being analysed in accordance with agreed standards.
403. Korea reported that it has been receiving catch reports from its distant water fishing fleets through a trial E-reporting program since September 1 and noted that it wanted to share its experience with E-reporting next year. Korea is able to receive information on the start and end of each trip, hauling and shooting, daily catches and prior authorisation of transshipment and the outcomes, and landing information and outcomes – a comprehensive report. Korea will also be able to collect fish size information and other biological data in later stages. This CCM will seek an opportunity next year to share its experiences with its E-reporting program.
404. EU reported that three different E-monitoring systems have been tested in the Spanish purse-seine fleet in recent years. This CCM explained that the first trials (~2011-2012) were conducted in the three oceans and showed that this kind of technology has great potential for monitoring the tuna purse-seine fishery. Since then, new systems have been developed by various commercial vendors that intend to provide E-monitoring for purse-seiners. Marine Instruments and Satlink E-monitoring systems are installed in most of the Spanish purse-seine vessels, however the validation process is not yet complete. Some adjustments are needed, but it has proved that variables such as number of sets, set type or total catch by set can be accurately recorded through E-monitoring, meaning these E-monitoring systems could complement observers or even represent a viable alternative, depending on the goals of the monitoring program. Continual equipment adjustments are in progress and the validation process is aimed to conclude in the near future. Steps are in place to adapt the systems to longliners.
405. PNG reported that it would be initiating a trial E-monitoring program on its longline vessels looking after PNG officers have gone to Australia and looked at the system there. PNG further reported that it had completed longline e-forms and was seeking to introduce them, again on a trial basis.
406. Chinese Taipei had several E-monitoring trials in development in the tuna longline fisheries, and took the opportunity to advise TCC of Chinese Taipei's plan to cooperate with an NGO on an E-monitoring workshop in December this year, with anyone who is interested in attending this workshop welcome to attend.

10.2 Report from CDS-IWG Chair

407. The Catch Documentation Scheme Intersessional Working Group (CDS-IWG) met on 21-22 September 2015 in Pohnpei, FSM immediately preceding TCC11. The CDS-IWG Chair, Alois Kinol, talked TCC11 through the CDS-IWG work plan, Attachment C of WCPFC-TCC11-2015-21. The CDS-IWG Chair noted that the working group had not had a chance to complete the discussions on 'next steps' last week and a draft workplan to move CDS forward was developed in the margins of TCC11 and is being presented as an Attachment C to paper 21 for consideration of TCC11. The CDS-IWG Chair noted that a Chair's report from the meetings discussions had been posted as WCPFC-TCC11-2015-21 that includes the agreed recommendation text from the CDS-IWG. The CDS-IWG Chair noted there was matter in the discussions on the 'scope' for a WCPFC CDS, and drew to the Committees attention that the CDS-IWG had not been able to agree on whether to include Pacific bluefin, so there were square brackets around that species in the recommendations on the scope. The CDS-IWG Chair asked for CCM comments on item 2a in the proposed workplan (CDS-IWG2 DP04 standards) before 31 October 2015, so they can be provided to FFA.
408. On the issue of whether Pacific bluefin should be within the scope of the CDS developed under the CDS-IWG, Japan commented that this species does not have to be included noting that the IWG has historically focused on tropical tunas. This CCM also noted that Pacific bluefin is of a different nature; this species is mainly exported from Mexico to Japan. Japan further stated that a proposal regarding the CDS framework for Pacific Bluefin tuna is to be developed in the consultation with Mexico based on the practical situation towards the next Northern Committee meeting. Japan commented that the major focus of the CDS developed under the WG should be tropical tunas and initial effort of the Northern Committee should be acknowledged.
409. EU commented that the language about Pacific bluefin was in brackets because the working group had not been able to agree; it would instead be put to the Commission. This CCM saw no harm in the language at 1a in the workplan.
410. In response to a query about the working paper, the Compliance Manager explained the last page of WCPFC-TCC11-2015-21 contained the workplan that took into account the recommendations as they were agreed during the working group (these are shown in bold text within the body of the CDS-IWG report). Within the body of the CDS-IWG report, there is a separation between the mass balance recommendations and other recommendations with respect to the CDS's development process. In the draft workplan, what were initially two tables have been combined for presentation on a single page. The Compliance Manager noted that TCC would take the CDS-IWG report forward to the Commission if it is endorsed.
411. USA thanked the Chair for his activities and commented that there had been surprisingly good progress. This CCM commented that the issue of CDS had been under discussion for a few years now. Now there was at least a plan with some subsidiary milestones in order to move forward. This CCM supported the paper and Attachment C work plan.
412. On the issue of Pacific bluefin, Korea disagreed with Japan's view that the species should be dealt with in NC and IATTC, commenting that the species is under the purview of the Commission. There was no reason not to include Pacific bluefin in the scope of the CDS. This CCM further commented that Pacific bluefin was in a dire situation and should be a priority species to be dealt with in a CDS.
413. The Chair noted that 'Pacific bluefin' remained in brackets and a final decision would be made at the Commission meeting.

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| 414. TCC11 adopted the report of the CDS-IWG and forwards it to the Commission for consideration, and recommended that WCPFC12 adopt its recommendations. |
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10.3 Consideration of SC and NC outcomes related to TCC's work

415. The Chair noted the Secretariat paper WCPFC-TCC11-2015-IP03, which documents requests from TCC10 and WCPFC11 and contains an update on relevant outcomes in recommendations from SC11 to WCPFC12. Taskings were addressed in other relevant items of the agenda, and the paper was for noting.
416. FFA members highlighted the issue of fishing vessel pollution that had been forwarded to TCC (para. 12, SC11 report). FFA members had hoped that SPREP might have submitted an expanded version of their analysis by now, covering longlining operations on the high seas, not just purse-seine operations in FFA member EEZs. These CCMs noted that little observer data is available from those fisheries, which was a problem in itself worth highlighted. FFA members hoped that TCC would recommend that WCPFC task and resource the Scientific Services Provider with expanding their shipborne pollution analysis, using the available data to estimate gaps in understanding.
417. The Compliance Manager noted the SPREP paper (WCPFC-TCC11-2015-OP06) has been tabled and this is updated from the version tabled at SC11, and confirmed that the issue of marine pollution has not specifically been put on the TCC agenda.
418. FFA members commented that the Secretariat paper WCPFC-TCC11-2015-IP03 does not pick up on para. 93 of the SC11 report, which makes recommendations about management plans for shark target fisheries. Although SC did not specifically refer this issue to TCC, these CCMs thought it useful for TCC to provide some advice to the Commission, as the issue would likely become a compliance monitoring issue in future. These CCMs also thought TCC could point out to the Commission that the FAO IPOA-Sharks contains guidelines for the development of management plans that could be adopted by CCMs. They also noted that there may be CCMs whose vessels are targeting sharks which have not submitted a management plan for those fisheries. FFA members commented that these management plans can be submitted before December. The Chair directed this draft recommendation should be considered under Agenda 11.3.

AGENDA ITEM 11 - REVIEW OF EXISTING CMMS INCLUDING ANY PROPOSED AMENDMENTS

11.1 South Pacific Albacore (CMM 2010-05)

419. TCC9 recommended that a paper on South Pacific albacore prepared by SPC be updated for WCPFC10 and provided as a standing item for consideration by SC, TCC and the Commission each year. The Chair called for comments on either WCPFC-TCC11-2015-IP09 or FFA paper WCPFC-TCC11-2015-DP06 and TCC11 discussed this priority project specific task which was included in the approved TCC Workplan 2013-2015.
420. FFA members considered that there was a continuing lack of progress towards effective management of South Pacific albacore longline fisheries, which they took very seriously. Referring TCC to WCPFC-TCC11-2015-DP06, which outlines FFA plans for rectifying this, FFA members noted that the task for TCC under this agenda item is to review CMM 2010-05. FFA noted that WCPFC-TCC11-2015-IP09 does not provide sufficient information to review the primary requirement of the measure, the commitment by CCMs not to increase the number of vessels actively fishing for South Pacific albacore in the Convention area south of

20°S. FFA members noted that vessel numbers of several CCMs are reported in Annual Reports Part 1, but FFA has reservations about those declarations, particularly the information that went into determining the South Pacific albacore target vessel baselines declared under the CMM. SPC has confirmed in the past that it is not possible to separate vessels actively fishing for albacore from those targeting bigeye or yellowfin or shark or swordfish, at least not to the levels of accuracy required for setting baselines and assessing compliance, particularly in the overlap areas between these fisheries, making the CMM fundamentally flawed as a mechanism for limiting albacore target vessel numbers. FFA members noted that they plan to propose changes to the CMM at WCPFC12 address these issues. These CCMs considered that the best CMM 2010-05 could achieve would be to maintain the status quo south of 20°S and opined that it cannot implement the advice from SC10 and SC11 which recommended that longline fishing mortality and longline catch be reduced to avoid further decline in the vulnerable biomass so economically viable catch rates can be maintained. FFA members flagged their pursuit of other mechanisms and would be recommending that the SC11 advice be implemented through the agreement of a South Pacific albacore TRP implemented through a Harvest Strategy approach based on zone catch limits. These CCMs noted their dependence on the Commission to provide for collaborative management of the high seas component of the fishery.

- 421. FFA members asked if the Secretariat could produce the South Pacific albacore catch and capacity summary, by flag, as they had last year. These CCMs found it to be a useful resource and would appreciate an update. SPC confirmed it would produce this summary on behalf of the Secretariat.
 - 422. Australia took the opportunity during discussions around South Pacific albacore management to ask that TCC support the adoption of the Harvest strategy work plan, which includes a timeline and elements for a harvest strategy approach to be applied to South Pacific Albacore.
 - 423. FFA members proposed a recommendation to the Commission, which was discussed by TCC.
 - 424. In response to a query from the EU about whether the data requirements aspect of the recommendation went beyond the SC11 advice, New Zealand noted that that aspect is related to there not being an operational data requirement in the measure as the tropical tuna measure does.
425. TCC11 advises WCPFC12 that the compliance and the performance of CMM 2010-05 cannot effectively be assessed, either for implementing management advice for the stock as a whole, or for demonstrably limiting albacore fishing capacity south of 20 degrees south. TCC11 recommended that CMM 2010-05's data requirements need to be revised in order to make it more verifiable.

11.2 Bigeye, Yellowfin and Skipjack (CMM 2014-01, CMM 2009-02)

(a) FAD Management Options Working Group

- 426. WCPFC11 agreed to establish a WCPFC FAD Management Options Intersessional Working Group (FADMgmtOptions-IWG) (WCPFC11 Summary Report para. 269 and Attachment E). The FAD Mgmt Options WG Chair, Brian Kumasi (PNG), provided a brief report on progress to TCC11. In 2015, the FADMgmtOptions-IWG had to date conducted its work intersessionally, and a range of information have been compiled based on submissions from WCPFC members, industry and NGOs; these can be found on WCPFC website: <http://www.wcpfc.int/FADMgmtOptions-IWG> The FADMgmtOptions-IWG Chair confirmed that he has tabled a discussion paper WCPFC-TCC11-2015-24 which reviews the terms of reference and provides an initial synthesis of some of the submissions to the IWG. Noting

that Members and other participants have not chance to sit together to discuss the paper, the FADMgmtOptions-IWG Chair invited comments on WCPFC-TCC11-2015-24 to the Secretariat by 1 November 2015 so that there is some time to consider them before the FADMgmtOptions-IWG sits down together in Bali in December. FADMgmtOptions-IWG Chair also noted the paper contains recommendations relating to the development of a research plan for tracking and monitoring system for FADs.

427. In response to a question from Japan about whether the proposed recommendations were accompanied by a proposed budget, the FADMgmtOptions-IWG Chair responded that this would be a matter to be discussed at the working group meeting first and as appropriate a proposal would be put before the Commission.
428. FFA members acknowledged the progress made by the PNA in FAD registration and tracking, and the work done by the FFA secretariat, the PNAO and PNA members towards developing FAD set charging mechanisms for managing the number of FADs deployed. These CCMs recalled that the SPC Coastal Fisheries Programme has noted that anchored nearshore FADs are an important mechanism for supporting the livelihoods of Pacific island artisanal fishers, in the face of declining catch rates of species which are also taken in the industrial fisheries, and in face of the anticipated decline of reef stocks due to climate change and ocean acidification. FFA members hope that discussions in the working group will help make clear that anchored nearshore FADs are a legitimate form of fishing gear in Pacific island artisanal fisheries and should continue to be treated separately from oceanic FADs deployed more than 12 miles from the coast.
429. EU proposed that the only thing that can be agreed at this early point is that a meeting is needed and the dates of the meeting. This CCM noted that there is not yet an agenda for the FADMgmtOptions-IWG, and noted that the agenda should not only concentrate on tracking and monitoring, but should also include data collection. A work plan for 2016 could be recommended once the working group meets.
430. USA commented that working toward a work plan to recommend to WCPFC12 will be the main effort of the working group in the two days of the meeting. This CCM noted that the FADMgmtOptions-IWG Chair will focus on FAD management and marking and referred the Committee to WCPFC-TCC11-2015-IP12, which was essentially a copy of the IATTC resolution whose Section 2(9) addresses FAD marking. It requires owners and operators to identify all FADs with a marking system, which is contained in Footnote 1 of Annex 1. This CCM urges participants to consider that paper in advance of the planned working group meeting in Bali and noted that other regional groups have been moving on their own marking schemes. The USA further noted that there was enough information around for WCPFC to take a fulsome position on FAD marking.
431. The FADMgmtOptions-IWG Chair noted his hesitation in making any recommendations because the FAD working group has not yet met, and appreciated TCC's support in recommending a meeting be scheduled. He looks forward to fruitful discussions at the IWG.
432. PNA members reported they are implementing FAD charging on a trial basis in 2016, with the aim of creating an incentive to set on free schools. These CCMs will also be introducing FAD registration and tracking in 2016, which will be implemented as a requirement for registration of vessels on the VDS. Delegations were referred to the PNAO submission on the FAD working group webpage <http://www.wcpfc.int/FADMgmtOptions-IWG> for additional details of these programs.
433. In response to a request, the WCPFC Compliance Manager confirmed that 27-28 November 2015 is quite firm; the Secretariat was finalising a room booking in the Commission meeting venue in Bali.

434. In response to a query from Japan about what was required of CCMs prior to 1 November 2015, and if it could be specified in the document, the FADMgmtOptions-IWG Chair explained that Attachment 1 was a questionnaire that was designed to assist with collating IWG-participant views for a discussion paper on key research areas (first terms of reference). The answers should support the IWG further work on the development of a research plan to collect the research data that is not currently being collected.

435. TCC11 recommends that the FADMgmtOptions-IWG meet prior to WPCFC12. CCMs and other interested participants are requested to provide comments to the FADMgmtOptions-IWG on WCPFC-TCC11-2015-24 by 1 November 2015.
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(b) Other aspects of CMM 2014-01

Bigeye tuna workshops in Honolulu and Majuro

436. Glen Joseph (RMI) presented the report of a workshop held in Majuro on 19-21 August 2015 to discuss bigeye tuna management in the WCPO (WCPFC-TCC11-2015-IP11). The workshop was convened by the Marshall Islands Marine Resource Authority (MIMRA) and the Western Pacific Fishery Management Council (WPFMC) and brought together representatives from Asian, Pacific island, United States purse seine and longline fishing industries, government officials of Pacific Island countries, and personnel from the FFA, PNA, WCPFC, SPC, EU, and non-governmental organizations. It was chaired by Andrew Wright, former WCPFC Executive Director. Over the course of the three-day workshop, participants discussed purse-seine and longline management options, avoiding the transfer of a disproportionate conservation burden to Small Island Developing States and Territories (SIDS), compliance issues and key bigeye tuna research themes. The Majuro Workshop built on the outcomes of an April 2015 workshop convened by the WPFMC and held in Honolulu. Also enclosed in IP11 is the report of the Honolulu Workshop. The outcomes of both workshops are a contribution to the consultations that are needed to support the adoption of more effective measures for reducing bigeye fishing mortality in WCPO tuna fisheries at WCPFC12. The workshops served to facilitate the exchange of views of the various participants in an informal setting, which was a departure from the formal and often time-limited negotiations that occur at WCPFC meetings. In hosting these two workshops, MIMRA and WPFMC recognized the difference in positions amongst Commission members, however, the workshops were held recognising that time is critical and with the understanding that providing opportunities to clarify differences in opinion, they may be better understood in order to bring closure and an agreed meaningful outcome for our road to Bali. That's essentially the environment we provided in Honolulu and Majuro workshop, and hopefully, we engage further in similar discussions on the side and on the margins leading up to Bali.

437. The FADMgmtOptions-IWG Chair, Brian Kumasi (PNG), thanked Australia for making funding available through FFA for him to attend the August workshop, and noted that one of the workshop outputs is likely to be usefully considered in the IWGs work on its Research Plan.

11.3 Sharks - CMM 2010-07, CMM 2011-04, CMM 2012-04, CMM 2013-08 & CMM 2014-05

(a) Review of shark CMMs

438. EU introduced WCPFC-TCC11-2015-DP12, noting that a number of interventions at TCC11 had raised the existing measures on shark. This member stressed that in an earlier intervention it had pointed to the figures in the Annual Report of the ROP indicating shark finning was happening right in front of observer. Given observer coverage is less than 5% it indicates that

the scale of finning that is occurring is much wider. This member recalled that the figure in the ROP report only referred to oceanic whitetip shark and silky sharks, and stressed that finning is prohibited for all species of sharks. EU recalled that as agreed at WCPFC11, TCC did not review the shark measures during the CMR this year, but there were cases that identified in the ROP report that were clear infringements, so TCC should follow up and at least have a recommendation reflecting that there are flag states whose vessels have been identified and that some reporting should be provided by the flag states of those vessels – it needs to go beyond just taking note that finning is occurring.

439. Secondly, EU explained that it had proposed recommendation language because it appears that the measure does not allow TCC to monitor compliance on shark finning. This CCM noted that both SC10 and SC11 had noted difficulties as follows:
SC10: Note that the SC will not be able to review the specification of the ratio of fin weight to shark weight as described in paragraph 8 of CCM 2010-07 because of the lack of reliable data and of appropriate species/fleet specific methodology;
SC11: SC11 was able to review the ratio of fin weight to shark carcass weight from one study (SC11-EB-IP-03). This study demonstrated that shark fin weight data suffered from some serious limitations, potential biases and errors. SC11 was unable to confirm the validity of using a 5% fin to carcass ratio in CMM 2010-07 and forwards these concerns to TCC, noting that an evaluation of the 5% ratio is not currently possible due to insufficient information for all but one of the major fleets implementing these ratios; SC11 recommended that WCPFC12: a) Notes that according to the most recent information provided by SPC, finning still occurs in the Convention Area and b) Notes that information which can be used to evaluate the effectiveness of the WCPFC ban on shark finning (CMM 2010-07) is currently very limited. EU stated that WCPFC should discard the ratio and adopt another means of monitoring and implementing the finning ban. The language proposed recognises those problems and seeks for the Commission to consider alternative means to ensure the implementation of the finning ban in the Convention area.
440. Japan shared EU's concerns about shark finning happening right in front of observers in both longline and purse seine fisheries. This CCM commented that the SC11 report paragraph noted by EU should be considered in its entirety.
441. Australia also noted SC11 advice on this issue and agreed that TCC should devote some time to it. This member supported a recommendation of the nature of EU's proposal.
442. USA noted that its views on shark finning did not need to be reiterated as it has been active on this position for some years. This CCM noted that there should not only be a ban on finning but carcasses should be brought to landing with fins attached. USA's reports under the HSBI agenda item has, for the last 3 years, highlighted the inability of US boarding teams to be able to enforce or even guestimate fins and finning, bringing this to the viewpoint that the current measure is basically unenforceable; without revision this will remain the case and TCC should reflect that message to the Commission.
443. French Polynesia supported the EU's drafted recommendation and reminded TCC that fishing operations for sharks are banned in its waters, mainly to prevent finning.
444. Japan thanked the USA for explaining the unenforceable situation regarding the current CMM. This CCM stated that there were two ways for consideration of the current CMM; one is to consider an alternative measure and another is to consider how the existing measure can be implemented effectively to conserve shark stocks.
445. On the last day of the meeting, the Vice-Chair asked that EU circulate its recommendations, and asked for general comments on the shark measures under this agenda item.

446. USA noted that it continues to be uncomfortable with the lack of review of bycatch measures. On CMM 2010-07, USA was supportive of the issue to review compliance matters related to finning, due to the unenforceability of it. For CMMs 2011-04 and 2013-08, USA pointed out that the estimate of discards ‘shall’ be provided, which is a separate matter to the discretionary information under the data rules. USA noted the development of guidelines for CMM 2012-04, and commented that it would be useful to know how they are being implemented, i.e. to what degree they have been taken up by CCMs. For CMM 2014-05, USA noted that there continues to be issues with reporting on leader or shark lines, an area that is ripe for consideration. Regarding the shark management plans for those CCMs whose vessels target sharks, USA commented that although some CCMs have provided those management plans to the Secretariat and SC, the SC noted the general lack of rigour in those plans and Australia has suggested the IPOA-Sharks as the basis for those plans. USA continues to be generally concerned about the lack of compliance-related review of these measures, and proposed working with colleagues, especially FFA members, to develop a list which would include these measures for next year’s CMR review.
447. Australia supported much of USA’s comments, and also picked up on the SC advice. Australia made note of the guidelines that the SC endorsed on the safe release of animals and wondered if TCC could make a recommendation endorsing the guidelines. Australia also noted the other safe release guidelines that were still in development. Regarding the TCC task of identifying barriers to best practice mitigation, SC noted that the three most promising – hook type, leader type and best practice handling at the vessel – could one day be adopted as mitigation methods. Australia asked if CCMs could start articulating what operational barriers there might be to the implementation of those measures. Australia supported looking at any or all of the shark measures in the CMR at TCC12.
448. EU noted that in general it supported collecting more data and strengthening implementation of all bycatch and non-target species measures, and supported the USA intervention. Regarding the guidelines for non-encircled animals, this CCM commented that in IATTC guidelines for the safe release of manta and mobulid rays and a retention ban on those species have been adopted. The collection of scientific data is less developed in WCPFC compared with the eastern pacific, but this CCM would like to see work go forward in that respect, at least tasking SC with further data collection. Guidelines similar to those adopted in the EPO could be adopted in WCPFC. Regarding the management plans under CMM 2014-05, EU questioned their usefulness, noting that SC11 said that it was difficult to assess the management plans submitted by the two CCMs. There had been no guidance on what information should be incorporated in the plans, or how the review should be performed. EU believed that TCC11 should support SC11’s advice and recommend that the development of a list of minimum requirements is developed for such a plan to include. EU offered to prepare a short recommendation in that respect, to reflect what SC11 said. This CCM commented that the management plans were not a bad idea, but they needed refinement. EU considered that a shark fishery is a fishery like any other and it should be managed.
449. The Vice-Chair brought TCC’s attention to WCPFC-TCC11-2015-22 was a Secretariat paper, noting that it reports on two tasks assigned to TCC by WCPFC11 and includes notes on relevant outcomes from SC11. The paper includes four recommendations. TCC considered draft language.

Guidelines – safe release by-catch spp.

450. In relation to the “Guidelines for Safe release of Encircled Animals including Whale Sharks” as recommended by SC11, the USA commented that it was not prepared for obligatory guidelines. Guidelines are just that and to date there are ongoing projects to identify scientifically-supportable release and handling practices. However the USA is not prepared to

implement rigid rules until there is sufficient scientific evidence to support them. USA was comfortable with the recommendation so long as it is clear they are just guidelines.

451. PNA members noted that they have legal requirements in place for the release of whale sharks, and these requirements are more rigorous than the guidelines under discussion. The guidelines in the paper should not be interpreted as overriding or undermining these national requirements relating to the release of whale sharks.
452. In response to a comment from Japan that the only existing measure is for non-encircled sharks, the Secretariat confirmed that SC's work on fisheries interactions with sharks was in two parts – the first was on the safe release of encircled animals. The other covers safe release following interaction other than encirclement, for example entanglement or longline hooking.
453. Dr Shelley Clarke confirmed that the terms "encircled" and "non-encircled" have been used by SC for some time. The first recommendation related to those animals caught inside a purse-seine net. The second recommendation pertains to hooked or entangled animals predominantly in longline operations. Dr Clarke confirmed that there are CMMs that require vessels to release encircled sharks and rays, but not any other species.
454. After this explanation, Japan supported the language proposed.
455. Also supporting the language, EU asked Dr Clarke if she was familiar with the adoption of a measure in the Eastern Pacific regarding safe release and whether there was more to do, scientifically, in that respect.
456. Dr Clarke commented that she was familiar, and that they were similar to WCPFC's, but WCPFC's guidelines are currently in the form of negative guidelines not positive guidelines. Dr Clarke noted that there is not yet a scientific basis for the best way to release these animals; IATTC is a mix of 'should' and 'should not', and more work was required to establish what should be done.
457. Indonesia commented that the terminology was confusing and PNG considered it a bit general, noting that SC spent a significant amount of time debating this.
458. Later in the meeting, the EU on behalf of a small working group, came back with recommendations related to the Guidelines.

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| 459. | TCC11 recommends WCPFC12 endorse the "Guidelines for Safe Release of Encircled Animals including whale sharks". (SC11 Executive Summary Report Attachment F) (Attachment G) |
| 460. | TCC11 supports the ongoing development by SC of more comprehensive guidelines pertaining to the safe release of sharks and rays. |

CMM 2010-07 and CMM 2014-05

461. The small working group also provided recommendations related to CMM 2010-07 and CMM 2014-05.

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| 462. | TCC11 taking note of:
a. Table 5 and 6 of WCPFC-TCC11-2015-RP02 Annual Report on the Regional Observer Programme indicating that finning still occurs in the WCPFC CA in both LL and PS fisheries; |
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- b. SC11 recommendation that the Commission notes that according to the most recent information provided by SPC finning still occurs in the WCPFC CA;
- c. SC11 was unable to confirm the validity of using a 5% fin to carcass ratio in CMM 2010-07 and that subsequently an evaluation of the 5% ratio is not currently possible due to insufficient information for all but one of the major fleets implementing these ratios.
- d. Reports from a CCM that, in the course of high seas boardings and inspections, it has been very difficult to verify whether the 5% ratio obligation has been satisfied.

recommends that:

- a. WCPFC12 recognises that it is not possible for TCC to assess compliance with the application of the fins to carcass weight ratio,
 - b. WCPFC12 considers means to strengthen CMM 2010-07 with respect to ensuring compliance with the obligation in paragraph 6.
463. TCC11 noted SC11 difficulties in assessing the sharks management plans submitted by two CCMs in accordance with CMM 2014-05, due to the lack of guidance on what should be incorporated into the shark management plans, what is considered a target fishery, and how the review should be performed.
464. TCC11 endorses SC11 recommendation to consider the development of a list of minimum requirements that such plans should include, guidelines to evaluate such plans, and the definition of a target shark fishery for future review by SC, TCC and the Commission.
465. TCC11 notes that the FAO International Plan of Action for Conservation and Management of Sharks may be an interesting source of guidance, among others, on what should be incorporated into shark management plans developed in order to refine CMM 2014-05.

11.4 Sea turtles (CMM 2008-03)

(a) Review non-target CMM (turtles)

466. TCC11 was invited to discuss this priority project specific task, which was included in the approved TCC Workplan 2013-2015.
467. The USA provided some information about sea turtles that outlined their difficulties with the CMM. Drawing on some information derived from their national scientists the USA noted its concern about the continuing decline of leatherback turtles. Recent information suggests that the WCPO population continues to plummet, and the most current published estimate is that there are approximately 318 annual nesting females in Papua Indonesia (Jamursba medi and Warmon beaches combined). USA noted that if this estimate is extrapolated and takes interesting intervals into account (every 4 years), it is estimated that there are now roughly 1,272 females in that population, a significant drop from the previous estimate of approximately 5,000 ten years ago. USA has reviewed CCM's Annual Reports Part 1 submitted 2010 – 2014 (16 nations reporting) and identified 72 leatherback interactions reported, with 10 mortalities, representing approximately 14% of total turtles reported (plus an additional 186 unidentified turtles). The USA commented that there is not enough information in these reports to understand the demographic impact of the pelagic fishery's interactions with this population of wide ranging turtles, nor an idea about how to mitigate or reduce such interactions. Data gaps include where the interactions occur, number of interactions, what type of fishery (gear, depth, bait, etc), size class of turtle and release state. Accordingly, USA recommends that for

CMM 2008-03, the reporting and mitigation related requirements (for example paras. 2, 5b and c, 7d and e) be reviewed for compliance purposes.

11.5 Seabirds (CMM 2012-07)

468. New Zealand noted that in considering the effectiveness of the CMM, moving the southern boundary from 30°S to 25°S. Without a formal process for discussing the change, this CCM used the opportunity represented by the small working group to discuss the issue with other members.

469. TCC11 notes most CCMs supported that the boundary of the mitigation requirements of CMM 2012-07 as they apply in the South Pacific Ocean, as described in para 1 of the CMM, be moved north to 25°S (excluding the EEZs of those CCMs with less than 15% of their EEZ in the area south of 25°S, which are the EEZs around French Polynesia, New Caledonia, Tonga, Cook Islands and Fiji). Most CCMs agreed that moving the boundary to 25°S would improve the ability of longline fishing vessels to comply with the mitigation requirements of this measure, and improve monitoring, control and surveillance of the Convention Area south of 25°S.

(a) reports from CCMs on practical and technical constraints to seabird mitigation measures (para. 10 of CMM 2012-07)

470. Japan briefly presented WCPFC-TCC11-2015-DP05, a paper presented to SC11. Japan noted that it evaluated the effectiveness of the 2 designs of tori-line, including tori-line without streamer, on small longline vessels and the results indicated that both designs of tori-line substantially reduced seabird bait attack and by-catch. This CCM also noted that the trial implementation of a light streamer tori line of the current measure caused entanglement of fishing gear during the line setting. Due to the beam size of the fleet and conditions of the operating area, Japan concluded that the current specifications of a tri line created technical and operational constraints in its small longliners.

471. USA reported on the seabird small working group, which had met in the margins of TCC11. It had made good progress on the outstanding task to the TCC to evaluate the constraints and opportunities for small vessels to employ seabird mitigation measures in the North Pacific, and the Commission will consider appropriate seabird mitigation requirements for vessels less than 24m in length in the North Pacific, an obligation that was put to TCC in the measure (para. 10 of CMM 2012-07). The small working group worked to complete that evaluation. The outcomes of the working group were available in WCPFC-TCC11-2015-28, including potential report language, and addresses a couple of things: the first para and the 4 bullets constituted the evaluation by the TCC of the constraints and opportunities for small vessels to employ seabird mitigation measures in the North Pacific and completes the TCC's tasking.

472. In response to a request from a CCM, USA clarified that some vessels in some members' fleets do not, as a normal course of operation, night set, so the night-setting mitigation method is not available to them.

473. Australia commented that the tori lines that were tested in Japan's experiment may not have been the same ones that were specified in the current CMM, and if not, the drafting of the recommendation should take that into account.

474. In accordance with paragraph 10 of CMM 2012-07, the TCC has evaluated the constraints and opportunities for small vessels to employ seabird mitigation measures in the North Pacific Ocean. Based on reports provided by Chinese Taipei (TCC10-DP11), Japan (TCC10-DP10 and TCC11-DP05), and the USA (TCC9-DP05) in accordance with paragraph 387 of the

report of TCC8, the TCC finds that:

- a. No constraints for small vessels have been identified with respect to the use of side setting, night setting, blue-dyed bait, deep-setting line shooters, or management of offal discharge, but it was noted that some small vessels in some fleets do not normally engage in night-setting.
- b. Small vessels face constraints with respect to the use of some types of tori lines, which are subject to tangling with the fishing gear due to the size of the vessel.
- c. There is an opportunity and need to develop alternative minimum specifications for a tori line that is tailored for small vessels.
- d. There are opportunities to identify areas in which seabirds are rare and in which seabird mitigation methods are not needed or can be relaxed.

475. Some CCMs noted that the identification of areas in which seabirds are rare potentially could also be applied to large vessels.

476. One CCM noted that in the area to the south of 30 degrees North and to the west of 130 degrees East, seabirds are rare and the seabirds mitigation methods are not needed, and should be excluded from the application of the mitigation measures for small vessels.

11.6 Establishing a Harvest Strategy for key fisheries and stocks in the WCPO (CMM 2014-06)

477. Para. 13 of CMM 2014-06 says: “The Commission shall agree a workplan and indicative timeframes to adopt or refine harvest strategies for skipjack, bigeye, yellowfin, South Pacific albacore, Pacific bluefin and northern albacore¹ tuna by no later than the twelfth meeting of the Commission in 2015. This workplan will be subject to review in 2017. The Commission may agree timeframes to adopt harvest strategies for other fisheries or stocks.” Footnote 1 says, “Draft timeframes and harvest strategies for stocks which occur mostly in the area north of 20N to be developed and recommended by the Northern Committee.”

478. Australia presented a draft work plan and timeline (WCPFC-TCC11-2015-DP02) for TCC’s comment and recommendations from a technical and scientific perspective, noting that WCPFC is responsible for the world’s largest tuna fishery. Australia expressed deep concern that in recent years, measures agreed by WCPFC have fallen short of what is needed to sustain tuna stocks in the long-term. At last year’s Commission meeting, WCPFC adopted CMM 2014-06 on establishing a harvest strategy approach for key fisheries and stocks in the WCPO, a ground-breaking commitment to sustainable management of WCPO tuna stocks for the long term. Australia noted that its domestic experience with the introduction of the Commonwealth Harvest Strategy Policy in 2007 was a key example of the successful use of harvest strategies to manage sustainable fisheries, and drew on this experience in presenting WCPFC-TCC11-2015-DP02. Australia sought comments on the work plan for adoption at WCPFC12, and planned further consultations with CCMs intersessionally. This CCM noted its appreciation for the small working group discussions around what might be needed in terms of resources and budgets.

479. FFA members noted that this proposal had the full support of FFA members, and the version which will go forward to WCPFC12 would be an FFA proposal. These CCMs considered the work plan to be ambitious but achievable. Some of its elements were in development already, with work being done by PNA on the skipjack TRP and Tokelau Arrangement members on the South Pacific albacore TRP, and LRPs are already adopted by the Commission for some tuna stocks. These CCMs welcomed indications from Northern Committee (NC) that its draft work plan takes into account activities needed to develop harvest strategy elements for northern stocks, and hoped that the draft annual meeting report can be adopted by NC ahead

of WCPFC12. These CCMs noted principles to be taken into account: recognition that the tropical tunas and South Pacific albacore are caught mainly within the EEZs of FFA members, and recognition of these states' interest in the sustainable management of these stocks. These CCMs opined that the work should be integrated into WCPFC's existing work without adding subsidiary bodies and new meetings which was unaffordable for SIDS. FFA members considered the harvest strategy process was an opportunity to increase the effectiveness of measures that the Commission already has in place, and should not reopen or restructure management arrangements already been agreed.

480. EU supported the work and noted that TCC was not the appropriate forum for discussing the details. This member believed that sharks should be included for the future.

11.7 Recommendations to revise CMMs prioritised by CMS process which were ambiguous or problematic

481. A number of recommendations related to existing CMMs and decisions (CMM 2007-01, CMM 2013-01 and Scientific Data requirements) were developed during the TCC-closed session to review dCMRs and which developed the provisional CMR report. TCC11 agreed these would form part of the TCC11 Summary Report.

CMM 2007-01

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| 482. | TCC11 recommends to WCPFC12 that CMM 2007-01 paragraph 8 not be assessed for compliance provided that all the individual associated obligations are assessed. |
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Tropical tuna CMM (CMM 2013-01 or its replacement)

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| 483. | Due to its inability to assess CMM 2013-01, paragraph 28 (yellowfin tuna purse seine catch), TCC11 recommends that WCPFC12 agree that until appropriate limits have been formulated and adopted, this obligation should not be included as part of the assessment. |
| 484. | Based on its review of CMM 2013-01, paragraphs 49, 51 and 52, TCC11 recommends that the Commission clarify what is meant by the term "current" in each of these paragraphs by stating a specified baseline. |
| 485. | TCC11 recommends that WCPFC12 consider clarifying how to assess CMM 2013-01 paragraph 40 with regards to compliance and that the paragraph be revised to separate the catch limit obligation from the requirement to take remedial action in the following year. |

Scientific Data requirements

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| 486. | TCC11 recommends that Section 01 of the Scientific Data requirements (Estimates of discards should also be provided) be modified to read "shall" instead of "should." |
| 487. | TCC11 notes that the language in Section 04 of the Scientific Data Requirements, paragraph 4, is a "may" and is thus not a mandatory requirement (final sentence of paragraph 4). Therefore, TCC11 recommends that WCPFC12 agree that it should not be included as part of the assessment next year, however CCMs are encouraged to provide this data where possible because of their scientific value for the stock assessment for some species (eg south pacific albacore and swordfish). |
| 488. | TCC11 agreed that the Section 07 of the Scientific Data Requirements is not a mandatory obligation and recommends that WCPFC12 agree that it should not be included as part of the |

assessment next year, but recognizes and appreciates that some CCMs nonetheless provide this data to support the scientific work of the Commission. TCC11 further encouraged that other CCMs also provide this data where possible.

Proposal on Scientific Data

489. On the last day of the meeting, the EU noted that it would be proposing to the Commission a revision of the current decision related to Scientific Data requirements. Noting frustrations during the CMR process that some of the obligations were not clear and whether they were compulsory or not. This CCM flagged its intention mainly to strengthen the current decision, noting that many delegations agreed that this information should be collected; for discards, it should be obligatory information. EU had included a deadline for operational data provision, noting that there are some exceptions in the current measure and the efforts made by CCMs. This member commented that by 2020 all CCMs should be in a position to provide operational data and when a member provides the operational data it should not be assessed against the aggregated data obligation. The revisions recognised the role of flag and coastal states in providing data to the Commission. EU explained that one of the problems TCC faced during the CMR reviews of purse seine size composition scientific data is that it is the responsibility of the flag state to provide the data, but sometimes the observer sends it directly. For the flag state, it is hard to provide the data on time because it does not receive the data from the observer early enough or at all, in order to send them. The proposal also seeks to clarify roles in providing scientific data to the Secretariat and SPC. EU noted that a draft proposal had been tabled at TCC11 (WCPFC-TCC11-2015-DP13) and intended to post the proposal ahead of the annual meeting and asked for comments from CCMs
490. The Vice-Chair encouraged CCMs to make themselves aware of the issues raised in the proposal and work with the EU between now and the Commission meeting.
491. USA thanked EU for taking the initiative, noting that these are scientific data rules, and although the TCC has a role, this CCM was concerned that the work would be going directly to the Commission absent of a review by SC. Noting that it had been more than ten years since these rules were developed, this could be a milestone under which the TCC recommends SC is given an opportunity to review the data rules.
492. EU noted that the changes being proposed have nothing to do with the actual data, which remain the same. The New Zealand proposal (DP01) widens the scope, but the EU's proposal does not. This CCM commented that it is only about making the compliance assessment easier and clarifying the obligations and whether some are compulsory or not; it was not about science.
493. Japan concurred with the USA's view, and noted that the data rules have a long history and SC should be involved in the process of consideration of its revision. This CCM further noted that all the terms were the result of long discussions; each 'shall' and 'should' has a specific meaning and should not be changed lightly respecting the historical process.
494. The Vice-Chair commented that this draft proposal had not been seen prior to TCC11, so CCMs should discuss it with EU.

Charter Notification Scheme

495. It was noted that the CMM on the Charter Notification Scheme was coming to an end this year, which FFA members had raised earlier in the meeting. Fiji proposed that the measure be rolled over for the next 3 years.

496. Recommendation language was discussed with little comment, except one member which suggested the use of the word ‘considers’ instead of ‘agrees’ in case there are amendments made to the amended CMM being brought forward to the Commission, rather than just a simple extension.

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| 497. TCC11 noted the expiry of CMM 2012-05 <i>Charter Notification Scheme</i> at the end of 2015, and recommends that WCPFC12 considers the extension of this measure for the next three years. |
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AGENDA ITEM 12 - PROPOSALS FOR NEW CMMS

12.1 Draft CMM on WCPO Skipjack tuna target reference point – PNA members.

498. As PNA Chair, FSM, on behalf of PNA members, reported back on WCPFC-TCC11-2015-DP04, a draft CMM on WCPO Skipjack tuna target reference point which was a revised version of the draft CMM presented to WCPFC11. The PNA Chair noted that there remained work to do before agreement at WCPFC12 could be assured, and discussions were ongoing. The PNA Chair noted that most of the comments and queries had been directed at how a skipjack TRP and the relevant harvest control rules would be applied, rather than at the specifics of the PNA paper and proposal. PNA flagged that it would be seeking time during the upcoming MOW4 in December for discussion on these issues in Bali.

AGENDA ITEM 13 - OTHER MATTERS REQUIRING TCC ADVICE

13.1 Development and trials of metrics for measuring fishing effort and capacity

499. There were no discussions under this agenda item.

13.2 Korea Information paper on EEZ boundaries

500. In the interests of time on the last day of the meeting, instead of presenting an information paper, Korea quickly expressed a desire to work with CCMs on a clear reference for EEZ boundaries, for the purposes of verification of compliance. This CCM noted that EEZ boundaries of many coastal states in the WCPFC region is available through SOPAC, iFIMS and elsewhere. However this member notes that these pieces of information were not always consistent. Korea flagged plans to work with other CCMs on a way to agree on boundaries only for compliance-related purposes. Such an approach would necessarily be without prejudice to the rights of States under international law. Korea looks forward to working closely with other CCMs.
501. The Vice-Chair suggested CCMs to contact Korea directly if they have an interest in working with Korea on this issue.

AGENDA 14 - ADMINISTRATIVE MATTERS

14.1 TCC Work Plan for 2013–2015

502. WCPFC9 had approved the TCC Workplan 2013-2015 (WCPFC-TCC11-2015-IP10). The TCC Vice-Chair led a small working group to develop an updated TCC Workplan. After the Vice-Chair had to step in to lead TCC11, Australia reported back to TCC11 on the small working group’s work. TCC11 was invited to provide recommendations and advice to the Commission on a TCC Workplan for 2016 onwards.

503. Australia thanked the Vice-Chair for guiding the small group's work, in particular on framing the TCC Workplan to give the committee effective guidance. The small group met several times through the course of the meeting. Its main goal was to reflect the committee's core business in a specific and well-articulated way. The TCC Workplan was split into four areas: 1) core business tasks; 2) priority project specific tasks; 3) priority issues forwarded from the Commission; and 4) the work of the various intersessional working groups. Australia noted that it was TCC core business to review the work of these intersessional working groups, however they each have their own work plans. The TCC Workplan captures whose responsibility each task was and if it required extra resources. The TCC Workplan included a table that split the tasks across the three years.
504. The Vice-Chair referred the Committee to WCPFC-TCC11-2015-30, which is the draft revised workplan as developed by the small working group. She commented that this year TCC had decided to note the Executive Director report, but sometimes there are substantial items in that report and it is core business to receive the Executive Director report. The way it is reflected in the document left it up to the meeting how that report would be treated in any given year. She also asked the meeting to keep in mind that the current document was a Provisional TCC Workplan for 3 years and was up for review by the group each year; the priorities can be assessed year on year if needed.
505. CCMs made a number of interventions on both the 1) core business tasks; 2) priority project specific tasks of the draft workplan. Points of discussion included:
- a. On the wording of 1(d) and whether or TCC gives effect to obligations, with some CCMs taking the view that TCC gives advice not effect and others disagreeing;
 - b. Recognition that consideration of the special requirements of developing States and the CMR process for identifying requests for assistance to SIDS and other developing States is a part of TCC core business;
 - c. Noting perhaps the wording related to work that TCC anticipates would be done, particularly in the delivery of capacity building activities, by the Secretariat, TCC, SPC and FFA may need some further consideration;
506. Australia explained that the draft language in WCPFC-TCC11-2015-30, point 2(e) was developed in conjunction with FFA and reflected FFA priorities; it was drawn from the capacity building checklist.
507. The Vice-Chair noted that the issues related to SIDS were identified through the CMR over the last 2 years but suggested CCMs reflect on the language.
508. One CCM noted that over the years the Commission has received the required reports from developed CCMs, but their addressing of the SIDS requirements were often hit and miss. This CCM noted that the Workplan is where the specifics can be outlined. An example was the implementation of observer programs, where SIDS sometimes received training by developed nations.
509. TCC11 worked through the draft proposed workplan, however a number of CCMs stated that they needed more time to consider them. The Vice-Chair suggested proposing that intersessional group develops the TCC Workplan for consideration at WCPFC12.
510. The Compliance Manager explained that there will be an opportunity to present the TCC Workplan to the FAC, and any additional budgetary implications could be considered by the FAC at that time.
511. FFA members flagged that they are considering the inclusion of the Special Requirements Fund as a standing budget line in the Commission budget, disagreeing that it relies on voluntary contributions. These CCMs asked that TCC11 flag this issue for consideration at WCPFC12. FFA members recalled the concerns they had raised earlier in the meeting about

reports of assistance provided under CMM 2013-07. These CCMs asked that the reporting template be made clearer for CCMs to complete, and that CCMs provide more fulsome details of their assistance, and target it to SIDS priority needs including those set out in the FFA checklist in WCPFC11-DP20_rev2. FFA offered some recommendation language and discussion took place on them.

512. In relation to the concerns expressed about the reporting template for CMM 2013-07, the Compliance Manager asked FFA members to provide guidance on what CCMs needed to be done by the Secretariat with the revision.
513. The EU asked for clarification about what was required regarding details of assistance, asking if it meant some kind of breakdown of contributions submitted through the Annual Report Part 2. This CCM noted that it is one of the largest donors in the region and an itemization, of assistance by country, if that was what was being asked for, would be extremely time consuming. This CCM commented that the FFA checklist is a two way exercise which helps to guide assistance. This CCM would find it interesting to know what is being received by the SIDS and how is being used. EU wanted to simplify the process and expressed the concern that a CCM might be found non-compliant by not providing the information as requested when in effect is providing assistance.
514. Vice-Chair noted there had been difficulties in completing the template and suggested working with FFA to develop an amended template for annual CMM 2013-07 reporting.
515. One CCM noted that the potentially binding language was a concern. This CCM fully agreed that developed states should aim to do more to provide assistance and enhance their efforts.
516. Noting that some CCMs needed further time to consider the draft recommendation language, the Vice-Chair encouraged FFA to consult further with other interested members on the language.

517. TCC11 agrees to further review and develop the TCC workplan 2016-2018 intersessionally, for presentation to WCPFC12. Australia agreed to lead this task.

14.2 Administration of the Data Rules and Procedures, including Report on WCPFC Security Audit 2014/15

518. It was noted that the Secretariat had provided information on the 2015 review of the integrity of WCPFC VMS data and a review of the Secretariat's information security in WCPFC-TCC11-2015-RP07 and WCPFC-TCC11-2015-RP08. The highlights of RP07 were overviewed in the Executive Directors Annual Report.
519. There was no discussion under this agenda item.

14.3 Report on Secretariat IMS and website development and online reporting systems (2013-2015)

520. It was noted that the Secretariat had provided an update on these developments in WCPFC-TCC11-2015-14 (pp.15-16), which were overviewed in the Executive Directors Annual Report.
521. There was no discussion under this agenda item.

522. TCC11 recommends that WCPFC12 maintain the commitment to WCPFC Secretariat IMS development and enhancement over the next 2-3 years.
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14.4 Next meeting

523. It was noted that, as agreed at WCPFC11, TCC11 had been extended by one day.

524. TCC11 recommended that TCC12 be held on Wednesday 21 September – Tuesday 27 September 2016 in Pohnpei, Federated States of Micronesia.

AGENDA 15 - CLEARANCE OF TCC11 RECOMMENDATIONS

525. After a long last day of the meeting, TCC11 agreed to accept the TCC11 recommendations without further review. All recommendations were clearly adopted as the meeting progressed. The Secretariat advised that all agreed recommendations will be incorporated into the draft Summary Report which will be circulated for comment the week after TCC11. As per normal practice, the TCC11 report will be cleared intersessionally.

526. In response to a query about how a CCM can express its interest in being involved in the intersessional work between TCC and WCPFC12, the WCPFC Compliance Manager noted that after TCC the Secretariat would distribute a Circular listing activities CCMs had undertaken to do before WCPFC12, with a point of contact for each of those activities.

AGENDA 16 - CLOSE OF MEETING

527. USA thanked the Vice-Chair for taking over the leadership of the meeting at short notice on the morning of the sixth day of the meeting. This CCM noted the tremendous job she had done.

528. The Vice-Chair in turn gave her thanks for the Chair for guiding TCC through the meeting.

529. The Executive Director congratulated TCC on a job well done and thanked the Vice-Chair, noting that it had been a busy day for her. On behalf of the Secretariat the Executive Director acknowledged and thanked the Chair for her work on the first five days of the meeting. The Executive Director was impressed with the intensity of the work and the heavy agenda the meeting had covered. He noted that the CMS is the heartbeat of the work TCC does and the Commission will be well served and informed by the work participants had undertaken. The Executive Director specially thanked the Compliance Manager, Dr Manarangi-Trott, for the way she manages the team and for the quality of the papers produced for the meeting. The Executive Director wished the Chair, Alexa Cole a speedy recovery.

530. Australia thanked the Executive Director for his words and to the Chair and Vice-Chair for their guidance through the meeting, the Secretariat staff and the rapporteur for their efforts in running the meeting.

531. TCC11 was closed at 8:30pm on 29 September 2015.

ATTACHMENTS

Attachment A. Executive Directors Opening Remarks

Attachment B. List of Participants

Attachment C. Agenda for Eleventh Regular Meeting of the Technical and Compliance Committee

Attachment D. Provisional IUU Vessel list

Attachment E. Recommended changes to the Regional Observer Programme (ROP) Minimum Data Standards and Fields

Attachment F. Draft proposal (DP01b_rev1) to add additional by-catch species to Annex 1 of the rules on Scientific Data to be provided to the Commission recommended for referral to SC12.

Attachment G. Recommended Guidelines for Safe Release of Encircled Animals including whale sharks". (SC11 Executive Summary Report Attachment F)

Attachment A: Executive Directors Opening Remarks

11th Regular Session of the Technical Compliance Committee

Remarks by the WCPFC Executive Director; Feleti P Teo **at the Opening Session**

(23rd September, 2015)

Madam Chairperson, I thank you for allowing me to make some remarks at this opening session of the eleventh regular session of the Technical Compliance Committee (TCC).

Although I have attended previous meetings of the TCC, this is my first as the WCPFC Executive Director after assuming office in March of this year.

And I am grateful for this opportunity to share with the Committee and members and observers of the Commission some of my perspectives and key objectives as your new Executive Director.

But before I do that, let me acknowledge the presence of certain people in the room.

Firstly, I acknowledge the Commission Chair; Madam Rhea Moss-Christian.

I have been somewhat fortunate to have the Chair also residing in Pohnpei.

This has allowed me regular and ready access to consult and confer with the Chair.

I think I am reasonably (if not absolutely) clear as to the Chair's vision for the Commission for this year and onward.

And I have embraced it as my entrusted responsibility to support the Chair and the Commission, to advance the Commission's objective of ensuring, through effective management, the long term conservation and sustainable use of the high migratory fish stocks in the WCPO.

I also acknowledge the distinguished heads of delegation and delegates from member governments and observers.

I likewise acknowledge the representatives of international and regional organizations, in particular the Forum Fisheries Agency (FFA) which provide certain VMS services for the Commission and the OFP of SPC, the data services provider for the Commission. I thank them for the quality of the services they provided the Commission and the cooperative and collaborative manner they have worked with us.

I wish also like to acknowledge and commend the Chairs of the four inter-sessional working groups, all of them present here this week.

Mr Ray Clarke (USA) who chairs the IWG – ROP; Ms Kerry Smith (Australia) who chair the IWG - E-Reporting and E-Monitoring; Mr Alois Kinol (PNG) who chair the IWG – CDS; and Mr Brian Kumasi (PNG) who chair the IWG – FAD management options.

The work of these working groups are all integral and central to the work of TCC.

And I applaud them for their commitment and personal sacrifices in serving the Commission in these roles.

I also wish to recognize my Secretariat staff and to thank them in your presence for their dedication and hard work. I thank in particular Lara, our Compliance Manager and her team for leading the preparations for this meeting of TCC.

Chair, as you observed at the head of delegation meeting yesterday, preparations leading up to a meeting could be as challenging if not more, than having the meeting itself.

I also pay my respect to our host government, the government of FSM and to NORMA for being hospitable and generous host and for their continued support to the Secretariat. Mr Eugene Pangelinian, who most of you have known for a long time, was recently appointed to head NORMA and I think he deserves our hearty congratulations and commendation.

Chair, as the Commission's new Executive Director, I am making it a priority to lift the profile of the Commission and its Secretariat through deeper engagement with, between, and amongst members and stakeholders.

Good communication is critical for any organization, so at the Secretariat we are taking steps to communicate in the best way possible with external groups and with each other.

I have recently launched a new Communication Plan for the Secretariat that sets out a framework to make the Secretariat more connected to important stakeholders like Commission members and observers, NGOs, fishing industries, the media and the local Pohnpei community.

Our aim is more consistent engagement, as a building block for facilitating solutions on behalf of all Member countries and observers.

Some of you may have received emails from me last month introducing the inaugural edition of the new Secretariat Quarterly e-newsletter. The quarterly newsletter will keep members and stakeholders updated on Commission news and the work of the Secretariat team.

As head of the Secretariat, I will be active in publicizing the achievements of the Commission in a wider range of media coverage. Mindful, of course, that the Secretariat remain impartial and represent only the common interest and position of the Commission as collectively agreed.

Despite the critics of the Commission, I firmly believe that the Commission has a great story to tell and as the Executive Director I need to be out there on behalf of the Commission letting people know about progress and current issues at the Commission.

At the community level we plan to hold Commission open days and to enhance our community outreach. These actions will send an important message to the local community that we value being part of Pohnpei and we want to involve them more in the work we do, because Pohnpei is also our home.

In my first few months in office, I have been out and about meeting representatives of member countries and Commission observers, representative of NGO and fishing industries in non-Commission settings.

I am a strong advocate that Commission work does not necessarily have to wait for a Commission meeting or a Commission sanctioned event for it to be transacted.

I firmly believe that the kind of conversations that take place at TCC or at the annual Commission session should start well in advance of those meetings.

I believe the sooner those conversations start, on whatever issues, the higher the chances of the Commission arriving at some meaningful decision on those issues.

And I see it as my role to facilitate, support and provide a conducive environment for members to dialogue informally and frankly away from the constraints of the strict formalities of the procedures and processes associated with Commission meetings.

I am very glad and grateful to observe that the Chair of the Commission also share that perspective and we have made it our modus operandi as we prepare ourselves and the Commission members for the annual meeting.

And you heard from the Commission Chair we have made it our mission to initiate and sustain those channels of dialogue and communication between us and the Commission members and stakeholders well in advance of the Bali meeting.

With the same objective, some Commission members have taken onboard the responsibility to continue the dialogue / conversation on critical management issues that remain unresolved at the Apia Commission meeting last year.

An example of this is the work that is being done by the series of workshop on bigeye management options.

The Secretariat, with the support of the Commission Chair, has supported that process on the condition that it is inclusive and transparent, and ultimately its outcomes will be brought back to the Commission.

Chair, I am mindful of the heavy schedule ahead for TCC so I should wrap up my comments.

In closing, I wish you Chair and the Committee members most successful deliberations.

I and the rest of my staff stand ready to support your work over the next 6 days.

Thank you.

END

Attachment B. List of Participants



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Eleventh Regular Session (TCC11)
Pohnpei, Federated States of Micronesia
September 23 – 29, 2015
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Attachment C. Agenda for Eleventh Regular Meeting of the Technical and Compliance Committee



TECHNICAL AND COMPLIANCE COMMITTEE
Eleventh Regular Session
 23 - 29 September 2015
 Pohnpei, Federated States of Micronesia

ADOPTED AGENDA

	Doc
AGENDA ITEM 1 OPENING OF MEETING	
1.1 Welcome	
1.2 Adoption of agenda.	02 03
1.3 Meeting arrangements	
1.4 Introduction of Proposals: new CMMs or draft revisions to current CMMs	06_rev1
 AGENDA ITEM 7 ANNUAL REPORT OF THE EXECUTIVE DIRECTOR – <i>Highlights of WCPFC Secretariat administering of MCS and Compliance Programmes</i>	 14
 AGENDA ITEM 2 IUU LIST	 07
 AGENDA ITEM 3 CNM REQUESTS	 08
 AGENDA ITEM 4 COMPLIANCE MONITORING SCHEME	
4.1 Review of draft CMR	09
4.2 Provisional CMR report and Executive Summary	IP01
4.3 Target capacity assistance to areas of need identified by CMR process – (TCC Workplan 2013-2015)	IP02 IP04
4.4 Recommendations to revise CMMs prioritised by CMS process which were ambiguous or problematic – (TCC Workplan 2013-2015)	IP05
4.5 Consideration of an independent audit of the CMS	10
4.6 Recommendations to refine CMM 2014-07 <i>Compliance Monitoring Scheme</i>	11
 AGENDA ITEM 5 STATUS OF FISHERIES PRESENTATION (SPC-OFP)	 IP09 IP08
 AGENDA ITEM 6 SPECIAL REQUIREMENTS OF DEVELOPING STATES	 12
6.1 Review mechanisms to give full effect to SIDS obligations	
6.2 Report on implementation of trial WCPFC Port Coordinators Programme 2015-2016	13
 AGENDA ITEM 8 CORE MCS ACTIVITIES - <i>discussion of technical issues or requirements</i>	 RP01
8.1 Vessel Monitoring System (VMS)	

(a) Review compatibility of WCPFC high seas VMS with coastal VMS (TCC workplan 2013-2015)	15
(b) Review implementation of Commission recommendations [from the Joint WCPFC/FFA Review of the WCPFC VMS (paper WCPFC-2011/27)] (from 2012) small WG (TCC workplan 2013-2015)	16
8.2 Regional Observer Programme	RP02
(a) Report of the IWG-ROP4	17
(b) Measuring and monitoring ROP longline coverage	IP05
(c) Review implementation of Commission recommendations from 2012 ROP TAG (TCC workplan 2013-2015)	18
(d) Draft proposed changes to longline ROP observer data collection standards	19
8.3 High Seas Transshipment Monitoring	RP03
8.4 High Seas Boarding and Inspection (HSBI)	RP04
8.5 Record of Fishing Vessels (RFV)	RP05
8.6 Eastern High Seas Pocket Special Management Area (EHSP-SMA)	RP06 DP07
AGENDA ITEM 9 DATA PROVISION AND DATA GAPS	IP04
9.1 Review of tiered scoring system for evaluating compliance with provision of scientific data to the Commission	DP01
9.2 Proposal to amend “Scientific Data to be Provided to the Commission”	
AGENDA ITEM 10 INTERSESSIONAL ACTIVITIES	
10.1 E-monitoring and E-reporting Initiatives	
(a) Report from Electronic Reporting and E-monitoring Intersessional Working Group	20
(b) Reports from CCMs on outcomes and progress with trials and implementation	
10.2 Report from CDS-IWG	21
10.3 Consideration of SC and NC outcomes related to TCCs work	IP03
AGENDA ITEM 11 REVIEW OF EXISTING CMMs INCLUDING ANY PROPOSED AMENDMENTS	
11.1 South Pacific Albacore (CMM 2010-05)	IP09
11.2 Bigeye, Yellowfin and Skipjack (CMM 2014-01, CMM 2009-02)	
(a) FAD Management Options Working Group	
(b) Other aspects of CMM 2014-01	IP07
• RMI Info paper to be discussed under 11.2 (b)	IP08 <i>tbc</i>
11.3 Sharks (CMM 2010-07, CMM 2011-04, CMM 2012-04, CMM 2013-08 & CMM 2014-05)	23
(a) Review of Shark CMMs	
11.4 Sea Turtles (CMM 2008-03)	

- (a) Review non-target CMM (turtles) (TCC workplan 2013-2015)
- 11.5 Seabirds (CMM 2012-07)
 (a) reports from CCMs on practical and technical constraints to seabird mitigation measures (para 10 of CMM 2012-07)
- 11.6 Establishing a Harvest Strategy for key fisheries and stocks in the WCPO (CMM 2014-06) DP02
- 11.7 *Any other CMMs or decisions not listed above? [from 4.4 Consider recommendations to revise CMMs prioritised by CMS process which were ambiguous or problematic – (TCC Workplan 2013-2015)]*
- AGENDA ITEM 12 PROPOSALS FOR NEW CMMs**
- 12.1 **Draft CMM on WCPO Skipjack tuna target reference point** DP04
- 12.2
- AGENDA ITEM 13 OTHER MATTERS REQUIRING TCC ADVICE**
- 13.1 Development and trials of metrics for measuring fishing effort and capacity – (TCC workplan 2013-2015)
- 13.2 Korea Information paper on EEZ boundaries *tbc*
- AGENDA 14 ADMINISTRATIVE MATTERS** IP10
- 14.1 TCC Work Plan 2013 - 2015
- 14.2 Administration of the Data Rules and Procedures, including Report on WCPFC Security Audit 2014/15 RP07
- 14.3 Report on Secretariat IMS and website development and online reporting systems (2013 – 2015) RP08
- 14.4 Next meeting
- AGENDA 15 CLEARANCE OF TCC11 RECOMMENDATIONS**
(As per usual practice TCC11 report will be cleared intersessionally)
- AGENDA 16 CLOSE OF MEETING**

Attachment D. Provisional IUU Vessel list



PROVISIONAL IUU VESSEL LIST FOR 2016

As adopted by TCC11 in accordance with CMM 2010-06

Note: Information provided in this list is in accordance with CMM 2010-06 para 19

#	Current name of vessel (previous names)	Current flag (previous flags)	Date first included on WCPFC IUU Vessel List	Flag State Registration Number/ IMO Number (RFV VID)	Call Sign (previous call signs)	Owner/beneficial owners (previous owners)	Notifying CCM/Contact Details	IUU activities
2015_A	FAIMANU V	Wallis and Futuna / FRANCE (French Polynesia)	<i>(received by WCPFC 23 June 2015)</i>	WF 85 <i>Port of Registry: MATA-UTU I</i> (Not on RFV)	FNCX		FIJI Ministry of Fisheries and Forests, Fisheries Department 360 Toorak Rd PO Box 2218 Government Building, Suva	The longliner, while entering Fiji waters failed to notify port state prior to arrival into Fiji Port, had a broken antenna which may indicate non polling of MTU & found to have shark fins on board believed OceanicWhite Tip.
2015_B	RONG DA YANG 28	CHINA	<i>(received by WCPFC 25 June 2015)</i>	(LU)CHUANDE NG(JI)(2012)FT -200030 (VID 10356)	BBGA8	WEIHAI CHANGHE FISHERY CO. LTD of No.28,DongShan Road, WeiHai, Shandong, China	KINDGDOM OF TONGA Chief Executive Officer Ministry of Agriculture and Food, Forests and Fisheries, PO Box 14 Nuku'alofa	The longliner was sighted by an aircraft undertaking a maritime surveillance and alleged to be an unlicensed foreign fishing vessel fishing illegally inside Tongan fisheries waters.

#	Current name of vessel (previous names)	Current flag (previous flags)	Date first included on WCPFC IUU Vessel List	Flag State Registration Number/ IMO Number (RFV VID)	Call Sign (previous call signs)	Owner/beneficial owners (previous owners)	Notifying CCM/Contact Details	IUU activities
2015_C	LADY EVELYN-8	PHILIPPINES	<i>(received by WCPFC 14 July 2015)</i>	12-0000617 (VID 10514)	DUL-6657	RUGELA FISHING INDUSTRIES, INC. Calumpang, General Santos City.	FEDERATED STATES OF MICRONESIA, Executive Director, National Oceanic Resource Management Authority, PO Box PS122, Pohnpei.	Multiple incidents of alleged illegal fishing and transshipments in FSM EEZ (2-Feb 2015, 31- Jan-2015). <i>Supporting file notes past history of similar activities in 12-Jan 2013 and 30 Oct 2013</i>
2015_D	F/V MASTER RUSTIN-4	PHILIPPINES	<i>(received by WCPFC 14 July 2015)</i>	12-0000576 (VID 10656)	DUM-2834	RUGELA FISHING INDUSTRIES, INC. Calumpang, General Santos City.	FEDERATED STATES OF MICRONESIA, Executive Director, National Oceanic Resource Management Authority, PO Box PS122, Pohnpei.	Alleged illegal transshipment with purse seine fishing vessel Lady Evelyn-38 in FSM EEZ on 14 May 2014
2015_E	LADY EVELYN-38	PHILIPPINES	<i>(received by WCPFC 14 July 2015)</i>	12-0000651 (VID 10560)	DUL-2828	RUGELA FISHING INDUSTRIES, INC. Calumpang, General Santos City.	FEDERATED STATES OF MICRONESIA, Executive Director, National Oceanic Resource Management Authority, PO Box PS122, Pohnpei.	Alleged illegal transshipment in FSM EEZ (14 May 2014)
2015_F	LADY GELAINE 18	PHILIPPINES	<i>(received by WCPFC 14 July 2015)</i>	12-0000259 (VID 10516)	DUM-2830	RUGELA FISHING INDUSTRIES, INC. Calumpang, General Santos City.	FEDERATED STATES OF MICRONESIA, Executive Director, National Oceanic Resource Management Authority, PO Box PS122, Pohnpei.	Multiple alleged illegal transshipments with purse seine fishing vessels (31 Jan 2015 and 2 Feb 2015)

Attachment E. Recommended changes to the Regional Observer Programme (ROP) Minimum Data Standards and Fields

The following changes to the Regional Observer Programme (ROP) Minimum Data Standards and Fields are recommended to WCPFC12 for adoption (note that some fields are new, some represent splits of prior fields and some are existing fields with new text). All other fields remain the same.

	Field Name*	Text
1	Hook Type	Record at the set level what type of hook or hooks is used. Examples are J hooks-Circle hooks-offset circle etc, the vessel usually uses one type, but may use a couple of types. Note that the SPC/FFA observer programme uses an excellent SPC-produced "Terminal Gear Identification Guide"; which clearly identifies the most common hook types and sizes.
2	Hook Size	Record at the set level the size of the hooks used, if not sure ask the Bosun or refer to a hook catalogue. Note that the SPC/FFA observer programme uses an excellent SPC-produced "Terminal Gear Identification Guide"; which clearly identifies the most common hook types and sizes.
3	Bait Species	At the set level, record the bait species used Pilchard, Sardine, Squid, artificial bait etc.
4	Wire Trace	At the trip level indicate Yes or No -if the vessel uses wire traces on some or all their lines (Yes) or if no wire traces are used then record No. If wire traces used on all lines during the trip then record "ALL LINES" If the vessel used wire traces on certain branch lines during the trip record, where possible, information on the location of the branch line where used (for example "used on first and tenth branch lines from the float"). If the proportion of leaders that are wire varies within a trip, record the average based on a sample of ten baskets in different sets.
5	Weighted branch lines	At the trip level record whether or not the vessel uses weighted branch lines (Yes or No). If yes, record the mass of the weight attached to the branch line. If more than one type of weighting is used during a trip, describe each type and indicate the proportion based on a sample of ten baskets in different sets.
6	Shark lines	At the set level, record the number of shark lines (branch lines running directly off the longline floats or drop lines) observed. Where possible, record the length of this line for each set.
7	Number of light-sticks	At the set level indicate whether the vessel uses light sticks on its line, record the number it used, and record, where possible, information on the location (for example "used on first and tenth branch lines from the float").
8	Tori Line	Record Yes or No at the set level whether the vessel uses a single or double Tori lines when setting (0=none, 1=single tri line and 2=double tri line). A Tori line can have a number of different designs but is basically a line with ribbons and other attachments to scare birds away from the branch line baits.

* Used in the current WCPFC ROP Minimum Data Standards and Fields

	Field Name*	Text
9	Blue dyed bait	Record Yes or No at the set level-whether the vessel used bait that has been dyed especially to look blue.
10	Deep setting line shooter	Record Yes or No at the set level– whether the vessel used a deep setting line shooter.
11	Side setting with bird curtain and weighted branch lines	Record Yes or No at the set level– whether the vessel used side-setting with bird curtain and weighted branch lines.
12	Management of offal discharge	Record Yes or No at the set level- whether the vessel used the management of offal discharge.
13	Strategic offal disposal	Record Yes or No at the trip level whether the vessel used strategic offal disposal (dumping offal to attract seabirds away from hooks, or not dumping offal).
14	Condition when caught	Use condition codes to indicate status when caught. For each observed silky and oceanic whitetip shark, sea turtle, seabird or marine mammal , add three new codes: ‘hooked in mouth’, hooked deeply (throat/stomach)’, and ‘hooked externally’.
15	Condition when released	Use condition codes to indicate status when released to the sea. For each observed silky and oceanic whitetip shark, sea turtle, seabird or marine mammal, add a new code: ‘hook and/or line removed’.

Attachment F. Draft proposal (DP01b_rev1) to add additional by-catch species to Annex 1 of the rules on Scientific Data to be provided to the Commission recommended for referral to SC12.



SCIENTIFIC DATA TO BE PROVIDED TO THE COMMISSION¹

1. *Estimates of annual catches*

The following estimates of catches during each calendar year shall be provided to the Commission for each gear type:

- catches of bigeye tuna (*Thunnus obesus*), skipjack tuna (*Katsuwonus pelamis*), yellowfin tuna (*Thunnus albacares*), blue marlin (*Makaira mazara*) and black marlin (*Makaira indica*) in: 1) the WCPFC Statistical Area (see paragraph #8), and 2) the portion of the WCPFC Statistical Area east of the 150° meridian of west longitude;
- catches of albacore (*Thunnus alalunga*), striped marlin (*Tetrapturus audax*), swordfish (*Xiphias gladius*) and Pacific bluefin tuna (*Thunnus orientalis*) in: 1) the Pacific Ocean south of the Equator, 2) the Pacific Ocean north of the Equator, 3) the WCPFC Statistical Area north of the Equator, 4) the WCPFC Statistical Area south of the Equator, and 5) the portion of the WCPFC Statistical Area east of the 150° meridian of west longitude; and
- blue shark, silky shark, oceanic whitetip shark, mako sharks, thresher sharks, porbeagle shark (south of 20°S, until biological data shows this or another geographic limit to be appropriate), hammerhead sharks (winghead, scalloped, great, and smooth) and whale shark.

For trollers targeting albacore in the Pacific Ocean south of the Equator, the following catch estimates during the fishing season (July to June) should also be provided:

- catches of albacore in the Pacific Ocean south of the Equator

Catch estimates shall also be provided for other species as determined by the Commission.

Estimates of discards should also be provided.

Longline catch estimates shall be for whole weight, rather than processed weight. All catch estimates shall be reported in metric tonnes.

The statistical methods used to estimate the annual and seasonal catches shall be reported to the Commission, with reference to the coverage rates for each type of data (e.g. operational catch and effort data, records of unloadings, species composition sampling data) that is used to estimate the catches and to the conversion factors that are used to convert the processed weight of longline-caught fish to whole weight.

¹ As refined and adopted at the Ninth Regular Session of the Commission, Manila, Philippines, 2-6 December 2012.

The statistical and sampling methods that are used to derive the size composition data shall be reported to the Commission, including reference to whether sampling was at the level of fishing operation or during unloading, details of the protocol used, and the methods and reasons for any adjustments to the size data. Where feasible, this shall also be applied to all historical data.

2. *Number of vessels active*

The number of vessels active² in the WCPFC Statistical Area during each calendar year shall be provided to the Commission for each gear type.

For longliners, pole-and-line vessels, and purse seiners, the number of vessels active shall be provided by gross registered tonnage (GRT) class. The GRT classes are defined as follows:

- Longline: 0–50, 51–200, 201–500, 500+
- Pole-and-line: 0–50, 51–150, 150+
- Purse seine: 0–500, 501–1000, 1001–1500, 1500+

For trollers targeting albacore, the number of vessels active during each calendar year shall be provided for 1) the WCPFC Statistical Area south of the Equator and 2) the WCPFC Statistical Area north of the Equator. For trollers targeting albacore in the Pacific Ocean south of the Equator, the number of vessels active during the fishing season (July to June) shall be provided for 1) the WCPFC Statistical Area south of the Equator and 2) the Pacific Ocean south of the Equator.

3. *Operational level catch and effort data*

Operational level catch and effort data (e.g. individual sets by longliners and purse seiners, and individual days fished by pole-and-line vessels and trollers) shall be provided to the Commission, in accordance with the standards adopted by Commission at its Second Regular Session. These are listed in Annex 1.

It is recognized that certain members and cooperating non-members of the Commission may be subject to domestic legal constraints, such that they may not be able to provide operational data to the Commission until such constraints are overcome. Until such constraints are overcome, aggregated catch and effort data and size composition data, as described in (4) and (5) below, shall be provided.

It is also recognized that certain members and cooperating non-members of the Commission may have practical difficulties in compiling operational data for fleets comprised of small vessels, such as certain sectors of the fisheries of Indonesia, the Philippines and small island developing states.

Information on operational changes in the fishery that are not an attribute in the data provided is to be listed and reported with the data provision.

² A vessel is considered to be “active” if it fished (targeting highly migratory fish stocks) at least one day during the year.

4. *Catch and effort data aggregated by time period and geographic area*

If the coverage rate of the operational catch and effort data that are provided to the Commission is less than 100%, then catch and effort data aggregated by time period and geographic area that have been raised to represent the total catch and effort shall be provided. Longline catch and effort data shall be aggregated by periods of month and areas of 5° longitude and 5° latitude.

Purse-seine and ringnet catch and effort data shall be aggregated by periods of month, areas of 1° longitude and 1° latitude, and type of school association. Catch and effort data for other surface fisheries targeting tuna shall be aggregated by periods of month and areas of 1° longitude and 1° latitude.

If the coverage rate of the operational catch and effort data that are provided to the Commission is less than 100%, then unraised longline catch and effort data stratified by the number of hooks between floats and the finest possible resolution of time period and geographic area shall also be provided.

If the coverage rate of the operational catch and effort data that are provided to the Commission is less than 100%, then catch and effort data that have been raised to represent the total catch and effort shall also be aggregated by periods of year and areas of national jurisdiction and high seas within the WCPFC Statistical Area.

Catch and effort data aggregated by periods of month and areas of 5° longitude and 5° latitude that have been raised to represent the total catch and effort, and unraised longline catch and effort data stratified by the number of hooks between floats and the finest possible resolution of time period and geographic area, covering distant-water longliners may also be provided for the Pacific Ocean east of the eastern boundary of the WCPFC Statistical Area.

The statistical methods that are used to derive the aggregated catch and effort data shall be reported to the Commission, with reference to the coverage rates of the operational catch and effort data, and the types of data and method used to raise the catch and effort data.

CCMs are to provide, to the extent possible, the number of individual vessels per stratum and area covered by their operational data with the aggregated catch and effort data they submit to the Commission

Information on operational changes in the fishery that are not an attribute in the data provided is to be listed and reported with the data provision.

5. *Size composition data*

Length and/or weight composition data that are representative of catches by the fisheries shall be provided to the Commission at the finest possible resolution of time period and geographic area and at least as fine as periods of quarter and areas of 20° longitude and 10° latitude.

The length size class intervals are defined as follows:

- Skipjack tuna – 1cm
- Albacore tuna – 1cm
- Yellowfin tuna – ideally 1cm, but not more than 2 cm

- Bigeye tuna – ideally 1cm, but not more than 2 cm
- Billfish – ideally 1cm, but not more than 5 cm

The statistical and sampling methods that are used to derive the size composition data shall be reported to the Commission, including reference to whether sampling was at the level of fishing operation or during unloading, details of the protocol used, and the methods and reasons for any adjustments to the size data. Where feasible, this shall also be applied to all historical data.

Information on operational changes in the fishery that are not an attribute in the data provided is to be listed and reported with the data provision.

6. *The roles of flag states and coastal states*

Flag states or entities shall be responsible for providing to the Commission scientific data covering vessels they have flagged, except for vessels operating under joint-venture or charter arrangements with another state such that the vessels operate, for all intents and purposes, as local vessels of the other state, in which case the other state shall be responsible for the provision of data to the Commission.

It is recognized that the ability of flag States or entities to provide scientific data to the Commission may be constrained by the terms of bilateral or regional arrangements, such as the Treaty on Fisheries Between the Governments of Certain Pacific Island States and the Government of the United States of America.

Scientific data compiled by coastal states shall also be provided to the Commission.

7. *Time periods covered and schedule for the provision of data*

Estimates of annual or seasonal catches should be provided to the Commission from 1950 onwards or, if the fleet began operating after 1950, from the year in which the fleet began operating.

Operational catch and effort data, and size composition data, should be provided for all years, starting with the first year for which the data are available.

For all gear types, except trollers targeting albacore in the Pacific Ocean south of the Equator, estimates of annual catches, the number of vessels active, catch and effort data, and size composition data, covering a calendar year should be provided by April 30 of the year following the calendar year (e.g. data covering calendar year “x” should be provided by 30 April of year “x+1”).

For trollers targeting albacore in the Pacific Ocean south of the Equator, estimates of annual catches, the number of vessels active, catch and effort data, and size composition data, covering a fishing season (July to June) should be provided by April 30 of the year following the year in which the season ends (e.g. data covering the season from July of year “x” to June of year “x+1” should be provided by 30 April of year “x+2”).

Estimates of annual catches, the number of vessels active, catch and effort data, and size composition data should be revised, and the revisions provided to the Commission, as additional data become available.

8. *Definition of the WCPFC Statistical Area*

The WCPFC Statistical Area is defined as follows: from the south coast of Australia due south along the 141° meridian of east longitude to its intersection with the 55° parallel of south latitude; thence, due east along the 55° parallel of south latitude to its intersection with the 150° meridian of east longitude; thence, due south along the 150° meridian of east longitude to its intersection with the 60° parallel of south latitude; thence, due east along the 60° parallel of south latitude to its intersection with the 130° meridian of west longitude; thence, due north along the 130° meridian of west longitude to its intersection with the 4° parallel of south latitude; thence, due west along the 4° parallel of south latitude to its intersection with the 150° meridian of west longitude; thence, due north along the 150° meridian of west longitude; and from the north coast of Australia due north along the 129° meridian of east longitude to its intersection with the 8° parallel of south latitude, thence due west along the 8° parallel of south latitude to the Indonesian archipelago; and from the Indonesian peninsula due east along the 2°30' parallel of north latitude to the Malaysian peninsula.

9. *Periodic reviews of the requirements for scientific data*

The Commission, through its Scientific Committee, shall periodically review the requirements for scientific data and shall provide the Commission with revised versions of this recommendation, as appropriate.

Attachment K, Annex 1. Standards for the Provision of Operational Level Catch and Effort Data

1. Data items that shall be reported to the Commission

1.1 Vessel identifiers, for all gear types

Name of the vessel, country of registration, registration number, and international radio call sign: The registration number is the number assigned to the vessel by the state that has flagged the vessel. A code may be used as a vessel identifier instead of the name of the vessel, registration number and call sign for vessels that have fished and that intend to fish only in the waters of national jurisdiction of the State that has flagged the vessel.

1.2 Trip information, for all gear types

The start of a trip is defined to occur when a vessel (a) leaves port after unloading part or all of the catch to transit to a fishing area or (b) recommences fishing operations or transits to a fishing area after transshipping part or all of the catch at sea (when this occurs in accordance with the terms and conditions of article 4 of Annex III of the Convention, subject to specific exemptions as per article 29 of the Convention).

Port of departure, date of departure, port of unloading, date of arrival in port of unloading: If the start of a trip coincides with recommencing fishing operations or transiting to a fishing area after transshipping part or all of the catch at sea, then “Transshipment at sea” shall be reported in lieu of the port of departure, and if the end of a trip coincides with transshipping part or all of the catch at sea, then “Transshipment at sea” shall be reported in lieu of the port of unloading.

1.3 Information on operations by longliners

Activity: This item should be reported for each set and for days on which no sets were made, from the start of the trip to the end of the trip. Activities should include “a set”; “no fishing — in transit”; “no fishing — gear breakdown”; “no fishing — bad weather”; and “no fishing — in port”.

Date of start of set and time of start of set: The date and start of set time should be GMT/UTC. If no sets are made, the date and main activity should be reported.

Position of start of set: The position of start of set should be reported in units of at least minutes of latitude and longitude. If no sets are made, the noon position should be reported.

Number of hooks per set

Number of branch lines between floats. The number of branch lines between floats should be reported for each set.

Number of fish caught per set, for the following species: albacore (*Thunnus alalunga*), bigeye (*Thunnus obesus*), skipjack (*Katsuwonus pelamis*), yellowfin (*Thunnus albacares*), striped marlin (*Tetrapturus audax*), blue marlin (*Makaira mazara*), black marlin (*Makaira indica*) and swordfish (*Xiphias gladius*), blue shark, silky shark, oceanic whitetip shark, mako sharks, thresher sharks, porbeagle shark (south of 20°S, until biological data shows this or another

geographic limit to be appropriate), hammerhead sharks (winghead, scalloped, great, and smooth), whale shark, [opah, mahimahi, sunfish, sailfish, spearfish, oil fish, wahoo, rainbow runner, mobula and manta rays](#) and other species as determined by the Commission.

If the total weight or average weight of fish caught per set has been recorded, then the total weight or average weight of fish caught per set, by species, should also be reported. If the total weight or average weight of fish caught per set has not been recorded, then the total weight or average weight of fish caught per set, by species, should be estimated and the estimates reported. The total weight or average weight shall refer to whole weights, rather than processed weights.

1.4 Information on operations by pole-and-line vessels and related gear types

Activity: This item shall be reported for each day, from the start of the trip to the end of the trip. Activities should include “a day fishing or searching with bait onboard”; “no fishing — collecting bait”; “no fishing — in transit”; “no fishing — gear breakdown”; “no fishing — bad weather”; and “no fishing — in port”.

Date: The date should be GMT/UTC.

Noon position: The noon position should be reported in units of at least minutes of latitude and longitude.

Weight of fish caught per day, for the following species: albacore, bigeye, skipjack, yellowfin, blue shark, silky shark, oceanic whitetip shark, mako sharks, thresher sharks, porbeagle shark (south of 20°S, until biological data shows this or another geographic limit to be appropriate), hammerhead sharks (winghead, scalloped, great, and smooth), whale shark, [opah, mahimahi, sunfish, sailfish, spearfish, oil fish, wahoo, rainbow runner, mobula and manta rays](#) and other species as determined by the Commission.

1.5 Information on operations by purse seiners and related gear types

Activity: This item shall be reported for each set and for days on which no sets were made, from the start of the trip to the end of the trip. Activities should include “a set”; “a day searched, but no sets made”; “no fishing — in transit³”; “no fishing — gear breakdown”; “no fishing — bad weather”; and “no fishing — in port”.

Date of start of set, time of start of set and time of end of set: The date and time of the start of set and the time of end of set should be GMT/UTC. If no sets are made, the date and main activity should be reported.

Position of set or noon position: If a set is made, then the position of the set shall be reported. If searching occurs, but no sets are made, then the noon position shall be reported. The position should be reported in units of at least minutes of latitude and longitude.

³ The current definition for a purse seine day in transit (‘a day in transit’) should only cover the following cases:

- Transiting from port to the tropical WCPFC area (10°N - 10°S); or
- Transiting back to port; or
- Transiting from one fishing zone to another in the Convention Area.

Where vessels are transiting as described above, the conditions of transit are that the gear is stowed, with the boom lowered and tied down, and the net covered.”**

Footnote: **Subject to any further clarification.

School association: All common types of school association should be reported, while uncommon types of associations should be reported as “other”. Common types of school association are “free-swimming” or “unassociated”; “feeding on baitfish”; “drifting log, debris or dead animal”; “drifting raft, FAD or payao”; “anchored raft, FAD or payao”; “live whale”; and “live whale shark”.

Weight of fish caught per set, for the following species: albacore, bigeye, skipjack, yellowfin, blue shark, silky shark, oceanic whitetip shark, mako sharks, thresher sharks, porbeagle shark (south of 20°S, until biological data shows this or another geographic limit to be appropriate), hammerhead sharks (winghead, scalloped, great, and smooth), whale shark, [opah](#), [mahimahi](#), [sunfish](#), [sailfish](#), [spearfish](#), [oil fish](#), [wahoo](#), [rainbow runner](#), [mobula and manta rays](#) and other species as determined by the Commission.

1.6 Information on operations by trollers and related gear types

Activity: This item shall be reported for each day, from the start of the trip to the end of the trip. Activities should include “a day fished”; “no fishing — in transit”; “no fishing — gear breakdown”; “no fishing — bad weather”; and “no fishing — in port”.

Date: The date should be GMT/UTC.

Noon position: The noon position should be reported in units of at least minutes of latitude and longitude.

Number of fish caught per day, for the following species: albacore, bigeye, skipjack, yellowfin, blue shark, silky shark, oceanic whitetip shark, mako sharks, thresher sharks, porbeagle shark (south of 20°S, until biological data shows this or another geographic limit to be appropriate), hammerhead sharks (winghead, scalloped, great, and smooth), whale shark, [opah](#), [mahimahi](#), [sunfish](#), [sailfish](#), [spearfish](#), [oil fish](#), [wahoo](#), [rainbow runner](#), [mobula and manta rays](#) and other species as determined by the Commission.

If the total weight or average weight of fish caught per day has been recorded, then the total weight or average weight of fish caught per day, by species, should also be reported. If the total weight or average weight of fish caught per day has not been recorded, then the total weight or average weight of fish caught per day, by species, should be estimated and the estimates reported. The total weight or average weight shall refer to whole weights, rather than processed weights.

2. *Geographic area to be covered by operational catch and effort data to be provided to the Commission*

The geographic area to be covered by operational catch and effort data to be provided to the Commission shall be the WCPFC Statistical Area, except for fisheries targeting albacore in the Pacific Ocean south of the Equator, for which the geographic area should be the Pacific Ocean south of the Equator.

3. *Target coverage rate for operational catch and effort data to be provided to the Commission*

The target coverage rate for operational catch and effort data to be provided to the Commission is 100%.

4. *Procedures for the verification of operational catch and effort data*

Operational catch and effort data should be verified as follows:

- a) The amount of the retained catch should be verified with records of unloading obtained from a source other than the crew or owner or operator of the fishing vessel, such as an agent of the company responsible for unloading or onward shipping or purchasing of the catch.
- b) Positions of latitude and longitude should be verified with information obtained from vessel monitoring systems.
- c) The species composition of the catch should be verified with sampling conducted by observers during fishing operations or by port samplers during unloading.

Attachment G. Recommended Guidelines for Safe Release of Encircled Animals including whale sharks”. (SC11 Executive Summary Report Attachment F)

RECOMMENDED GUIDELINES FOR THE SAFE RELEASE OF ENCIRCLED ANIMALS, INCLUDING WHALE SHARKS

General principles

- Safety of the crew is a paramount consideration.
- When releasing encircled whale sharks, the stress the animal receives should be minimized to the extent possible.
- The following possible release methods should be used as general guidelines.
- The effectiveness of the following possible release methods has not been fully evaluated. Further scientific research is necessary in order to investigate survival after the release by various release methods. Therefore, CCMs are encouraged to conduct analysis on methods used by their purse seine vessels. In addition, several agencies have initiated a program of satellite tag deployments by experienced observers to assess survival of encircled animals associated with various release techniques.
- The appropriate release method should be chosen in a flexible manner depending on the circumstances and condition of the particular purse seine set, e.g. the size and orientation of the encircled animal, amount of fish in the purse seine set, weather conditions and brailing operation style.

As noted in the TCC9 Summary Report, Para 318, the PNA requires that when a whale shark is encountered in a purse seine net in PNA waters the net roll must be immediately stopped and the whale shark released.

In the WCPFC Convention Area the following actions are not recommended when releasing encircled whale sharks (see WCPFC-SC11-2015/EB-WP-03 Rev.1).

- Vertically lifting sharks by tail
- Pulling sharks by a loop hooked around its gill or holes bored into a fin
- Gaffing
- Leaving attached any towing ropes
- Brailing whale sharks larger than 2 meters
- Brailing whale sharks onto the deck

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