



TECHNICAL AND COMPLIANCE COMMITTEE
Seventh Regular Session
28 September - 4 October 2011
Pohnpei, Federated States of Micronesia

KEY ISSUES FROM WCPFC7 FOR TCC7

WCPFC-TCC7-2011-IP/02
8 August 2011

Paper prepared by Secretariat

ISSUE:

Status paper on key issues and action items arising from WCPFC7.

DISCUSSION:

The following paper is a status of the action items from WCPFC7 to be addressed at TCC7.



Key Issues Arising from WCPFC7

(Update 8 August 2011)

| Draft Summary Report para. no. | Agenda Item and Issue | Status |
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| 26 | WCPFC7 noted the revised list of observers as presented by the Secretariat, and tasked the Secretariat with developing a proposal for media access. | Media policy posted on 22 July 2011 |
| 64 | <p>The recommendations of FAC4 were presented in WCPFC7-2010-32 (Rev 1), and the following decision was taken by WCPFC7 (under Agenda Item 10):</p> <ul style="list-style-type: none"> i. all CNMs are to pay an annual contribution that is 50% of the amount that would be payable if the CNM was a member. This contribution formula is to be reviewed by the FAC in 2011. ii. the Executive Director shall inform CNMs and Members of the level of their recommended and assessed contributions as soon as practicable after each Annual Session with the amounts payable within 60 days of receipt of that notification. Contributions received from CNMs are to be used to reduce the assessed contributions of Members in the year following receipt. | Contributions for each CNM were included with the letters noted above |
| 87 | The Commission directed the Executive Director to work with the IATTC Director in development of draft TORs for a Joint Management Scheme proposal, and to present those TORs to the Commission intersessionally in mid-2011. | There was an informal SWG on the side of KOBE III that discussed and presented options for consideration by the two Commissions to form a formal |

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| | | technical working group on this issue inter-sessionally. Results of this side meeting are expected to be available very soon. |
| 90 | FFA Members recommended that “WCPFC7 approve the draft MOC and direct the Secretariat to consult with IATTC with a view to signing the MOC as soon as possible. FFA also recommended that WCPFC7 agree that the WCPFC Secretariat would issue a notice of intention to terminate the MOC immediately upon request of three or more CCMs.” | MOC on Cross Endorsement of Observers approved in July 2011 in La Jolla. |
| 153 | The following recommendations from TCC6 were approved by WCPFC7: <ul style="list-style-type: none"> i. On the ROP from the TCC report (TCC 6 report para 31), ii. For the release of ROP data (TCC 6 report para 35). iii. On data gaps and ROP efficiency (TCC 6 report para 42), iv. task the Secretariat to develop further work on SSPs relating to the Commission VMS in light of comments from CCMs, and in the context of the VMS security audit (TCC 6 report para 72), v. task the Executive Director to work with the IATTC on the on the IATTC/WCPFC overlap area. vi. Agreed that fees for non-carrier and bunkers should be an annual fee of \$US 2,500. | Decisions implemented as of 8 Feb 2011. |
| 159 | <u>Operation of Commission VMS</u> WCPFC7 tasked the Secretariat with incorporating significant elements from WCPFC7-2010-DP-29 into the draft VMS audit TORs and circulating the revised version to members for their review and approval, with a view to conducting an audit in the first quarter of 2011. | VMS Review conducted in second quarter of 2011 with report for TCC7 as WCPFC-TCC7-2011/10 |
| 162 | <u>Boarding and inspection</u> WCPFC approved that the Secretariat prepare updated language cards for use in high seas boarding and inspections. | No requests for changes in questions were received by the |

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| | | Secretariat for action in response to the two requests for new questions so no action has been taken on this item. |
| 173 | <p><u>Update of CCM compliance with CMMs</u></p> <p>WCPFC7 acknowledged the importance of providing complete and accurate data in a timely way and urged CCMs to improve the provision of data to the Commission. WCPFC7 requested that CCMs that have issues in providing accurate and complete data in a timely manner should identify those issues clearly to the Commission. At TCC7 CCMs should provide a draft plan of how impairments to the provision of data will be dealt with as rapidly as possible. CCMs are encouraged to assist others as they are able to do so and the Commission should continue to evaluate methods to assist in this matter.</p> | Secretariat has presented a draft outline for the new report for consideration. |
| 175 | <p><i>Cost Recovery Terms of Reference</i></p> <p>WCPFC 7 adopted the TORs for a consultancy study on optimization of WCPFC programme operational costs, including through cost recovery, as amended (WCPFC7-2010-DP-21 (Rev 3)) (Attachment S).</p> | Study completed and report circulated to CCMs. Paper to be presented to TCC7 as WCPFC-TCC7-2011/09 |
| 205 | <p>WCPFC7 agreed that the Secretariat should write to all non-member countries' flag registries seeking their cooperation with WCPFC management measures.</p> | Letters sent to all FAO Permanent Representatives or Embassies of FAO Members that were not CCMs of the WCPFC (159 letters) |

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| 223 | <p>CDS Scheme</p> <p>WCPFC7 agreed to form an intercessional CDS Working Group, to be coordinated by PNG, to progress work on an inclusive WCPFC CDS that includes flag, coastal and market States, and enables certification and export. It was agreed that the first consultation would involve the TORs for the CDS Working Group.</p> | <p>PNG circulated draft TORs for discussion. Comments and proposals were received from Chinese Taipei, EU and USA.</p> |
| 230 | <p>Streamline Annual Report-Part 2 Report to WCPFC7</p> <p>WCPFC7 noted the initiatives taken to streamline and automate reporting systems for the Part 2 Annual Reports and other Commission reporting processes. The WCPFC Secretariat was encouraged to work with interested CCMs during 2011 to further review and streamline the Part 2 reports mindful of SIDS IT constraints and the lack of budget.</p> | <p>Proposal for streamlined report to be presented at TCC7</p> |
| 246 | <p>Vessel Monitoring System</p> <p>WCPFC7 noted WCPFC7-2010/27 and its content, and directed the Secretariat to provide a link on its website to facilitate access to boundary information on the UN website.</p> <p>New web Link:</p> <p>http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/depositpublicity.htm</p> | <p>Done and posted on the web under 'Links" centre column. Also noted in Circular to all CCMs</p> |
| 249 | <p>Programme of work for the Technical and Compliance Committee in 2011–2013</p> <p>WCPFC7 approved the TCC work programme subject to the budget report, and with the understanding that the programme may be expanded to include some other items as decisions are made at WCPFC7.</p> | <p>TCC Work Programme revisited after WCPFC7. New Work Plan for 2012-2014 circulated 27 May WCPFC7-2010/28 Rev 1</p> |
| 255 | <p>AD HOC TASK GROUP</p> <p>WCPFC7 noted WCPFC7-2010-29, while acknowledging the corrections provided by the Marshall Islands in para. 253 above. It was agreed the AHTG-Data would continue its intercessional work on the items identified in para 252 above, and report to TCC7.</p> | <p>Chair of AHTG [Data] is preparing a report for TCC7</p> |

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| 260 | CMM 2007-03 — IUU Listing and Removal <u>(i) Amendments to para. 3(j) procedures</u> WCPFC7 adopted procedures related to para. 3(j) of CMM 2007-03 as set forth in WCPFC7-2010-DP-16 (Rev 1) (Attachment T). | Included in CMM 2010-06 |
| 267 | <u>(ii) Amendments to paras. 15 and 25</u> WCPFC7 directed TCC7 to satisfy the following request made by WCPFC5: “WCPFC5 agreed that further development of guidelines for how the Commission should consider and assess the adequacy of any actions taken, or sanctions imposed, in relation to CMM 2007-03 should be a priority work item and referred the matter to TCC5.” It was noted that work on a control of nationals measure may inform this process. | Work in Progress with CMM 2010-03 Compliance Monitoring Scheme Included in CMM 2010-06 |
| 270 | <u>(iii) 120-day rule</u> WCPFC7 adopted the proposed FFA revised timing noted in WCPFC7-2010-DP-05 on the issue of the 120-day rule in CMM 2007-03 (Attachment U). | |
| 343 | <u>VDS</u> WCPFC7 noted the Report by PNA Members on implementation of the Vessel Day Scheme | No action required |
| 351 | <u>North Pacific Striped Marlin</u> WCPFC7 adopted WCPFC7-2010-DP-07 Rev 2 as amended as a CMM (CMM 2010-01) (Attachment Y) | CMM 2010-01 posted |
| 357 | <u>Port State Measures</u> WCPFC7 directed TCC7 to consider the issue of Port State Measures, and any progress made intersessionally by the EU and other CCMs on the issue. | Expect papers and discussion at TCC7 |
| 370 | <u>Eastern High Seas Pocket Special Management Areas</u> WCPFC7 adopted WCPFC7-2010-DP-04 (rev 1) as a CMM (CMM 2010-02) (Attachment Z), and directed TCC7 to consider extension of the Special Management Area to buffer zones. | Report WCPFC-TCC7-2011/20 |
| 377 | <u>Committee on Compliance with Conservation Measures</u> WCPFC7 adopted WCPFC7-2010-DP-28 (Rev 2) as CMM 2010-03 (Attachment AA). | CMM 2010-03 posted |
| 380 | WCPFC7 adopted WCPFC7-2010-35 (Rev 1) as a CMM (CMM 2010-04 (Attachment BB)). | CMM 2010-04 posted |
| | <u>Closure of Additional Purse Seine Areas</u> | |

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| 387 | <p>WCPFC7 noted PNA members have already agreed to implement the closure of the additional high seas areas located within 10N and 20S latitude and 150W longitude to purse seiners that are licensed to fish in the waters of PNA from 1 January 2011. WCPFC7 agreed that the proposal in WCPFC7-2010-DP-06 be further considered through the “CMM 2008-01 review process” set forth under 9.1.2 (ii), para. 308 (above).</p> | <p>Being considered in revision of CMM 2008-01</p> |
| <p>397</p> <p>389</p> | <p><u>Prohibition of Purse Seine Fishing Associated with Whale Sharks and Mitigating Impact of Fishing on Cetaceans.</u></p> <p>The Commission noted the PNA members have agreed to adopt measures to mitigate the impacts of purse seine fishing on whale sharks, including banning setting on whale sharks from 1 Jan 2011 in their waters. The Commission took note of the advice in WCPFC7-2010-IP-01, which highlighted that there are incidental and inadvertent interactions with whale sharks and cetaceans in purse-seine sets. The Commission requested SC7 to develop best practice guidelines for the safe release and handling of encircled animals and advise on practical ways to make these available to fishing vessels, for consideration by WCPFC8, taking note that the safety of the vessel crew will also be fully considered. These best practice guidelines should be guided by collaborative research between the SC, TCC and industry. The use of ROP reports and experience of senior ROP observers should be considered in seeking practical, cost-effective mitigation procedures.</p> <p>The Commission agreed to address the issues raised by WCPFC7-2010-DP-09 and WCPFC7-2010-DP-17 at SC7, TCC7, and WCPFC8.</p> | |
| 401 | <p><u>Implementation of the ROP for Fresh Fishing Vessels North of 20°N</u></p> <p>WCPFC7 directed the NC to submit a revised CMM on implementation of the ROP for fresh-fish fishing vessels north of 20°N to TCC7 for consideration.</p> | <p>NC7</p> |
| 410 | <p><u>Implementation of an EEZ Entry and Exit Notification Scheme</u></p> <p>WCPFC directed TCC7 to consider the proposal in WCPFC7-2010-DP-15 (Rev 3), and to provide recommendations to WCPFC8.</p> | <p>One CCM raised this idea and no further notice or information has been</p> |

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| | | received |
| 418 | <p><u>Prohibition of Night Setting During the FAD Closure</u></p> <p>WCPFC7 agreed to include consideration of the proposal in WCPFC7-2010-DP-20 in the CMM 2008-01 review process (addressed under 9.1.2, para. 308).</p> | For CMM 2008-01 review |
| 423 | <p><u>CMM for Tropical Tunas in the Convention Area</u></p> <p>WCPFC7 agreed to consider WCPFC7-2010-DP-26 through the CMM 2008-01 review process (para. 308).</p> | For CMM 2008-01 review |
| 432 | <p><u>Budget Approval for 2011</u></p> <p>WCPFC7 accepted the recommendations of FAC4 as set out in the report of FAC4 (WCPFC6-2010/32, Rev 1), specifically noting that it:</p> <ol style="list-style-type: none"> 1. <ol style="list-style-type: none"> i. accepted the audited financial statements for 2009 as set out in paper WCPFC7-2010-FAC4/04, and encouraged all members to pay their contributions on time and in full; ii. adopted salary increases from 1 January 2011 as follows: 3% for Grade I; 4% for Grade J; 10% for Grade K; and 15% for Grades L and M; and noted, in respect of support staff, the statutory increase of 1% in employer social security contributions introduced by the Government of the Federated States of Micronesia and accordingly increased its employer contribution figure by 1%, which will be reflected in its Staff Regulations; established a new Grade J position with the terms of reference at Attachment 3 to FAC-4; iii. adopted the Commission Budget and Work Programme as contained in the FAC4 report; iv. agreed that all CNMs should pay an annual contribution that is 50% of the assessed contribution amount that would be payable if the CNM was a member, and that the Executive Director will inform CNMs and Members of the level of their recommended and assessed contributions as soon as practicable after each Annual Session and the amounts should be payable within 60 days of receipt of that notification. Contributions received from CNMs will be used to reduce the assessed contributions of Members in the year following receipt. v. adopted the strategic plan as a living document that will incorporate the ongoing work of the Commission subsidiary bodies and Annual Sessions; and vi. endorsed the report of FAC-4. | |

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| 436 | <p>WCPFC7 agreed that a performance review of the Commission would be undertaken in 2011, and tasked the Executive Director with (i) developing criteria for the review based on input received from members, and reflective of characteristics of WCPFC; and (ii) proposing a review panel to members for their approval that reflects the input received.</p> | <p>TORs approved, team selected and review ongoing for WCPFC8</p> |
| 437 | <p><u>Election of Officers</u></p> <p>WCPFC7 approved the nominations by FAC4, SC6, TCC6, and the NC for the following officers:</p> <ul style="list-style-type: none"> (i) Mr Charleston Deiye (Nauru) for a two year term (2011 and 2012) and Mr Liu Xiaobing (China) for a further two year term (2011 and 2012) as co-chairs of the FAC; (ii) Dr. Naozumi Miyabe (Japan) to continue his service as Chair of the SC for a further period of 2 years; (iii) Ms. Holly Koehler (USA) to serve as vice-chair of the TCC for an initial period of 2 years; and Mr. Masanori Miyahara (Japan) to continue his service as Chair of the NC. | |
| 438 | <p>WCPFC7 approved the nominations of Dr Charles Karnella (USA) to serve as Chair of the Commission, and of Mr. Matthew Hooper (New Zealand) to serve as vice chair.</p> | |