



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

**Twelfth Regular Session of the Commission
Bali, Indonesia
3-8 December 2015**

SUMMARY REPORT

Rev2 published on 6 July corrects the original and final version of the summary report (published on Feb 2016) by including page 7 of the Harvest Strategy Workplan (Att Y).

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SUMMARY REPORT

AGENDA ITEM 1 – OPENING OF THE MEETING

1. The Twelfth Regular Session of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC12) took place from 3-8 December 2015 in Bali, Indonesia.

2. The following Members, and Participating Territories attended WCPFC12: American Samoa, Australia, Canada, the People's Republic of China, the Commonwealth of the Northern Mariana Islands (CNMI), the Cook Islands, the European Union (EU), the Federated States of Micronesia (FSM), Fiji, France, French Polynesia, Guam, Indonesia, Japan, Kiribati, the Republic of Korea, the Republic of the Marshall Islands (RMI), Nauru, New Caledonia, New Zealand, Palau, Papua New Guinea (PNG), the Philippines, Samoa, the Solomon Islands, Chinese Taipei, Tokelau, Tonga, Tuvalu, the United States of America (USA), and Vanuatu.

3. The following non-party countries attended WCPFC12 as Cooperating Non-Members (CNMs): Ecuador, El Salvador, Liberia, Mexico, Panama, Thailand and Vietnam.

4. Observers from the following governmental and inter-governmental organizations (IGOs) attended WCPFC12: Agreement on the Conservation of Albatrosses and Petrels (ACAP), Inter-American Tropical Tuna Commission, Pacific Islands Forum Fisheries Agency (FFA), the Pacific Islands Forum Secretariat (PIF), the Parties to the Nauru Agreement (PNA), the Secretariat of the Pacific Community (SPC), the Secretariat for the Pacific Regional Environment Programme (SPREP), and the Food and Agriculture Organization of the United Nations (FAO).

5. Observers from the following non-governmental organizations (NGOs) attended WCPFC12: American Fisheries Research Foundation, American Tunaboat Association, Birdlife International, Conservation International, David and Lucile Packard Foundation, Earth Island Institute, Environment Defense Fund (EDF), Environment Hawaii, Greenpeace, International Environmental Law Project, International Pole and Line Foundation, International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean, International Seafood Sustainability Foundation (ISSF), the Marine Stewardship Council (MSC), Masyarakat dan Perikanan Indonesia (MDPI), Organization for the Promotion of Responsible Tuna Fisheries (OPRT), the Pew Charitable Trusts, Sustainable Fisheries Partnership Foundation, Tautai O Samoa Longline & Fishing Association, the Humane Society, the Nature Conservancy, the World Bank, and WWF.

6. A list of all participants is attached (**Attachment A**).

1.1 Welcoming addresses

7. After a Balinese welcome dance and warm appreciation to the government of Indonesia for graciously hosting the Commission meeting, the Commission Chair, Ms Rhea Moss-Christian, made some opening remarks. The Chair commented that global security challenges may make it hard to focus on fish, but food and economic security are also important. The Commission has an opportunity and obligation to ensure tuna supplies continue into the future. The Chair noted that at the end of the WCPFC11 meeting in Apia, Samoa the need to find better ways to conserve fish stocks was clear. The Chair noted the commitments members had made to cooperate in moving the Commission forward, and to turn discussion into action, and the Chair is committed to work alongside members and the Executive Director to facilitate this. The Chair thanked the Secretariat for its preparations for the Commission meetings this year, and the work of the Scientific Services Provider, SPC. The meeting would give maximum opportunity to focus on the conservation and management of four key tuna stocks, continue work on the Commission harvest strategy and adopt a work plan, and address the safety of observers – an issue for which there was much goodwill to attend to – and the special requirements of SIDS. The Chair noted that members depend on each other to realise their conservation goals and the status quo was not a long term option. The Chair commented that no territory wants to be the first to move lest it be a sign of weakness but, on the contrary, it was a sign of strength. The Chair's opening statement is at **Attachment B**.

8. The WCPFC Executive Director, Mr Feleti Teo, OBE, made some opening remarks. The Executive Director noted that this was his first Commission meeting as Executive Director and reiterated his gratitude to Commission members for entrusting him with the responsibility to lead the organisation for the next four years. The Executive Director commented that the meeting brought the opportunity for change and the burden of responsibility and noted the late Nelson Mandela quote that negotiations and discussions are the greatest weapon for peace and development, a principle that is also applicable to managing the treasured fisheries resource of the WCPO. The Executive Director noted three priorities at the Secretariat level including: a) more regular dialogue as a foundation for driving change, b) an updated and reformed strategic planning processes and 3) a more strategic approach to communications to support efforts to connect more effectively with stakeholders guided by a two year communications plan now in place. The Executive Director offered some perspectives including that the scientists had been consistent and clear in observing that some WCPO stocks are subject to overfishing and are in an overfished state, and immediate and urgent actions required. In light of the scientific advice, the Executive Director commented that doing nothing was not an option; a view he observed also shared by the Commission Chair. He added that it is the collective responsibility of all members and stakeholders to rebuild overfished stocks. The Executive Director called for change agents and acknowledged delegations at WCPFC12 with the necessary networks and skills to drive that change and they needed to step up, particularly on the issue of the status of the bigeye tuna. The Executive Director thanked Indonesia for its generous hospitality and excellent meeting arrangements and to the Indonesian Minister of Marine Affairs and Fisheries for her attendance and looked forward to her wise counsel and guidance in her keynote address. The Executive Director's opening statement is at **Attachment C**.

9. After acknowledging dignitaries and guests, the Republic of Indonesia's Minister of Marine Affairs and Fisheries, Ms Susi Pudjiastuti, made some strong opening remarks, emphasising the economics of the fishery, capacity, regulations to combat IUU fishing and the human side of effective fisheries management and healthy fisheries. Minister Pudjiastuti's full remarks are at **Attachment D**.

10. The meeting opened at 10:00am on Thursday 3 December 2015.

1.2 Adoption of agenda

11. The Chair noted two changes had been decided at the heads of delegation meeting on 2 December 2015, immediately prior to WCPFC12: a) Agenda item 8 had been moved forward in the schedule to be discussed directly after agenda item 4, as it relates to criterion in CMM 2013-06 to be used when looking at new proposals, and b) Agenda item 18 (Other matters) would contain an update on the WCPFC VMS. These changes were noted to have been included in WCPFC12-2015-02_rev2.

12. A brief discussion took place about the submission timing of proposals, with one CCM reminding the Commission that at WCPFC2 CCMs had agreed that proposals for new measure should be tabled 30 days before the meeting. It was noted that several proposals at WCPFC12 had not followed that process.

13. The Chair noted that in practice, on occasion, the Commission has considered proposals submitted within 30 days; it has depended on the nature of the proposal. It was up to the Commission to decide whether it wanted to strictly adhere to that WCPFC2 agreement, or admit the proposal then submit it to the process where its success was determined by the Commission after being guided by the proponents and worked on at the meeting.

14. EU noted it would be in favour of stricter rules as doing so would make examination of proposals and consultation with stakeholders easier, and in other RFMOs proposals are not taken into consideration if they are submitted after the due date.

15. The Chair suggested that the Commission allow proposals to be introduced at the relevant time in the agenda for CCMs to address as they wish, through small working groups or drafting groups. There was no objection to this.

16. The agenda was adopted with amendments (Attachment E).

1.3 Meeting arrangements

1.3.1 Establishment of small working groups (CNMs, CMS, others)

17. The following small working groups (SWGs) were established to deal with issues in the margins of the meeting before bringing them back to plenary for decision:

- a) tropical tuna measure CMM 2014-01;
- b) south Pacific albacore CMM 2010-05; and
- c) determining the participatory rights for CNMs.

18. Chinese Taipei offered to lead the CNM SWG. Following further discussions Korea accepted a nomination to lead the CNM SWG. Australia volunteered to lead the South Pacific albacore SWG and the Chair volunteered to lead the SWG looking at the tropical tuna measure (CMM 2014-01).

19. In addition, a drafting group was established to consider amendments to the Compliance Monitoring Scheme measure, led by TCC Vice-Chair, Australia offered to lead a small group to consider the TCC work plan, EU led a group discussing sharks and Australia led a group discussing the Workplan for the adoption of Harvest Strategies under CMM 2014-06.

20. The Secretariat was asked to prepare a list of working groups and the relevant contacts. This was subsequently circulated to the meeting as WCPFC12-2015-09B.

21. The Executive Director advised the Commission about meeting arrangements including facilities, catering, breakout rooms, document management, side-events, functions and the Sunday free-day tour hosted by the Indonesia government. The record of the meeting would be prepared by the rapporteur, Dr Jane Broweleit. The Executive Director identified the senior Secretariat staff in attendance at WCPFC12 including the Compliance Manager, Dr Lara Manarangi-Trott, the Finance and Administration Manager, Aaron Nighswander, and the Science Manager, Dr SungKwon Soh. The new legal consultant, Dr Penny Ridings, was welcomed, as was Victoria Jollands, an intern providing assistance to the Chair.

22. RMI noted that a SPREP-RMI jointly-hosted side event on marine pollution from vessels would be held in the margins of WCPFC12, a long overdue issue which RMI intended to take further next year.

23. During their first statements across the floor and during their country statements (Agenda item 3) many CCMs thanked the meeting host government Indonesia for its hospitality, warm welcome, meeting arrangements and enjoyable opening ceremony.

AGENDA ITEM 2 – REPORT OF THE EXECUTIVE DIRECTOR

24. As required by Rule 13 of the Rules of the Procedures of the Commission, the Executive Director presented his Annual Report for 2015 (WCPFC12-2015-06). The Executive Director acknowledged the new leadership of the Commission with the new Chair and himself assuming office in March, 2015. With the Chair residing in Pohnpei, the Executive Director had ready and regular access to her counsel and guidance. The Chair's support for reforms initiated in Secretariat had been gratefully received. The Secretariat noted three key priorities. The first is *deeper member engagement through more consistent dialogue*, noting that annual meetings were only part of the picture. The outreach program in 2015 included attendance at NC in September to meet with the Asian fishing states and had very productive discussions. Consultations with other members including observers were held at the margins of the SC11 and TCC12 with some consultations continued right up to the eve of the WCPFC12. Continued and regular engagement with all stakeholders will be a key feature of the way the Secretariat will operate in the future. The second priority is *effective strategic and business planning*, noting that planning activities will be more business-like in approach from now on. The Executive Director noted that the Commission's current three-year plan and annual work program are not aligned, and there is no planning document that sets out the long term strategic vision for the Commission which may be used to leverage financial and non-financial support for the Commission from members, non-members and international funding mechanisms. A review of the planning framework will allow the Commission to develop a more cohesive planning framework. Thirdly, is *enhanced communications with and between the Secretariat and stakeholders*, noting a Communication Plan was launched in August and would be delivered over two years. The Executive Director observed that the media will cover the Commission's activities whether the Commission engages with the media or not, and on this basis, under the plan there would be increased controlled engagement with the media. The Secretariat logo and website will also be updated.

25. The Executive Director noted the key work streams for the Commission which included the successful convening of the regular session of the Commission and its subsidiary bodies and the intersessional working groups and Harvest Strategy Workshop. The reports of the subsidiary bodies and intersessional working groups and workshop will be presented to WCPFC12. The Executive Director highlighted that 2015 had the most intensive intersessional work program since the Commission's establishment. The Secretariat was also involved in project management activities as they progressed work on the ABNJ (Common Oceans) Tuna Project - the Sharks and Bycatch, and the WPEA Project which focuses on capacity building in data collection in Indonesia, Philippines and Vietnam. Implementing the Compliance Monitoring Report (CMR) generated a sizeable volume of work, and it was pleasing to report that the draft CMR was completed on time and provided a sound basis for the TCC

to undertake its review. The Executive Director noted that further development of the IMS system and associated IT infrastructure are work in progress. As part of the communications plan, the second e-newsletter was distributed just prior to WCPFC12. The Executive Director noted that the 2014 financial statements were completed, with the Commission in a stronger financial position but a more long term sustainable funding model is needed. The Executive Director noted that the secretariat also manages the Japan Trust Fund and discussion were advanced with Chinese Taipei in efforts to establish a similar fund. The Executive Director noted the large increase in contributions to the voluntary fund in 2014, and registered the Commission's gratitude and appreciation to those that contributed including Australia, EU, Korea, USA, ISSF and FAO. In respect of the Special Requirements Fund, the Executive Director reported that it is now depleted and unable to support any request. The Executive Director thanked the Commission's various service providers contracted to perform some of the Commission's principal functions, especially the scientific services provider, SPC-OFP, and the VMS service provider, FFA. Close links with tuna RFMOs especially IATTC were acknowledged. Broad priorities for the Commission Secretariat for the future include deepening engagement with members and stakeholders, achieving tighter conservation and management for tropical tuna, developing the new strategic plan, continued focus on the CMS and IMS, VMS reporting standards and the CDS, and further development of the ROP.

26. The Chair noted with appreciation the new leadership within the Secretariat through the Executive Director and the hard work of the Secretariat staff to keep members informed about and engaged in the work of the Commission.

27. Many CCMs thanked the Executive Director for his comprehensive report and the work carried out by the Secretariat in 2015.

28. FFA members acknowledged that the Secretariat staff had carried the Secretariat for six months without an Executive Director last year, keeping the Secretariat functioning and delivering services. These CCMs supported the Executive Director's efforts to develop a planning framework and strategic plan which was more streamlined. FFA members extended appreciation to the Executive Director and Chair for their proactive and consultative approach in 2015.

29. Korea looked forward to continuing programs that strengthen MCS and the scientific work of the Commission along with the further implementation of E-reporting and E-monitoring. This CCM advised that it was implementing E-reporting on a trial basis, with an E-monitoring trial following next year. Korea intended to engage in this work of the Commission with interested CCMs.

30. Some CCMs asked that ISC is included in the 'service provider' section of the Executive Director Report next year, as it provides a strong contribution to the work of the Commission through the Northern Committee.

31. Japan enquired about the status of the arrangements between CCSBT and WCPFC mentioned at para. 47 of the Executive Director report.

32. The Executive Director apologised for the inadvertent omission of ISC and their scientific services to the NC and that it will be included in future reports. In response to the second query, the Executive Director explained that he was hoping to have an arrangement with CCSBT by the time of the meeting but this was not the case as CCSBT membership is yet to endorse the arrangement formally.

33. On behalf of the Pacific territories, France thanked the Secretariat and the Executive Director for their continued collaboration with IATTC. This CCM took the view that collaboration was particularly important and hoped it would continue in coming years.

34. China noted that it continues to make a voluntary contribution.

35. PNG expressed appreciation for the proposed strategic and corporate plans, noting the terms of reference contained in Annex 1 of the working paper. PNG raised two points in this report: that the IMS system would be developed to improve and make more efficient the work of CCMs in carrying out their responsibility, and streamlining the work of the Secretariat. PNG requested more information on whether the Secretariat was going to increase its staffing to deal with the IMS and sought clarity on how the Commission plans to fund the review of strategic plan and corporate plan.

36. The Executive Director noted that the Secretariat continues to improve and upgrade the IMS as the platform from which the Commission undertakes its work. The Secretariat had completed a job sizing evaluation, as reported to the FAC. If the proposal to develop the new strategic plan and the associated corporate plans are endorsed under agenda item 17, those plans will have implications for staffing requirements. In terms of IT staffing, the Executive Director noted that a network administrator position currently exist and yet to be filled and the Secretariat is considering doing so soon. The Secretariat has not identified the source of the funding for developing the new planning document but looks to the membership to provide the funding if it is accepted as an essential work, however, there are discussions ongoing with some of the observers interested in supporting this work.

37. The Tuvaluan Minister for Natural Resources, the Hon. Elisala Pita, acknowledged the Executive Director's report. The Minister noted that there had been a lot of talk but few results in the last few meetings and noted that last year's meeting in Samoa had an element of disappointment for FFA members. The Minister was pleased to see the agenda for WCPFC12 had been shaped in an attempt to rectify those issues and for every member to work together to achieve the membership's aim. The Minister noted that for the first time the Commission was led by a Chair and Executive Director from FFA countries. FFA members looked forward to this meeting to come together with other members to resolve issues which have been on the table for a long time.

38. The Commission noted the 2015 Annual Report of the Executive Director (WCPFC12-2015-06).
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AGENDA ITEM 3 – STATEMENTS FROM MEMBERS AND PARTICIPATING TERRITORIES

39. Korea noted the full agenda for WCPFC12, especially for tropical tuna species, and hoped Commission members can come up with practical and effective solutions and have constructive discussions Korea looked forward to participating in these discussions to provide fruitful outcomes.

40. On behalf of Tuvalu, the Minister for Natural Resources, Hon. Elisala Pita, drew the Commission's attention for the third year in a row to the critical importance of the decisions made at WCPFC12 to a small fishery-dependent state like Tuvalu. The Minister noted that last year in Apia it was agreed, through CMM 2014-01, to maintain the fourth month of FAD closure as a way to conserve bigeye. Tuvalu, with other PNA countries, rigorously implemented this but other WCPFC coastal states failed to impose the FAD closure in their waters, DWFN longliners did not deliver the bigeye catch reductions they committed to, and bigeye catches in the high seas have continued to increase. This year, PNA is proposing a revision to CMM 2014-01, prohibiting transshipment of frozen bigeye at sea, limit purse-seining in the high seas, and tighten up the FAD closures by prohibiting pre-dawn sets by purse-seiners. The Minister hoped and expected that members of the Commission will accept the refinements but if they do not Tuvalu will reconsider its position on the FAD closures. The Minister mentioned Tuvalu's struggle to expand its fleet from one to two vessels and noted that Tuvalu would not agree to

capacity management measures until convinced that they are consistent with SIDS rights to develop their fisheries for their own benefit. The Minister wished the Commission well in its deliberations

41. Philippines expressed its deepest appreciation to the Government of Indonesia for hosting WCPFC12 and the people of Bali. The Philippines noted its committed to ensuring the long-term sustainability of straddling and highly migratory fish stocks consistent with its rights and obligations under the 1982 Law of the Sea Convention, UN Fish Stocks Agreement, and the WCPFC Convention. Philippines noted that its commitment is demonstrated in the progressive implementation of the Convention and CMMs, and cooperation with other CCMs.

42. On behalf of New Zealand, Ambassador for Pacific Economic Development, Shane Jones, thanked Indonesia and the Secretariat as hosts and organisers and noted that New Zealand attaches a high priority to the development of the region's fisheries and recognises the importance of working together through this Commission. New Zealand strongly supported the strategies in the Regional Roadmap for Sustainable Pacific Fisheries that Leaders agreed to at the Pacific Island Forum, as Pacific Leaders expressed their objective of continuing to improve the sustainable management of fisheries. New Zealand noted the particular importance of committing to a TRP for the management of South Pacific albacore to help restore the economic viability of the southern longline fishery. New Zealand also noted the importance of improving the reporting on, and compliance with, conservation and management measures established by this Commission. Signs of pressure on some stocks was noted, with a need to ensure that harvesting remains sustainable, the burden of conservation is fair and that returns are delivered to countries that depend most upon this resource. The challenge for WCPFC12 will be to work through hard negotiations and compromise to make progress. It was noted that the highly charged tone of the Indonesian Minister's speech set the scene for what those in a position of stewardship in the Pacific want to sustain, spread and entrench.

43. As the host country, Indonesia welcomed WCPFC12 to Bali, and noted that it has been 12 years since the Commission was established. Scientific advice now indicates that some species are showing signs of overfishing. This means the Commission needs to increase its effort to meet the common goals of all parties. Indonesia noted that developing harvest strategies and harvest control rules in accordance with CMM 2014-06 will increase WCPFC's reputation as an RFMO with effective and efficient conservation and management mechanisms. Indonesia noted that it is developing a harvest strategy and/or harvest control rule for yellowfin and skipjack tunas within Indonesia's archipelagic waters (Indonesia Fisheries Management Areas 713, 714 and 715) to ensure that tuna resources in Indonesian waters are managed with compatible measures adopted by RFMOs. Indonesia noted that it has received technical support from IOTC, CSIRO-Australia and the WCPFC WPEA project, as well as from NGOs concerned with tuna fisheries management. Indonesia commented that the Commission will find the way to show its commitment to ensuring the sustainable management of tuna resources as required in Article 2 of the Convention.

44. The CNMI expressed its gratitude to Indonesia for hosting WCPFC12 and advised WCPFC12 of the fishing arrangements that have been established between the U.S. Participating Territories, including the Commonwealth of the Northern Mariana Islands, and the Hawaii longline vessels, which allows Hawaiian vessels to fish, subject to strict limits set for the US Territories. These arrangements offer a critical source of funds that the Territories otherwise would not have, to pursue their fishery development aspirations. The CNMI is implementing fisheries infrastructure development including vessel docks and shore-side facilities, local fish market construction, fisher training including pelagic and bottom fishing techniques, and seafood handling training as a result of this opportunity. The CNMI stated that these arrangements are fully consistent with Commission decisions and noted that the CNMI does not have industrial fisheries at present; the benefits support CNMI's small fishing communities. CNMI will submit a letter for circulation to the Commission providing further information on this issue.

45. American Samoa thanked the Government of Indonesia for being a generous and gracious host and noted that American Samoa is a US territory and also a developing participating territory with its own fisheries development aspirations and vulnerabilities. Its isolation and distance add high transport costs and make our products less competitive. As an economy that is highly dependent on tuna fisheries, American Samoa noted the need to keep its tuna fisheries viable, and supported the mechanism established under US law that allows the US participating territories to transfer a portion of its annual longline bigeye tuna catch limit to qualifying US vessels, process that takes into account Commission decisions, stock status and US territory fisheries development needs. American Samoa noted that its tuna fisheries and economy are threatened by labour issues, high safety standards, market forces and the loss of their historical fishing grounds, despite having a safe, deep harbor, with excellent facilities in the middle of the South Pacific Ocean. Effort limits and adverse economic conditions have slowed down the delivery of fish to American Samoa's canneries and have affected the economy.

46. USA recalled the objectives of the Convention, and the task to support small island states and participating territories to develop and maintain their fisheries in a fair and equitable manner and in a way that supports the primary objective of the Convention, acting on the best available science based on timely access to high-quality, relevant data. The Commission has more work to do in terms of collecting information, such as through observers, and getting it to the scientific service providers while maintaining the integrity and confidentiality of the information. USA advised that it had a number of objectives for the meeting which are broadly described as improving the management of specific stocks within the WCPO and improving the way in which the Commission does its business. USA noted that its implementation of obligations under the tropical tuna measure, combined with actions by coastal states in the region, has imposed a high price on at least one US territory. This CCM is assessing the impacts of these decisions on communities which are dependent on access to these resources and will be asking for consideration of spatial approaches to longline fishery management and appropriate treatment of the high seas for purse seine fishery management. USA called on CCMs member to enact laws and regulations, rigorously monitor vessels, close fisheries when limits are reached, and take enforcement action against vessels that violate the rules. This CCM also called for a permanent CMS.

47. PNG offered its sincere appreciation to Indonesia and welcomed the speech by the Indonesian Minister. PNG paid tribute to Charles Karnella for his leadership over the previous 4 years and congratulated the incoming Chair and new Executive Director. PNG has adopted enabling policies to provide a conducive environment for proactive fisheries management. The challenge for PNG is to transform this into practical human development outcomes. This CCM noted that the PNA longline vessel day scheme should bring in much-needed reforms and called on the Commission to adopt comparable measures and fully support the PIF's fisheries roadmap. PNG noted that the special circumstances and vulnerabilities of SIDS was a fundamental consideration for this Commission as laid out in Article 30. PNG advised that it had signed a joint communique on IUU and transnational crime with Indonesia for actions in their respective national jurisdictions.

48. Australia recognised the importance of fisheries to the region, as an integral part of the cultural, social and economic identity of many members of this Commission and noted that fisheries are a critical contributor to Pacific Island revenues and underpin their capacity to build resilience and address development needs. The Commission's challenge is to work together proactively to implement effective management arrangements for the key stocks. Australia has focussed over the last two years on promoting the development of harvest strategies for management of the Commission's tuna fisheries and will work with members this year to agree on a workplan for this critical agenda. Australia supported the development of a new strategic plan for the Commission, recognising the importance of having a clear vision and plan to achieve it. Australia noted that WCPFC12 will be asked to consider a number of proposals that will directly contribute towards the development of harvest strategies, and hoped to see significant progress on these proposals.

49. Guam supported the statements provided by CNMI and American Samoa regarding its domestic arrangements with US vessels, and noted that this mechanism is important for the development of Guam's local domestic fisheries. Guam advised that the Governor of Guam is making plans for the development of a locally-based longline fleet to supply its domestic market and local tourism-based economy. Guam announced its hosting of the SPC Festival of the Pacific Arts in May 2016, involving the participation of 27 Pacific island nations with 3,000 delegates along with thousands of visitors to follow FestPAC's two week Olympic of Cultures. Guam wished delegations a productive meeting.

50. RMI noted that a number of key issues demand action by the Commission: developing mechanisms to ensure the health, well-being and safety of fisheries observers as they carry out their duties, a push for a more coordinated and practical approach by the Commission to transshipment and reconsideration of the application of the 'impracticability' provisions in the measure, the improved monitoring of fishing activities in high seas pocket 1 as concerns were raised at TCC about alleged IUU fishing activities inside the pocket, implementation of the criteria in CMM 2013-06 to help address the disproportionate burden, and the special requirements of SIDS and the checklist adopted through CMM 2013-07 being incorporated into CCMs' business practices and a commencement of discussions and the formulation of budgets to support implementation of the CMM.

51. Chinese Taipei noted that WCPFC has had significant achievements in enhancing conservation and management of highly migratory fish stocks in western and central Pacific Ocean. Recently some proposals and discussions have focused on economic interests and political consideration rather than constructive discussions on conservation and management measures. Chinese Taipei expressed its desire and willingness to make further efforts to facilitate the functioning of the Commission in ensuring long-term conservation and sustainable use of highly migratory fish stocks in this area.

52. FSM noted that its delegation included members of its national legislative body who have taken the time to observe for themselves the work of the Commission but also to learn more about what the Commission is doing to manage and conserve the fishery resources with the Commission Convention Area. As other Pacific Island countries do, FSM attaches great importance to their effective management because tuna offers the greatest opportunity for economic self-sufficiency and food security into the future. In addition, revenue from licensing represents a significant part of our local revenue and with declining revenues from traditional partners and the challenges of being a small economy, fisheries support our government's basic services including health, education and social development programs. FSM seeks to develop them to create jobs and new economic opportunities and noted that it was ready to work with other members of the Commission towards that outcome. FSM stressed the importance of the Commission's work and, as the host to the WCPFC Secretariat, reiterated its commitment to making the Secretariat function in an environment that is conducive to its effectiveness and efficiency in service to its members.

AGENDA ITEM 4 – MEMBERSHIP AND OTHER APPLICATIONS

4.1 Status of the Convention

53. New Zealand, as Depository of the WCPF Convention, advised WCPFC12 that since its last report to the Eleventh Regular Session of the Commission in December 2015 in Apia, Samoa, New Zealand has not received notification of any instruments of ratification or accession to the Convention (WCPFC12-2015-05).

54. The Commission noted the Report on the Status of the Convention (WCPFC12-2015-05).
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4.2 Update on Observer status

55. The Executive Director advised the Commission of applications for observer status and observers invited out of session to participate at WCPFC12. WCPFC12-2015-07 provided the list of observers to date, categorised as either IGO or NGO observers. There are 57 observers – 16 IGOs and 41 NGOs – and since WCPFC11 six new observers were admitted as per the Rules of Procedure.

56. FFA members noted the number of organisations now official observers to the Commission. These CCMs supported transparency and openness of Commission meetings, and appreciated the contributions of observers. However, they were concerned about some SIDS members being strained from year to year in meeting their annual assessed contributions and the escalating costs of the meetings due to the high numbers of attendees. These CCMs proposed that the Commission undertake some analysis and review of the current list of observers considering the following elements: a) the number of observers that had attended meetings; b) whether it was appropriate to limit numbers on observers' delegations; c) whether it was appropriate for observers to pay an annual contribution towards the meeting costs; and d) how to accommodate treating separately observers which support the SIDS' effective participation in the Commission – the SPC, the FFA Secretariat and the PNA Office – as these bodies are also separately recognised under the CMS measure.

57. Executive Director noted that the matter of a fee was raised during FAC discussions early in the meeting. The FAC agreed to task the Secretariat to look into the issue of charging a fee for observers and report back to FAC next year. It was noted that if a further broader review was requested the Secretariat could accommodate that review.

58. The EU considered that a review could be a way forward, noting the number of observers participating. However, the analysis by the Secretariat should not be limited to a contribution to the cost of meetings by observers, but should also look at other issues and the way observers contribute to the work of the Commission, including issues relating to transparency and access to documents. This CCM was reluctant to see a cap placed on the number of observers and suggested the issues could be discussed together at TCC in advance of WCPFC13, not just FAC.

59. The American Fishermen's Research Foundation suggested that, when thinking about setting a fee for observers, the size of the organisation, the number of delegates that attend meetings, and which observers are true stakeholders, such as harvest groups, should be considered. This observer organisation noted that it funds itself to go to the three WCPFC-related meetings each year.

60. The Chair noted the Commission's general agreement to undertake a review of observer participation at the Commission, covering the elements which had been raised by FFA, EU and the observer group.

61. The Commission noted the updated list of observers provided in WCPFC12-2015-07 and tasked the Secretariat to undertake a review of observer participation at the Commission, covering the following possible elements:

- the number of observers which have attended meetings;
- whether it is appropriate to limit numbers on observers' delegations;
- whether it is appropriate for observers to pay an annual contribution towards the meeting costs;
- how to accommodate treating separately observers which support the SIDS' effective participation in the Commission (specifically SPC, FFA, PNAO);
- whether and/or how to accommodate treating separately observers that are direct stakeholders, such as harvest groups;
- Transparency;

- access to documents;
and to report back to WCPFC13.

4.3 Applications for Cooperating Non-Member status

62. The TCC Vice-Chair, J. Anderson (New Zealand) presented the TCC11 recommendations (TCC11 Summary Report para 117) in respect of the seven applicants, Ecuador, El Salvador, Liberia, Mexico, Panama, Thailand and Vietnam for WCPFC12 consideration (WCPFC12-2015-08). In accordance with CMM 2009-11 on CNMs, the Commission considered the seven applications which had been submitted for CNM status for 2016.

63. The Chair asked for general comments, advising that the Commission would then take each applicant in turn to consider their CNM status.

64. FFA members maintained that CNMs are to pay a contribution to the Commission as required under the measure and agreed at WCPFC11 – 50% of the amount that would be payable if the CNM was a member (agreed at WCPFC7), premised on the principle that all participants must share the costs of conservation and management of these stocks. FFA members thank those CNMs that have paid their contributions, and noted that Mexico's contribution remained outstanding. FFA members recalled that this was a subject of extensive discussion at the last Commission meeting and in granting CNM status to Mexico the Commission was assured that they would investigate the possibility of a voluntary payment. These CCMs called on Mexico to update the Commission on these discussions and reiterated that FFA members do not agree to CNM status for any applicant with an outstanding financial contribution or who is unable to commit to making the contribution for next year.

65. Japan noted that overcapacity in the purse-seine sector is a major problem of the Commission and requested that the CNMs work together to solve this problem. Japan requested an update from Vietnam on the construction of vessels which could participate in fishing in the WCPFC area, and also requested Vietnam continue to provide such information to prevent further expansion of the purse-seine fleet in the WCPO.

66. Vietnam stated that in 2015 one large-scale tuna fishing vessel was built in Vietnam. It was 100% owned by a French company. It was delivered in June 2015 and flagged to the Seychelles and operates in the Indian Ocean. At present, no construction of large-scale tuna fishing vessels is taking place in Vietnam and there are also no contracts for future construction of such vessels. There is no further construction in Vietnam taking place and no contracts for future construction. Vietnam emphasised that it wanted to fully cooperate with the Commission. However it noted that this discussion should not be part of the procedure of granting CNM status.

67. The Chair asked if there was any objection to accepting Ecuador as a member for 2016.

68. WCPFC12 agreed to approve the application for CNM status in 2016 for Ecuador.

69. The Chair asked if there was any objection to accepting El Salvador as a member for 2016.

70. WCPFC12 agreed to approve the application for CNM status in 2016 for El Salvador.

71. The Chair asked if there was any objection to accepting Mexico as a member for 2016.

72. The Secretariat was asked for an update on the status of Mexico's contribution. It was confirmed that as of 13 November, Mexico had not provided a financial contribution (WCPFC12-2015-08).

73. Palau noted that as a SIDS it has problems making its contribution but has managed to do so. This CCM objected to Mexico's application.

74. The USA expressed sympathy for Palau's argument, but noted that it did not interpret the CMM in the same way, and in USA's view the lack of a contribution did not provide a bar to participation. Rather, it was in the interest of the Commission to have Mexico participate, especially in NC on Pacific bluefin tuna, which was a stock in serious trouble and required work among all the countries involved whether on the eastern or western side of the Pacific. USA noted that Mexico had expressed a willingness to engage in the Commission and is essential to our solving the bluefin issue, and it would be a mistake to preclude them. USA further noted that in the past Mexico has explained the legal prohibitions it has, and that those prohibitions resolve if it could become a member of the Commission. This CCM suggested that a better course of action would be to agree to invite Mexico to become a member.

75. Canada, China, EU, Japan, Korea and Chinese Taipei supported USA's views. While expressing sympathy with the SIDS position, China suggested a voluntary contribution could be made through industry or an association. Japan noted that Mexico is the second largest Pacific bluefin tuna harvester and cooperation with Mexico is essential for management of this stock.

76. Nauru supported Palau's intervention, noting that Mexico was not even in attendance.

77. Tokelau reiterated the FFA position from last year's Commission meeting, whereby they would not agree to CNM status for any member that has an outstanding financial position and suggested that Mexico works on its legal constraints and applies for CNM status once that is addressed.

78. The Chair noted that there is not a Commission decision to accept Mexico as a CNM as the application has not been accepted by consensus and this would be reflected in the report.

79. The Chair asked if there was any objection to accepting Panama as a member for 2016.

80. WCPFC12 agreed to approve the application for CNM status in 2016 for Panama.

81. The Chair asked if there was any objection to accepting Thailand as a member for 2016.

82. Japan commented that Thailand was accepted into the Commission because of its unique situation having large amounts of cannery data, as most of Thailand's catch for canning comes from the WCPFC region, and requested Thailand to confirm whether information on its cannery data were provided to the WCPFC or not.

83. Thailand noted that it requests data from the canning companies and submits it to the WCPFC each year.

84. WCPFC12 agreed to approve the application for CNM status in 2016 for Thailand.

85. The Chair asked if there was any objection to accepting Vietnam as a member for 2016.

86. WCPFC12 agreed to approve the application for CNM status in 2016 for Vietnam.

87. The Chair asked if there was any objection to accepting Liberia as a member for 2016.

88. WCPFC12 agreed to approve the application for CNM status in 2016 for Liberia.

89. On 5 December Korea reported that the CNM SWG had met, with substantial discussion taking place on the six applications which had been accepted as CNMs for 2016. There were issues remaining and the group was waiting to hear from Mexico. Panama had made a request to include the term 'supporting vessel' and the SWG was exploring the implications of including that term. This SWG required another meeting to continue these discussions. The Executive Director noted that the Secretariat had a short time ago received a letter from Mexico with a commitment to pay the CNM membership fee. This letter was posted for all CCMs to read (WCPFC12-2015-OP19).

90. PNG sought clarification about whether the commitment is to provide the financial contribution which had been due this year or if it was for next year. This CCM noted that the Commission had already decided that Mexico's application would not be accepted for 2016. PNG asked the Secretariat to seek clarification which payments were being committed to.

91. On 7 December the Chair reminded CCMs that there had been questions about Mexico's financial commitment for 2015. It was noted that a delegate from Mexico had now arrived at the meeting and he could address the application and the question of financial commitment.

92. Mexico noted that delegations will have seen the letter from the Mexico government (WCPFC12-2015-OP19), demonstrating Mexico's interest to continue participating in WCPFC as a CNM. Mexico noted that it had participated in several meetings and fully cooperated with the NC and ISC. It provided information punctually and the information it provides is used by the Commission to make management decisions. Mexico noted that the main reason for Mexico's participation was not a need to fish in WCPFC waters, as Mexico had abundant yellowfin in its own EEZ. Rather, Mexico shared in the responsibility of managing the marine resources of the Pacific, and to participate in the technical and scientific committees of the two organisations. Mexico further noted that it only catches fish in the area shared with IATTC. Mexico stated that it would like to participate as a full member in the future. Mexico asked for advice from the Secretariat about the amount of contribution it was required to pay, whether it was voluntary and how it was calculated, and commented that it had not received information from the Commission in this regard. Mexico noted its understanding that some delegations had supported Mexico's position during initial discussions early in the meeting, and hoped to work through the next steps to continue its CNM status.

93. The Secretariat advised that at the end of each annual meeting the Executive Director sends a letter to each of CNM applicant advising of the outcome. That letter includes the expected financial contribution, based on the approved budget. This was stated in the letter to Mexico and other CNMs applicants on 19 February 2015. In addition, follow up letters were sent following TCC11 which drew the attention of CNM applicants to any gaps in financial contributions. It was noted that these communications which confirmed the contribution amount were as per the decision made at WCPFC11 to do so. The Commission assesses the financial commitment of CNMs to be 50% of what that member would have paid if it had been a full member. Mexico's contribution for 2015 was assessed at \$27,070 – half of the \$54,140 the contribution would have been if Mexico had been full member.

94. The representative from Mexico noted that with a figure in hand he will report to capital. Mexico stated that the commitment to pay the due is in the form of a promise from the Mexico government to cover the dues as soon as possible.

95. In light of the new information from Mexico, a lengthy discussion took place about whether the Commission was prepared to accept Mexico's CNM request for 2016.

96. Several CCMs spoke in favour of Mexico being accepted as a CNM, with Japan outlining its support was based on Mexico being an important participant in the NC regarding Pacific bluefin tuna, a species which migrates to the EPO, and being the second largest harvester of the species. USA and China strongly supported the application, as did France on behalf of the French territories in the Pacific, due to the shared management of stocks and the cooperation between IATTC and WCPFC. EU considered the presence of Mexico and its participation in the NC work to be essential and hoped Mexico would become a full member in the future.

97. Nauru asked for clarification around whether, if the Commission accepts the application, Mexico has 90 days to pay and whether, if that payment is not forthcoming, the application is rejected.

98. The Chair noted the case of Senegal at WCPFC11, where a conditional acceptance was given, provided the payment was made by a certain date.

99. Chinese Taipei noted that it could go along with others on imposing a condition and appreciated the commitment from Mexico of this payment. This CCM hoped the payment would be made by January or February.

100. Canada supported the inclusion of Mexico as a CNM but expressed doubts about the conditional aspect, noting that Mexico's internal system for making the payment may need more time and that the WCPFC should go by the commitment when deciding on Mexico's CNM status.

101. Philippines noted that it was satisfied with the commitment, noting that it was made by a representative of the government.

102. The Chair noted that there was support for the application but that the issue of payment not having been made was outstanding. The Chair noted the precedent which had been set at WCPFC11 to apply a condition to Senegal and suggested that members accept this as a way of proceeding, and that payment would be due 90 days after 15 January 2016, which is the date members are notified to pay their financial contributions.

103. There were no objections to this.

104. Mexico queried the decision to make the application conditional.

105. FSM supported Nauru's comment on conditionality, commenting that last year the Commission had heard the same commitment. The condition would hold Mexico to making the payment within 90 days or it would lose its CNM status.

106. Japan noted that if the decision to make the acceptance conditional was based on practice not the measure relating to CNMs, the Commission could consider changing the current practice to be more flexible in order to accommodate Mexico. This CCM commented that WCPFC is the only tuna RFMO which obliges a budgetary contribution from CNMs, and noted that for CNM countries this is a budget issue with not only the fisheries ministries involved but also the finance ministries.

107. RMI noted that there were reservations to the application and the established rule in WCPFC is that decisions are taken by consensus. Kiribati supported RMI's comments.

108. PNG asked Mexico to clarify whether it would allow HSBI by WCPFC authorised inspection vessels.

109. FSM noted the lengthy discussion both earlier in the meeting and during these current discussions and expressed concern that the Commission would be opening the door for others to take the same approach. This CCM encouraged Mexico to make the payment. FSM noted PNG's question about HSBI and commented that this issue was raised as it was about Mexico agreeing to apply rules that are applied by other participants. This CCM noted that if Mexico is not accepted as a CNM it can still cooperate with the NC as an observer.

110. The Chair noted the lack of consensus on accepting Mexico's application, whether conditional or not and discussions on the matter ceased.

111. Korea asked that the WCPFC legal advisor attend the 7 December CNM SWG meeting and on 8 December, Korea noted that a second draft had been developed and would be posted shortly.

112. On 8 December, Korea reported that it had taken on board all comments so far and would meet again during the lunch break. It was noted that the SWG had received confirmation that Mexico had paid its dues on 7 December, and the WCPFC Finance and Administration Manager had confirmed the transaction.

113. The Chair noted that the issue which was outstanding for Mexico was its payment, so there were no outstanding matters to address. The Chair suggested that the Commission now accepted the CNM application and the CNM SWG could now consider Mexico's participatory rights.

114. There were no objections to this.

115. The Commission agreed to approve the application for CNM status in 2016 for Mexico.

4.3.1 Participatory rights of CNMs

116. In accordance with paras. 12 and 13 of CMM 2009-11, the CNM SWG reviewed the participatory rights of CNMs for the Commission's adoption. On 8 December 2015, Korea presented the final report of the CNM SWG, WCPFC12-2015-31, outlining the participatory rights for the seven CNM applicants.

117. The Commission noted with appreciation the attendance and participation of Ecuador, El Salvador, Liberia, Mexico, Panama, Thailand, and Vietnam in the CNM-SWG discussions.

118. The SWG agreed to recommend that the CNMs accepted by the WCPFC plenary (Ecuador, El Salvador, Liberia, Mexico, Panama, Thailand and Vietnam) have the same participatory rights in 2016 as they had in 2015.

119. The SWG noted the recommendation from TCC11 that WCPFC12 take into consideration the Compliance Status of all CNM applicants in making its decision on the CNM applications and participatory rights, including encouraging them to rectify any gaps or issues in their applications prior to WCPFC12.

120. The Commission agreed that:

- a) In accordance with the WCPF Convention and its conservation and management measures and resolutions, the following participatory rights apply to Cooperating Non- Members (CNMs) for

fisheries in the high seas within the WCPFC Convention Area.

b) In addition, unless otherwise specified below, CNMs may fish in waters under their national jurisdiction or other CCMs' national jurisdiction, in accordance with appropriate bilateral arrangements.

c) CNMs shall ensure vessels flying their flags comply with all provisions of the WCPF Convention and the WCPFC conservation and management measures. In addition, CNM vessels will be placed on the WCPFC Record of Fishing Vessels (WCPFC RFV).

d) CCMs shall ensure that CNM fishing activities that are conducted in waters under their national jurisdiction in accordance with bilateral arrangements are consistent with all relevant conservation and management measures and provisions of the WCPF Convention.

e) Renewal of CNM status by the Commission will take into account -compliance with the national laws and regulations of any licensing CCM, and all conservation and management measures and provisions of the WCPF Convention. CCMs shall identify any violations by vessels flagged to a CNM and report on any investigations of such violations to the TCC.

Participatory rights of each CNM in 2016

Ecuador

121. The Commission noted Ecuador's non-compliant status in CMR covering 2014 activities and encouraged Ecuador to aim for full compliance in 2016.

122. The Commission agreed that Ecuador's participatory rights for fishing in the WCPO are limited to purse seine fishing, with no participatory rights for fishing on the high seas for highly migratory fish stocks in the Convention Area. Any introduction of purse seine fishing capacity is to be in accordance with paragraph 12 of CMM 2009-11 and CMM 2014-01 or its replacement measure.

El Salvador

123. The Commission noted El Salvador's non-compliant status in CMR covering 2014 activities and encouraged El Salvador to aim for full compliance in 2016.

124. The Commission agreed that the participatory rights of El Salvador for fishing in the WCPO are limited to purse seine fishing only. The total level of effort by purse seine vessels of El Salvador on the high seas shall not exceed 29 days in the Convention Area. Any introduction of purse seine fishing capacity is to be in accordance with paragraph 12 of CMM 2009-11 and CMM 2014-01 or its replacement measure.

Liberia

125. The Commission noted that Liberia was not subject to compliance evaluation in CMR covering 2014 activities.

126. The Commission agreed that the participatory rights of Liberia are limited to reefer vessels to engage in transshipment activities, and bunker and supply vessels to support fishing vessels in the Convention area.

Mexico

127. The Commission noted that CMR covering 2014 activities assessed Mexico to be in full compliance with all applicable CMMs.

128. The Commission noted that Mexico had participated in the work of the Northern Committee (NC) at NC 8, 9, 10 and 11 and, noting the need for cooperation with the work of the NC particularly in regard to Pacific bluefin tuna, encouraged Mexico to continue to participate in the NC. Mexico does not intend to have a vessel presence in 2016. The Commission agreed that any future introduction of purse seine fishing capacity is to be in accordance with paragraph 12 of CMM 2009-11 and CMM 2014-01 or its replacement measure.

Panama

129. The Commission noted Panama's non-compliant status in CMR covering 2014 activities and encouraged Panama to aim for full compliance in 2016.

130. The Commission agreed that the participatory rights of Panama in the WCPO are limited to the provision of carrier and bunker vessels. At the request of Panama, and after consulting the Legal Advisor, the SWG noted that Panama's participatory rights also apply to vessels that supply food, water and spare parts to carrier vessels that engage in transshipment activities, provided that these vessels do not engage in activities supporting fishing vessels, including providing and/or servicing FADs. The Commission noted that this does not result in any additional participatory rights in 2016 to the participatory rights granted to Panama in 2015.

Thailand

131. The Commission noted Thailand's non-compliant status in CMR covering 2014 activities and encouraged Thailand to aim for full compliance in 2016.

132. The Commission noted the need for cooperation between Thailand and the Commission and the commitment from Thailand to provide data from canneries located in Thailand to assist in the work of the Commission, considering that the CNM status was granted to Thailand for 2016 on the understanding that Thailand will cooperate fully with the Commission in the acquisition and exchange of fishery information and data. The Commission noted the provision of data from Thai canneries and encourages Thailand to continue to cooperate with the Commission to improve the acquisition and exchange of fishery information and data. The Commission agreed that the participatory rights of Thailand in the WCPO are limited to the provision of carrier and bunker vessels only.

Vietnam

133. The Commission noted that in the CMR covering 2014 activities assessed Vietnam to be in full compliance with all applicable CMMs. Vietnam also informed the Commission that it had provided its assessed financial contribution.

134. The Commission noted the need for continued cooperation between Vietnam and the Commission to achieve compatibility of fisheries management and conservation, as well as on the acquisition and exchange of fishery information and data, for which Vietnam would require assistance. The Commission noted its appreciation that the significant improvements in the collection and provision of data from Vietnam fisheries through the GEF WPEA project, administered by the WCPFC and encourages Vietnam

to continue to cooperate with the Commission to improve the acquisition and exchange of fishery information and data. The Commission agreed that the participatory rights of Vietnam in the WCPO are limited to the provision of carrier and bunker vessels only.

WCPFC/IATTC Overlap Area

135. The Commission agreed that:

- a. In accordance with the decision of WCPFC9 regarding the management of the overlap area of 4°S and between 130°W and 150°W, vessels flagged to Ecuador, El Salvador and Mexico will be governed by the IATTC when fishing in the overlap area.
- b. In accordance with the Data Exchange MOU agreed by both Commissions, fishing vessels flying the flag of a member of either the IATTC or WCPFC shall cooperate with the RFMO to which they are not a member by voluntarily providing operational catch and effort data for its fishing activities for highly migratory species in the overlap area.
- c. For the purpose of investigation of possible IUU fishing activities and consistent with international and domestic laws, vessels flying the flag of a CNM that is a Contracting Party to the IATTC will cooperate with those coastal State members of the WCPFC whose EEZs occur in the overlap area by voluntarily providing VMS reports (date, time and position) to those coastal States when operating in the overlap area.

136. The Chair thanked Korea for its leadership of the SWG which had worked through these issues.

AGENDA ITEM 8 – SPECIAL REQUIREMENTS OF DEVELOPING STATES

8.1 Updated checklist evaluation of SIDS special requirements (FFA)

137. At WCPFC11, FFA members submitted WCPFC11-2014-DP20_rev2 to assist developed CCMs to implement Article 30 of the Convention and CMM 2013-07 by targeting their assistance to specific requirements of SIDS. WCPFC11 agreed to use the checklist in that working paper as a guide when developing proposals. FFA members submitted WCPFC12-2015-DP01 to WCPFC12 as an updated list.

138. FFA members acknowledged the proponents of the proposals introduced at agenda item 5 which included an assessment against the questions in CMM 2013-06 para. 3. FFA members commented that ongoing engagement with those questions will improve the Commission's ability to adopt measures that do not place a disproportionate burden on SIDS, or at least identify mechanisms within each measure to mitigate it. These CCMs emphasised that the questions should be given the intended consideration and provide detailed information, particularly to support conclusions about impacts on SIDS, disproportionate burden and impacts on SIDS' development or access to resources.

139. Australia acknowledged the amendments and encouraged members to give CMM 2013-06 consideration as well as regard to Article 30 of the Convention. This CCM noted that the Commission has had difficult discussions about how to operationalise that article, but noted that a range of options were open to CCMs.

140. FFA members acknowledged that they did not expect proponents of measures to have an innate understanding of their issues, needs and vulnerabilities, which may make it difficult to provide

information and well-supported conclusions, but noted that this does not remove their responsibility to fully address CMM 2013-06. FFA members recommended that proponents consult with SIDS on these questions when preparing proposals and analysing their impacts – consultation which would help progress understanding of disproportionate burden and increase the Commission’s ability to avoid it. It was noted that FFA meets for its annual Management Options Consultation in late October each year which provides an opportunity for their advice to be sought in advance of WCPFC.

8.2 CCM reports on the implementation of Article 30

141. CCMs were invited to report on their initiatives to implement Article 30 of the Convention.

142. EU noted that its targeted assistance goes to multi-annual activities including training and capacity building. This CCM stressed that discussions about priorities take place directly with SIDS – for example the negotiations for EDF11, including the fisheries strand worth €35 million, were currently taking place in the region to identify priorities. This CCM considered that sometimes it is difficult to make a distinction with what is asked in terms of assistance to SIDS in WCPFC and asked that where needs are identified with development agencies there should be discussions in those fora, explaining that EU submits the FFA checklist to its development agencies so it is taken into consideration for assistance.

143. Japan noted that it has been assisting developing states including SIDS for their development of fisheries by constructing infrastructure and capacity building through its official development assistance and Overseas Fisheries Cooperative Foundation (OFCF). This amounted to about USD400 million over the last five years. Japan also has supported SIDS through provisions of fisheries experts from OFCF and JICA and by receiving trainees from SIDS. This year, during the Seventh Pacific Leaders Meeting (PALM7), Japan pledged to provide no less than 55 billion yen in the next 3 years. This CCM noted its support since 2008 for capacity building in respect of statistics, and fisheries management and enforcement through the Japan Trust Fund. Japan also supported SIDS through an FFA Promotional Fund since 2008.

144. Chinese Taipei noted that it has fulfilled its commitment to enhancing capacity building in fisheries conservation and management and has implemented Article 30 and CMM 2013-07. Chinese Taipei’s long term fisheries sector assistance to SIDS included observer training and enhancing the MCS capacity of SIDS, technology transfer and support for the domestic fisheries sector. Chinese Taipei has held three observer trainings since 2010 through its Regional Observer Training Project and has assigned scholars and technical trainers to several SIDS for the benefit of local students, fishermen and technical staff for some years. Chinese Taipei noted that for many years it has encouraged investment in SIDS’ fisheries sector and noted its announcement at WCPFC11 that it will contribute a trust fund of USD2 million over 5 years to finance the implementation of CMMs in developing states. This will be established in consultation with the Secretariat.

145. China noted the Chinese government’s November 2014 decision to allow most products from SIDS, including fish products, duty free access to the Chinese market. China has also established loans of billions of dollars to encourage economic development in SIDS, including a joint venture with FSM for Kosrae to be a centre for longline vessel repairs in the Pacific. Chinese investment also focused on territories, with billions of dollars to establish a marine park in French Polynesia.

146. Korea acknowledged the special requirements of SIDS and noted that it was meeting them in various ways, including working to establish a UN FAO centre of excellence for fisheries-related tertiary education. Students, including those from Pacific island states, would be funded by the Korean government, including financial support while studying.

147. FFA members thanked CCMs for their updates and the assistance outlined in their Annual Reports Part 2, but commented that there was room for improvement, noting that: very few responses clearly articulated the assistance provided; several CCMs repeated their statements against a number of provisions; some did not provide any details, and; two CCMs provided no response at all. FFA members noted that the reports do not provide sufficient advice about assistance to SIDS and made no clear link between to the specific areas highlighted in the FFA list on SIDS priority needs outlined in WCPFC12-2015-DP01, and reiterated that the intention was to ensure the provision of systematic and targeted assistance to SIDS.

8.3 Review of implementation of CMM 2013-07 (Paragraph 20)

148. Pursuant to para. 20 of CMM 2013-07, the Commission discussed progress on the implementation of Article 30 of the Convention and CMM 2013-07.

149. RMI gave appreciation for the changes made to the agenda to address concerns around CMM 2013-07, and commented that the CMM 2013-06 was not addressed well here. This CCM noted the link between the two measures as both address SIDS issues, and reminded the Commission of the explicit link to the 1995 Fish Stocks Agreement and 1982 UN Convention on the Law of the Sea. Article 10 of the Convention addresses the adoption of CMMs. This CCM noted that CMMs are binding instruments while resolutions were not. WCPFC10 saw the adoption of two important measures, CMMs 2013-06 and 2013-07, providing that new proposals were required to be considered in accordance with their criteria. RMI asked that the record note that two years later this has not happened, and noted that the Commission is picking and choosing management measures it will implement. This CCM commented that this is not consistent with the Convention and the rules adopted to support the work and looked forward to assessing the proposals against CMM 2013-06.

150. The Chair noted that by its very nature this issue will be discussed throughout the meeting agenda. Late in the meeting, the Chair came back to this item.

151. RMI noted its disappointment in the lack of progress and implementation of CMM 2013-06 and requested that an assessment be conducted against the measure and that CCMs undertake consultations with SIDS regarding targeted assistance, taking into account the SIDS checklist. RMI called for the development of a way to ensure the sustainability of the Special Requirements Fund, so it was not reliant solely on voluntary contributions, perhaps by way of making it mandatory.

152. EU noted that it did its best to assess their few proposals against the criteria in CMM 2013-06 and asked what the process was for consultation with SIDS, practically. This CCM agreed that impacts were not easy to measure. EU asked for some pragmatic solutions regarding the consultations, including nominating a contact point.

153. RMI explained that the proposal was about enhancing engagement, and noted that FFA has a process for its lead-up to the annual meeting of WCPFC, including the October FFA Management Options Consultation meeting. CCMs were encouraged to email or visit, and FFA and PNA Commissioners were good contacts.

154. The Chair noted that CCMs were open to enhancing and continuing those discussions.

AGENDA ITEM 5 – INTRODUCTION OF NEW PROPOSALS

155. The Chair noted that the Secretariat had provided a list of proposals for new measures to be introduced (WCPFC12-2015-09). Those which don't relate to other agenda items would be introduced briefly under agenda item 5, with limited or no discussion on them and proponents requested to work in the margins with interested delegations. Initial discussions on the FFA proposal for a harvest strategy work plan would take place under the tropical tuna and albacore agenda items with the work plan being treated like a new proposal, and a decision on its adoption would take place under agenda item 15. The WCPFC IUU Vessel List and new proposals would both be introduced early then finalised later in the meeting after further discussions. The Chair urged interested participants to meet with the relevant contact person.

156. CCMs tabled new proposals, introducing them and explaining their rationale and key features (WCPFC12-2015-09). It was agreed that the proponents would lead discussions on the proposals in the margins of the meeting before being brought back to plenary for decision.

FFA proposal for management of enclosed and semi-enclosed high seas areas

157. FFA members noted the main points of the explanatory note in WCPFC12-2015-DP05, commenting that they had been raising serious concerns about IUU fishing on the high seas for years, particularly in regards to the high seas pockets surrounded by developing country EEZs on which they had consistently sought action. These CCMs noted some recent cases of vessels seen in high seas pockets that were not reporting to VMS or on approved vessel lists; the proposal seeks to improve monitoring and control of vessels fishing in these sensitive areas by turning all five of these enclosed and almost-enclosed areas into Special Management Areas. These CCMs used the wording of CMM 2010-02 for the Eastern High Seas Pocket Special Management Area as a template, with the only substantive differences the areas in which it applies and the addition of a ban on transshipment in these five areas. FFA members see this as essential as high seas transshipment has been shown to be a major IUU risk for the region, and the pockets in particular.

158. There was no initial discussion on this proposal. The Chair advised the Commission that Vanuatu would lead on this proposal and work with interested members in the margins of the meeting.

FFA proposal for enhanced port-based MCS measures

159. FFA members introduced WCPFC12-2015-DP10, to establish a clear process that enables CCMs to request assistance from port states and, in taking a risk-based approach, to help direct available resources. These CCMs considered this proposal to be a good first step in the development of broader port based MCS measures in the region, and noted that the proposal has been considered and revised through the TCC and WCPFC over the last two years and was at a stage where CCMs should be comfortable. FFA members welcomed the adoption of the CCSBT Resolution for a Scheme for Minimum Standards for Inspection in Port, and stated that it was similar to the current proposal which they hoped indicated that Commission members were now able to adopt a port inspection measure. FFA members noted that SIDS need resources and assistance to build their capacity to implement port-based MCS mechanisms to support CCMs requiring FFA members' assistance in deterring IUU fishing. These CCMs noted the presence of members that have established port-based inspection schemes, and asked for their expertise and support to strengthen their own. FFA members identified specific areas for assistance (para. 22) and in a delegation paper submitted for discussion under agenda item 8.

160. There was no initial discussion on this proposal. The Chair advised the Commission that Tonga would lead on this proposal and work with interested members in the margins of the meeting.

USA proposed revisions to VMS SSPs related to ALC type approval

161. USA introduced WCPFC12-2015-DP13, a proposal to modify the VMS SSPs. The proposal was based on work done at TCC, and seeks to ensure that the Commission has a mechanism for removing approval for units that cannot actively communicate with the Commission VMS.

162. There was no initial discussion on this proposal.

EU proposal for amendment of Scientific Data to be Provided to the Commission.

163. EU introduced WCPFC12-2015-DP17, to make clearer the obligations under the scientific data provision measure to address issues TCC encountered when assessing certain obligations. The proposal sought to clarify that there are mandatory data to be transmitted to the Commission, sought to address the transmission of operational level catch and effort data, clarified roles across the states. In addition, the attachment had been modified. EU noted that it had received comments and invite CCMs to provide their views with a view to posting a revision as soon as possible.

164. RMI thanked EU for the proposed and support the intent of the proposal, given its direct link to New Zealand's proposal on data rules. RMI requested that both proposals go to SC for review and advice.

165. Fiji supported this view, noting that it would impact on information on key tuna species and enquired how the extra data would impact fishing operations.

166. The Chair directed CCMs to provide the EU with comments on the proposal.

EU proposal for fisheries and access agreement information measure

167. EU introduced WCPFC12-2015-DP18, a proposal for a measure which would provide fisheries and access agreement information, noting that this was not the first time it had been proposed. The purpose was to increase transparency in the region of agreements between parties on access, which would be made public and provide information that would support the fight against IUU fishing. EU noted that similar arrangements had been adopted in IOTC and ICCAT and commented that it would be good practice to introduce similar practices in WCPFC.

168. FSM objected to the proposed measure, noting that the proposal continued to come back to the Commission with no amendments being made. Such a proposal had been rejected in 2013, there were substantive discussions despite objections in 2014. This CCM stated that the proposal had not taken into account some of the comments made, especially around commercial sensitivities.

169. The EU noted that it was happy to receive comments and take them into consideration for integration into the measure. EU recalled getting general statements previously, rather than suggested amendments or concrete comments, and noted it was not opposed to changes.

USA proposal for a list of obligations to be assessed during the CMS process

170. USA introduced WCPFC12-2015-DP20_rev1, which detailed the work done in TCC to develop a list of obligations. The work was requested by TCC11, which USA led, and several members submitted their comments. USA noted that there were obligations on the proposed list that had not been assessed in the past. USA called for CCMs to contact the US delegation in the margins with suggestions on the list.

171. RMI commented that, as the proposal was for a binding measure, CMM 2013-06 and CMM 2013-07 needed to be taken into account.

172. USA noted that to reduce redundancies it had included one of the two measures on the list of obligations to be reviewed, and the specific matter to be assessed was the same in both measures. As it was not a proposal for a permanent measure but was instead work requested by TCC, USA wondered about the applicability of CMM 2013-06, noting that FFA had contributed a great deal to the list of obligations being presented.

173. The Chair suggested that the TCC items be taken up when the TCC report is submitted to the Commission (agenda item 12.3) and that comments should be directed to the USA in the margins.

TCC work plan

174. Australia introduced WCPFC12-2015-DP21, a TCC work plan for 2016-2018. Australia noted that it supercedes the Commission's 2013-2015 work plan, which was due to expire. Australia had taken account of comments received to date and had posted a revised version for the Commission to review.

175. The Chair directed comments to Australia.

TCC Chair proposal to revise the CMS CMM

176. The TCC Vice-Chair, on behalf of the TCC Chair, introduced WCPFC12-2015-20_rev1, proposed revisions to CMM 2014-07, the Compliance Monitoring Scheme measure. The TCC Vice-Chair explained that the proposed revisions seek to improve the compliance monitoring process to better suit the needs of the Commission, both in assessing compliance with obligations and to work towards improving the ability of all members to implement measures. Key proposed amendments are to consider the special capacity development needs of SIDS, Philippines and Indonesia when assessing compliance, and consideration of the assessment of flag states on obligations where there are ongoing investigations with timeframes not compatible with TCC reporting dates. There is a proposed amendment to reporting dates related to the compliance monitoring process, and ongoing discussions around the decision making process, and dates for a review of the measure and term of the measure. The TCC Vice-Chair noted that some matters were being worked through and an SWG would be taking up the discussions. It was noted that no CMM 2013-06 assessment for this measure had been undertaken, but the TCC Vice-Chair undertook to complete it in the coming days with the assistance of FFA.

177. The Chair directed interested members to the TCC Vice-Chair to continue discussions.

Proposal to revise CMM 2009-06 regarding transshipment

178. The IWG-ROP Chair (Ray Clarke, USA) introduced WP21a, noting that IWG-ROP4 had provided some recommendations on high seas transshipment monitoring, based on a paper prepared by the Secretariat (WCPFC-2015-IWG-ROP4-07). Proposed amendment 2009-06 to establish additional reporting requirements for receiving vessels (Attachment 5 of the IWG-ROP report), allowing the movements of observers to be monitored. The IWG-ROP Chair noted that the working group had, as guidelines, a suggested format for reporting to the Secretariat. Taking TCC's editorial suggestions on the proposal into account and discussions with the Commission Chair, Commission Circular 2015/82 went to CCMs highlighting the proposed changes, which are outlined in WCPFC12-2015-21a. In response to a request for clarification, the IWG-ROP Chair directed CCMs to the working paper, where the language from the working group and a suggested revision in the box for easy reading were included.

179. RMI noted the proposal had highlighted the safety of observers, commenting that safety was paramount but it might be better to fix transshipment issues then look at the observer issues around transshipment. It was noted that the issue was the transshipment activity itself.

180. The IWG-ROP Chair explained where the language came from, noting that the IWG-ROP had specifically focused on the need to know whether observers were present on carriers or not – that the Secretariat knew they were onboard. It was suggested that the observer work and the transshipment work could be consolidated and dealt with at the same time.

181. The Chair noted the linkages between ROP and transshipment issues.

182. RMI noted its intent to seek to consolidate them, and encouraged a general discussion to highlight the problem.

183. The Chair suggested this be undertaken during the TCC or ROP agenda items.

184. RMI noted that there are two possibilities regarding transshipment which could be considered through the WCPFC12 proceedings – banning transshipments in the high seas or tightening monitoring of transshipment in the high seas, and increasing observer placements. RMI hoped to make those links and stated it would come back to plenary with an agreed way forward on transshipment.

AGENDA ITEM 6 – INTRODUCTION OF THE IUU VESSEL LIST RECOMMENDATIONS

185. The TCC Vice-Chair, , introduced the relevant TCC11 recommendations relating to the WCPFC IUU Vessel List (WCPFC12-2015-10_rev2):

Para. 51. TCC11 agreed to include the FAIMANU V on the Provisional IUU vessel list.

Para. 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.

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

In paragraphs 84, 85 and 89, TCC11 agreed to recommend to WCPFC12 that the NEPTUNE, the FU LIEN No.1 and the YU FONG 168 should remain on the WCPFC IUU vessel list.

186. FSM gave an update about the Philippines-flagged vessels which had been placed on the WCPFC Provisional IUU Vessel List for illegally fishing in the FSM EEZ – LADY EVELYN 8, F/V MASTER RUSTIN 4, LADY EVELYN 38 and LADY GELAINE 18. FSM acknowledged the Philippines government for the cooperative efforts in resolving the matter and advised the Commission that it had reached an agreement with the Philippines settling the matter. Consequently, FSM wrote to the Secretariat on 27 November 2015 to seek the removal of the vessels from the Provisional IUU Vessel List. This letter was circulated to CCMs. FSM advised that the Philippines had committed to putting in place binding measures to strengthen monitoring and compliance of their flagged vessels when operating in the High Seas Pockets to prevent further violations of FSM fisheries laws.

187. Philippines thanked FSM for its goodwill and for lending support and vital information which enabled the Philippines to further its duty as a flag state and ensure their flagged vessels follow the rules. This CCM acknowledged the support of the WCPFC Chair and Executive Director for their advice.

188. Tonga and China stated that they had reached an agreement on the issue of the Chinese-flagged vessel RONG DA YANG 28, and Tonga would not be pursuing the IUU listing of the vessel.

189. Fiji and France agreed to consult during the meeting in relation to Wallis and Futuna to try and resolve the issue during WCPFC12.

190. The Commission continued discussion of the 2016 WCPFC IUU List in the margins of the meeting with a view to bringing final decisions back to plenary under agenda item 14 to adopt an IUU Vessel List.

AGENDA ITEM 7 – OBSERVER SAFETY

191. The Chair noted that observer safety has been a priority for some time now in the Commission and was the subject of intense discussions at TCC and the IWG-ROP this year, but this was the first Commission meeting which had elevated the issue to a separate high level agenda item.

192. The Commission Observer Program Coordinator, Karl Staisch, presented information on the issue of the safety and security of fisheries observers to facilitate discussions regarding the safeguarding of the safety and security of observers. The supporting paper for discussions on observer safety was WCPFC12-2015-11. It was noted that fisheries observers play a critically important role in the fisheries management process, providing fundamental scientific information and serving an indispensable role in monitoring the compliance of CMMs, national fisheries laws and being the eyes and ears for their country and the region. ROP observers need to have the training, tools and skills they need to do their job effectively, and work in an environment that is free from threats, harassment, intimidation and assault. Staisch noted that technology was available for a personal electronic device to be carried which offers a primary source of direct independent communications between the observer provider and observers onboard the vessels. The Secretariat provided information in Annex 1 on indicative costs and technological solutions. With the acceptance of the use of personal communicators for observers, an Emergency Action Plan which details observer programme/provider responses to emergencies involving observers will also be required. The working paper makes a suggestion to strengthen the Secretariat's support of national observer programs to ensure the safety at sea of observers and contains four recommendations in para. 25, the costs of which are negligible.

193. The Chair suggested that the recommendations could be considered here but also later in the agenda.

194. On behalf of WWF, the Association for Professional Observers, Birdlife International, Humane Society International, Greenpeace, Conservation International, and The Pew Charitable Trusts, WWF stressed that observer health and safety must come first and foremost, and that ensuring the collection by observers of the highest quality data is imperative for the successful and sustainable management of the tuna fisheries, and that this cannot be ensured if observers are forced to endure any kind of harassment, threats, intimidation or assault. WWF stressed that observers are husbands and fathers, wives and mothers, brothers and sisters, and named a number of experienced and professional observers that have tragically gone missing in the Pacific under suspicious circumstances. WWF noted that both vessels involved in Keith Davis's incident are licensed to fish in the WCPO, and owned and flagged by WCPFC member states. WWF highlighted the good analysis put forward by the Commission with

recommendations that will help ensure the safety and security of observers deployed at sea, and encouraged their adoption at WCPFC12. However, these observer organisations noted that the analysis must require that in addition to disappearances, any assaults should be reported immediately to the WCPFC under the reporting standards, noting that physical assault is often the last step before a preventable tragedy. WWF addressed the cost of the technology necessary to protect observers and highlighted that the capital and operational costs for 2-way satellite communicators for each observer in the first year would be roughly equivalent to two good-sized yellowfin tuna at current market rates. These observer organisations noted that they were encouraged by the independent efforts of those observer programs and providers that have independently sought to implement the use of two-way satellite communicators by observers in WCPFC and IATTC. WWF commented that the Commission owes their observers the tools and skills they need to do their job effectively and free from threats, harassment, intimidation and assault.

195. USA agreed that the health and safety of the fisheries observers was of paramount importance and gladly supported the implementation of the recommendations as well as looking at other ways to ensure their safety, noting that the USA's standards were higher than what is in place in the ROP and there may be some ideas from that jurisdiction that may be useful to consider implementing.

196. FFA members generally supported the recommendations outlined in the Secretariat paper and expressed the need for the Commission to urgently develop mechanisms and processes that promote and addresses observer safety and welfare concerns, including a review of current standards, procedures and guidelines for the ROP to effectively address observer safety concerns and inclusion of the proposed two new minimum standards for "Observer safety at sea" and "Emergency Action Plan" in the WCPFC Minimum Standards of the Regional Observer Programme. FFA members expressed their support for the pre-notification proposal recommended by IWG-ROP4, to enhance efforts to provide better support observer safety and security in line. FFA members noted concerns about the lack of commitment and inaction by CCMs to adequately manage reported incidents of obstruction, intimidation and threats made against observers. As observer providers, FFA members signalled their intention to undertake a comprehensive review of their procedures and mechanisms around safety issues in 2016.

197. Korea recognised the safety of onboard observer as an important issue, noting observers can be exposed to violence. This CCM extended deep sympathies to those who have faced such incidents. Korea noted that it has very strong legislative tools to deal with this issue, with provisions addressing the mistreatment or obstruction of observers and subjecting operators to criminal penalties and seeking to ensure that vessels operators continue training crews on issues of observer safety. This CCM wanted the Commission to find constructive ways to ensure safety on board, and was glad to be engaging with CCMs and contributing to the discussions.

198. Japan noted that among other things observers collect very important information for stock assessment, and the safety of observers must be ensured. In this respect, flag states and observer provider CCMs need to cooperate on observer safety issues. In relation to the Secretariat paper (WCPFC12-2015-11), Japan generally supported its approach but noted that the action plan had something which needed to be discussed further, particularly around remedial action; which requires Observer program to establish appropriate measures for addressing violations made against observers including a schedule of fines, and/or other punitive measures against captains or crew found to be guilty. This CCM requested more careful drafting of the remedial action, stating that it is the flag state's responsibility to provide penalties to its fishers. This CCM commented that it was difficult for the flag state to punish fishers under domestic law without supporting information on the observer's claim, stating that there have been misunderstandings on occasion between observers and crews which in some cases can lead to the observer feeling harassed. To prevent misunderstandings, this CCM noted importance of cross checking between observers and crews.

199. FFA members noted that intimidation, obstruction and assault of observers is against the national law of all FFA member states, for some members it is a criminal offence with severe penalties. These CCMs advised that there had been several cases where an FFA member has undertaken legal proceedings against a vessel operator and crew for such offences, and resolved to increase their vigilance, including through using the regional tools at their disposal such as the immediate suspension of vessels on the FFA Vessel Register where there are reports of such behaviour, and called on flag states to join them in these efforts.

200. Philippines noted that it was both an observer provider and a flag state, and joined other delegations in the collective effort to ensure the welfare and safety of Commission observers. This CCM recalled that TCC11 had heard about the case of a PNG national, an observer on a Philippines-flagged vessel, who was allegedly murdered in 2010. At TCC, Philippines had committed to conducting an inquiry into the case, and it learned during this inquiry that on the night this observer went missing the captain had taken steps to locate him and six Philippines crew had been indicted in PNG, with hearings conducted in November 2010. The court found insufficient evidence to commit them to trial for murder and there was no further investigation of the case. It was noted that PNG investigated and Philippines cooperated with that investigation. Philippines acknowledged it still is not sure what happened that night. This CCM reiterated that the safety of the observer is priority and it will continue to take measures to ensure their safety and security, noting that the responsibilities of flag states should be included in these discussions.

201. Australia agreed with others on the importance of the issue of observer safety. The Commission relies heavily on the scientific and monitoring data collected by observers in order to meet its objectives and it should go without saying that observers must be able to do their jobs unimpeded and in a safe working environment, free from threats and intimidation. This CCM noted the responsibility of flag States in this regard thanked Korea and others for the information on the legislative instruments that they have implemented. These send a powerful message. This CCM noted the number of comments supporting a cooperative effort and to this end and suggested that the recommendations could be expanded to include flag States.

202. Chinese Taipei noted its general support for the working paper, including the emergency Action Plan minimum standards. This CCM hoped to have more focused discussions on the details.

203. PNG noted that it was the largest observer provider in the region and takes the safety of its nationals and nationals of other countries that provide observers to vessels in PNG waters. This CCM considered that loss of life should be a category of its own. PNG reiterated that its places the safety of observers at the highest possible level and took exception to any suggestion otherwise. This CCM maintains open case files on observers that have gone missing.

204. RMI noted all the discussions on observer safety and the commitments which had been made by CCMs and their general support of the recommendations and understood that to mean that there will be no abuse, intimidation or obstruction of observers from here on, and that at TCC13 there are no reports that observers had been subjected to these issues. This CCM noted that preventative measures are important and the recommendations were sound. RMI hoped CCM would take these messages back to their captains and crews and others involved that they take the issue seriously lightly.

205. The Chair noted that WCPFC12 had not yet reached consensus on the issue and the agenda item would be left open in order for the recommendations to be further considered.

206. On 5 December plenary resumed discussions on the observer safety issue considering the set of recommendations contained at para. 25 of WCPFC12-2015-11. The Chair highlighted the

recommendation in 25(a) to adopt two new minimum standards which would be required for implementation no later than 1 January 2017.

207. Japan commented that improvement was needed in the contents of the emergency action plan, with more consideration, especially around the relationship between the flag state and the CCM of the observer provider. This CCM asked for clarification whether adopting the recommendation in 25(a) meant that all the elements of the emergency action plan would also be adopted without any modification.

208. The Chair clarified that this would be the case if 25(a) was adopted. Japan responded that it was difficult to adopt the original emergency action plan.

209. A number of CCMs had concerns about the remedial action aspect of the Emergency Action Plan for Observer Safety, and suggested changes to the second sentence of that sub-topic, emphasising that it was the flag state's responsibility to provide penalties.

210. RMI sought clarification about these concerns, commenting that this recommendation was notwithstanding laws and regulations about observer safety which existed at the national level.

211. The Chair clarified that the recommendation was directed at the observer provider and nothing in it pre-empts the national program from their normal processes.

212. Korea suggested that the Commission may need to adopt minimum standards to help the observer program establish its own remedial action plans.

213. With amendments requested by Japan about 1) deletion of the second sentence of the remedial action and 2) inclusion of enforcement authority of the flag CCM in the follow up response action, the Commission agreed to the recommendation in 25(a).

214. The Commission adopted two new minimum standards for "Observer safety at sea" and "Emergency Action Plan" for inclusion in the WCPFC Minimum Standards of the Regional Observer Programme, with an implementation date of no later than 1 January 2017 (**Attachment F**).

215. The Commission agreed to consider ways of strengthening the two proposals recommended by the IWG-ROP4 related to pre-notification process from observer providers (WCPFC12-2015-21b) and additional reporting requirements for carrier vessels operating in the Convention Area (WCPFC12-2015-21a) to complement and enhance efforts to provide better support to observer safety and security.

216. At the outset of the discussions around 25(c) - strengthening of reporting mechanisms in instances of interference, intimidation, threats, assault, or disappearance of observers – the Chair suggested that this would be something the entire Commission reports.

217. RMI noted that in considering the discussions on this issue that the Commission as a body places a high priority on observer safety, and takes on responsibilities including undertaking future work. There should be nil reports of incidents against observer's wellbeing and, on principle, these incidences will never happen again.

218. The Commission agreed to support the strengthening of the reporting mechanisms within the Commission and among CCMs regarding instances of interference, intimidation, threats, assault, or disappearance of observers.

219. As an observer provider under the ROP, the FFA Secretariat commented that these recommendations focus on observer providers strengthening their procedures, but flag states needed to take the issue more seriously too. The FFA Secretariat expressed disappointment that the proposal relating to provision of reports to captains was so summarily dismissed, on the basis that it was not written down. It was noted that there had been prior discussions about the issue.

220. USA commented that as an observer provider as well as a flag and coastal state it supported the recommendations. The USA has an active and thorough observer program and would be willing to assist the Secretariat if it receives a tasking to intensify its support to national observer programmes.

221. The Chair noted that we are talking about our own people, there is an expectation that this issue is not up for debate and there is clearly a dual responsibility.

222. The Commission tasked the Secretariat to intensify its support to national observer programmes to strengthen and enhance their capability in the areas of observer safety and security, including in support to safety at sea operations.

223. FFA members asked that the Commission to request TCC12 to develop a conservation and management measure to guide flag CCMs' response to emergency situations in the event of alleged observer safety incidents.

224. Japan requested that consideration would include observer providers' responsibility, noting that not all incidences happen because of responsibility of vessel crew side only: some incidences happen because of miscommunications and misunderstandings between observers and vessel crews. This CCM commented that the existing system only has the observer reporting and sought a fair approach by including observer providers' responsibility.

225. It was noted that it is not TCC's role to draft CMMs and unless a draft was prepared by the Secretariat a CCM would need to take the lead. Another CCM observed that this was about providing flag states with some guidance with how to go about the process should there occur an alleged observer safety incident.

226. Korea suggested that the IWG-ROP be continued and tasked to draft a CMM for consideration at TCC.

227. The Chair noted that the issue under discussion was about tasking future work to strengthen the support the Commission gives to fisheries observers and that support should come from all sides and from anyone with an interest in protecting our own people. The Chair suggested that the Commission agree that additional work needs to take place, taking into account the responsibilities of all parties involved, with perhaps a CCM taking the lead.

228. USA supported the Chair's remarks framing the task and volunteered to take on the task of drafting a CMM on this issue. The Philippines wished to work with the USA on this document.

229. The Chair noted the clear support to continuing to strengthen responses on this matter, and noted that it would be revisited at TCC with attention kept on it through 2016.

230. The Commission agreed that a CMM should be drafted for TCC12's consideration and finalisation and WCPFC13's deliberation on flag state responsibilities in the event of alleged observer safety. The USA kindly offered to lead this work.

231. Further discussion on IWG-ROP recommendations took place under 12.4.

AGENDA ITEM 9 – REVIEW OF CMM 2014-01 (SKIPJACK, YELLOWFIN, AND BIGEYE)

232. The Chair outlined that the discussions on the tropical tuna measure (including in the SWG) would take into account a general overview of stock status, the work of the subsidiary bodies on this issue, and the new proposals.

9.1 General overview of stock status (Skipjack, Yellowfin, and Bigeye)

233. J. Hampton (SPC-OFP) presented a summary of the status of tropical tuna fisheries and stocks. It was noted that more detailed information is available in Tuna Fisheries Assessment Report No. 15, which can be found at www.spc.int/oceanfish. The total catch of tuna in the WCPFC Convention Area was a record in 2014, approximately 2.9 million t. The purse seine catch (2 million t) and the catch of skipjack (almost 2 million t) were also records. Catches of yellowfin tuna (600,000 t) and bigeye tuna (161,000 t) were similar to recent years. Purse seine effort appears to have reduced in 2015, on the evidence of VMS data, possibly due to economic conditions in the fishery. The distribution of purse seine effort has moved strongly to the east, in response to the current El Nino event, which is the strongest since 1987/88. Purse seine catch-per-unit-effort (CPUE) was relatively high through 2014 and in the first half of 2015, but declined somewhat during the FAD closure. Longline catch in 2014 increased slightly in spite of a reported decrease in effort. Consequently, CPUE for both bigeye and yellowfin tuna is reported to have increased strongly in 2014. As longline data for the most recent year are often revised, this observation is considered to be preliminary.

234. The status of tropical tuna stocks was summarised as follows:

- Skipjack catch has increased continuously over a long period of time, and depletion of the spawning biomass is now estimated to have reached 50% of the unexploited level. The stock is not overfished and overfishing is not occurring.
- Yellowfin tuna catch has levelled off since the late 1990s, and depletion of the spawning biomass is estimated to be around 38% of the unexploited level. The stock is not overfished and overfishing is not occurring.
- Bigeye tuna catch has been flat since the late 1990s, and depletion of the spawning biomass is estimated to have reached 16% of the unexploited level, i.e. beneath the limit reference point of 20% of the unexploited level. The stock is considered to be overfished and overfishing is occurring.

235. EU commented that the data used for assessment are from the period 2011/2012 which made it difficult to ascertain whether the adopted measure is having an impact or not.

236. SPC noted that this would be addressed in the next SPC presentation.

237. Indonesia noted its appreciation to SPC for providing stock assessments. This CCM commented that SPC also provided stock assessment based on the region but that information was not presented here.

238. SPC noted that its assessments provide information on different levels of exploitation and metrics by subregion; the presentation at WCPFC12 had just been shortened. The information requested by Indonesia was available in the stock assessment reports presented to SC10; there was also information available in the Tuna Fisheries Assessment Report No. 15.

239. In response to a question from EU about the reduction in effort on VMS days presented, Hampton commented that some vessels may have left the region compared to previous years, and some vessels may be staying in port for longer periods of time, noting the difficult economic conditions in the purse-seine fishery at the moment due to low fish prices.

Evaluation of CMM 2014-01 for bigeye tuna

240. G. Pilling (SPC-OFP) presented WPCFC12-2015-12, an evaluation of CMM 2014-01 for bigeye tuna, both the performance of the fishery components (purse seine and longline) against the measure as written for 2014, and the potential for the CMM as written for 2017 to achieve its objective of removing bigeye overfishing. The evaluation indicated that purse-seine FAD set numbers and longline bigeye catch levels in 2014 were ‘provisionally on track’ with the levels of effort and bigeye catch anticipated to arise under the CMM specifications for that year. A separate analysis examined whether full implementation of the CMM, under the conditions specified for 2017 would ultimately removing overfishing of bigeye tuna. The challenge was that it was not possible to define precisely what levels of purse-seine effort and longline catch would result in 2017, due to “either/or” choices within the CMM (e.g. purse-seining CCMs could choose between a three month FAD closure and overall FAD limit, or a four month FAD closure), exemptions and exclusions, and decisions yet to be made. Three different scenarios for 2017 conditions were therefore used to examine this implementation uncertainty, but Pilling noted that there is no certainty any of them will be correct. The scenarios were: ‘pessimistic’; ‘2015 choices’; and ‘optimistic’. Only under the ‘optimistic’ scenario were CMM objectives achieved by 2032, with F less than F_{MSY} and the risk of the spawning biomass being below the LRP at 2%. Examining the trajectory of F/F_{MSY} assuming the optimistic scenario conditions remained in place after 2017, CMM 2014-01 objectives would be achieved on average 10 years after the end of the measure, i.e. in 2027. As WCPFC stock assessments generally report fishing mortality conditions three years in the past, this would imply that only in 2030 would stock assessments identify whether the CMM had been successful. However, Pilling noted that earlier stock assessments should identify if the trajectory of F/F_{MSY} and risk of $SB < LRP$ are ‘on track’ to achieve objectives.

241. EU thanked SPC for the presentation and requested that in the future, consultation takes place with members to allow them to contribute to the definition of scenarios to be considered and explored through projections to ensure the provision of a wider range of options and advice. This CCM commented that it would have been useful to have had a projection with the modalities of each year of the measure, the effect of the total FAD closure and hotspot analysis. Noting that the objective of the measure is to maintain the three stocks at MSY at a minimum, the EU asked a number of questions: how many years it would take to reach MSY, to clarify whether the projection was based on the assumption of a total FAD closure on the high seas, whether an indication is available of bigeye tuna recruitment from 2011, based on the recent projections, what level of recruitment was used in the 2014 projections, whether there were bigeye tuna hotspots in the high seas.

242. Hampton explained that the reason certain areas were identified as catch ‘hotspots’ is because that is where the majority of purse-seine fishing took place within the tropical WCPO. However, when considering hotspots in terms of catch per set, these were to the east of the tropical WCPO. Hampton noted that the largest bigeye tuna reduction by removing a certain number of FADs sets would therefore be achieved in the eastern area, where CPUE is considerably higher than in the western area, in the order of five times the CPUE.

243. Pilling explained that the spawning biomass at MSY is estimated to be slightly larger than that at the LRP. The results of the projections under the three scenarios examined within the projections would be close to SB_{MSY} , but there would still be a high probability of the stock being below that level. As overall fishing levels were generally reduced within the scenarios, skipjack and yellowfin tuna should

remain above the SB_{MSY} level. In the previous analysis of CMM 2013-01, SPC conducted the evaluation as the measure was written, before decisions about the fifth month FAD closure and other elements were subsequently taken. In turn, the high seas FAD closure was assumed to lead to those FAD sets moving inside zones. If the high seas FAD set ban (para 18) was implemented on its own, it removed 18% of the overfishing of bigeye tuna within the analysis. Addressing EU's comment about multi-species issues, SPC noted that within the modelling, the overall purse seine effort was maintained, and reductions in FAD sets led to commensurate increases in free school sets. Previous analyses have shown that there was relatively little impact in shifting effort from FAD sets to free school sets for skipjack and yellowfin. Addressing the query about whether bigeye tuna recruitment patterns were consistent with the recruitment scenario assumed, Hampton noted that it was difficult to monitor recruitment in recent time periods; as the information comes from the stock assessments, the most recent estimates are more uncertain. Although SPC did not have a concrete assessment on recent recruitment levels, some information suggests that there could be higher recruitment coming through.

244. PNA members saw the assessments of the purse-seine and longline provisions as reflecting some positive trends in the tropical fisheries, with purse-seine effort declining, especially in PNA EEZs under the VDS. These CCMs noted that the 2-year average number of FAD sets in the area where the FAD closure was being applied was down by 14% in 2013 and 2014 – more than was expected from the additional fourth month of closure – and it was noted that effort is declining in the tropical longline fishery. However, the analysis also showed that these gains will probably not meet the objective of removing overfishing of bigeye tuna and PNA members observed that the paper made it clear that additional measures were necessary in both the longline and purse-seine fisheries.

245. The FFA Secretariat asked about the time frames under each of the scenarios to get back above the LRP.

246. Pilling explained that SPC had modelled the high seas FAD closure as removing the equivalent number of FAD sets from the fishery. In response to the question from the FFA Secretariat about the time it will take the stock to recover to the LRP, facilitated by the SC-agreed assumption of more positive recent recruitments continuing into the future, SPC would need to look at the outputs from the projections but it may be relatively comparable between the three scenarios.

247. Cook Islands thanked SPC for providing goals to assist management and commented that the current CMM was deficient as it was a flag-based rather than zone-based measure; it was indiscriminate and reinforced a system of flag-based rights over zones. This CCM encouraged FAD set allocations on a per zone basis as the Commission moves forward through these discussions.

248. FFA members expressed concern that the tropical tuna measure was highly unlikely to achieve its stated objectives because of flaws in both the purse-seine and longline measures and the issue of disproportionate burden. These CCMs identified weaknesses: for longline, the agreed reductions in the catch limits for the big fleets fall short of the SC advice, and that there is nothing preventing substantial growth in catches by other fleets; for purse-seine, the flexibility for flag states to choose between the three and four month FAD closure and the lack of limits on FAD sets outside of the four month FAD closure create the potential for substantial growth in FAD usage. These CCMs noted that these and other weaknesses are artefacts of attempting to apply management measures on a flag state basis, rather than a zone basis. These CCMs stated that when the Commission seeks to set flag-based limits and measures, there is almost always a need for a SIDS exemption as otherwise SIDS would be locked out, and acknowledged that the exemptions weaken the measures and have been exploited by several developed CCMs. FFA members explained that in the purse-seine fishery, the main management measure is zone-based effort limits, so flag-based arrangements for FADs are particularly incompatible. These CCMs

called for a fundamental change in management approaches to supporting zone-based management, which will also help address the disproportionate burden of FAD closures.

249. PNA members supported the SPC paper's suggestion to consider revising the choice of FAD measures. However they stated that the problem is not simply a matter of the number of FAD sets, noting that the number of FAD sets was down but with no decline in purse-seine bigeye bycatch. PNA provided some proposals in that direction (WCPFC12-2015-DP12). PNA members saw improving the monitoring and verification of the high seas longline fishery as a high priority, noting SPC's qualifications relating to reliability of the longline bigeye catch data.

250. On behalf of The Pew Charitable Trusts, WWF, Greenpeace, the International Seafood Sustainability Foundation, Conservation International and the International Pole and Line Foundation, Pew highlighted the urgent need for discussion and action on bigeye tuna, noting the stock was overfished, with overfishing occurring, and having breached the LRP. These observers stated that actions to date were insufficient to address this situation, and commented that more bigeye tuna was caught in the purse-seine fishery in 2014 than in 2009, when the FAD closure length was half as long. In addition, the overall tonnage of bigeye caught by all gears in the WCPO increased 5% from 2013 to 2014. They noted that the science indicates that the impact of longlines and purse-seine are approximately equal and opined that the fate of the stock cannot continue to be mired in an inability to make the decisions on managing this stock. The observers stated that the status quo is not acceptable and called on CCMs to agree to concretely improve the tropical tuna measure to achieve real reductions in bigeye mortality.

251. Japan commented that there was too much optimism around usage of the recent high recruitment because recruitment collapse may occur under the current level of spawning biomass of WCPFO bigeye, which breached the biomass LRP. This CCM took the view that SPC should provide another projection result using average recruitment for reference.

252. In response, SPC commented that this question was a critical one: if longer-term recruitment patterns were assumed, which are lower than that estimated for the more recent period, the outcome was more pessimistic. The analysis presented to WCPFC12 assumed recruitment consistent with the more recent period, utilising 2002-2011 recruitment deviations and the stock-recruitment relationship estimated in the 2014 assessment models. This was consistent with the recommendations from the SC, and reflected the improved information on recruitment provided by the commencement of the purse seine fishery that captures smaller fish.

253. EU asked about the decreasing trend in purse seine effort in 2015 and noted that at SC11 SPC presented a paper on trends in purse-seine CPUE which showed that there seemed to be underreporting of fishing days. EU asked if SPC had explored this issue further.

254. Hampton elaborated that when SPC analysed the logbook data there appeared to have been an increasing tendency to declare an increasing proportion of days as in transit, not fishing. SPC was continuing to analyse those trends with the objective of correcting for it. The graphic presented to WCPFC12 which shows the evolution of purse-seine effort on a month by month basis for the years 2009-2015 is based on VMS data and is therefore not subject to the bias, giving a fairly solid estimate of at least that metric of fishing effort.

255. Japan asked whether the fishing fleet may have moved to the IATTC area or stopped fishing due to low prices for skipjack or high access prices.

256. Hampton explained that there was no hard data, and individual vessel behaviour could usefully be investigated. It was understood that some vessels left the fishery this year, some are staying in port longer between trips. These patterns may have been related to depressed economic conditions.

257. Indonesia noted the address by the Minister at the opening ceremony and commented that Indonesia now had a moratorium in place, with the aim of reducing fishing effort including for tuna. Seven large scale longliners did not have their fishing licences renewed, but this effort has moved elsewhere in the WCPFC area, meaning that no fishing effort reduction had occurred even though Indonesia reduced its fleet by 7 vessels. This needed to be taken into account.

258. RMI noted that the analysis gave the impression of the fishery being on track in 2014 and asked whether for the longline fishery there was enough data for the stock assessments, and whether more was needed.

259. Hampton commented that it needs to be understood that the fishery being described as ‘on track’ relates to how the levels of catch are evolving with respect to the way the measures are written. ‘On track’ does not necessarily mean that the long term objectives are going to be met, indeed they are unlikely to be met despite components of the measures being termed ‘on track’. Purse seine FAD option choice, for example, gives the measure a bit of looseness and the analysis reflects that. Hampton noted that in terms of the quality of longline data and the stock assessment, SPC has tried to get better quality operational longline data because they are used as key indices of abundance. Cooperation from the DWFNs is beginning to provide that information for stock assessments. SPC hoped that would continue as a long time series of longline data would make a more useful contribution to the stock assessments.

260. Noting the similar impact on the resource in terms of tonnage of both purse-seiners and longliners, Korea asked about whether there was a way to quantify the effect of the exemptions.

261. Pilling noted that the effect of exemptions were not analysed within the analysis, commenting that it was very difficult to quantify their impact on catch or effort. It was noted that the measure would perform more poorly than was currently evaluated if those exemptions were quantified and included within the analysis.

262. In response to a question from Indonesia about the decrease in VMS days in 2015, Hampton reiterated that there is no specific data to point to an explanation for this but it could relate to the economic conditions in the fishery, with boats spending longer in port, not fishing.

263. China noted the scientific data behind the analysis and asked what fishing gear was more responsible for the bigeye tuna stock condition – longline or purse-seine. China also asked what kind of measures should be taken to have a more direct influence on restoring the stock.

264. Hampton noted that in the bigeye tuna ‘impact’ plot SPC quantifies the impact of the different fishery components. The impact, in terms of stock depletion, is approximately equally shared between the purse seine FAD set and longline fishery sectors at this point in time. Which one of those fishery sectors should be reduced was not a question for science and there may be many different combinations of reductions that would achieve the objective.

265. Pilling referred to Tables 1 and 2 in WCPFC-2015-12, noting that overfishing on bigeye tuna is not removed if the purse-seine and longline sectors remain as they were in 2012 – fishing mortality remained 21% above that at MSY. Because of the recent good recruitments assumed, the model does show the stock recovering above the LRP on average, but there is still a chance that it will remain below. Essentially, if fishing remains at 2012 levels and recruitment remains at recent levels, overfishing on

bigeye tuna will not be removed – the fishery may recover above the LRP on average, but with a risk (32%, 1 in 3) that it will remain below LRP.

266. PNA members noted the great importance of ensuring the CMM is effective in meeting objectives for management and conservation of the tropical tunas. These CCMs requested that future evaluations of the measure should include an evaluation of the effectiveness of the measure for skipjack and yellowfin.

267. USA made some general comments in response to the discussions, including a request to SPC and the science community that new analyses be done that could help managers make decisions about how best to approach the management of this stock, in particular, the idea of looking at spatial management. This CCM saw the usefulness in receiving input from SPC on how to go about using such a tool, including where mortality is most occurring and reducing mortality in those areas, especially by the longline fleet. USA was interested in work being done on identifying a particular number of FAD sets that each country would be limited to, to see a reduction in bigeye tuna mortality in the purse-seine fleet. USA commented that the Commission needed to ensure the sustainable management of stocks in a fair and equitable fashion, with the Convention clearly providing that the rights of SIDS and participating territories are protected and their right to development of their fisheries and maintain their fisheries-related industries. This CCM noted with concern the impact that the tropical tuna measure had on the tuna industry and peoples in American Samoa and commented that when we adopt future measures, whether revisions to CMM 2014-01 or a new tropical tuna measure, these issues need to be taken into account, including the disproportionate impact caused by eliminating fishing on the high seas in favour of fishing in the zones of states.

268. In response to the USA's comment, EU asked for clear mandate to SPC about what work would be required.

269. Indonesia asked about the three scenarios and the purse-seine and longline sectors having similar impacts and asked what factor affected the model the most.

270. Pilling noted that the relative multipliers for purse seine and longline fisheries used in the model are not equivalent. A 20% reduction in the purse-seine sector is not the same as a 20% reduction in the longline sector, as the former would be applied to purse seine FAD effort, and the latter to longline catch levels. The same scalar applied to both fishery components does not mean the same level of overfishing removed on the stock.

271. Japan noted the discussions and stated that bigeye tuna fishing grounds around Japan have diminished, with skipjack migration to the waters around Japan drastically decreased due to failure of conservation effort. This was causing severe economic problems in Japanese coastal fishing communities. This CCM noted that it had raised this point for some years but the Commission has not introduced a concrete measure to accommodate these concerns.

272. The Chair suggested that these discussions continue in the SWG looking at the measure.

9.2 Review of purse seine fishery measures (Paragraphs 14-29 of CMM 2014-01) and longline fishery measures (Paragraphs 40-44 of CMM 2014-01)

273. The Chair noted that a number of WCPFC subsidiary bodies and intersessional working groups included a number of recommendations which would facilitate a review by the Commission of CMM 2014-01 and the SWG which was established to further this review, focusing on the provisions for the purse-seine fishery (paras. 14-29) and the longline fishery (paras. 40-44). The Chair talked through

recommendations from SC and TCC (WCPFC13) to be taken up in the SWG. Reference document WCPFC12-2015-13 was noted to contain the relevant recommendations.

SC11 recommendations

274. There were no objections to accepting the SC recommendations on this measure.

TCC11 recommendations

275. TCC11 had provided three recommendations prioritised by CMS process which were ambiguous or problematic:

TCC11 Summary Report para 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.

TCC11 Summary Report para 483: 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.

TCC11 Summary Report para 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.

276. Japan opined that the Commission needed to strengthen the measure to improve the condition of the stock and most of the effort should be put into improvement of the existing measure, rather than mixing up the science and compliance issues.

277. The Chair noted that the discussions should maintain that distinction, suggesting that when the Commission discusses the measures in terms of strengthening them it should also ensure the obligation is clear. It was noted that the work required of the Commission this year on CMM 2014-01 is to take into account advice from the SC, with TCC not to assess it until the limits are established.

278. The EU agreed that they are different issues, but commented that the discussions should also try to address the grey zones to find a solution to avoid problems at TCC.

FADMgmtOptions-IWG recommendations

279. The outcomes from the FADMgmtOptions-IWG were discussed under agenda item 12.5.

HSW outcomes

280. The Chair noted that some of the conclusions of the HSW were relevant to the SWG discussions in the margins, in relation to TRPs.

281. The outcomes from the HSW were discussed under agenda item 12.6.

New proposals

FFA proposal for a target reference point for skipjack tuna

282. FFA members presented WCPFC12-2015-DP06, a FFA proposal for a target reference point for skipjack tuna, which was well known, having been discussed at MOW3, SC11, TCC11 and HSW. These members thanked CCMs for the productive discussions and useful questions in the HSW and in an informal session afterwards. They noted gladly that there appeared to be consensus on an interim TRP for skipjack of 50% of the unfished spawning biomass. FFA would be making some minor amendments to the text to reflect the similar proposal from Japan as well as the comments provided by CCMs in the informal session, but were confident the task would not prove overly difficult. FFA would discuss the outstanding items in the proposal in the tropical tuna SWG meeting in the margins, discussions the Chair was leading and which would cover TRPs.

283. The Chair noted that this proposal would be considered further in SWG discussions.

Japan proposal for a target reference point for skipjack tuna

284. Japan noted that its proposal WCPFC12-2015-DP15 was also proposed at WCPFC11. Japan made a statement about the importance of skipjack tuna for Japan, commenting that drastic declines in the skipjack migration had made Japanese local communities fateful crisis. This CCM observed that it had raised this issue on many occasions but the measures produced have not addressed these concerns. Japan stated that most skipjack are caught in the tropical areas and the stock assessment is conducted based on the size of that catch, so the situation in Japanese local communities is not reflected in skipjack stock assessment. Japan noted the chapeau part of Article 5 of the Convention saying that “in order to conserve and manage highly migratory fish stocks in the Convention Area in their entirety, the members of the Commission shall, in giving effect to their duty to cooperate....” and Article 5(h) taking into account the interests of artisanal and subsistence fishers. In addition to this, Japan made reference to Article 10 paragraph 3 regarding consideration of the historical catch and the needs of coastal communities which are dependent mainly on fishing for the stocks in developing allocation criteria. At WCPFC11, Japan had proposed 60% of the estimated recent spawning biomass in the absence of fishing as the TRP for skipjack considering those factors. While Japan’s basic position has not changed, in the interests of preventing deterioration of the stock due to prolongation of the argument, Japan offered a compromise of a 50% of the estimated recent spawning biomass in the absence of fishing as the initial TRP with a review not later than 2019, based on scientific advice. Japan reported that concerned CCMs had held informal consultations with Japan the week before WCPFC12. This CCM noted that it seemed to be considered that the differences between Japan and the FFA on the issue are small. However, it was not true and was critical for Japan to retain content of paras. 3 and 6 of the proposal.

285. In response to a question about SC advice on the range contraction issue, Japan commented that SC did not have the capacity to analyse all phenomena, particular local conditions and range contraction and noted that the Commission did not see what was happening in its local communities. This CCM reiterated that highly migratory fish stocks in the Convention Area shall be conserved and managed in their entirety as stipulated in the chapeau part of Article 5 of the Convention.

286. FFA members commented that they had looked at Japan’s proposal and had accommodated some of Japan’s concerns into the FFA proposal. These CCMs noted Japan’s answers to the CMM 2013-06 questions, which came to the conclusion that a higher TRP would be better for SIDS. These CCMs asked how the rent was calculated and current levels of access revenue.

287. Japan acknowledged that it could not provide 100% accurate information because complete figures are not available, but reiterated that conservation and management of the stocks should be considered comprehensively; the Commission should consider the stocks in their entirety with recognition of interests of artisanal and subsistence fishers, and historical catch and the needs of coastal communities which are dependent mainly on fishing for the stocks.

288. A brief discussion took place about the range contraction issue, with one CCM recalling that SC11 had noted that Project 67 had demonstrated no statistical evidence for skipjack range contraction and Japan arguing that SC had not been able to determine local depletion because of the conventional approach. In addition to this, Japan noted the uncertainty that the current stock assessment cannot overcome effort creep. Finally, Japan announced that its scientists elucidated there were three migration courses of skipjack around Japan and the most western one had collapsed. This CCM stated there is a scientific evidence of skipjack range contraction.

289. The Chair noted that this proposal would be considered further in SWG discussions.

FFA proposal for strengthening of CMM 2014-01 for bigeye, yellowfin and skipjack tuna

290. The Chair noted that this proposal (WCPFC12-2015-DP07) had been presented at the HSW and addresses the impact of flag-based choices in the FAD management section of the CMM. It would be considered further in SWG discussions.

FFA revised proposal for a harvest strategy workplan

291. FFA members introduced WCPFC12-2015-DP09 the harvest strategy workplan, noting that the Commission has worked for a number of years to agree key parameters to guide the sustainable management of Commission area fish stocks. These CCMs noted that WCPFC9 agreed LRPs for bigeye, yellowfin, albacore and skipjack tunas, and the Commission has scientific advice on the implications of possible TRPs for some stocks. WCPFC11 adopted CMM 2014-06 establishing a harvest strategy approach for key fisheries and stocks in the Western and Central Pacific Ocean. The proposal captures the requirements in para. 13, for a work plan and timeframes for the development of these harvest strategies. FFA members advised that SC and TCC had provided input as have other experts and CCMs, and the proposal and related elements were covered at HSW. FFA members highlighted some features: the work plan reflects timelines for Commission work, it is not the place to decide issues related to the elements themselves; it is practical, and breaks the work down into logical steps. Australia commented that the FFA proposal for a harvest strategy work plan and timeline (WCPFC12-2015-DP09) was practical, acknowledging there is only so much that can be done in one year. It tries to be logical around the next steps and also recognises that a lot of work has already been done. The proposal asks that an element is introduced into the Commission meeting agenda to review progress.

292. China asked about the rationale for the timeframes for the four species, noting that the stock status of the four species were all different. This CCM commented that bigeye tuna has breached the LRP and should be the priority, with urgent work needing to be undertaken, while for the other three species the state of the stock was relatively good.

293. Australia, which is leading the work, explained that FFA members had drafted the work plan to reflect the status of bigeye, with the first step for this stock being to seek advice from SC around biologically reasonable timeframes for bigeye tuna. This CCM noted that tasking SC was a necessary first step under the work plan. Timeframes for remaining stocks and fisheries were based on what was achievable and built on existing work and there was no reason to delay development of harvest strategies for other stocks of fisheries until work on bigeye had been completed. The proposal recognised the

significant amount of work being undertaken on other stocks and invited CCMs to discuss these issues in the margins.

294. The Chair noted that this proposal would be considered further in SWG discussions. The discussions on this proposal were finalised under Agenda 15.

PNA members and Tokelau proposed revisions to the tropical tuna measure (CMM 2014-01)

295. PNA members and Tokelau introduced a proposal for revisions to CMM 2014-01 (WCPFC12-2015-DP12), offering a balanced set of measures in the longline and purse-seine fisheries that will improve the chances of removing bigeye overfishing and improving the basis for the management of tropical fisheries generally. These members noted that the major elements in the proposals were supported in principle by a majority of CCMs, and would be complemented by actions by PNA members in their waters. Next year, PNA will begin, on a trial basis, to register and electronically track all FADs in PNA waters, and introduce differential charging for fishing on FADs versus free schools, to create an incentive for fishing on schools not associated with FADs, adding to the incentives created by the MSC certification of the PNA free school skipjack fishery, the presence of the MSC-certified 'Pacifical' tuna products, and effort limits applied to longline fishing through the Vessel Day Scheme. The purse-seine proposals included a hard limit on high seas purse seine effort at the 2010 level, compatible with the limits being applied in PNA EEZs, a pre-dawn set ban during the FAD closure, extending coverage to the deployment and servicing of FADs by support vessels, providing for observers to be carried by support vessels, and a requirement for observers on ROP purse-seine trips to be sourced from other CCMs. The longline proposals were designed to address the unreliability of the longline catch data – especially important when catches are transhipped in the high seas, operational data is not provided by some fleets, and the fleets carry their own observers – and included a high seas longline closure, a ban on transhipment of frozen bigeye at sea, no operation under manual reporting when VMS breaks down, and increasing observer coverage on high seas trips to 20% with observers sourced from other CCMs. Other proposals related to capacity management provisions, which had resulted in obstruction of the development of PNA domestic tuna industries. The straightforward proposal revision to the CMM would clarify that construction of vessels for SIDS is not a matter for the Commission.

296. Indonesia noted that it did not have any objections but noted Article 30 of the Convention which included developing countries such as Indonesia and paras. 49 and 52 of CMM 2013-01 provides opportunity to Indonesia and SIDS to develop fleets. Indonesia reserved its position in this regard.

297. EU queried the PNA presentation which referred to an increase of fishing effort in the high seas and noted that only 12% of catches are taken on the high seas; on the other hand it noted an increase of around 10% in catch in EEZs. Referring to WCPFC12-2015-IP02-rev1, this CCM commented that there was 1773 fishing days on the high seas in 2014 when there has been a limit applying under Attachment D of CMM 2014-01 of 2282 (days excluding the Philippines) which corresponds to a level that is 20% below established the limit. If the Philippines effort is taken into account the level in 2014 was still 30% below the limit applying under Attachment D of CMM 2014-01. If we take into account total days by all fleets, including those fleets not subject to the limits in Attachment D, we arrive to 5415 days that have been fished on the high seas which is still below the total hard limit. Looking more historically, in 2001 and 2014 across all fleets 7200 and 5415 days respectively were fished in the high seas whereas historical (2001-2014) average is estimated at 6454 fishing days on the high seas. EU has also pointed out that a CCM not listed under Attachment D of CMM 2014-01 has displayed an increase of its fishing days in the high seas of almost three fold between 2013 and 2014. EU asked PNA to elaborate on these figures in the SWG.

298. RMI noted an increase in catch in the high seas, noting that bigeye tuna from the high seas used to be a relatively small percentage, but this is no longer the case. The high seas share in 2014 over 12% purse-seine effort in the high seas in 2015 has more than doubled, pointing to a problem in the high seas fishery.

299. Japan asked that the package be discussed in the SWG. Japan also asked about explanation of the reason for the combination of measures proposed as a package (for example, “high seas closure equal to FAD closure for high seas vessels” vs “ban on pre-dawn sets”).

300. USA expressed interest in the statements about the increase in effort and bigeye tuna catch on the high seas and asked where and what fleets were responsible, noting the USA fleet was not seeing the same level of increase. In addition, USA asked proponents whether they had looked at what impact further restrictions on fishing on the high seas would have on participating territories.

301. The Chair noted that interested parties can take up these questions in the tropical tuna SWG, including discussions to reconcile the data.

Japan proposal on joint reduction plan of purse-seine fishing capacity

302. Japan explained that this proposal (WCPFC12-2015-DP14_rev1) was aimed to establish a scheme to jointly reduce the capacity of large scale purse-seine vessels flying their flag larger than 24m with freezing capacity between 20N and 20S (LSPSVs) to the level of 31 December 2012 by CCMs other than SIDS as agreed at WCPFC10. Basic concept of proposal was the same as its proposal at WCPFC11: increased number of LSPSVs from that of 31 December 2012 shall be reduced on a pro-rata basis based on the number of LSPSVs flagged to each concerned CCMs as of 31 December 2012. New elements were 1) clarification of the number of vessels (22 - the difference between 31 December 2012 and 29 October 2015); 2) CCMs other than SIDS may transfer the quota; 3) further introduction of LSPSVs by SIDS after 29 October 2015 shall be addressed in 2020. Japan believed that the biggest cause of the failure of conservation effort was that there was no rule to control over-capacity of LSPSVs and looked forward to constructive and rational deliberation on this proposal.

303. EU asked about the metrics used in developing the proposal (i.e. number of vessels) and whether the proponent had considered alternatives such as well capacity, which EU considered would be more accurate.

304. Japan acknowledged the point and said it would be considered during discussions.

305. The Chair noted that this proposal would be considered further in SWG discussions.

Outcomes of tropical tuna measure CMM 2014-01 SWG discussions

306. On the afternoon of 5 December 2015, the Chair reported that in the 4 December tropical tuna SWG meeting, the PNA proposal was discussed, however those discussions did not move the SWG forward. The SWG met again on 5 December to look at these issues from a different perspective but did not make progress on CMM 2014-01. Discussions had begun on the draft harvest strategy work plan but there was no agreement on a skipjack TRP. The Chair advised that the SWG would reconvene on 7 December when the Chair would put forward draft amendments to the measure for the SWG to consider. They were small elements and there would be no surprises. The Chair wanted to put on the record her concern that the working groups were not progressing as delegates had said they wanted to progress, especially the tropical tuna and South Pacific albacore SWGs. The Chair reminded delegates that status quo was not a long term option and the Commission might need to look at other mechanisms. The Chair

noted that some delegations would welcome a vote on some of these issues, while others would not. The Chair was also investigating the possibility of a conciliation process to work through these issues.

307. On 7 December, the Chair advised that she planned to hold a HOD meeting on 8 December to work through the amendments, followed by a HOD+1 meeting for technical drafting. A brief discussion took place as several members preferred that both meetings would be HOD+1. The Chair noted these views and both meetings would be HOD+1. The Chair stressed that these CCMs should come ready to be constructive to move the measure forward. SPC, FFA and PNA Secretariat would attend as Secretariat support. The Chair asked Cook Islands, FSM, Japan, Korea, RMI, Tokelau, Chinese Taipei and USA to work with the Chair on drafting.

308. Japan made a statement indicating its faithful implementation of all the tropical tuna measures; its longline catch of bigeye tuna had decreased from 29,248 mt in 2004 to 14,555 mt in 2014, a reduction of 50%. The number of FAD sets was reduced from 3,162 in 2004 to 1,031 in 2014, a reduction of 67%. Nonetheless Japan observed the total number of FADs used in the entire WCPO increased from 10,768 in 2010 to 16,143 in 2014, an increase of 60%. Hence those CMMs did not achieve the objective of fishing mortality reduction, and instead invited further decline of tropical tuna stocks. Japan described the plight in fishing communities of Japan which rely on the migration of stocks to the area due to this failure of conservation efforts. Japan noted the abundance decline of those stocks was acutely affecting coastal fishing in Japan because it is located in the peripheral part of those stocks. Namely spring skipjack “Hatsugatuo”, which is migrating to the western part of Japan every spring historically famed for notifying the start of spring, but it has disappeared. The catch of another historically famed fish, bigeye caught in autumn off Sanriku coast has declined drastically. As a result, the coastal skipjack pole and line fishery has had to revert its target to albacore in a substantial part of the year, and the coastal tuna longline fishery had to change its target from bigeye to swordfish and blue shark. Fortunately, the conditions of those alternate stocks happened to be favourable, but the number of coastal fishers decreased from 396 to 287 in the last 10 years. More severe blow hit the artisanal fisheries in the Japanese coastal communities, many of which are experiencing the danger of extinction. In 2008, Japan was looking forward to sufficient conservation benefit from high seas pocket closure, 3 months FAD closure and the Vessel Day scheme for reduction of fishing mortality by purse seiners. But they did not bring about the expected benefit. In CMM 2013-01, Japan again expected the same conservation benefit but the effectiveness of it turned out to be insufficient. The number of FADs used in WCPO is continuously increasing. The longline fishing mortality for bigeye did not increase since 2013 because of the exemption of the CMM. Under these circumstances, Japan came to this meeting with determination to take further sacrifice, if necessary, for its large scale fleet and work out better conservation measures to close loopholes. Japan stated it will continue to work with other CCMs for this purpose.

309. The Chair thanked Japan for its commitment to keep working on this issue.

310. On 8 December, Tuvalu gave an update on WCPFC12-2015-DP06. A third revised version had been posted, and was now a joint FFA/Japan proposal for a TRP for skipjack, thanking Japan for its efforts to finding a drafting solution.

311. Japan stated that local depletion is a serious issue and the Japanese coastal fishermen were suffering from poor skipjack migration to the Japanese coast and expressed appreciation to FFA members for accommodating Japan’s idea. Japan noted that it showed maximum flexibility in order to prevent deterioration of the stock and requested other CCMs to understand the situation that poor skipjack migration to Japanese coast was a very political issue in Japan.

312. Guam made some comments on the proposed TRP for skipjack, a stock which is especially important for SIDS. Guam noted that it does not have a large industrial scale fishery for skipjack, but its

small scale coastal troll fishery is highly dependent on the stock, forming about 63% of pelagic fish landings, which was also the case for CNMI. Guam noted that its waters are immediately adjacent to the world's largest purse-seine skipjack tuna fishery, which has seen a year-on-year increase in volume of harvest. Guam's local fishermen are convinced that both skipjack and yellowfin have become much scarcer as the purse-seine fishery skipjack catch has increased. This CCM noted the concerns expressed by Japan about the scarcity of skipjack in its waters and the possible reduction in local availability of the resource, observing that these same skipjack travel past Guam/CNMI to get to Japan. Guam noted that this has important implications for its food security and fishing culture.

313. The CNMI broadly supported the TRP for skipjack, with skipjack the principal commercial fish landed in the CNMI, accounting for over 60% of pelagic fish landings. CNMI noted that it did not have a large scale industrial tuna fishery but relies on coastal troll fishing. It did benefit in the late 1980s from a Guam-based purse-seine operation which had a cold store and transshipment facility on Tinian, and fished to the south of the Mariana Islands. CNMI noted SPC studies that indicate that the US EEZ around the Mariana Archipelago contains a considerable skipjack resource, with an average spawning biomass in excess of 80,000 metric tonnes. It was noted that in the 1930s, Japanese pole and line vessels operating used to catch up to 3,700 metric tonnes, which was over ten times the current combined annual catches from Guam and CNMI. The CNMI has a narrow economic base and sees fisheries as an area that could be expanded, and are interested in implications for their fisheries development in the CNMI from the skipjack TRP and request further evaluation of the spatial impacts to the skipjack resource.

314. The Commission adopted CMM 2015-06 establishing a TRP for skipjack tuna (Attachment G)
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315. On 8 December, the Chair gave an update on the HOD+1 discussion which had taken place that morning. These heads of delegation and technical experts met in the spirit of compromise. The Chair noted that there has been an important exchange of views amongst the members that increased understanding of the issues. The Chair noted that while agreement on the draft was not reached, there was willingness to continue having these discussions after the conclusion of WCPFC12. The Chair thanked participants, especially those who had helped with drafting the night before – Cook Islands, FSM, Japan, Korea, RMI, Tokelau, Chinese Taipei and USA. These CCMs were especially constructive in getting text on the table for other members to consider. In light of the outcome on CMM 2014-01, the Chair commented that the Commission needs to take a hard look at the approach the Commission takes to reaching agreement – that is, the consensus approach. At a time when the stakes are getting higher each year, the Chair commented that the Commission needs to examine whether it is conducting discussions in the best way to achieve outcomes. The Chair urged members to take that hard look after this meeting, in order to come back next year in a better position to make progress for the people members are representing when they come here.

316. A number of participants made statements about the outcomes on the tropical tuna measure.

317. PNA members and Tokelau expressed their disappointment with the outcome on their proposed revisions to CMM 2014-01. These members stated that they had been prepared to go beyond the proposals, in response to the advice from SPC. These CCMs noted that the failure to improve measures to conserve and manage tropical tunas, especially bigeye, undermined the sustainable development opportunities of their people. PNA members stated that they will be working through 2016 to implement FAD charging and FAD tracking, the longline VDS, continued strengthening of the purse-seine VDS, and work on harvest strategies.

318. Japan also expressed disappointment in the outcome this year, reiterating its statement from the day earlier about its implementation of the measures and reductions in catch and FAD numbers; the number of FADs used in WCPO is continuously increasing and the longline fishing mortality for bigeye did not decrease since 2013 because of the exemption of the CMM. Japan was disappointed to find the stalemate caused by the crush between the interest of the industrialised fishing fleet of each party and the right of fishing development of SIDS. Japan also stated that it did not enjoy any exemption of the relevant CMM, and continued to faithfully implement the current measure.

319. American Samoa stressed that its economy is highly dependent on the tuna fishery, with two high volume canneries that employ over half of the local private sector work force. In addition, American Samoa has 20 locally-based large-scale purse seiners, about 20 local longliners, and support businesses such as the shipyard, net yards, fuel suppliers, maintenance and repair service providers and stevedoring companies. American Samoa benefits from US regulatory and enforcement resources to ensure compliance with Commission decisions. For American Samoa-based purse-seine vessels, the high seas areas close to Pago Pago represent historical fishing grounds which, when they were closed in June this year, saw an immediate negative impact on American Samoa's economy, with a 45% reduction in purse-seine port calls compared to the previous year. There have been negative impacts from American Samoa's implementation of the US high seas purse seine limits in CMM 2014-01. This CCM raised this issue in the context of Article 30 of the Convention on the special requirement of developing states and territories and sought understanding on the importance of avoiding adverse impacts of high seas effort limits on them.

320. USA thanked the Chair for helping the Commission through these discussions and for bringing together those involved in these fisheries for private discussions. This CCM expressed its disappointment that the Commission did not agree a measure which advanced the Commission's shared interests in better managing these tropical tunas and highlighted the need to begin planning for the development of a measure in 2016. USA offered its views on what types of information would be useful to the Commission as it takes on the challenge of developing this new measure – for the longline fisheries it is important that the Commission consider spatial management, noting that the burden of conservation should be distributed based on where it will have the greatest impact. This CCM considered that the Commission should consider spatial management approaches for longline fisheries, and direct the scientific services provider to conduct an evaluation, particularly with respect to bigeye tuna stock status, for review by SC12, of a variety of spatial management options. These include, but should not necessarily be limited to:

- bigeye tuna catch limits that apply only between 10°S and 10°N, where bigeye tuna exploitation is greatest;
- separate bigeye tuna catch limits in each of the WCPFC stock assessment regions, determined by the estimated proportion of the total stock that is in each region; and
- a combination of the two previous options or others as appropriate.

321. The USA also offered its views on the types of information that would be useful to support the Commission's consideration of management approaches for purse-seine fisheries. It was proposed that the scientific services provider be directed to further investigate individual purse-seine vessel dynamics and operational characteristics with respect to catches of bigeye tuna. It was expected that such investigations would complement the work presented at SC11, which showed that about 10% of all purse seine vessels are responsible for approximately 30% of the total bigeye purse seine catch. The science provider should study what these top bigeye-catching purse seine vessels are doing differently, with the idea that a better understanding could help identify technical or other methods to mitigate bigeye mortality in purse seine fisheries. To support improvement of the tropical tunas measure as a whole, USA also requested that the scientific services provider be directed to prepare, as it has done for past meetings, tables of the expected consequences of various combinations of FAD set limits and longline bigeye catch

limits. The USA opined that this would help the Commission choose a combination of measures that not only achieves the objective, but does so in a fair manner. The information should include, for each scenario, measures of the relative fishery impact of the two sectors, including how their respective impacts change over time as the bigeye tuna stock rebuilds. USA commented that it was also important to ensure compliance with the measures in place, sharing others' concerns that the measures are being disparately implemented and the Commission is not seeing the expected actions, such as closing fisheries and bringing enforcement actions. This CCM was looking to ensure measures adopted in the future are effective, and achieving the objectives for which they are were adopted.

322. Korea thanked CCMs for their cooperation and efforts but, despite this effort, the Commission had not reached an agreement on a new tropical tuna measure. This CCM noted that since 2013, the longline sector has been subject to catch limits and vessel number restrictions and strengthened MCS, while the purse-seine measure has stayed the same since 2014, and the status quo will continue to 2016. Korea noted that the effectiveness of CMM 2014-01 is subject to review every year but questioned whether the effectiveness can be evaluated when all relevant components have not been fully implemented, and the problem may lie in implementation. Korea noted that FADs greatly impact bigeye, and urged the Commission to strengthen FAD measures to reduce juvenile bigeye mortality, so they can grow into recruitment and spawning stocks, creating a positive feedback loop for stock rebuilding. Korea stated that, to this end, the longline sector was doing its part and complying with hard catch limits. In the SWG, Korea had suggested strengthening MCS on longliners, such as increasing polling rates and flexibility in gradual increase of observer coverage. Korea committed to working with all CCMs to find a constructive solution for tropical tuna management, including FAD-related issues, and hoped that before the next meeting CCMs can identify inherent problems in the current measure and its implementation, and focus on finding solutions based on clear scientific advice.

323. PNG thanked the Chair for her work and representations during the SWG, and agreed with Korea that implementation was part of the problem. In response to the USA's comments, PNG commented that spatial management could be a topic of discussion for the high seas areas, but this will not supersede national laws.

324. EU expressed disappointment, seeing the Chair's draft as a balanced one which would have strengthened management. EU supported the USA's comments on the importance of particular research that might provide useful information to inform future discussions and options to guide the Commission's discussions, noting that some of the elements were already available in the work SPC was doing, the harvest strategy workplan, and the research plan through the FADMgmtOptions-IWG. However, EU noted that without political will the Commission will not be able to address the problem.

325. Cooks joined the other CCMs in acknowledging the Chair's work. This CCM stated that its preference would have been to accommodate a zone-based FAD limit, and reiterated its concern about allowing states the choice of FAD measures undermines their sovereign rights to adopt measures beyond those of coastal states.

326. The IATTC Executive Secretary Dr Compeán read a statement on behalf of Guillermo Morán, the IATTC Chairman. The IATTC Chairman considered that the time had come to take steps towards establishing joint management strategies for the shared tuna populations. The IATTC Chairman's letter outlined the most effective management actions adopted to date in IATTC, and asked WCPFC12 to consider a) strengthening scientific cooperation, b) identifying differences in characteristics and structure of purse-seine operation and stock dynamics in the central and western Pacific and eastern Pacific, c) developing management measures such as a total closure of catches for the purse-seine fishery for skipjack, bigeye and yellowfin tunas, with the number and timing of days of closure based on the best available science, and d) developing a coordinated rebuilding and management plan for Pacific bluefin

tuna. On this, IATTC will ask WCPFC for a joint meeting with all interested parties after the 2016 ISC stock assessment, in order to adopt equivalent reference points.

327. RMI commended the Chair and Executive Director for their efforts from the outset, starting early in the year. RMI noted that a TRP for skipjack was agreed but on tropical tuna there was a sense of déjà vu from where the Commission left off in Apia. The PNA proposal was not agreed in Apia, on the grounds that members needed more time; this was resubmitted and was not agreed in Bali. RMI asked what the value of SIDS participation in WCPFC was, with their aspirations to develop their economies around the only resource they have. RMI noted that it will go away and do work internally.

328. The Organisation for the Promotion of Responsible Tuna Fisheries (OPRT) was disappointed that WCPFC12 had not come up with effective measures especially a decrease in the catch of bigeye tuna. This observer organization noted that the WCPO bigeye tuna is overfished, and the Commission has received a series of pieces of scientific advice on this issue. For the longline fishery, 6 CCMs with specific annual quotas reduced their bigeye tuna catches in accordance with relevant provisions 2013-01 and 2014-01. However, OPRT looked forward to further effective actions to be taken by the purse-seine fleet.

329. The Commission agreed to amend CMM 2014-01 to i) replace references to “2015” with “2016” in paragraphs 25, 28, 29, and 43 and ii) include reference to CMM 2014-01, in paragraph 62, Attachment C para 1 and 9, and Attachment E preamble (**Attachment H**, CMM 2015-01).

AGENDA ITEM 10 – REVIEW OF CMM 2010-05 (SOUTH PACIFIC ALBACORE)

10.1 General overview of the status of the stock (South Pacific albacore)

330. G. Pilling (SPC-OFP) presented a compendium of fishery indicators for south Pacific albacore tuna, including: total catch; catch by gear; and longline effort and nominal longline CPUE trends, along with their spatial patterns (WCPFC12-2015-14). The status of the south Pacific albacore stock from the most recent (2015) assessment was summarised and the potential stock consequences of recent fishing patterns relative to the agreed biomass limit reference point examined, using stochastic stock projections and incorporating the recommendations on inclusion of uncertainty from SC9. Based upon the 2015 stock assessment, and the level of uncertainty included within the projection analysis, there is a 20% chance that the south Pacific albacore stock will fall below the Limit Reference Point by 2033 under recent fishing effort levels. Overall average decreases in vulnerable biomass (a CPUE proxy) of 14% in longline fisheries were also estimated.

331. Chinese Taipei asked about the rationale, noting the condition of the stock is that albacore is not overfished and overfishing is not occurring. This CCM also commented that the new stock assessment used different assumptions and the result was very different from the past three assessments. For example, a similar level was suggested for potential depletion of spawning stock biomass which was between 0.58 – 0.68 in the past three assessments but the new assessment using different assumptions suggested 0.4. This CCM expressed the concern of using projections based on this result to derive TRP.

332. Pilling explained that in the projections that were run, SPC assumed that future effort would remain constant at the 2013 level; as stock declines over time the catch would reduce. If the assumption was that the catch was constant, Pilling noted that the status of the stock would be even worse. Responding to Chinese Taipei’s question about the assessment for 2015, as agreed by SC, a value of 0.3 for natural mortality was used. This value is consistent with the value used for albacore in other areas of

the world. Pilling noted there were also high catches for the last five or six years, which would drive the stock to a lower state.

333. In response to Japan's question about the geographical definition of the subtropical and tropical longline fisheries presented in the assessment report, Pilling clarified that using the spatial structure SPC used for this assessment, the region 10°S to 25°S represented the subtropical longline fleet.

334. Chinese Taipei asked whether the area showing an increase in catch was south of 20°S or north of 20°S. In response Pilling commented that the pattern of changes in catch was reasonably consistent with the pattern shown in the impact plot, and the increasing impact in the 10°S-25°S latitudinal band was related to increases in catch in this latitudinal region.

335. In response to the Cook Island's query about the relative level of troll and longline fisheries, and how the study modelled their effort from 2013, Pilling noted that when running the status quo model, the stock was projected forward under 2013 levels in both the troll and longline fisheries. In contrast, the analysis presented to HSW on target reference points for south Pacific albacore adjusted levels of effort in the longline fishery only, keeping the troll fishery constant at 2013 levels.

336. After this general discussion, the Chair directed further discussions on the topic to be undertaken in the SWG.

10.2 Review of CMM 2010-05 Measure

337. Recommendations from relevant WCPFC subsidiary bodies and intersessional working groups were presented to help facilitate a review by the Commission of the Conservation and Management Measure for South Pacific albacore (CMM 2010-05). For ease of consultation by the Commission, these recommendations were collated into a reference document (WCPFC12-2015-15). It was also noted that the context for the recommendations could be found in the full body of each report.

338. There were no comments on these two committees' recommendations on South Pacific albacore.

339. The Chair noted that, as discussed earlier in the meeting, discussions within the SWG on South Pacific albacore should seek to draw a distinction between strengthening the measure for management purposes and assessing compliance. It was noted that the outcomes from the HSW would be posted when finalised for use in the SWG discussions as needed. The outcomes from the HSW were discussed under agenda item 12.6

FFA proposal to establish a target reference point for South Pacific albacore

340. FFA presented WCPFC12-2015-DP03_rev1, with three main purposes: set a TRP of 45% of the unfished biomass for south Pacific albacore; provide a reference to the existing LRP agreement; and establish that the acceptable risk of breaching this limit reference point will be 5% or less. FFA noted that it had settled on a TRP after considerable debate, and after due consideration of the alternatives analysed in bioeconomic models and industry views. The proposal aims to address the Commission priority to implement Article 6 of the Convention and establish the "best practice" management principles described in CMM 2014-06, and ensure viable south Pacific albacore fisheries. As these fisheries target only part of the size-range of the stock, they are only commercially viable when the stock biomass is considerably above the biomass that would produce MSY. Fishing the stock down to MSY would reduce longline catch rates below the level where they are profitable. According to the 2015 stock assessment, the stock biomass in 2013 was ~41% of what the biomass would be in the absence of fishing. These CCMs stated that, while moving the biomass indicator from 41% back to 45% does not sound significant, the stock is

on a downward trajectory and already requires a cut in total longline fishing catch by 37% over the course of a rebuilding program. FFA commented that if fishing efforts remains at current levels there is a 20% probability of breaching the LRP – not the “very low” risk required by Article 6 of the Convention. This proposal was discussed at the HSW where useful feedback was received. These CCMs noted that the text can be modified to reflect that the interim TRP will be the basis for analytical work towards a harvest strategy for the fishery but FFA members were not proposing to lock anything in, nor immediate catch and effort reductions.

341. In response to a question from one CCM about how the figures were generated, the FFA Secretariat noted that two detailed presentations were given at the HSW which spoke to the risk levels and demonstrated how 5% sits in relation to the agreed LRP, current stock status and the proposed TRP. A second presentation by FFA was made on the decision-making process used by FFA members to take SPC’s bio-economic assessment and come to the proposal for a 45% TRP.

342. The Chair noted that discussions on the details could continue in the SWG.

FFA proposal to revise CMM 2010-05 to address the advice of SC11 and TCC11

343. Introducing WCPFC12-2015-DP04_rev1, FFA members noted that over the last decade they had made attempts to improve CMM 2010-05 to address the advice from their fishermen and SC10 and SC11 that longline fishing mortality and catch need to be reduced to avoid further decline in the vulnerable biomass so that economically viable catch rates can be maintained. The new stock assessment and increased catch over the past five years increases the urgency of those concerns; active management is needed and FFA commented that CMM 2010-05 is not capable of doing that job. Until a more effective measure is developed, the FFA proposal aims to help CMM 2010-05 fulfil its purpose which is ensure vessel numbers in this fishery do not increase above 2000-2004 or 2005 levels south of 20°S, noting that TCC has advised that the CMM in its current form is not capable of doing that. DP04 inserts data requirements into the CMM, providing two alternatives for decision by WCPFC – a) to expand the provision of summary data by CCMs for their vessels that take albacore south of 20°S or b) for those CCMs that do not already provide operational data to enter into or extend an agreement with SPC to make operational data available for the purposes of this CMM. Both make data available for annual analysis by the Secretariat that would enable the Commission to effectively assess the performance of the measure against its baselines. DP04 also inserts a new definition (“vessels actively fishing for south Pacific albacore”). FFA has consulted on this definition and the proposal was revised: FFA proposed that an actively fishing vessel be defined as a vessel which catches more than 5 tonnes of south Pacific albacore in a calendar year. These CCMs have kept amendments to a minimum as its aim is to address the TCC advice, not fix albacore management; they look to the harvest strategy process and the Tokelau Arrangement to do that. Lastly these CCMs noted that if CMM 2010-05 cannot be fixed it cannot be assessed and does not do anything.

344. New Caledonia spoke in support of the adoption of a TRP for South Pacific albacore, commenting that most of the waters below 20°S are on the high seas where there is poor observer coverage, weak enforcement and a lack of operational data from major longline fleets fishing there. This CCM comment that albacore mostly spawns between the equator and 20°S and there is more or less free access to this stock. While it is not overfished the uncertainty around it is high and the spawning biomass has been declining for years. This CCM looks to the Tokelau Arrangement, under which FFA members limit the catch of South Pacific albacore in their waters. New Caledonia has capped the number of vessels authorized to fish in its EEZ to 21 since 2011, all New Caledonia-owned longliners, with no licenses issued to foreign vessels for 15 years. New Caledonia’s fishing companies voluntarily adhere to a certification process based largely on compliance with domestic and international regulations.

345. The Chair noted that the SWG led by Australia to look at the South Pacific albacore CMM would cover the TRP proposal, the proposal to strengthen the existing measure and the element of the harvest strategy work plan covering albacore. The Chair urged delegates to keep in mind the TCC recommendations relating to the sub-committee's inability to assess the measure's performance and compliance against it.

Outcomes of south Pacific albacore CMM 2010-05 SWG discussions

346. On 5 December Australia reported that the SWG had begun discussions on DP03, DP04 and the South Pacific albacore components of the harvest strategy work plan DP09. There was no consensus on a TRP (DP03), nor was there consensus on an acceptable level of risk for the LRP; this would require revisions to the albacore components of the harvest strategy work plan. There was general agreement on a preamble for DP04 but currently no consensus on the definition of 'actively fishing', however there were positive comments about supplying data.

347. Prior to the SWG meeting on 7 December, the Cook Islands made a statement in plenary, borne out of concern that polarised positions were emerging around critical measures and noting that it was time for individual states to step up. The Cook Islands supported WCPFC adopting a meaningful harvest strategy as per the FFA Sustainable Fisheries Roadmap. This CCM's intervention came with the support of the Cook Islands Prime Minister and recognised that the albacore longline fishery is an area in which the Cook Islands had individual influence. The Cook Islands was willing to offer a concession. In 2012 the Cook Islands accounted for 10,700 tonnes of albacore tuna, 15% of the total WCPFC catches. Its commitment to the FFA Tokelau Agreement was to reduce its catch to 9,600 tonnes. In light of the SC recommendation to reduce catches by 37% this CCM offered to work within the WCPFC harvest strategy to reduce catches further than that, to 35%, or a reduction of 4,000 tonnes, to 7,000 tonnes within two years. This concession to reduce catch was conditional on a phased reduction and eventual ban of longline fishing in the Eastern High Seas Pocket, noting that it would be prejudicial to the Cook Islands' interests and FFA domestic fleets and coastal states' fleets if the Cook Islands reduced catches in its zone while effort was to increase in the Eastern High Seas Pocket. The Cook Islands challenged members to work within the CMMs but also engage in open dialogue and apply commitments across the board, offering meaningful concessions at WCPFC12.

348. Australia reported that SWG met three times this week, with substantial participation and constructive engagement. However, no agreement was reached on an albacore TRP or the acceptable levels of risk of breaching the reference point. The SWG had some success on the data provision proposal. The proposal required submission of species catch data, by vessel, by year for 2006-2014 and earlier years where possible. The proposal was not to require vessel names to retain confidentiality; vessels would be identified as 'Vessel 1', 'Vessel 2', etcetera.

349. There were two small issues on the draft which were resolved in plenary – USA wanted to restore some language around the number and catch of albacore from all vessels which had been deleted in the draft, and China asked for the deletion of 'average' from para. 1.

350. The Commission adopted CMM 2015-02 which will revise and replace CMM 2010-05 (Attachment I , CMM 2015-02).

351. Australia further reported that there was no consensus on establishing a TRP for albacore.

352. American Samoa expressed frustration at the lack of progress to strengthen the conservation and management of South Pacific albacore, on which American Samoa's longline fishery is almost entirely

dependent. This CCM's domestic longline fishery had gone through great changes in the last ten years, going from feast to famine, noting that ten years ago, the fishery was in good shape but recently, the economics of the fishery became so poor that operators had to tie up. In the same time period American Samoa has lost its small scale albacore fishery, and this CCM recognised that its South Pacific neighbours have experienced similar downturns in their fisheries. American Samoa supported Commission measures that improve economic and resource conditions for the South Pacific longline fleets, and expressed concerns about the potential impact of on the supply of albacore to our local canneries in American Samoa of measures which had been proposed. American Samoa's tuna industry preceded the Commission's existence by many decades, and our economy is completely dependent on tuna processing. This CCM supported continued efforts to identify an albacore TRP through the harvest strategy process that leads to improved catch rates while minimizing impacts on the local processing facilities of SIDS and Participating Territories.

353. FFA members registered their disappointment that WCPFC12 did not secure a TRP for the albacore fishery. An albacore TRP was discussed at the last two MOWs and the HSW prior to WCPFC12. These CCMs advised CCMs that if they expect consensus or compromise, a credible proposal has to be provided. FFA members stated that South Pacific coastal states will continue to develop collaborative zone-based management arrangements and while they preferred to develop them within overall limits of a Commission-wide TRP, in its absence these CCMs will finalise the establishment of their own management system for fisheries within their EEZs, including the use of an interim TRP. It was noted that three-quarters of the albacore catch is taken within EEZs.

354. The Cook Islands reiterated that it was prepared to make significant cuts but with a commensurate reduction in effort in adjacent areas. CCMs could consider including in their vessel licencing conditions measures on the high seas that can accompany the Cook Islands cuts.

355. New Zealand supported the Cook Islands and FFA statements, noting that a TRP was a priority for New Zealand this year. Over the next year, this CCM wanted other members to become more engaged, especially with the analysis done by SPC, which clearly illustrates that current catch levels are not sustainable.

AGENDA ITEM 11 – BYCATCH MITIGATION (SHARKS, SEABIRDS, TURTLES, WHALE SHARKS, CETACEANS)

356. Recommendations from relevant subsidiary bodies and intersessional working groups were considered by the Commission to facilitate the review of the selected bycatch mitigation CMMs with the objective of refining and improving their effectiveness. The Commission reviewed three specific CMMs and three proposals under this agenda item. It was noted that there no stock status overviews for the bycatch stocks concerned. The SC and TCC recommendations were contained in WCPFC12-2015-16 for easy reference.

357. The Chair asked CCMs if there were any issues with the SC11 and TCC11 recommendations on any of the shark species (WCPFC12-2015-16). No general comments or concerns were raised.

11.1 CMM 2010-07 and CMM 2014-05 (Sharks)

358. The Commission reviewed the two Conservation and Management Measures for sharks (CMM 2010-07 and CMM 2014-05).

EU proposal for Conservation and Management Measure for Sharks

359. With WCPFC12-2015-DP16, EU introduced its proposal to amend CMM 2010-07, to implement a 'fins attached' policy. EU commented that this year was the first time the Commission had received two strong recommendations from both sub-committees and noted in particular that SC11 had discussed the issue extensively and had reviewed research and data provided by one CCM which was implementing the fin-to-carcass ratio – research which demonstrated that despite the best efforts and goodwill of this CCM to perform this analysis as scientifically as possible several important shortcomings have been identified. SC11 had made a clear recommendation (SC11 Summary Report para. 553) following this review. EU noted that TCC11 had also made a strong recommendation (TCC11 Summary Report para. 462) relating to the inability to assess compliance with the enforcement of the fin-to-carcass weight ratio as means for implementing the finning ban in the WCPFC CA. This CCM stated that the subsidiary bodies of the Commission had made these recommendations and they cannot be ignored, particularly when the Commission receives observer reports that demonstrate that finning is still occurring. The EU offered to discuss the proposal with interested parties in the margins.

360. EU also took the opportunity to speak to CMM 2014-05, noting that the CMM which was adopted last year included shark management plans. While this was considered progress towards the management of sharks, SC11 had looked at the submitted management plans and raised concerns that there were not clear guidelines about what elements these plans should include and had asked the Commission for guidance on how to build these plans. EU expressed the view that WCPFC12 needed to give this guidance to the SC and TCC so they are able to do their work and have effective management plans in place. The EU also hoped to discuss this issue with interested parties.

361. FFA members supported the intention of the EU proposal to strengthen existing CMMs for sharks, ensure full utilisation of sharks that are landed and contribute to decreased mortality. FFA members tabled a comprehensive revision to the shark measure at WCPFC11 which included a prohibition on finning, with a narrowly defined exception. These members would discuss this further with the EU. FFA members hoped to see a consolidation of existing shark CMMs, particularly CMM2010-07 and 2014-05, and took the view that the EU proposal would be best incorporated into the main shark measure rather than be a stand-alone measure.

362. The Chair noted that the Commission has five shark-related CMMs and asked that WCPFC12 consider consolidating them so that they become a little more user-friendly and easier to access.

363. Fiji noted that shark fins ratio were discussed at length at SC, which had come to the view that data on fin-to-carcass ratios was not available and came up with a Shark Research Plan for directed research which also includes further Monte Carlo simulation work.

364. USA expressed strong support for the EU proposal and supported the idea to combine the measures, making them more user-friendly and coherent. The USA would be happy to engage in this work. NC had made a recommendation to both SC and ISC that they work together to determine whether North Pacific blue shark is a northern stock. The SC had simply noted that the ISC had provided information, but SC had not taken action. The USA considered it important for the SC to commit to doing that work, and to that end wanted the Commission to convey to the SC the importance of making a recommendation on this stock. In the view of this delegation it was in the purview of the NC, and North Pacific blue shark was a stock that needs to be managed. USA wanted the record to reflect a decision to instruct the SC to move that forward.

365. Japan followed up the USA comment on blue shark, noting that on 4 December 2015 the NC would meet and would hopefully adopt the recommendation in the NC meeting report. This matter was discussed under Agenda 12.2.

366. SPREP endorsed EU's views on shark bycatch and welcomed the trend towards increasing collaboration with other organisations to address bycatch issues. This is exemplified in the ABNJ project work which Dr Shelley Clarke was leading. SPREP noted that it is not primarily a research agency, but it is engaged in advocacy initiatives regarding sharks, especially through the Convention on Migratory Species and the Convention for International Trade in Endangered Species of Flora and Fauna, and extend to other threatened and migratory species. SPREP commented that by-catch is clearly a significant problem affecting many threatened and migratory species, and welcomed the opportunity to discuss these issues with the Secretariat and others during WCPFC12, and collaborate with fellow CROP agencies, FFA and SPC, to make a substantive contribution to the mitigation of turtle bycatch.

367. Japan noted that WCPFC11 had adopted a measure which requires the development of a management plan for longline fisheries that target sharks; Japan and Chinese Taipei had developed management plans and submitted them to SC11. Japan stated that to develop the plan the government had held meetings with fresh longline fleet fishermen based at Kesennuma fishing port many times and that the plan included the requirement for fins to be naturally attached, a catch limit and restrictions on catching small-sized sharks. Japan took the view that it was an appropriate plan for the conservation and management of sharks and would be implemented from 2016.

368. A number of CCMs noted that SC had clearly asked for guidance on the management plans.

369. The Chair noted that there were two clear recommendations from SC and TCC which confirm that these subcommittees had not been able to progress CMM 2014-05 in any real way. SC had found it difficult to evaluate these plans and TCC had concurred; the Commission needed to develop the guidelines required. It was noted that there was not a set of minimum guidelines drafted. The Chair suggested either creating a small group to do that drafting during WCPFC12 or work through the subcommittees to provide those guidelines for the Commission to adopt in 2016.

370. EU wanted a clear recommendation from WCPFC12 on this matter. It was noted that Dr Shelley Clarke, who was currently attached to the Commission, was an expert in sharks and bycatch and suggested she could start preparing an ideal management plan document which could be discussed and revised as appropriate at SC12 and TCC12 for adoption and future implementation by CCMs.

371. A number of CCMs suggested that the Secretariat develop the initial draft to go to SC and TCC.

372. USA commented that it would be useful to discuss this in a small working group to develop some instructions for the Secretariat.

373. Japan supported the idea of developing a draft guideline to evaluate a management plan for future review but stressed that it was implementing its management plan from 2016 in order to contribute to management of sharks.

374. The Chair noted the consensus for a small group to meet and develop a recommendation that sets out what the Commission would be tasking the Secretariat to produce for SC and TCC, to bring back to WCPFC13. EU would lead that small group, with work on CMM 2010-07 continuing in the margins of WCPFC12.

375. On 5 December, EU reported that the informal group discussing shark issues had met on 4 December. EU had received comments on its proposal to implement a fins naturally attached policy in CMM 2010-07. EU reported that there was an attempt to try and consolidate CMM 2010-07 with CMM 2014-05 but it had not proved possible at this time. The informal group also discussed the development of guidelines for CCMs that target sharks in association with WCPFC fisheries and are required to develop a management plan for that fishery. A document had been drafted and distributed to delegates. Later on 5 December, EU noted that a revised version of the fins naturally attached amendment had been posted and the group would meet again on 7 December.

376. On 8 December, EU updated the Commission on those discussions, noting that it had received comments on the draft and the necessary support for proposal had not been received. It was noted that this was not the first year the EU had introduced a fins naturally attached proposal, and recalled that the 5% fin-to-carcass ratio has been recognised by TCC and SC as impossible to monitor. EU suggested text for a recommendation, noting that it was not EU's preferred option but was a way forward, to recognise the impasse and conclusions reached by TCC and SC and help the Commission move forward and prepare the debate for next year, to provide an effective measure which can be monitored and controlled and which serves its purpose.

377. A lengthy discussion took place on the draft text.

378. USA expressed appreciation for the efforts of the EU in trying to deal with this issue, and noted that the fins naturally attached provisions were supported by many around the table. However, this CCM had concerns with paras. 1 and 2.

379. EU noted that it had encouraged comments from delegations during the meeting and there was consensus on the language at the informal group.

380. Japan, China and Indonesia had queries about the format, and whether it was meant to be a CMM or a recommendation, and on some of the language used.

381. WWF, Shark Advocates International, Humane Society International, Greenpeace, International Seafood Sustainability Foundation, Sustainable Fisheries Partnership, MDPI, Earth Island Institute, Conservation International, The Pew Charitable Trusts, International Pole and Line Foundation, and Birdlife International expressed their support for the development of guidelines to improve management plans for targeted shark fisheries to ensuring that existing measures are enforceable, and that the waste and risk associated with shark finning is eliminated. These observer organisations opined that the only way to guarantee that sharks have not been finned is to require that carcasses be landed with the fins naturally attached. It was noted that the Marine Stewardship Council considers fins naturally attached as the only compliance standard that can provide certainty, and prohibiting at-sea shark fin removal can facilitate improved data on shark catches. It was noted that the fins naturally attached approach is mandated in a growing number of countries and is gaining acceptance in international arenas, referencing a similar proposal was co-sponsored by 30 ICCAT parties recently. These organisations expressed frustration that WCPFC has not adopted this best practice for preventing shark finning, and reiterated their request that such action is taken as soon as possible.

382. Fiji reminded CCMs the shark research plan adopted during the last SC still stands.

383. EU expressed its disappointment that the proposal had not been accepted, noting that only one part of the language was additional beyond what TCC already noted.

384. On 8 December, EU reported back to plenary on its proposal to provide guidance for the elaboration and evaluation of management plans for target shark fisheries (WCPFC12-2015-DP26). A revision had been posted, and EU noted the very constructive work which had taken place at the informal group. It was noted that the rationale was to give guidance for the development of management plans that are foreseen in CMM 2014-05, and the guidance is based on that rationale. According to the draft terms of reference for the development of guidelines, management plans should be based on Article 5 of the Convention and para. 2 of CMM 2014-05, taking into account advice from SC and TCC. The Secretariat is directed to propose a range of possible definitions of a longline fishery targeting key shark species in association with WCPFC fisheries, for the consideration of SC12 and TCC12. EU noted that this was not a CMM, just guidance for a process to be undertaken in 2016.

385. Australia supported the text, and noted that it was supported by consensus in the informal group.

386. Japan suggested that “shall” be amended to “should”, reflecting that they are guidelines. Japan noted that, with this amendment, it will go along with the guidelines to be used when developing its next management plan in the future.

387. China and Chinese Taipei supported the draft guidelines with the amendment proposed by Japan.

388. The Commission tasks the Secretariat to develop a paper that provides guidance on the development and evaluation of management plans for longline fisheries targeting sharks in association with WCPFC fisheries (CMM 2014-05) and which takes into account the elements and timeframes contained in **Attachment J**.

11.2 CMM 2012-04 (Whale Sharks)

389. The Commission discussed the Conservation and Management Measure on the protection of whale sharks from purse-seine operations (CMM 2012-04) and guidelines which had been developed for the safe release of encircled animals.

390. It was noted that the guidelines were finalised at SC11 and put forward for TCC’s consideration and for the Commission for adoption. Many CCMs expressed support for the adoption of the guidelines.

391. FFA members noted that there was nothing in place for the safe release of whale sharks, and commented that the guidelines can be updated as new research on their practical application becomes available. These CCMs’ support recognised that application of the guidelines was non-binding and did not supersede the specific national laws that some CCMs have in place on this matter. In addition, FFA members endorsed TCC11 recommendations on the ongoing development by SC of more comprehensive guidelines pertaining to the safe release of sharks and rays, and other animals important to coastal States.

392. USA suggested that the Commission also consider transitioning some of the guidelines to enforceable requirements, based on additional research confirming the guidelines are the appropriate way to safely release whale sharks. This CCM suggested that something be put in place to ensure the necessary research is undertaken to determine if the guidelines are the best methods for the Commission to then convert into measures and requirements.

393. EU suggested that research could continue and new, better methods could be found but until then the guidelines could be adopted as minimum standards.

394. WCPFC12 endorsed the “Guidelines for Safe Release of Encircled Animals including whale

sharks” as recommended by SC11 and TCC11 as contained in **Attachment K**.

11.3 CMM 2012-07 (Seabirds)

Japan proposal to revise CMM 2012-07 to mitigate the impact of fishing for highly migratory fish stocks on seabirds

395. Japan introduced a proposal for seabird mitigation (WCPFC12-2015-DP02a/WCPFC12-2015-DP02b) which would require small scale vessels (less than 24 metres in length) conducting longline fishing activities in the area north of 23°N in the WCPFC area to employ a seabird mitigation measure. Japan noted that in the past three years it had undertaken research on mitigation measure for small scale longline vessels operating in this area and the proposal was based on that research. Those vessels would be required to use at least one seabird mitigation measures in the area north of 23°N. In addition, a specification for a short streamer to be used for small scale fishing vessels was introduced. Japan stressed the importance of fishermen’s safety on board the small scale fishing vessels, and noted that small scale Japanese longline fishing vessels are thinner in shape than other members’ vessels, giving them different vulnerabilities, specifically when using streamers.

396. Chinese Taipei noted that a number of its flagged small scale vessels fish in this area of the WCPO and supported the proposal as a first step to moving forward.

397. USA considered the proposal an important step towards eliminating the exemption for small vessels in the North Pacific. This CCM had considered the results of the research Japan had presented to SC11 and remained concerned that there was insufficient evidence of the efficacy of Japan’s proposed tori line design. This CCM would like some work to be done comparing the proposed design with mitigation required for other vessels to generate more substantive evidence that it is effective before its adoption by the Commission.

398. Australia echoed USA’s comments and asked Japan to elaborate on the scientific evidence that demonstrates adequate mitigation from the use of only one mitigation measure from the entire Table 1 of CMM 2012-07.

399. ACAP welcomed Japan’s research on seabird bycatch mitigation in the North Pacific, and noted that this research shows conclusively that there is a high seabird attack rate on small scale longline vessels in the North Pacific, with 70 attacks per 1000 hooks when no mitigation was used and the number of birds caught extremely high. ACAP commented that this demonstrates the importance of using mitigation measures in this area. ACAP requested that this research be presented to the next meeting of the ACAP Seabird Bycatch Working Group so the effectiveness of the proposed tori line design can be evaluated for possible inclusion in ACAP’s Best Practice Advice. Regarding the proposed amendment to CCM 2012-07, providing that small vessels in the North Pacific use one of the mitigation measures in Table 1, ACAP noted that only those mitigation measures in column A of Table 1 had been shown conclusively to be effective in reducing seabird bycatch. While ACAP’s best practice advice is that all three measures in Column A should be used in combination, choosing just one measure from Column A of table one would still reduce the number of seabirds caught. ACAP recommended that the Japanese proposal be amended to require the choice of one measure from Column A, rather than one measure from Table 1.

400. Japan noted that its scientific data was presented to past SC meetings and stressed that the proposal is its best effort at this stage. This CCM stated that it did not want the excuse of not having enough evidence to delay introducing measures.

401. The Chair noted that the Commission needed to work in the margins on the proposal and asked interested parties to work with Japan before bringing it back to plenary.

402. Japan reported back on discussions on its proposal (WCPFC12-2015-DP02). Japan advised that it had met with other members and NGOs and a revised version had been posted. The important change was that previously fishers could choose at least a mitigation method from Column A or B, but in the revised version, only those methods in Column A are available for small scale fishing vessels while number of method required to implement is the same. Japan received comments on the short streamer specifications. Japan noted the difficulties for small scale longline vessels employing a short streamer as specified in CMM 2012-07 because trial implementation of that method on a small longline vessel in the North Pacific ocean caused entanglement of fishing gear during line setting and that safety issues were something on which they could not compromise, and hoped the revised version could be adopted. Japan advised that the similar research as the last three years will continue and the results will be reported to SC. There may be a possibility to review the proposed measure in the future, based on the outcome of the future research.

403. USA continued to have concerns about the efficacy of the proposed tori line design, noting Japan's continued intent to study it, and wanted to put a time constraint in place. USA wanted to provide an opportunity for the efficacy to be evaluated, after which the Commission could make a decision on whether to extend the use of the alternative tori lines. USA noted that the SC had concerns about whether the research supported the claim that it was as efficacious as other measures.

404. Japan and USA agreed to talk in the margins about how long the period should be before the measure was reviewed, whether two or three years from the effective date. Japan noted it was conducting the research every year and a two-year timeframe only gave one year of result. On 8 December, Japan and USA advised that they had agreed on language.

405. The Commission adopted CMM 2015-03 which will revise and replace CMM 2012-07 (Attachment L , CMM 2015-03).

FFA proposal to revise CMM 2012-07 (seabirds)

406. FFA members presented WCPFC12-2015-DP11, to amend CMM 2012-07. The proposal included minor amendments that seek to shift the latitudinal line from 30°S to 25°S, excluding EEZs other than Australia and New Zealand that extend south of 25°S. Referring to SC papers including the latest, SC11-EB-WP-09, FFA members noted the increasing rate of seabird interactions in areas north of 30°S in the Commission area over the years. It was noted that the SC11 meeting record made reference to the ongoing problem of relatively low observer coverage and missing logsheets for longline vessels. For FFA members, this suggests that seabird interactions have not been properly documented and are therefore probably higher than currently reported.

407. China noted after the presentation that it had some queries on the proposal: firstly the amendment text did not relate to the preamble, and asked New Zealand to update that section and highlight the rationale behind the change in area. This CCM noted that it could not accept the exclusion of the southern countries' EEZ from the operation of the measure.

408. USA supported the idea of moving the line further north but expressed concerns about the differential treatment of EEZs and the high seas, a distinction that may not be supported scientifically. This CCM suggested further discussions about the FFA proposal, and suggested a slight move of the line could treat EEZs and high seas comparably and also protect seabirds.

409. Chinese Taipei expressed similar sentiments, and questioned the exception for vessels operating in the EEZs, noting that seabird mortality often happens close to land. This CCM asked for a scientific comment to address that query.
410. Fiji supports the FFA proposal introduced by New Zealand. Some of the seabirds interacting with longliners are endemic to some FFA members like one petrel species in Fiji. Therefore FFA members would want to see reduction in the risk to seabird bycatch by longliners in the overlap area between 30° S and 25° S, but excluding those Pacific Island EEZs that extended south of 25°S.
411. The Chair suggested that the proponents address these questions or take them up in sideline discussions.
412. BirdLife welcomed the proposals put forward by FFA for the South Pacific and Japan for the north Pacific for improving the seabird bycatch measure. BirdLife noted that it has been working for two years to impress upon the Commission the risk posed to albatrosses from small vessels in the north Pacific and, more recently, the risk to vulnerable seabirds breeding in New Zealand such as black petrel and Antipodean albatross in the area between 25°-30°S which is not currently protected by seabird mitigation. This observer organization hoped to work cooperatively with FFA and Japan and other CCMs during WCPFC12 to bring an effective seabird measure to the Commission for endorsement.
413. New Zealand advised that it would engage with other parties to address some of the issues raised during these discussions.
414. On 8 December, New Zealand advised that, following comments across the floor after its introduction, it had initiated meetings with other CCMs. These discussions reinforced that the exemptions which was the primary concern were quite significant for the member countries. New Zealand noted that exemptions applied in other areas in the context of seabirds, and advised that the proposal is not amended from what was initially proposed.
415. China noted its difficulties with the initial proposal.
416. The Chair noted that there was no consensus for adoption of the amendments.
417. Birdlife hoped that the practical difficulties could be resolved over the coming year and that the proposal could be adopted at WCPFC13.

11.4 Others

418. No discussions took place under this agenda item.

AGENDA ITEM 12 – ADOPTION OF REPORTS FROM SUBSIDIARY BODIES, INTERSESSIONAL WORKING GROUPS AND OTHER WORKSHOPS

419. Recommendations of WCPFC subsidiary bodies, intersessional working groups and workshops which were not discussed in earlier agenda items were presented under this agenda item as well as discussions on proposals which had not been discussed in any depth under other agenda items. The Chair noted that the species-specific recommendations were taken as accepted by the Commission.

12.1 SC11

420. On behalf of the SC Chair, A. Batibasaga (Fiji) presented key recommendations, other than species-related recommendations, of the 11th Regular Session of the Scientific Committee (WCPFC12-2015-17a and WCPFC12-2015-17b) held in Pohnpei, Federated States of Micronesia, from 5- 13 August 2015, chaired by L. Kumoru (PNG). Among the SC recommendations in the SC11 Summary Report, A. Batibasaga asked for the Commission's specific endorsement of those recommendations in his report as listed below.

SC11 Summary report 172. SC11 recommends that funding be continued to maintain the Project 35: Bigeye Biology and WCPFC Tuna Tissue Bank, with particular emphasis on WCPO bigeye, yellowfin, and skipjack tunas. SC11 also recommends that the Commission adopt the "WCPFC Tissue Bank Access Protocols" developed within Project 35 and modified by ISG-2 at SC11 (Attachment D).

421. The presentation of the SC11 recommendation in paragraph 172 (Progress on Project 35) led to extensive procedural discussions. Because the budget had not been finalised as the FAC was still meeting in the margins of WCPFC12, a number of CCMs had concerns about accepting SC recommendations with budgetary implications, including CCMs which said it would be difficult for them to increase their contributions. It was generally agreed that recommendations with financial implications, if supported, are provisionally accepted. In relation to SC11 recommendation paragraph 172, final approval on Project 35 recommendations would be subject to FAC's final recommendations on the 2016 budget.

SC11 Summary Report 612. SC11 adopts the Shark Research Plan and Stock Assessment Schedule (Attachment H) and recommends that WCPFC12 endorses it.

422. Regarding the SC11 decision on the stock assessment schedule in paragraph 612, there were also concerns from one CCM about the timing of stock assessments in the SC work plan, especially related with the skipjack assessment scheduled in 2016. A number of CCMs noted that the reasons for 2016 being chosen to do this assessment included the diminishing value of tuna tagging data, collection of which ended in 2013, and the fact that conducting three tuna stock assessments in one year presented an enormous workload burden for SPC.

423. WCPFC12 did not adopt the SC11 report during initial discussions on this agenda item, as a number of issues were not yet resolved. This included the timing of the stock assessments as had been recommended by SC11, and the prioritisation of those assessments, and budget approval for the projects recommended in the SC11 report. The Chair directed those with competing priorities for the timing of the stock assessments to consult in the margins and work out an appropriate schedule to enable the adoption of the SC11 summary report later in the meeting.

424. On 8 December, the discussions on this matter resumed.

425. Australia noted that skipjack, South Pacific blue shark and thresher shark were on the current schedule of assessments for 2016, and recalled that there was agreement in the informal meeting that the skipjack should be retained but there was an issue with the blue shark assessment: if this was 2017 rather than 2016, data from the EPO could be incorporated. Australia expressed the view that this would be a more efficient use of WCPFC resources and would result in a more comprehensive assessment, however the issue was not a major one for Australia and this CCM would not block consensus.

426. EU considered it important to maintain the stock assessment of South Pacific blue shark in 2016, noting the EU could facilitate contacts to obtain EPO information. EU reiterated that it would have preferred to postpone the 2016 skipjack stock assessment. With other CCMs proposing to defer the blue

shark stock assessment, EU suggested that a compromise would be to not change the assessment schedule recommended by SC11, but adopt it.

427. USA concurred with Australia's comments, noting that in 2016 it will be a data poor fishery without the CPUE data. If it were postponed, the EPO and ABNJ information could be incorporated. The analysis would be more rigorous and more cost effective.

428. New Zealand echoed these views, noting the increased data in 2017. However, it noted as a matter of principle that the Commission should adopt the schedule of stock assessments coming out of SC and conduct the skipjack assessment and the blue shark assessment in 2016.

429. The Commission endorsed the SC11 recommended stock assessment schedule (**Attachment M**).

SC11 Summary Report paragraph 386. SC11 recommends that the Secretariat develops a proposal to establish a formal process and its cost implication to independently review stock assessments. This proposal will be presented to SC12.

SC11 Summary Report paragraph 390. Noting that SC10 had considered levels of risk associated with breaching the LRP within the range 5-20%, that the identification of acceptable risk is a management issue, SC11 reaffirmed the recommendation made by SC10 that WCPFC12 identify the level of acceptable risk which should be applied to breaching a LRP for the key target species, noting that the UN Fish Stocks Agreement states that the risk of exceeding LRPs should be very low.

430. The Commission tasked the Secretariat to develop a proposal, including an indicative budget, to establish a formal process to independently review stock assessments. This proposal will be presented to SC12.

431. The Commission noted that SC10 had considered levels of risk associated with breaching the LRP within the range 5-20% and that the identification of acceptable risk is a management issue.

432. The Commission agreed to identify the level of acceptable risk which should be applied to breaching a LRP for the key target species, noting that the UN Fish Stocks Agreement states that the risk of exceeding LRPs should be very low.

433. It was noted that discussions on the levels of risk were ongoing within the harvest strategy discussions taking place in the margins of WCPFC12.

434. It was agreed that the recommendation relating to the nomination of a SC Vice-Chair (SC11 Summary Report para. 699-700) would be endorsed under agenda item 17.3. Operational level data agreement to support WCPFC stock

SC11 Summary Report paragraph 225. After the discussion among the involved CCMs, it was reported that the CCMs needed domestic clearance before finally agreeing to a new arrangement. However, as a way of cooperation in response to the SC's appreciation and request, those CCMs agreed not to require SPC to delete their operational data provided to SPC and the products thereof under the condition that they will not be used in any way until a new agreement is reached with SPC. Those CCMs will discuss the new arrangement intersessionally with SPC based on the draft text for

the Agreement for Provision of Operational-level Data to SPC to Support WCPFC Stock Assessments shown in Attachment E, with the intention of finalizing the arrangement prior to WCPFC12.

SC11 Summary Report paragraph 226. SC11 appreciated the cooperation and flexibility shown by those CCMs involved and expressed its hope that the new arrangement will be agreed among relevant CCMs promptly so that the SPC's work can be maintained.

435. Regarding the new arrangement for the submission of operational level data in paragraph 226 of the SC11 summary report, SPC gave a progress report. J. Hampton noted that at the close of SC11 an agreement had been drafted on the continued submission and retention of operational data to be used in SPC stock assessments undertaken for WCPFC. The CCMs involved in that agreement (China, Japan, Korea, Japan, Chinese Taipei and USA) were going to revert to Capitals to check and come back with advice on whether the agreement was acceptable to those CCMs. Hampton noted that the draft was acceptable to the USA and Chinese Taipei but the other CCMs had not yet provided SPC with advice and hoped they would do so by the end of the meeting. If the agreement was acceptable to these CCMs, the data were due to be updated next year, to be provided by 30 April 2016.

436. PNG noted the significance for FFA members of the provision of operational data from these states. This CCM asked whether the agreement covered historical data provided for the last assessment and asked for a status update from the CCMs which had not responded to SPC.

437. Hampton responded that the data had supported the Pacific-wide bigeye analysis undertaken in 2015. He also noted that full historical data to the extent that the data have been collected by fishing states concerned were provided to SPC for that analysis and had also been integrated into the data set. The integrated data set is very large and comprehensive, and of considerable value to ongoing stock assessment work.

438. USA confirmed that it has agreed to provide the data.

439. On 8 December, SPC sought clarification on whether the draft data agreement which had come out of SC11 was acceptable to the relevant parties.

440. Japan noted that the remaining issue was consistency with existing rules and measures. This CCM noted that there are already the scientific data rules and the CMM (CMM 2014-01). Japan asked for more time to formally respond.

441. China could not make a formal response at WCPFC12, but would try to provide feedback to SPC intersessionally.

442. The Commission adopted the SC11 Report.
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12.2 NC11

443. The Chair of NC, M. Miyahara, gave a presentation on the NC11 meeting which was held in Sapporo, Japan from 31 August – 3 September 2015. Canada, Fiji, Japan, Korea, Chinese Taipei and USA were the members in attendance and there were also observers from EU, FSM, Kiribati, Mexico, Samoa, Tonga, Tuvalu, FFA and ISC. As a quorum (8 Members) was not achieved in Sapporo, NC met briefly in the margins at WCPFC12 to formally adopt the NC11 report. Discussions on Pacific bluefin tuna at NC11 including the Provisional Multi-Annual Rebuilding Plan starting in 2015, the initial goal of which is to rebuild the SSB to the historical median (42,592t) within 10 years with at least 60% probability. Implementation and progress of the plan will be reviewed in 2016. Reference points and

harvest control rules for the long term management will be developed at NC in 2015 and 2016. CMM 2014-04 for Pacific bluefin tuna provides for fishing effort below the 2002-2004 levels, catch limit for small fish (<30kg) reduced to 50% of the 2002-2004 levels and for large fish (\geq 30kg) to not increase from 2002-2004 levels, with recruitment monitoring to be established and applied. Projection of SSB under 50% small fish catch reduction under the measure shows that SSB will recover to around 68,000t, which is well above the initial goal of 42,592t even in the pessimistic scenario; low recruitment continues in next 10 years, which has never been observed in the stock's history. NC11 recommended the incorporation of an emergency rule paragraph in the measure for when drastic drops of recruitment are detected. Discussions on North Pacific albacore included the development of reference points and harvest control rules, with agreement to advance the work on MSE at a workshop in April 2016. On North Pacific Swordfish there were discussions about the development of reference points and harvest control rules. NC11 also discussed North Pacific blue shark, with NC requesting the Commission to instruct the SC to undertake the work on determination of the designation of north pacific blue shark as a northern stock based on the information provided by ISC to SC11 and instruct SPC to analyze the available information and coordinate with ISC if further information is necessary. Finally, NC11 agreed to request the Chair to contact IATTC Secretariat to arrange a joint meeting on PBF management in conjunction with the next NC meeting. The NC Chair announced that he would contact the IATTC Executive Secretary during the meeting.

444. A number of CCMs including the USA thanked the NC Chair for his leadership. However, USA expressed disappointment that the management of Pacific bluefin tuna was the barest minimum needed, with NC11 a missed opportunity to have a meaningful discussion about its long term management. USA commented that NC members have a responsibility to recover Pacific bluefin tuna then manage the stock throughout the Pacific Ocean using the best available science. USA hoped NC members will provide feedback on its two proposals for Pacific bluefin tuna so that NC12 can adopt measures to recover and appropriately manage the stock, including implementing biologically-based reference points for the management framework and long-term rebuilding objectives. USA recognized that the current interim rebuilding target is based on the historic biomass level and took the view that NC needs to explore a more appropriate target, based on the best available science.

445. Korea recognised the importance of NC in conserving northern stocks and the serious state of Pacific bluefin tuna. Korea expressed the view that the Commission needs to strengthen its efforts to conserve these northern stocks and strengthen collaboration with IATTC and with the CDS-IWG in developing a scheme which will cover Pacific bluefin tuna. Korea registered its interest in collaborating with these organizations and working groups.

446. FFA members expressed disappointment that NC11 did not achieve a quorum, reiterating their concerns that the Commission may not be as well informed about the work of the NC as other subsidiary bodies. FFA members noted that while NC has a dedicated role to lead on the management of northern stocks, it is the Commission that is responsible and accountable, noting that the Commission is rightly concerned about the bigeye tuna stock but it is four times as healthy as the Pacific bluefin stock. FFA members stressed the need for additional management attention to ensure that the stock is rebuilt to the LRP and treated as a whole-of-WCPFC priority rather than a task for NC alone, requesting that Pacific bluefin tuna be given additional priority in SC, TCC and NC next year, as well as treated as a key issue on the WCPFC13 agenda.

447. Canada was pleased with the steps taken to begin the MSE process for North Pacific Albacore, building upon the Precautionary Approach Framework adopted last year. Canada noted the ISC-led workshop in April to finalize management objectives and trusted that other NC members will also participate. Canada echoed USA's disappointment with the lack of progress on Pacific bluefin tuna, given the poor status of the stock, and hoped that the joint IATTC-NC meeting provides an opportunity to

undertake work rebuilding the stock and developing harvest strategies, taking into account the 2016 stock assessment.

448. EU attaches great importance to the work of NC even though it is not a member, and was pleased to send an EU scientist to NC11 to assist the sub-committee's work. EU shared the concerns of others at the limited progress achieved so far. EU noted that the depletion ratio in 2012 was estimated as less than 6%, exceeding almost all biological LRPs commonly used in fisheries management, and took the view that the measures recently adopted by WCPFC and IATTC are not commensurate with the gravity of the situation for Pacific bluefin tuna. EU made reference to ICCAT, which has successfully recovered the eastern Atlantic bluefin tuna, for which fishermen made important sacrifices. EU asked whether the target of the multiannual rebuilding plan for Pacific bluefin tuna is going to be above the 20% of unfished biomass, considering that BMSY, or an appropriate proxy, should be the ultimate rebuilding target. EU also queried whether the NC workplan proposes work on agreeing reference points, acceptable levels of risk and a monitoring strategy, as the only item listed for agreement in the workplan was the emergency rule. EU encouraged harmonising approaches with harvest control work being undertaken for other tuna species. EU advised that it is interested in participating in the process of dialogue for the implementation of harvest control rules and MSE for north Pacific albacore and in participating in the new assessment cycle for Pacific bluefin tuna. EU welcomed the invitation of IATTC to the next NC meeting and supported a common approach for all tuna species under the purview of the Commission, including Pacific bluefin tuna.

449. The NC Chair explained that discussions are still taking place on reference points and harvest control rules for the long term management of the Pacific bluefin tuna stock as scheduled in CMM 2014-04. It was noted that exploitation levels over the last 60 years has fluctuated, but was always below 20% of BO, even in periods of no fishing activity, causing some to question about the use of BO for setting up a target level. Projection of SSB under CMM 2014-04 showed SSB will recover to a relatively high level in 2024. NC would discuss the long term target and limit levels with scientists, managers and stakeholders. Regarding the NC work plan, the North Pacific albacore tasks were clear: try to establish a TRP next year if possible, or during the trial of MSE, hopefully by 2017. NC will seek to develop both an LRP and TRP next year for Pacific bluefin, and, after looking at the progress of MSE for North Pacific albacore, try to apply MSE to Pacific bluefin tuna. NC will discuss risks, probability and associated tuning information for both stocks. Regarding ICCAT discussions will take place in July 2016 for implementation of harvest control rules for North Atlantic albacore. Regarding IATTC, it was noted that Mexico was actively engaged in discussions this year as a CNM. It was hoped that the IATTC Commission would approve the results of a NC-IATTC joint meeting by the end of 2016.

450. China commented that it represented a small market for North Pacific albacore but a larger one for Pacific bluefin tuna, noting that it imports a sizeable volume of fresh product from Japan. Regarding the CDS being developed, this CCM hoped that the discussions and experiences of the ICCAT document system would be taken into account. China advised that it will attend next year's NC meeting.

451. The EU asked that the detailed workplan be annexed to the NC report. This CCM welcomed the NC consideration of the CDS for Pacific bluefin tuna and asked that the discussions be kept aligned if possible.

452. Chinese Taipei took the opportunity to express concerns about the stock status of Pacific bluefin tuna. This CCM looked forward to work on more stringent conservation and management which will take into account the results of new stock assessment next year.

453. PNG noted that SC has had difficulties assessing the situation of blue shark due to the lack of operational data and hoped SC12 will be provided with this data.

454. The IATTC Director Dr Compeán noted IATTC Resolution C-14-06 which calls for cooperation with the WCPFC and bilaterally with concerned members to cooperate in the rebuilding of this stock. Dr Compeán commented that IATTC will cooperate with WCPFC to achieve this.

455. On behalf of The Pew Charitable Trusts, WWF, Greenpeace, and ISSF, Pew expressed ongoing and deep concern with the state of Pacific bluefin, stressing that urgent action is needed to reverse its declining stock status. Even with full implementation of existing conservation measures, the Pacific bluefin population will decline through 2018, and in the next decade, there is a 1:3 chance it will drop to the lowest level ever recorded; it is currently approximately 4% of unfished biomass. These observer organizations welcomed FFA's comments and urged the Commission to provide a clear direction to NC to take further and greater action to reduce mortality of this stock. They urged the Commission to: direct NC to prepare a robust work plan for north Pacific bluefin tuna that includes all of the elements in para. 7 of CMM 2014-06; specify that the work plan be submitted to the Commission no later than WCPFC13; and specify that the work plan shall include an objective to rebuild the population of north Pacific bluefin to a level capable of producing MSY by 2030.

456. Japan expressed concerns about the depleted stock status of Pacific bluefin tuna. This CCM noted that it worked very hard to establish CMM 2014-04 and thus made best efforts to implement this CMM in cooperation with other interested nations, including members of NC. Japan noted the importance of the species for Japan and WCPFC members and thus it was important that NC's activities were understood, and information sharing through SC and TCC was helping this. In this context all SIDS members have been invited as an observer to NC meetings in accordance with current WCPFC rules. Japan noted that there was a two year plan to consider reference points and harvest control rules. This CCM noted that while the proposal from USA had been actively discussed with unfortunately no conclusion, Japan was ready to contribute to constructive discussions through the next year.

457. The Commission agreed to amend CMM 2014-04 (Pacific Bluefin) (see **Attachment N**, CMM 2015-04).

458. The Commission tasked the SC to undertake the work on determination of the designation of North Pacific blue shark as a northern stock, based on the information provided by ISC to SC11. In this regard, the Commission tasked the Scientific Services Provider with analyzing the available information and coordinating with ISC if further information is necessary.

459. The Commission adopted the NC11 Report.

12.3 TCC11

460. The TCC Vice-Chair presented the Summary Report of the 11th Regular Session of the Technical and Compliance Committee (WCPFC12-2015-19 and 19b) held in Pohnpei, Federated States of Micronesia 23- 29 September 2015, noting the apologies of the TCC Chair A. Cole (USA). Both reports were taken as read. It was noted that TCC11 recommendations related to WCPFC12 agenda items 4, 6, 9, 10 and 11 have also partially been covered in discussions to date, with outstanding and pending items addressed here. It was noted that the presentation of recommendations under this agenda item would be only items of substance, but members were advised that all TCC11 recommendations were covered in WCPFC12-2015-19b. The Summary Report of TCC Special Session (2015) (WCPFC12-2015-19e) was considered under Agenda 13.

General recommendations on WCPFC IUU Vessel List

461. General recommendations about the WCPFC IUU Vessel List were made in TCC11 Summary Report paragraphs 95-98, where TCC11 encouraged cooperation between CCMs to locate vessels on the list and, for vessels retained on the list for a long time, the Secretariat would write to flag states to establish if new information was available and to other RFMOs seeking further information. It was also recommended that communications regarding IUU allegation be conducted in English.

462. In respect of TCC11 recommendation paragraph 97 and 98, the Compliance Manager confirmed that the letters to flag states were sent on 22 October 2015 and were available on the secure side of the Commission website in WCPFC12-2015-08.

463. The Commission agreed on the importance of strengthening 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. 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.

464. The Commission tasked the Commission Secretariat to write to the Flag States of the IUU vessels on the WCPFC IUU list, following 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.

465. The Commission tasked the Secretariat to write a letter to other RFMOs annually in advance of TCC, requesting their cooperation to locate those vessels listed on the WCPFC IUU list as at the date of the annual TCC meeting, and as applicable underlining circumstances when a vessel is listed on other RFMO IUU lists, and for the Secretariat to provide an update to the regular annual session of the Commission on any responses from RFMOs.

466. The Commission agreed that English language is to be used in all communications between relevant CCMs regarding alleged IUU activities.

List of CMM paragraphs to be reviewed by CMR

467. A suggested list of obligations to be assessed in 2016 and beyond – including suggested frequency of assessment was presented (WCPFC12-2015-DP20_rev2). With thanks to the USA for leading this work, it was noted that the draft removes obligations which were redundant or which posed difficulties determining which obligation was being assessed.

468. There were no comments on this list.

469. The Commission agreed to the list of obligations to be assessed by CMS in 2016-2018 and the agreed frequency for assessment of CMMs in forward years (**Attachment O**).

470. The Compliance Manager advised the Commission that the Secretariat had circulated WCPFC12-2015-19g, which contains the individual CMM paras corresponding to the list of CMMs in DP20_rev1.

Noting the adoption of DP20_rev2, the Secretariat will update that document to reflect the amendments captured in WCPFC12-2015-DP20_rev2.

471. The Secretariat was tasked with producing an accompanying paper that provides the detail of CMM paragraphs which will be used by the Secretariat to implement the agreed list of obligations to be assessed in dCMR (**Attachment O**).

472. The recommendation that the Commission consider a revised timeframe for annual reporting for the CMS process for 2016 and beyond would be considered in the revision of the Compliance Monitoring Scheme CMM.

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

473. The TCC Vice-Chair noted that South Pacific albacore and shark discussions were pending under agenda item 10 and sharks 11.1. TCC11's recommendations in paras. 482-485 to revise CMMs prioritised by CMS process which were ambiguous or problematic were discussed.

474. The Chair explained that TCC11 Summary Report paragraphs. 482-483 were asking the Commission to agree to not assess certain obligations.

475. EU noted that TCC decided not to assess these obligations because TCC did not have the means to assess them. However, para. 483 (regarding the tropical tuna measure) recommended that para. 28 not be assessed until appropriate limits have been formulated. EU hoped to agree those limits at this meeting on appropriate limits to be able to be assessed next year and noted that SC has a recommendation relating to this.

476. The Chair noted that WCPFC12 would be discussing yellowfin catch limits, and suggested that the Commission accept the TCC recommendation paragraph 483 and note that the Commission was looking at limits.

477. The Chair further noted that para. 484 asked for a clarification of what is meant by the term current paras. 49, 51 and 52 of CMM 2013-01 and suggested that views on this could be included in the SWG discussions, along with the clarification requested in para. 485 about how to assess para. 40. There were no objections to this.

478. The Commission agreed that CMM 2007-01 paragraph 8 should not be assessed for compliance provided that all the individual associated obligations are assessed.

479. Due to TCC's inability to assess the obligation in CMM 2013-01, paragraph 28 (yellowfin tuna purse seine catch) until appropriate limits have been formulated and adopted, the Commission agreed that it should not be included as part of the Compliance Monitoring Report assessment.

Vessel Monitoring System (VMS)

480. Regarding para. 211, which called on the Secretariat to publish and maintain a list of all RFV vessels' WCPFC VMS reporting status, the Compliance Manager drew the Commission's attention to WCPFC12-2015-19b Attachment 1, in which the Secretariat had prepared supporting details and the Secretariat's thoughts on how they will implement this.

481. Japan thanked the Secretariat for the development of Attachment 1 and expressed the view that the date submitted to the communications provider was especially important to add. Japan stated that this

additional information would decrease the numbers of situations where the WCPFC VMS system cannot receive information from vessels, when the flag state VMS can receive the information. This CCM's suggestion was to alter one of the columns to provide the 'date of submission to VMS satellite provider'.

482. Chinese Taipei asked exactly what details from the vessel tracking agreement form (VTAF) are proposed to be included in the list?

483. In response to Japan's suggestion, the Compliance Manager observed that it may not be possible to have comprehensive detail on the date a VTAF was submitted to the communication provider for all the vessels, noting that this information has only been compiled electronically for the last two years. However, the Secretariat has good records of the date a particular MTU commenced reporting to the WCPFC VMS, and this was the reason for the inclusion of such a date in the list which confirms that the MTU was reporting at one point. In response to Chinese Taipei's question about VTAF details, the Secretariat confirmed that the specific VTAF details would not be available for other CCMs to access through the list and would be held in WCPFC Secretariat databases, the list would simply confirm when the VTAF details were received by the Secretariat and the date that the MTU first reported to the WCPFC VMS.

484. Japan confirmed it was happy to go back to the original wording, and that it was more important to keep the information in the list.

485. Australia asked that a note indicating when the list was last updated is included, for clarity.

486. The Chair agreed that would be helpful.

487. There were no more comments on this matter.

488. The Commission agreed that by June 30 2016 the Secretariat should 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 where applicable the date of receipt, date of last update of the list, and date of first VMS report to WCPFC (VTAF activation date), the current VMS reporting channel to the WCPFC VMS (for example WCPFC direct; through FFA; manual reporting or not reporting) (**Attachment P**).

Regional Observer Programme data fields

489. The TCC Vice-Chair noted the TCC11 recommendation relating to the ROP (para. 285), to adopt changes as set out in Attachment E (WCPFC-TCC11-2015-26_rev1) to the Regional Observer Programme (ROP) Minimum Data Standards and Fields. The Secretariat tabled the attachment from the TCC11 report as a standalone document (WCPFC12-2015-19f) for easy reference.

490. There were no objections to the adoption of these changes.

491. The Commission noted that in the proposed changes to the Regional Observer Programme (ROP) Minimum Data Standards and Fields 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.

492. The Commission adopted the changes to the Regional Observer Programme (ROP) Minimum Data Standards and Fields (**Attachment Q**).

High Seas Boarding and Inspection Scheme (HSBI)

493. The TCC Vice-Chair noted the TCC11 recommendation relating to High Seas Boarding and Inspection Scheme (HSBI) (para. 319) and tasking to the Secretariat.

494. There were no objections to this tasking.

495. The Commission tasked the Secretariat to develop an online 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.

Record of Fishing Vessels

496. The TCC Vice-Chair noted the TCC11 recommendation relating to completion of minimum required RFV fields, and instruction to the Secretariat to remove vessels (para. 345).

497. Korea commented that it was in the process of trying to delete old vessels from the RFV but some vessels lack the minimum required information needed to enable this deletion. Korea noted that these vessels were registered before the revised CMM entered into force.

498. China noted the importance of having comprehensive information on the list, however did not think it was appropriate that fishing vessels without complete information could be removed by the Secretariat directly. This CCM suggested that if a vessel on the RFV is lacking information, the Secretariat should notify the flag state and urge it to provide the missing information; the flag state can take the steps required to rectify the problem and should have the final decision to remove the vessel from the list.

499. The Chair noted that China's suggestion would change the nature of and negate some parts of the recommendation and put the responsibility on the flag state to remove the vessel, with the Secretariat's role being to notify the flag state at a certain point in time, and asked for comments on this.

500. The Secretariat advised that it was able to take on the tasking in the recommendation. The Compliance Manager confirmed that, if the recommendation was accepted, the Secretariat intended to ensure CCMs are advised which vessels would fall into this category, noting that only a few CCMs had vessels in this situation. The Secretariat confirmed that they could advise relevant CCMs well before the 30 June deadline in the recommendation. The Compliance Manager reminded the Commission that the system does not allow new vessels to be listed without the minimum required fields.

501. USA agreed that the suggested change negates the TCC recommendation, suggesting that given the explanation from the Secretariat regarding vessels currently on the list with incomplete information, the recommendation should be accepted as is or defer the adoption of the recommendation.

502. China accepted the recommendation with the Secretariat's explanation and assistance.

503. The Commission agreed that all vessels on the RFV shall complete the minimum required fields by 30 June 2016, and instructed the Secretariat to remove any vessels without the minimum required data fields after that date.

504. The Secretariat confirmed that during the first half of 2016 it will provide advice to the relevant flag CCMs whose vessel records on the RFV contain gaps in the minimum required fields, so that the relevant flag CCM may take appropriate steps in advance of the 30 June 2016 deadline.

Tier-scoring system for data provision

505. The TCC Vice-Chair noted the three TCC recommendations relating to the review, refinement and possible use to assist in the evaluation of other CMMs, of the tier scoring system (para. 387-389).

506. In response to a query about whether the recommendation had any budget implications, the Secretariat noted its understanding that the work would be part of the regular support SPC provides and the regular data paper SPC prepares for SC.

507. The Commission agreed that the tier scoring system adopted at WCPFC11 shall be used to assist in assessing compliance of CCMs for the provision of scientific data in 2016 and following years.

508. The Commission tasked SPC with further refining the tier scoring system to provide, among other things, an indicator of compliance of CCMs as a whole with provision of scientific data.

509. The Commission agreed to explore the usefulness of using the tier scoring system to assist in the evaluation of compliance with other CMMs, including the possible development of an indicator of overall compliance of each CCM in relation to the totality of agreed WCPFC obligations.

Charter Notification Scheme

510. The TCC Vice-Chair noted the TCC11 recommendation relating to the charter notification scheme and its extension of the measure for the next three years (para. 497).

511. The Commission agreed to extend CMM 2012-05 (Charter Notification Scheme), which expires at the end of 2015 for the next three years (**Attachment R**).

TCC Workplan 2016- 2018

512. The TCC Vice-Chair noted the TCC11 recommendation relating to the TCC work plan (para. 517), discussions on which Australia led in the margins of WCPFC12.

513. Australia reported that WCPFC12-2015-DP21_rev1 had been posted and includes comments from one CCM. A SWG had met and there were some additional changes. There was still a clarification outstanding under subparagraph L of the draft TCC work plan regarding sharks, and the table was altered to accommodate some of the bigeye tuna overfishing tasks.

514. Finalisation of the work plan was held open until the completion of the shark-related discussions. On 8 December, Australia reported that after discussions in the margins, the revised TCC work plan was ready for adoption. There was agreement to delete sub-paragraph L – sharks.

515. The Chair asked if the Commission agreed to delete sub-paragraph L and accept the 2016-2018 TCC workplan, in light of the outcome on WCPFC12-2015-DP26_rev1.

516. EU asked why it needed to be deleted, noting that one opposing delegation had been concerned it would weaken the fins naturally attached proposal. EU confirmed there were no alternative ways, and that

EU would be strengthening its proposal. This CCM noted that several delegations noted this issue was to be discussed at TCC.

517. The Chair asked if there were objections to allowing TCC to consider alternatives with respect to sharks (sub-paragraph L).

518. China supported maintaining the sub-paragraph but replacing the reference to the ‘finning ban’ with a reference to the relevant measure.

519. EU recalled that the choices are either to use the fins naturally attached method or the fin-to-carcass ratio and noted that TCC had called for the Commission to help as it could not evaluate the 5% fin-to-carcass ratio. It was noted that this impasse had led to TCC not even assessing compliance with the shark measure in 2015, and this language gave TCC some guidance.

520. After brief discussions, the language was cleared.

521. The Commission adopted the TCC Workplan 2016-2018 (**Attachment S**).

WCPFC Information Management System (IMS)

522. The TCC Vice-Chair noted the TCC11 recommendation relating to the Secretariat IMS and website (para. 522).

523. There were no comments on or objections to this recommendation.

524. The Commission agreed to maintain commitments that will ensure the continued development and enhancement of the Commission Secretariat IMS over the next 2-3 years.

525. China noted that discussions took place at TCC11 about GMT being used in relation to reporting deadlines and asked for confirmation whether this was included in the amended CMS measure.

526. The TCC Vice-Chair confirmed that GMT was included in the current draft of the measure which is intended to replace CMM 2014-07.

527. The Chair thanked the TCC Vice-Chair for presenting the recommendations from TCC11.

12.3.1 CDS-IWG (Work Plan)

528. On behalf of the CDS-IWG Chair, A. Kinol (PNG), who could not attend WCPFC12, the Compliance Manager gave a brief summary of the CDS-IWG work this year, noting there had been a productive 2-day session held from 21 - 22 September 2015, immediately prior to TCC11 in Pohnpei, Federated States of Micronesia. It had been one of the most involved discussions on a possible CDS scheme that the Commission has had to date and it resulted in a considerable work plan for CCMs to progress through 2016.

529. The Commission received the TCC11 recommendations on the CDS-IWG report and work plan (WCPFC12-2015-19c). Para. 414 of the TCC11 report contained a recommendation relating to the CDS-IWG and WCPFC12-2015-19b Table 3 (starting on page 23) contained recommendations from the CDS-IWG. Referring to the work plan and timeline, which is the page 26 attachment to the working paper, the Compliance Manager noted the four broad groups of activities to be progressed by the CDS working group: the scope of work, a program of intersessional work related to the development of CDS standards,

Mass Balance Reconciliation (with a trial agreed, with a 2013 calendar reference year), and CMM development. It was noted that para. 40 of the doc still referred to Pacific bluefin in square brackets as, despite discussions at TCC11 the inclusion of this species had not been agreed in the CDS-IWG outcomes.

530. In respect of the proposed Mass Balance Reconciliation trial (the Compliance Manager referred the meeting to WCPFC12-2015-19b Attachment 3 (pages 33 – 36), and noted that the trial involves as a first step that CCMs include in their 2016 Annual Report Part 1 certain extra data on disposal, receipt and redistribution of bigeye, yellowfin, skipjack and albacore species for 2013 calendar year. At CDS-IWG and during TCC11 many CCMs had noted their expectation that their reporting was likely to be incomplete. This was also expected to present challenges for the Secretariat to try to undertake a detailed mass balance reconciliation analysis of the 2013 submitted information. The Secretariat has set out in Attachment 3 an alternative approach to that originally proposed during the CDS-IWG, which is that the Secretariat would compile the available information from CCMs Annual Report Part 1 into two tables, which would be circulated for the CDS-IWG in 2016. At this point there were no budgetary implications of this work.

531. The Chair thanked the Chair of the CDS-IWG in his absence and the Compliance Manager for her brief presentation.

532. The Commission accepted TCC11's recommendations with the Secretariat's proposed modifications to the 2016 Mass Balance Reconciliation tasking and adopted the report of the CDS-IWG (WCPFC12-2015-19c) and the 2016 CDS-IWG work plan (**Attachment T**).

12.3.2 ERandEM-IWG (Work Plan)

533. The Commission received and discussed the TCC's recommendations on the report (TCC11 Summary Report para 397), the ERandEM-IWG recommendations (WCPFC12-2015-19b Table 4) and work plan of the ERandEM-IWG (WCPFC12-2015-19d). The Chair of the ERandEM-IWG, K. Smith (Australia) presented WCPFC12-2015-19d, a brief summary of the working group's activities in 2015. The ERandEM-IWG met in July in Nadi, Fiji in conjunction with the IWG-ROP meeting. A priority task for the group was to consider data standards, specifications and procedures for the electronic submission of observer and operational catch and effort data. The workshop considered draft SSPs developed by SPC and the WCPFC Secretariat and noted that they gave effect to and were consistent with current regional requirements relating to data fields and data submission. A number of existing international standards are also included. 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 and observer data. The Chair noted that a number of CCMs committed to work with the Science Provider to test and further refine the electronic data standards and strongly encouraged those CCMs to work with the Secretariat and SPC to progress this work.

534. The ERandEM-IWG Chair reiterated that a decision to adopt the standards does not make e-reporting mandatory, but supports those countries looking to implement E-reporting as part of domestic processes. The adoption of standards will also ensure that the Secretariat's databases and systems are ready to receive and exchange data. Many of the data fields are used frequently in WCPFC's reporting such as vessel name, vessel type, species codes, latitude/longitude and, as such, there are clear linkages and efficiencies for close engagement with other IWGs.

535. The ERandEM-IWG noted the numerous trials that were underway in relation to E-monitoring and noted that E-reporting standards support the development of E-monitoring. The working group noted

that E-monitoring should be considered in fisheries where there is a higher perceived risk to the safety of observers and that electronic forms of data submission should be authenticated to support compliance investigations. Next steps for the group included testing of the draft SSPs and further refinement, consideration of E-monitoring standards, review of progress against the terms of reference and workplan. WCPFC12 endorsed the recommendations in paragraph 397 (a, b, c, d, e) of the TCC11 report.

536. The ERandEM-IWG Chair was thanked for her efforts to progress work in this area, with the Commission Chair noting that it contributes valuably to the Commission's data.

537. On behalf of the Pew Charitable Trusts, Humane Society International, and WWF, Pew thanked the Chair of the ERandEM-IWG, the Secretariat and SPC for the working group's important work. These organizations noted that reporting, monitoring and observing of vessels in the Convention area continues to be a challenge, particularly for some of the longline fleets who struggle to reach the 5% coverage of effort level and opined that this hampers scientific efforts, which require a minimum of 20% observer coverage. It was noted that Electronic monitoring has been shown to offer a viable complement to observers, and encouraged CCMs to submit data necessary to test the E-reporting standards. These organizations encouraged continued work of the ERandEM-IWG and for TCC and the Commission to adopt proposed E-reporting and E-monitoring standards swiftly, to allow those countries who are seeking to implement these technologies to do so, be consistent with one another, and facilitate data and information sharing.

538. In response to a question about whether the ERandEM-IWG agreed to the draft SSPs for the five key areas, the ERandEM-IWG Chair advised that the working group had agreed to the draft SSPs but had noted that further testing was required; this testing had not yet been undertaken.

539. The Commission accepted TCC11s recommendation and adopted the ERandEM-IWG report and work plan (WCPFC-TCC11-2015-19d).

540. The Commission noted that further testing and refinement of the five draft electronic data standards developed in 2015 (WCPFC-TCC11-2015-20, Attachment 5) is required by the ERandEM-IWG.

541. The Commission agreed that a master list of electronic data standards shall be maintained by the Secretariat with input from the Scientific Services Provider and any updates shall be notified to CCMs on an annual basis.

542. The Commission noted advice from the ERandEM-IWG supported by TCC that a decision to report electronically in future be captured by an amendment to the relevant CMM which also makes reference to the master list.

543. The Commission encouraged the development of Electronic Monitoring by CCMs in areas where data gaps exist such as longline observer coverage and high seas transshipment.

544. The Commission noted that the ERandEM-IWG should meet prior to SC12 in 2016.

12.4 IWG-ROP

545. The Commission received and discussed the report of the Regional Observer Programme – Intersessional Working Group (IWG-ROP) (WCPFC12-2015-21), that included proposed revisions to CMM 2009-06 on carrier notification of intent to transship (WCPFC12-2015-21a) and IWG-ROP pre-notification process for alleged infringements (WCPFC12-2015-21b). The IWG-ROP Chair, R. Clarke

(USA) gave a brief summary of the working group's activities in 2015. The IWG-ROP met 6 – 8 July 2015 in Nadi, Fiji. The Commission had tasked the IWG-ROP to work on a number of elements, through different bodies of the Commission: preventing and deterring alcohol-related misconduct of observers, ROP identification cards, high seas transshipment monitoring, processes to facilitate the provision of data, including observer reports, from the observer providers and placement information from Flag States to the Commission, ROP coverage on longline vessels, along with the definition of the responsibilities of observer providers and flag states. The attachments to the IWG-ROP meeting report included a recommended modification to CMM 2009-06 on transshipment.

546. The IWG-ROP meeting report was presented to both SC11 and TCC11, garnering no specific comments. Given the technical nature of the report recommendations, it was decided that two of the substantive recommendations should be summarised and distributed for review by CCMs in advance of WCPFC12 (Circular 2015/82 of 13 November 2015). In that circular three areas were highlighted:

- a) IWG-ROP-recommended changes to the transshipment measure for carrier notification of intent to tranship and observer information,
- b) pre-notification process from observer providers to flag CCMs of possible alleged infringements by their vessels, and
- c) sourcing of observers and the implementation of 'hybrid approach'.

547. With regard to the proposal to provide the Secretariat with additional information related to observer placements on carriers in the Convention area, comments from one group of CCMs during WCPFC12 indicated that they were not comfortable with the proposed recommendation of the IWG-ROP and, despite work in the margins of WCPFC12, these concern could not be resolved. The IWG-ROP Chair recommends that the proposed amendments to CMM 2009-06 be referred back to TCC for further work including, and potentially be included in larger modifications to the measure as proposed by some delegations. The IWG-ROP Chair noted the importance that the Secretariat be well informed about observers on carrier vessels given growing concerns related to health and safety, and hoped this work will continue to be considered a priority of the TCC.

548. On the second substantive recommendation related to pre-notification process from observer providers to flag CCMs of possible alleged infringements by their vessels, the IWG-ROP reported that informal discussions with CCMs suggests that this IWG-ROP recommendation is likely to have a more positive outcome. At IWG-ROP4 a detailed recommendation was agreed with an equally detailed procedure developed (found in Attachment 7 of the IWG-ROP Summary Report (WCPFC12-2015-21)), relating to a pre-notification process for alleged infringements. This essentially involved expediting the regionally utilized observer GEN-3 form (to be renamed WCPFC Observer Trip Monitoring Summaries), which is a checklist marked by the observers upon disembarking the vessel in the recommended manner which includes a summary to be provided to the vessel operator in a manner that ensures the safety of the observer and the integrity of the data. A flow chart was developed by the Secretariat that describes how the process would be implemented, in response to a suggestion from RMI at TCC11. The figure is shown in WCPFC12-2015-21b.

549. The Observer Programme Coordinator explained the process in more detail for WCPFC12. The GEN-3 document is handed over with other relevant data by the observer to the observer provider which ideally involves the debriefer. If no allegations or infringements are reported, by the observer (no boxes checked) the form is sent to the data provider as usual for entry into the database. If there were allegations or alleged infringement noted, the observer provider first ensures that the observer is not going on any further (immediate) trips on that vessel and the observer provider can make the decision about the

appropriate time to submit a pre-notification to the Secretariat. The dates of the trip will be identified as part of the pre-notification. The Secretariat will analyse the GEN-3 form and (where the relevant fields are ticked) they will communicate the alleged infringement at the request of the flag state in a timely manner as possible; the flag state has the discretion to communicate with the vessel and request additional information from the observer provider to support an investigation.

550. The IWG-ROP Chair noted that he had received one comment on the proposed process – that the coastal state in whose waters the allegation has occurred should be included in any notification scheme. There was no objection to this proposal.

551. The Compliance Manager commented on the practical aspects of the proposed modification to the IWG-ROP process. She noted that it was a matter for the Commission to specify the circumstances under which the pre-notification process would operate. She further noted that initially it is expected that only once the Secretariat receives through SPC-OFP the full ROP data for a particular trip, that the location where any alleged infringements occurred would be able to be determined. Whereas currently the GEN-3 form does not have detail on the exact position where an alleged infringement takes place, so the Secretariat would not be able to direct the pre-notification information to the relevant coastal CCM until it is provided with the data to confirm which EEZ would be the applicable one to receive the pre-notification. The Compliance Manager noted that if the principle of the process is agreed, it would undertake to implement this the process based on the available information.

552. On the third substantive recommendation, the IWG-ROP Chair noted that limited progress was made at the IWG-ROP on the issue of sourcing of observers and the hybrid approach. One recommendation was that CCMs were to provide to the Commission a list of the national observer programs they are associated with for observers placed on their longline vessels. In summation of the elements highlighted in the circular, the IWG-ROP Chair also addressed the issue of the continued tenure of the working group, noting there has to be real consideration of the cost of holding these meetings. It was noted that the transshipment notification amendment would not be recommended to the Commission. With the modification of the coastal state being included, the IWG-ROP report was recommended for the Commission's approval.

553. The Commission Chair thanked the IWG-ROP Chair for his efforts in 2015, and noted that holding the meetings was an expensive process. The Commission considered the three main elements in turn. The first element related to transshipment and the IWG-ROP had requested that TCC do further work on amendments to the measure.

554. RMI noted the linkages between the ROP and issues with transshipment in general and that when discussions turn to transshipment issues those recommendations can be raised again. This CCM considered that work on transshipment issues needed to continue, and noted that the TCC would be looking at strengthening the measure.

555. The Chair sought for clarification that the Commission was going to task the TCC with taking a further look at the issue of transshipment and provide some guidance to the Commission on CMM 2009-06. There may be a need to look at the ROP measure, given the multitude of cross-linkages. On these specific recommendations we are looking to task TCC with taking another look. There were no objections to the Chair's proposal.

556. The Commission noted the IWG-ROP's recommendations on carrier notification of intent to tranship including amendments to CMM 2009-06, and tasked TCC12 to further consider the proposed amendments to CMM 2009-06 (WCPFC12-2015-21a).

557. At the outset of discussions on processes to facilitate provision of observer data and placement information to the Commission, the Chair reminded WCPFC12 that some members proposed including pre-notification of the relevant coastal state.

558. The IWG-ROP Chair noted that a balance needed to be struck between observer safety and flag state requests for information and referred delegates to the process outlined in Attachment 7 of the IWG-ROP report. FFA proposed language to that about the coastal state being notified as well as the flag state, with no objection heard.

559. RMI stressed the high priority of observer safety. This CCM commented that the process has application for both purse-seine and longline observer placements and does address safety, but more work needed to be done on deterrence – avoiding issues in the first place that may compromise the safety of observers. RMI asked about the actions that are to be undertaken by the flag state to ensure safety of observer and the provision of data to respond to issues which are raised.

560. The IWG-ROP Chair responded that there was a general assumption that in the cases of allegations of harassment or physical intimidation that an investigation would be initiated: the vessel would be made aware of the allegation and the enforcement authorities would become informed. There would be a two-fold response.

561. The EU supported the recommendation including the changes suggested by FFA for the relevant coastal state to also be notified and agreed it was a two-way process, with the flag state and coastal state receiving information. This CCM asked about the provision of this information being done in a ‘timely manner’, commenting that it was important for flag states to receive this information as soon as possible. This CCM was comfortable with seeing how the current proposed method works and then deciding in the future whether it needs further refinement.

562. The IWG-ROP Chair supported this, noting that the step was admittedly modest, as it is an attempt to build a larger process; if appropriate it can then be streamlined in the future. The IWG-ROP Chair stressed that this does not in any way impinge on the standard operating processes within national observer programs. These national programs may decide that the GEN-3 form can be expedited, for others that may not be the case. This is why the working group decided the process does need a strict timeline.

563. FFA members supported the recommendation to implement a pre-notification process, as a means to support CCMs, in particular flag States, to initiate responses to potential violations. In line with CMM 2013-06, and the practicalities associated with implementing the proposed notification process, these CCMs proposed a delayed implementation of six months from adoption, to provide the necessary time to establish mechanisms for its implementation. These CCMs reminded the Commission that this process was proposed by FFA members at WCPFC11, as a means of increasing the usability of ROP data by flag states for compliance purposes. At the same time, FFA members were not seeking consideration of the removal of the para. 1(c) of Attachment K, Annex B of CMM 2007-01. Noting that observer safety was highlighted this year, FFA members pointed to the necessity of keeping their observers safe as they carry out their duties, and therefore strongly recommended the removal of para. 1(c).

564. China wanted to see that the pre-notification along with evidence, noting that without evidence it was difficult to begin an investigation. This CMM suggested that for vessels on the high seas, the flag state should be notified and has the responsibility to punish the vessel. For vessels operating in another state’s jurisdiction, that investigation should be conducted by the coastal state with punishment from the coastal state, with perhaps no need to give the flag state prior notification. This CCM commented that it had no difficulties with the phrase ‘timely manner’.

565. The IWG-ROP Chair clarified that the proposal is just for the GEN-3 form being subject to an expedited process. The flag state will receive the form from the observer provider, and, with the modification proposed by FFA, a relevant coastal state will too. For a vessel in an EEZ, the form will go to the coastal state, and for a vessel on the high seas it will go just to the flag state.

566. Korea generally agreed with the direction proposed by the IWG-ROP on this issue, but believes there need to be a way to ensure greater accessibility by the flag state to the observer report. The GEN-3 information is simply yes/no – it does not provide a detailed account of the alleged infringement including when it happened. Those things are needed by a flag state to start an investigation. Corresponding information such as observer’s journals would be helpful. This CCM hoped the IWG-ROP would continue its work to find ways for greater accessibility of this information, and suggested there also needs to be a system where information from observers and vessel masters can be cross-checked.

567. Some CCMs commented that if an observer is on the high seas both parties should get the report.

568. The Chair noted that Korea was happy to go along with the proposal and clarified that the FFA had requested 6 months to implement it. The focus of this adoption would be on the pre-notification process, with later implementation.

569. The Commission adopted the pre-notification process from observer providers to flag CCMs of possible alleged infringements by their vessels and put forward by the IWG-ROP, as amended to include data being provided to the coastal state when an alleged infringement takes place in a coastal state's waters (**Attachment U**).

570. The Commission agreed that all ROP authorized observer programmes provide to the Commission Secretariat in a timely manner the ROP minimum data elements on the WCPFC Observer Trip Monitoring Summary, or which are included in SPC/FFA General Form 3 (Attachment 7 to IWG-ROP4 Summary Report), as a means of supporting a pre-notification process from observer providers to flag of possible alleged infringements by their vessels. To facilitate the pre-notification process it was recommended that only those data elements answered in the affirmative by observers would be provided to the Commission Secretariat for transmittal to the flag CCM and as appropriate the relevant coastal State for alleged infringements in their waters.

571. The Commission agreed that to support the pre-notification process, that there are two additional fields that should be provided by observer providers to the Commission Secretariat to support a flag CCMs investigations of any possible alleged infringements. These are:

1. “start date of trip and end date of trip”
2. “status of the debriefing process” i.e, “debriefed”, “pre debriefed” or “not debriefed”

572. The Commission noted that the requirement of providing the pre-notification data elements to the Commission Secretariat may not be required where there are domestic requirements enabling access by vessel operators to observer data.

573. The Commission agreed that the implementation of the pre-notification process would be delayed for six months following WCPFC12.

574. The Commission briefly took up discussions on the FFA proposal to remove para. 1(c) of Attachment K, Annex B of CMM 2007-01, however, a number of CCMs objected to the FFA proposal relating to the ability of vessel captains to see observer reports first being introduced during the agenda

item discussions rather than being submitted as a proposal in the usual way, ahead of time and in hardcopy.

575. Japan noted that this was a long standing topic of discussion and recalled the intervention by China at the beginning of the meeting about appropriate notice being given for proposals. It was impossible for the Japanese delegation to discuss the issue without this notice having been given for this proposal.

576. The Chair noted that the Commission was not going to achieve consensus on the proposal.

577. The Chair asked WCPFC12 what additional work it wanted the IWG-ROP to do, noting her sense that the working group has completed its tasks.

578. FFA members considered that another meeting of the IWG-ROP would not resolve some of the long-standing issues relating to the implementation of the ROP. These CCMs took the view that progress can be made among CCMs intersessionally.

579. The Commission adopted the IWG-ROP report including its recommendations, except where otherwise noted herein.

580. WCPFC12 agreed that the IWG-ROP would not be tasked to meet in 2016, and thanked the IWG-ROP Chair Ray Clarke (USA) for his leadership of the group.

12.5 FAD Management Options IWG

581. The FADMgmtOptions-IWG Chair, B. Kumasi (PNG), presented the report of the first FAD Management Options – Intersessional Working Group (WCPFC12-2015-22_rev2). The working group, which had progressed its work electronically until the 27-28 November in Bali, Indonesia had the following terms of reference: collection of additional data on FADs and their use in WCPO fisheries; FAD marking, identification, and the use of electronic signatures; FAD monitoring, tracking and control, FAD management options; and advice on FAD marking and monitoring for WCPO-wide application. It was noted that the working group's webpage on the Commission website went live in March 2015 and included over 20 documents. The meeting record was taken as read and the FADMgmtOptions-IWG Chair highlighted the working group's recommendations, noting that the intent of the November meeting was mainly to address the first two terms of reference but that it also began to address other terms of reference. The FADMgmtOptions-IWG Chair thanked the Marshall Islands Marine Resource Authority and the Western Pacific Regional Fishery Management Council for hosting the August 2015 Majuro workshop on options to help improve WCPFC bigeye conservation and management, and Australia for funding his attendance. This meeting had highlighted that WCPFC did not have a research plan for FAD work. The FADMgmtOptions-IWG Chair noted that the main recommendations from the 27-28 November meeting report were for a research plan to be drafted, and for the Secretariat to conduct two consultancies – to produce a report on options and considerations for marking and identification of FADs to be deployed and, associated with the research plan, to produce proposed draft data fields to be reported by vessel operators, with both for consideration by SC12 and TCC12.

582. The Commission Chair noted that a key consideration along with the recommendations was whether the working group should continue.

583. EU saw the FADMgmtOptions-IWG discussions as useful to inform future work. EU supported the consultancy on FAD Marking and Identification but questioned the need for a feasibility study related to data fields. The work was a priority and needed to be in the budget being decided during WCPFC12.

EU noted that similar work was taking place in other RFMOs and it was important to enhance dialogue with them on cross-cutting issues. This CCM supported holding the next meeting back to back with another meeting to reduce costs.

584. The FADMgmtOptions-IWG Chair advised that he was waiting for the Commission to make the decision on the consultancies before going out to the consultants for cost estimates; the work related to data fields would be a desktop analysis with initial inputs from the SPC-OFP/Secretariat so the costs should not be overly large.

585. USA agreed that this was important work and supported the working group continuing. This CCM further agreed that consideration of how to leverage the work other tuna RFMOs was important, noting that while WCPFC was unique in many ways, on FADs there were similarities. USA asked that a preliminary or rough cost be provided for the FAC's consideration during WCPFC12.

586. PNA members noted that they will implement a trial FAD tracking and registration programme in 2016 to meet a range of scientific, compliance and management purposes, and FAD charging, intended to serve as an incentive to fish on free schools and reduce FAD use as well as replace the FAD closure in order to remove the disproportionate burden transferred onto SIDS. PNA members prioritised improved understanding of the impact of FAD fishing on target stocks, and supported development of a research plan for FADs to address the economic costs of the management actions. They supported the production of a report on FAD marking and identification, and recommendations for improving the collection and reporting of data on FADs. These members supported the transfer of responsibility for provision of certain FAD data from observers to vessel operators.

587. Japan commented that its priority for the research plan would be to understand how the purse-seine catch of bigeye tuna could be reduced, noting research presented to SC11 showing that 9-14 vessels were responsible for 25% of the bigeye tuna purse-seine catches in 2010-2013 (Paragraph 468 of the SC11 Summary Report).

588. EU took up Japan's point, about the importance of research on areas where higher concentration of catches of bigeye tuna are caught, noting that a project integrating a range of purse seine data in order to better understand eventually contribute in reducing the impact of the purse seine fishery on bigeye tuna will soon be undertaken by SPC, funded with the EU voluntary contribution for 2015. This project could support the development of potential measures to reduce interactions with bigeye tuna in the purse seine fishery in the Western and Central Pacific Ocean. The EU considered that this study focusses on one of the priorities of the Commission.

589. Korea generally supported the direction of the working group. Regarding the research plan, Korea felt that the working group should focus on improving current FAD management rather than exploring new technologies and systems. Korea commented that the working group should cooperate with SC more actively, and emphasised the importance of taking relevant data confidentiality issues into account. This CCM asked for the meeting documents to be prepared well in advance of the next FADMgmtOptions-IWG meeting to enable active engagement by all CCMs in its work.

590. On behalf of The Pew Charitable Trusts, Birdlife, Greenpeace, ISSF and WWF, Pew noted the FADMgmtOptions-IWG's draft schedule for discussing management options, but urged members to progress the work comprehensively and as a matter of priority. These observer organizations supported designing a research agenda on FADs and exploring a marking scheme, noting that sufficient data is already available. Pew and WWF noted their paper summarizing current information on management options; it highlighted that options that directly manage bigeye held the most promise for reducing mortality. Pew estimated that approximately 120,000 FADs were deployed annually across all oceans and

their use was increasing, which underlines the importance of addressing the management implications of FADs. These organizations saw supporting the FADMgmtOptions-IWG as important, to ensure it could effectively explore and recommend management options for the purse-seine fishery.

591. Japan commented that FAD management was important for reduction of purse seine bigeye catch and the FADMgmtOptions-IWG should address it with its planned tasks. Japan brought to the Commission's attention issues relating to the definition of a FAD as outlined in CMM 2009-02; para. 3 which stipulates any object or group of objects, of 'any size'. Japan expressed the view that if this definition is applied as it is without consideration of the real situation on board a vessel, it was possible that an observer might judge that a set had been conducted within one nautical mile of a FAD by a piece of plastic or wood chopstick found in the net although the fishing master had not intended to conduct a FAD set. During the FAD closure period there is a risk that the operation was judged as illegal even if the fishing master did not notice small materials and unintentionally circled them. This CCM considered this to be one of the most problematic FAD-related issues and expressed the view that this needs to be reviewed. Japan emphasized the importance of development of a framework to address this issue and noted its intention to propose a draft to the next TCC or other opportunities. .

592. The FADMgmtOptions-IWG Chair noted that this issue would be taken into account during discussions on FAD management.

593. The Commission adopted the report of the first meeting of the FADMgmtOptions-IWG, held 27-28 November 2015 (WCPFC12-2015-22_rev2), and the work plan (**Attachment V**).

594. The Commission agreed that a consultancy should be undertaken early in 2016 to produce a report on options and considerations for Marking and Identification of FADs to be deployed, for consideration at SC12 and TCC12. The consultancy should be based on the draft prospectus (**Attachment V**) and among other things take into consideration electronic signature and physical marking aspects from the 2016 PNA trial tracking programme and that used in other tuna RFMOs. The consultancy should also provide advice on the feasibility of options of physical marking of the buoy, physical marking of the buoy and the FAD attachment, and electronic identification, along with the costs and benefits of each option. The consultancy should also take into account Attachment E to the report of the first meeting of the FADMgmtOptions-IWG Report (WCPFC12-2015-22_rev2).

595. The Commission tasked the Secretariat and Scientific Services Provider to work with the FADMgmtOptions-IWG Chair and Vice-Chair to further develop the draft outline of a research plan in 2016, based on Attachment D of the report of the first meeting of the FADMgmtOptions-IWG (WCPFC12-2015-22_rev2). The draft research plan should be for consideration and input by SC12 and TCC12 before submission to WCPFC13. The draft plan should incorporate some consideration of costs and benefits of various research and data collection activities to assist with prioritizing the work. Consideration should also be given within the plan to addressing both target and non-target species.

596. The Commission agreed that vessel operators should provide data on FADs covering the following two major areas:

- a. FAD design and construction of FAD to be deployed or encountered (materials, electronics, size etc)
- b. FAD activity (deploying, retrieving, setting, visiting, loss etc).

597. The Commission noted that the FADMgmtOptions-IWG recommendations that:

(i) the FAD data fields to be reported by vessel operators should be based on the WCPFC ROP Minimum Standard Data Fields and the data fields collected by other RFMOs;

(ii) data collected by observers on FADs can be used for verification of FAD activities of vessels;

(iii) the FAD data should be provided to the Commission via flag State electronically using appropriate systems such as FAD e-logbooks or information systems such as PNA iFIMS etc.

598. The Commission agreed that a consultancy be undertaken in early 2016, tasked with producing proposed draft data fields to be reported by vessel operators for consideration at SC12 and TCC12.

599. The Commission agreed that the FADMgmtOptions-IWG should continue in 2016.

12.6 Harvest Strategy Workshop (MOW)

600. Ian Cartwright presented the report of the Harvest Strategy Workshop (HSW), previously named the Management Objectives Workshop (MOW), which was held just prior to WCPFC12 (WCPFC12-2015-23). The HSW was the fourth in a series of informal workshops convened by the Commission to facilitate and support the development of harvest strategies by the Commission. The focus of these workshops had been on capacity building, awareness raising and identification and discussion of a broad range of objectives for key fisheries. The workshop has partly changed emphasis and focused on options to advance the harvest strategy approach and discussion of draft CMMs as well. The workshop had provided an opportunity for the fisheries managers of all CCMs to exchange views on key management issues. Some discussion points included: that context was important in making comparisons (e.g. Atlantic albacore vs. southern bluefin tuna); there were variations between RFMOs including assumptions on stock-recruitment relationships, risk levels, LRP; capacity building and engagement important; risk levels have slipped through the cracks; it is advantageous for allocation to have been decided in advance of developing a harvest strategy but it was not an essential prerequisite. Cartwright thanked ABNJ and the EU for the funding provided for this workshop.

601. A lengthy discussion took place as members considered whether to hold another workshop.

602. PNA members considered that the meeting provided a good basis for developing a harvest control rule for skipjack, but broadly these CCMs took the view that the value of the workshops had declined as discussions shifted from general approaches to more specific issues on which decisions need to be taken. These CCMs commented that the SC management issues theme was a forum to discuss reference points and harvest control rules, and was the appropriate place for the Commission's work on harvest strategies.

603. EU expressed the view that the MOW/HSW should continue, representing real added value. EU saw it as an important step between SC and the Commission discussions, as it operationalised the science.

604. Australia saw value in the workshop, or a forum like the workshop, to think about and discuss the scientific findings and their implications for management arrangements outside the Commission setting. This CCM stated that, with the harvest strategies work being undertaken, the workshop represented a valuable forum, but noted PNA members' comments and agreed that there could be benefit to holding a workshop of this kind earlier in the commission process to enable time for development of proposal following discussions.

605. Palau stated that the skipjack outcomes provided a basis for work by SPC to be presented to the next SC meeting and supported PNA's view on the way ahead, reiterating that PNA members considered the annual workshops, held before Commission meetings, to have served their purpose, preferring work to be integrated into the work of the SC, TCC and Commission.

606. New Zealand noted the usefulness of the workshop, but agreed with the need to change the structure to bring a level of formality to it. Noting PNA's comments, this CCM suggested integrating the HSW with the SC, to formalise a component of the work and recommendations. The Commission could instruct SC to reorganise to allow fisheries managers to attend. However, New Zealand also noted that the HSW/MOW provide an opportunity for free and frank exchange without the formality of SC.

607. EU noted that it would go with consensus on a compromise, and noted that the dialogue between scientists and managers is increasing in other RFMOs. EU considered that SC already does some of this work and will continue to do so in its intensive week of discussions each year, and this work assists the development of the Commission harvest strategies.

608. The Chair noted the support for continuation of the dialogue but not to have another workshop in the way it had been done previously, and the ABNJ project could support these discussions. The Chair noted that having the discussion at SC would mean that SC would need to also include managers, and there may be budget implications if managers were to add SC to their workload.

609. USA expressed the view that formality could be added to the workshops and thought it would not be practical for the managers to attend SC; SC's role should be limited to evaluation. USA commented that SC could do more, coupled with a separate and informal meeting of managers, and that the workshop could be cut down by one day and held prior to the Commission meeting.

610. EU supported the USA proposal, agreeing that the role of SC and managers should be separated and that it was impractical for managers to attend SC.

611. RMI reiterated its earlier comment, supporting the work's integration into SC and TCC. This CCM noted that it was difficult for small administrations to participate meaningfully in additional meetings and it was disruptive to have the workshop just before the Commission meeting.

612. Japan supported the USA's suggestion, stating that this work required the participation of decision-makers and they may not necessarily go to SC. Japan supported the discussions taking place around the Commission meeting, and the Commission should have it on the agenda, to discuss species by species. China supported this view.

613. PNG supported RMI's view, and noted that SC and TCC were subsidiary bodies whose discussions and recommendations are forwarded to the managers on which to take decisions.

614. The Cook Islands noted its experience was to separate participation at meetings, commenting that a meeting of managers to make the necessary commitments was important and a one day workshop prior to the Commission meeting was a worthy investment.

615. EU reiterated its preferred option but supported Japan's suggestion as a compromise.

616. Tokelau reiterated PNA members' position. This CCM noted that several delegations did not send senior managers to the workshop this year but instead came to the Commission meeting with a set of positions that rendered efforts in the workshop useless. PNA members preferred, as a compromise, a one-day workshop after SC.

617. The Chair noted the lack of agreement, and suggested that no HSW/MOW be held in 2016 and instead the Commission continues these discussions, along with SC. There were no objections to this. The Chair expressed thanks to Cartwright for his work over four years.

618. The Commission agreed that there will not be a Management Objectives Workshop/Harvest Strategy Workshop in 2016, and the harvest strategy-related issues will be included on the WCPFC13 agenda in 2016. In addition, the Commission directed SC12 to include these discussions under the Management Issues theme agenda item, so that the discussion on harvest strategies, in particular, continues.

619. The Commission adopted the report of the Harvest Strategy Workshop (WCPFC12-2015-23) and thanked Ian Cartwright for his work leading the MOW and HSW for the last four years.

AGENDA ITEM 13 – ADOPTION OF FINAL COMPLIANCE MONITORING REPORT

620. The TCC Vice-Chair, presented the draft of the final CMS (as attached to the Summary Report of the TCC Special Session, WCPFC12-2015-19e), noting the cooperation and compromises that members had made in its compilation.

621. Tokelau and Samoa sought clarification about their compliance status on an obligation relating to reporting on coastal state purse-seine limits under CMM 2014-07.

622. The Compliance Manager explained that the reports had been received but the compliance issue that was noted related to a missed the Annual Report Part 2 deadline.

623. New Zealand made a general observation about the lengthy list of CCMs in the non-compliant category. It was noted that it included a wide range of non-compliance – for example, late reporting was in the same category as more severe compliance problems. This CCM commented that it was looking at the way these are differentiated as the Compliance Monitoring Scheme develops.

624. EU added to New Zealand's comment, noting that the category is general, listing the country but not identifying the non-compliance. This CCM noted the tier scoring system used for data provision, which gives a non-compliance rating, and suggested a tier scoring might be explored to quantify the level of non-compliance in general.

625. Philippines raised the idea of a rating system which gave a percentage to a CCM's compliance.

626. The Chair reminded CCMs that the Final CMR is made up of the executive summary and two tables which each provide much detail and, taken together, form the background of the categorisations. The Chair noted the compliance monitoring measure was in development during this meeting and encouraged members to continue their work. The Chair thanked the TCC Vice-Chair for her efforts in preparing the final CMR.

627. The Commission adopted the 2015 Final Compliance Monitoring Report. (**Attachment W**)

AGENDA ITEM 14 – ADOPTION OF 2016 IUU VESSEL LIST

628. The Commission considered the WCPFC 2016 IUU Vessel List for adoption. The Chair noted that one provisional vessel listing had not been resolved during initial discussions on the first day of the meeting and sought an update from Fiji on the issue of the FAIMANU V.

629. Fiji advised the Commission that after receiving notification from the authorities in Wallis and Futuna, through France, Fiji was satisfied with the sanctions imposed on the vessel owners, which it considered a deterrent to others. Fiji further advised that it did not wish to pursue the matter further and recommended the withdrawal of FAIMANU V from the Provisional WCPFC IUU Vessel List.

630. Acknowledging Fiji's statement, France expressed its gratitude to Fiji for the time and effort it had dedicated to the matter.

631. The Chair commented that as a result of that satisfactory resolution, there were no new nominations for the 2016 WCPFC IUU Vessel List. It was noted, however, that three vessels were currently on the list and the Secretariat was asked to provide any updates.

632. The Compliance Manager noted that a reply from Georgia had been received during WCPFC12, to a letter the Executive Director had sent post-TCC11. In this letter, Georgia had confirmed that the vessels NEPTUNE and FU LIEN No. 1 were no longer flagged to Georgia.

633. The Chair suggested that this be reflected in the final version of WCPFC IUU Vessel List, noting that it is not known what flag these vessels are currently flying. The 'Current flag (previous flags)' column of the list would read 'unknown' followed by 'Georgia'.

634. EU noted that TCC11 had recommended seeking information from other RFMOs about vessels which had been on the WCPFC IUU Vessel List for a long time. To give the issue more visibility, this CCM suggested a footnote reflecting this could be included into the list.

635. The Commission adopted the 2016 WCPFC IUU Vessel List (Attachment X).

636. Australia expressed appreciation to those countries that cooperate in the area of surveillance and enforcement, particularly in relation to data sharing, noting that these activities underpin WCPFC's management measures. Enforcement activities are costly, and sharing resources are necessary to ensure cost effective activities. This CCM encouraged countries to continue to share data and work cooperatively to respond to alleged IUU incidents in a manner that prevents them happening in the future, observing that IUU activities undermine the sustainability of stocks.

637. FSM supported Australia's observation, advising that FSM continues to experience infractions of its Fisheries Act, including violations of territorial waters, by some members and CNMs. FSM noted that the Convention is clear on the need to combat IUU in all its forms, and called on members and CNMs to meet their flag state obligations. This CCM observed that MCS activities are a significant cost and called on Vietnam to meet the expectations of it as a CNM.

638. Vietnam advised the Commission that it had taken steps to resolve the issue referred to by FSM. On receipt of information about small boats entering FSM waters, a letter was sent from the Vietnam Ministry of Foreign Affairs to the FSM Embassy in Beijing. While the Vietnam Ministry of Foreign Affairs had not yet received information from the FSM authorities, Vietnam expressed to the Commission its strong commitment to resolving the issue. Vietnam assured the Commission and FSM that these small boats are considered to have violated both FSM and Vietnam's laws and will be punished. Vietnam

nevertheless wants to point out that the small boats did not catch tuna, tuna-like or shark species, which precludes their listing on the WCPFC IUU Vessel List.

AGENDA ITEM 15 – ADOPTION OF NEW PROPOSALS

639. The Commission considered for adoption new proposals that were not addressed under species-specific agenda items.

FFA proposal for Workplan for the adoption of Harvest Strategies under CMM 2014-06

640. On 8 December, Australia reported back on discussions through the week on WCPFC12-2015-DP09. Australia had received comments and had posted a revised draft of the harvest strategies work plan. The draft included an opening statement that describes the logic behind the plan and includes the revised timeline and levels of risk. Australia proposed that issues not agreed at WCPFC12 would be pushed into 2016, but otherwise remained unchanged.

641. The EU noted that it was important that this work was pursued, commenting that WCPFC is entering pioneering field, ahead of many RFMOs, by adopting harvest strategies. EU preferred to have started with stocks that are more compromised, such as BET, but accepted that this was a step-by-step process. It was noted that EU had contributed financially to this work and supported adoption of the work plan. This CCM expressed a preference that the target for the rebuilding plan for bigeye tuna was to rebuild the stock above BMSY in line with the objectives of the current tropical tuna measure. It also indicated that in particular in the absence of agreed TRP and in line with the Convention, the LRP should not be BMSY.

642. Indonesia supported the work plan, and stated that when Indonesia ratified the WCPFC Convention in 2013 it also attached a declaration that the Convention area did not cover certain Indonesian waters, noting that archipelagic waters play an important role in Indonesian fisheries – 320,000 tonnes of tuna is taken from these waters. Indonesia seeks to ensure measures within these waters are compatible with WCPFC measures, and understand this is their obligation under UNCLOS and the FSA. The WPEA project and other organisations had assisted the development of high seas fisheries for yellowfin and skipjack, with a plan to finish this work by 2017.

643. China noted that some difficulties remained with the draft and the new approach, noting that they needed time to adapt.

644. Japan commented that the work plan should make it clear what point is agreed or not agreed, noting that the TRP for skipjack had been agreed but not yellowfin, or acceptable levels of risk, and work was being pushed into the next year. Japan suggested more flexible tables.

645. The Chair noted that the work plan was subject to decisions being taken by the Commission and if the Commission could not make those decisions then those issues would simply be moved to next year.

646. New Zealand supported the work plan and the concepts behind it, and noted that the Commission was still working on a measure looking at a yellowfin tuna interim risk level which would allow the science to continue apace, based on the structure in the work plan.

647. Australia supported 10% acceptable level of risk, on an interim basis.

648. EU supported this acceptable level of risk, and noted, regarding Japan and China's concerns, that the Commission was agreeing a process with the work plan, which was a living doc, with some elements not yet perfect. This CCM reminded the Commission that the importance of the HSW/MOW was as a forum to discuss some of these details.

649. Japan noted that the Commission had agreed a skipjack TRP and a task to SC for the bigeye tuna rebuilding plan, but acceptable levels of risk for yellowfin and skipjack was not yet agreed or the management objectives for skipjack. This CCM noted that it was not ready to adopt the table as proposed, asking for more substantial discussion on each item to decide meaningful and effective ones. Japan was not optimistic that the work plan was flexible, noting that once it was decided it would have a serious impact on the fisheries.

650. USA supported the adoption of the work plan, noting that a significant amount of work had gone into the work plan and, as EU had stated, it was a living document. The dates were flexible as were other aspects, allowing the Commission to continue developing the harvest strategies.

651. Australia referred to CMM 2014-06 adopted last year which describes the elements these discussions were working towards. This CCM explained that the work plan was a practical tool to set out the work which the Commission agreed to do in that CMM. The work plan was not intended to lock anything in, in a permanent way, or bind the Commission to certain dates. Rather, it was supposed to reflect a genuine endeavour to tackle the work. Australia noted that the way the work plan was drafted reflects the language in CMM 2014-06, and the substantive elements that go towards the Commission harvest strategies are decided separately to the work plan, which was simply a plan. Australia reiterated that the work plan was flexible and elements can be shuffled around if necessary; it included language to provide comfort around these issues.

652. New Zealand noted that there was no advance in the discussion around risk levels, and advised that it had been working with interested members to consider a proposal for interim risk level for yellowfin tuna and proposed to circulate some suggested text to advance the science process. This was subsequently circulated as WCPFC12-2015-DP27, but was not further discussed.

653. The Chair asked for an update on the recording of management objectives for skipjack and albacore.

654. In response to further concerns from China, the Chair noted that WCPFC12-2015-DP09 was just a plan, and it was flexible. The Chair asked if the Commission could agree to the draft, noting that what was not agreed at this meeting will simply be moved to 2016. The Chair preferred to not have substantive discussions on the actual elements at this stage, just that the draft workplan be adopted and certain elements be moved forward to 2016.

655. Japan and China supported this, with Japan reiterating matters the Commission could not agree at WCPFC12 should be deferred to 2016.

656. The Chair thanked Australia for its hard work in advancing this difficult work through the Commission, noting that the Commission had a lot on its plate for 2016.

657. The Commission adopted the workplan for the adoption of Harvest Strategies under CMM 2014-06 (**Attachment Y**). The Commission tasked the SC with support from the Scientific Service Provider to undertake the activities specified in the agreed workplan.

FFA proposal for management of enclosed and semi-enclosed high seas areas

658. FFA members reported on progress on WCPFC12-2015-DP05, a proposal for additional MCS measures for certain high seas areas. Consultations had been held with some delegations, and there were some red lines on this proposal as well as support, subject to various qualifiers such as improving transparency.

659. The Chair noted that there was not agreement on this proposal.

660. New Caledonia made a statement regarding entry to and exit from its EEZ. New Caledonia noted the FFA proposal which aimed to increasing the monitoring of vessels which enter the EEZs of coastal states, and reminded the Commission that at WCPFC7, entry and exit notification for all the EEZs covered by the Convention was proposed. This proposal was not accepted but the WCPFC7 summary report (para. 404) suggested it could be addressed through national legislation. Accordingly, New Caledonia implemented such a provision in 2011 and was currently preparing an amendment to extend reporting fields to the catch on board when the vessel is entering or leaving New Caledonia's EEZ. New Caledonia stated that it will not hinder the right of transit of any ships under UNCLOS; the measure is taken under Article 73, para. 1 of UNCLOS to ensure compliance with a coastal state's fisheries regulations; it brings consistency between the requirements of licensed vessels to provide detailed information and non-licensed vessels. This CCM noted that the entry/exit declaration for its EEZ is not optional, and not making one is a severe infringement; catch on board may be regarded as having been caught in the New Caledonia EEZ. New Caledonia reminded the Commission of the creation in 2014 of the Natural Park of the Coral Sea, which covers the whole EEZ and, consequently, waters within the Convention area. This CCM noted that a management plan for this park was in development and wished to build it in cooperation with its neighbours.

FFA proposal for enhanced port-based MCS measures

661. FFA members reported on their proposal in WCPFC12-2015-DP10, relating to port-based MCS measures. After consultations in the margins of this meeting, and despite support from several CCMs and observer organizations, FFA members reported that one CCM's position meant the proposal was unable to progress. These members will continue to develop port state measures within the FFA framework, and FFA asked that CCMs consult with them on elements which need to be changed.

662. EU noted that it would have preferred to move towards FAO standards but commended FFA's efforts this year and supported their proposal. This CCM saw this proposal as the first step in the right direction towards FAO standards. This CCM expressed disappointment that for the third year in a row a proposal for port state measures was not adopted, and hoped the Commission would do so as soon as possible.

663. USA noted that port inspection measures are important to ensure sustainability because they help ensure that seafood entering the market has not been illegally harvested. This CCM hoped the Commission will progress next year on this important issue.

664. Japan noted that it had stated its position for the last two year on the FAO Port State Measures Agreement, and commented that domestic discussions were still underway on this issue. In relation to the proposal, Japan noted that it had contacted FFA and discussed it in detail, including the intention of some of the provisions of the draft proposal in the margin of the meeting. This CCM considered that some areas needed further clarification, exchanges of information and views, and further internal review. Therefore this CCM had not been able to accept this proposal at WCPFC12. Japan was happy to discuss a new proposal along the same lines as the CCSBT scheme adopted at the last CCSBT meeting.

665. Korea noted that port state measures play a part in the fight against IUU fishing, as a gatekeeper preventing IUU catch flowing into the market and the FFA proposal was welcome in this regard. Korea noted that it participates in port state measures through various channels and port-based inspections that are more stringent than the FAO Port State Measures Agreement. Korea stated that it was ready to make a meaningful contribution to the introduction of port state measures which take into account the needs of SIDS.

666. Pew, Humane Society International, WWF and Greenpeace expressed their disappointment and noted that this was the sixth Commission meeting at which port state measures has been considered for adoption. These organizations noted that WCPFC remains one of the RFMOs lacking a minimum scheme of port controls, and commented that port state measures are one of the most effective tools to prevent the entry of illegally-caught fish into the world's markets and a measure would significantly strengthen WCPFC's management regime. These organizations urged members to take the necessary steps to ensure adoption of minimum standards for port inspections is not delayed further and can be adopted at WCPFC13.

667. Chinese Taipei generally supported the proposal, but noted that some members have difficulties due to domestic issues, which it encouraged to resolve as soon as possible and come back next year and reach an agreement.

668. The Chair noted the general support to have a port state measure in place and strongly encouraged those members with difficulties to make progress next year.

USA proposed revisions to VMS SSPs related to ALC type approval

669. On 5 December, the USA advised that there was a new version of the VMS SSPs proposal posted shortly (WCPFC12-2015-DP13_rev1). USA briefly highlighted some changes which had been made to the initial proposal during negotiations in the margins of WCPFC12. The approval/disapproval process was no longer solely a Secretariat function, there were now roles for TCC and the Commission. And if an ALC type is removed, flag states will have a two-year window to change to approved types.

670. Japan noted TCC's concern about at least 41 vessels that were not reporting to the Commission VMS and agreed that it needed to be addressed, but took the view that the replacement should be when the unit would naturally be replaced, as new ALCs are very expensive, which is large financial burden for fishermen, especially small-scale fishermen despite there was no fault of them.

671. EU preferred a one year replacement window and thought this was feasible. EU supported USA's changes, noting that without the timeframe a lot of the meaning behind the amendment is lost.

672. FFA members thanked USA for working intersessionally on the proposal and supported the revisions, noting that they would strengthen the WCPFC ALC approval process and enable the Secretariat to remove ALC makes and models that no longer meet the minimum standards of the Commission VMS from the approved list.

673. Australia supported the USA proposal. Australia understood Japan's position and recognised the need to give fleets time. This CCM had no practical concerns with the delay in implementation, however Australia urged Japan to consider a timeframe.

674. A lengthy discussion took place around a timeframe. Japan reiterated its preference for the units to be replaced when the next installation of the unit takes place but was able to be flexible on a 5 year timeframe. Some CCMs wanted the timeframe to be no later than one or two years.

675. Japan and the USA agreed to discuss the timeframe in the margins. The agenda item remained open.

676. On behalf of The Pew Charitable Trusts, HSI, WWF, Greenpeace, SFP and ISSF, Pew thanked USA but expressed concern and disappointment at the lack of consensus on the timeframe for replacing non-type approved ALCs, as it represents an important standard for enhancing the VMS SSPs. These organizations noted that VMS was critically important for vessel monitoring in high seas areas within the Convention area but stated that the VMS CMM and SSPs needed to be improved, particularly around manual reporting. These organizations noted that manual reporting was established to provide vessels with a backup means of position reporting, but commented that it allows vessels to stay out at sea, unmonitored, for up to 45 days, especially if there is no observer onboard. The Secretariat's 2014 VMS annual report indicates that 100 fishing and carrier vessels provided 2,044 manual reports in the first eight months of 2014, on the basis that their VMS unit malfunctioned or failed. Assuming a reporting rate of every 6 hours, those manual reports amounted to roughly 511 days of vessel time. With fisheries observer coverage for some longline fleets falling short of the 5% coverage, these organizations noted that this vessel time is almost completely unverifiable. It was observed that the FFA type approval process for VMS units has ensured the phasing out of problematic VMS units for vessels on the FFA Vessel Register, curbing high levels of manual reporting by these vessels. These organizations commented that the Commission should move towards establishing similar standards to limit manual reporting and assist in ensuring verifiability. They encouraged CCMs to adopt the USA proposal and to seek to improve the VMS CMM and SSPs going forward, particularly by reducing the time during which vessels are authorized to manually report when the VMS unit has malfunctioned or is inoperable.

677. Later in the meeting, further discussions on this issue took place, with two changes: a change of wording from 'ALC' to 'instrument' and, more substantively, a proposal for the replacement period of non-approved ALCs of 'no more than three years'.

678. The Commission agreed to the amendments to the VMS SSPs related to ALC-type approval procedures (Attachment Z)
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Compliance Monitoring Scheme (CMS) CMM

679. On 5 December 2015 the TCC Vice-Chair reported that the CMS measure SWG had discussed the amendments and required a further meeting. On 7 December, another meeting took place with interested participants with a view to agreeing a draft for CCMs to consider.

680. On 8 December, the TCC Vice-Chair reported to plenary that parties had made compromises and WCPFC12-2015-20_rev5 was ready for discussions with a view to adoption.

681. The Chair asked if the Commission was ready to adopt the measure as amended.

682. EU noted that it had participated in the intersessional work on the measure and admitted that there was a sense of engaging something without knowing the impacts, given the extensive revisions to the measure, and the inclusion of some very new and untested concepts. This CCM commented that if there was consensus they would not block the adoption of the measure, as it understood its main intent, but expressed its concerns about how CCMs would be able to provide reasons that they cannot be assessed against an obligation because of capacity constraints, and how implementation plans that run for a certain number of years, would be applied in practice. EU noted that these plans should be reviewed by TCC to evaluate progress. However, EU noted that deciding not to assess a CCM against an obligation was an important decision, and the process needs to be tight to avoid possible abuse. This CCM also raised the issue of the possible financial implications of the proposal which are difficult to anticipate.

683. The Chair drew the Commission's attention to paras. 26 and 27 which were not yet agreed, on the issues of the review panel and review time period.

684. The TCC Vice-Chair noted that the majority of the SWG participants were comfortable with the two-year timeframe, noting that there were major changes to the measure. Others wanted the measure to be reviewed in 2018 and revised in 2019.

685. USA expressed appreciation to the current and past Chairs and Vice-Chairs of TCC for developing the proposal, noting that the CMS had gone through a series of one-year measures, that there was a need for the measure to be revised and take into account fairness and capacity building, and the need for the measure to develop the Commission's capacity to comply with the measures that are in place. This CCM noted that the Commission can do all the science and analysis but it is meaningless if the Commission cannot comply with the measures in place. The new measure needs the opportunity to function, to be put in place, to see how it works, how it is implemented, whether it achieves its goals. The USA continued to take the view that the CMS measure should be permanent, though in an attempt to find common ground would agree for the new measure to be in place for three years before being subject to a independent review panel selected by the Executive Director. This CCM took the view that the measure should be in place for at least two years before it is reviewed, so it can be experienced well before an assessment is attempted and before changes are made.

686. Australia noted the good progress at this meeting. This CCM noted the time and effort involved in assessing compliance but noted that these were valuable discussions for the Commission and increased understanding. It further noted the value of the measure in highlighting where improvements can be made to CMMs. This CCM saw value in a measure that went beyond one year, and saw value in a review of the measure.

687. Japan preferred the measure to be effective for 2016 and 2017 only. This CCM noted the substantial efforts on the draft but commented that the two very new concepts incorporated in the measure have unknown impacts. Japan took the view that the measure should be implemented on an experimental basis of two years only.

688. Several CCMs supported a measure that was effective for 2016 and 2017, including New Zealand, noting that TCC11 found that there were substantial process issues – for example, the introduction of observer reports to the process – which proved extremely useful but were new issues.

689. USA reiterated that its strong preference was for a permanent measure, and noted that two years was not a compromise, but that it stood alone on this. The USA also suggested that the review be conducted by a group of people which were selected by the Executive Director but with the members helping select that panel.

690. The Chair noted that there was general agreement that the measure would apply for 2016 and 2017 only, and the outstanding issue was whether the review would be conducted by an independent panel or whether the mechanism of the review would be left for TCC to determine.

691. RMI suggested keeping the review within the purview of TCC, and how TCC determines how to do that is up to TCC.

692. After some time for delegations to consult, late on 8 December the Chair asked if any progress had been made on the outstanding issue of the independent review.

693. USA noted that the issue of having an independent review of the measure had been discussed on a number of occasions, including at WCPFC11 and TCC11. This CCM stated that having such a review would help the Commission strengthen the measure, and it should be done after letting the measure work and having data to evaluate. With the lack of consensus so far in the meeting, the USA expressed the view that if a review is not able to be included in the measure itself at WCPFC12, the meeting report should include a commitment by the Commission to conduct a review after it has been allowed to run for a couple of years.

694. Given lack of agreement on aspects of the independent review, a lengthy discussion took place regarding the report language on the timing of the review and who would complete the work.

695. The Commission adopted CMM 2015-07 Conservation and Management Measure for the Compliance Monitoring Scheme (**Attachment aa**)

696. Subject to the recommendations from TCC12 (CMM 2015-07, para 40) a review of the CMS will be conducted by an independent panel selected by the Executive Director in consultation with Members at the end of 2017.

697. The Chair thanked the TCC Chair and Vice-Chair for their work developing the amended CMS CMM, noting that it was a significant accomplishment for the Commission.

Transshipment

698. When plenary reconvened on this issue, RMI noted that efforts had continued from TCC11 and take into consideration work done at the IWG-ROP and the PNA proposal. Given the impracticability issues in para. 34 and concerns about para. 35 (lack of reporting, manual reporting, VMS issues), para. 37 sets out minimum guidelines for certain vessels to tranship in waters under national jurisdiction. This CCM proposed a complete ban on high seas transshipment other than purse-seine vessels as stipulated in para. 34, noting the impracticability of the associated paras. 35 and 37.

699. EU reiterated its concerns about the application of the transshipment measure, which is supposed to be an exception not the rule. EU encouraged RMI to count on its full support for a measure next year.

700. In response to the Chair's query about whether to consider para. 34 in CMM 2009-06, or tasking TCC to consider it in some way, PNG noted that in 2006, 2007 and 2008 FFA put forward proposals banning transshipment on the high seas, and these proposals are still on the table. These could be a basis for the start of that discussion.

701. FFA members noted that after these proposals were not adopted, FFA sought a more collegial approach in 2009 through guidelines that flag states would use to allow some ongoing high seas transshipment where there was no alternative, but opined that flag states have not implemented that compromise in good faith, with a blanket exemptions of most of the high seas fleet and no effort to reduce high seas transshipments. FFA members noted that it was possible for high seas longline vessels to operate without transshipping – for example the EU longline fleet – and requested the review of para. 34 of CMM 2009-06, particularly the criteria for assessing ‘impracticability’, as a means to tighten controls and move more transshipment activities into ports. FFA members requested that analysis of transshipment activities using the VMS Transshipment Analysis Tool be provided in subsequent annual reports. These CCMs expressed support for the timely provision of transshipment information in the annual report on WCPFC high seas transshipment.

702. The Cook Islands noted that in 2010, it established a Special Management Area for the high seas pockets, and since then has called for more stringent management of high seas area including a transshipment ban. This CCM noted that coastal states will think about implementing legislation to address this issue, and noted that the Cook Islands sees the issue as coming under its licence conditions.

703. Japan opined that the chapeau part of CMM 2009-06 states that the Commission recognizes that transshipment is a common global practice. Japan stated that it could not go along with a simple request for a high seas transshipment ban. This CCM understood some CCMs' concerns about IUU activities, and for this reason Japan supported increasing the traceability of the transshipments.

704. The Chair asked the Commission about further work.

705. RMI noted that a draft guideline was prepared a couple of years back but was not adopted. This CCM was firmly of the view that, notwithstanding that transshipping is a global practice, a simple fix is to impose para. 34. RMI commented that it was not asking for amendments, but for implementation of the measure.

706. Korea noted that the observers help ensure compliance, commenting that transshipment was a necessary practice, especially for longline vessels, as making them come back to port creates an operational burden. This CCM opined that the Commission needs to strike the balance between compliance, conservation and operational stability.

707. The Chair noted that the views are quite clear, and there remains the circular nature of the discussion between the Commission and the TCC, which is not being resolved. The Chair encouraged CCMs to keep the discussions going in the different forums within the Commission and work on ways to bridge the gaps so the Commission can progress next year.

708. USA noted the importance of the issue, and the RMI proposal was very constructive.

709. FSM supported FFA's comments and thanked RMI for taking the lead, commenting that these fleets targets one of the stocks that is in trouble.

710. RMI requested that Legal Adviser advise on para. 34 as a basis for the work going forward.

711. The Legal Adviser opined that para. 34 makes it clear that there should be no transshipment except where the CCM has determined that for certain vessels it is impracticable to operate without being able to transship on the high seas. Para. 37 allows for guidelines to be developed and for these to be agreed by TCC and submitted to the Commission. The Legal Adviser noted that no such guidelines have been submitted. Para. 37 noted that the guidelines set out in the rest of the paragraph shall apply in determining the practicability: 1) whether the prohibition of transshipment on the high seas would cause a significant economic hardship, which is to be assessed in terms of the costs that would be incurred and 2) whether the vessel would have to make significant or substantial changes to its historical way of operating. The Legal Adviser opined that this part of para. 37 combined with the language in para. 34 provide a high threshold before a CCM could determine that a ban on high seas transshipment would be impracticable. If a CCM has made such a determination and has notified that to the Secretariat, then the CCM responsible for offloading and receiving shall advise the Commission of the producers of the monitoring of the transshipment and will submit to the Commission a plan outlining what it is doing to encourage the vessel to come to port. In summary, these paragraphs ensure that there is a high threshold and sets out rules about the procedure to be taken in those circumstances.

712. The EU noted that it was clear that the measure as currently drafted gives a possibility to transship at sea as an exception with a very high threshold of criteria to be met to allow the transshipment. TCC heard about the large number of vessels that notified for transshipment, and they were basically all longliners. EU noted that even if it was impractical for its fleet to transship in port and it has financial implications, they do it so they are the proof that it is feasible. This CCM stated that the measure was clear, and it is the application of the measure that is the problem. EU commented that it would move forward with RMI on this issue.

713. RMI noted that the exceptions were discussed extensively at TCC, and there were problems in terms of compliance. The problem with the measure is that it provides for the exemptions.

714. USA recalled that the Commission has discussed paras. 34-38 on previous occasions and has impressed upon the Secretariat to do the work that is called for in para. 37 – developing the further guidelines. This CCM stated that it was necessary to do that work so that the USA is assured that its vessels are on the same playing field as others. This CCM commented that if countries have made the notification, arguably they are compliant, but noted the way forward hinged on the Executive Director providing the guidelines.

715. China commented that it tries its best to encourage its fleet to go to port to unload product caught on the high seas but it is practically difficult due to operational costs and conflicts between SIDS' domestic laws and WCPFC laws, especially around shark species, which provide for no harvesting and no transportation of shark products, making its fleet hesitant to go to port. China commented that some SIDS have increased their port costs. In addition, China noted that many SIDS ports do not have facilities for handling deep frozen product. Through joint ventures, China is seeking to improve these facilities, but the Commission needs to understand the practical problems. For these reasons, China stated that it is hard to persuade their ships to transship in ports, but China will work with RMI to find a solution.

716. The Chair noted there was some agreement to revive the request to the Executive Director to draft guidelines as per para. 37 for the TCC to consider in 2016.

717. Japan also proposed that para. 13 be reviewed and, if possible, revised.

718. Noting paragraph 37 of CMM 2009-06, the Commission tasked the Executive Director to prepare draft guidelines for the determination of circumstances where it is impracticable for certain vessels to transship in port or in waters under national jurisdiction. TCC12 is tasked to consider these guidelines, and amend as necessary, and recommend them to the Commission for adoption in 2016. The Commission agreed that paragraph 13 should be considered as part of this tasking.

EU proposal for amendment of Scientific Data to be Provided to the Commission.

719. EU advised that during discussions several delegations felt that the Commission should hear from the SC on this issue. Consequently, EU commented that it would not be presenting the amendments for adoption but sought to task SC12 with providing advice and recommendations. EU wanted to work interessionally with interested CCMs then have a discussion at SC and also TCC as one of the main purposes of the changes is to help the TCC to do its work in interpreting some of the obligations. EU advised that it would come to WCPFC13 with a consolidated proposal.

720. The Chair sought to clarify whether the Commission wanted to task the subsidiary bodies so that the work continues next year.

721. EU and USA favoured this suggestion, with Australia supporting the SC's review.

722. The Commission noted TCC recommendations paragraphs 486–488 which are recommendations from the CMS process to revise the Scientific Data to be Provided to the Commission decision, and the corresponding proposal by the European Union (WCPFC12-2015-DP17) (Attachment v).

723. The Commission agreed that SC12 should review the elements in **Attachment bb** and provide advice and recommendations.

AGENDA ITEM 16 – REPORT OF THE NINTH FINANCE AND ADMINISTRATION COMMITTEE

16.1 Report of the Ninth Finance and Administration Committee

724. P. Callaghan (USA) presented the recommendations included in the report of the Ninth Session of the Finance and Administration Committee (FAC9), which was convened by Co-Chairs J. Samuelu Ah-Leong (Samoa) and P. Callaghan (USA) (WCPFC12-2015-24). FAC9 met on 2, 5, 7 and 8 December 2015, during WCPFC12. It was noted that one issue remained unresolved in the budget, referred to in para. 66 of the FAC9 report, relating to funding for Project 67 on skipjack range contraction. A minority at FAC9 did not support keeping it in the budget as they were concerned about getting value out of the USD40,000 allocated, particularly when the details of the work remained unclear.

725. The Chair thanked Samuelu Ah-Leong and Callaghan for their leadership through a difficult FAC meeting.

726. Japan commented that range contraction and local depletion issues were very difficult for island communities, including Japan and those in the Pacific. This CCM noted there is a reason for SC tasked to refer to range contraction and local depletion issues after adoption of the initial TRP of skipjack tuna, and hoped the project would be retained in the budget.

727. WWF gave a statement on behalf of ISSF, WWF, the Pew Charitable Trusts and Humane Society International as organisations which participate in the work of the Commission and represent stakeholders ranging from civil society to consumers. These observer organizations commented that, in principle, they were not opposed to a study about the costs of participation in the Commission or to making a reasonable contribution to support their participation. However, if observer organisations are to be required to pay a fee toward the meeting costs, these organizations expect that their participation will not be unduly constrained, including their participation in all meetings and access to all materials in accordance with Article 21 of the WCPF Convention and the Rules of Procedure. These organizations strongly encouraged the review to be undertaken in consultation with observers and recommended the following be considered: the purpose for charging observers a participation fee, ways to account for the participation of observer organizations with smaller and/or differing resource capacities, other options for addressing concerns about the Commission budget, the fees charged in other tuna RFMOs, and ways to strengthen the participation and contributions of observers across the full spectrum of Commission work.

16.2 Budget approval for 2016 and indicative budgets for 2017 and 2018

728. The Commission considered for adoption the WCPFC budget for 2016 and indicative budgets for 2017 and 2018, as submitted by Finance and Administration Committee, which met during WCPFC12.

729. The Commission adopted the Report of the Ninth Session of the FAC (WCPFC12-2015-24, **Attachment cc**) and an eventual Commission budget for 2016 of 7,731,994 USD (**Attachment dd**).

AGENDA ITEM 17 – ADMINISTRATIVE MATTERS

17.1 Strategic Plan

730. The Executive Director presented a formal submission to review the current planning framework of the Commission and the Secretariat and to develop a planning framework that includes a long term, high level strategic plan, a shorter-term corporate (or business) plan and the annual work programme (WCPFC12-2015-25). The current strategic plan, adopted in 2010 at WCPF7, covered the period 2011-2013. In 2013, at WCPFC10, the Secretariat tabled an updated Strategic Plan 2014-2016 (which also incorporated the work plans developed at SC9 and TCC9), but views were mixed, with some CCMs considering the plan as more of a short term business plan rather than a forward looking vision for the Commission's aspirations on the status of stocks and the flow of fisheries benefits. The Secretariat was directed to re-table it in Apia, Samoa for WCPFC11's consideration, however there was no discussion on it. The current planning framework consists of a strategic plan of 3 year duration and an annual work plan which are not aligned. The Executive Director proposed for a review of the planning framework and to develop the planning documentation that set high-level strategic objectives for the Commission and clearly demarcate the roles of the Commission and those of Secretariat. The Executive Director mentioned that there will be opportunities for members to provide input to the planning documents as the process proposed to develop those plans are is transparent and consultative. A draft terms of reference attached to the working paper contains timelines and key tasks to be undertaken, budget implications, and a tasking to report back to WCPFC13. A budget of \$69,500 is estimated to cover the costs expected in the TOR which includes a consultant to facilitate the process and travel costs, and the cost of holding a two day meeting in conjunction with TCC. WCPFC12 was invited to approve the review of the Commission's planning framework and the development of a new Strategic Plan and a new Corporate Plan in accordance with the terms of reference in Annex 1 of the working paper.

731. FFA members welcomed the proposal, noting that it responds to their requests over several years for reform of the Commission's strategic planning process, to better focus its core business and concentrate attention on certain issues. These CCMs approved the proposed timetable, and invited the consultant, when he or she is appointed, to the annual Forum Fisheries Committee meeting in Vanuatu in May 2016, to facilitate initial consultations with FFA members. FFA hoped a decision on the review and the work to be completed can be made at WCPFC12, so FAC9 can take it into account in the budget.

732. Japan noted that the proposal was for a 10-15 year strategy but observed that the Commission discussed the tropical tuna measure for 3 years and the work has not been achieved. Thus, this CCM wondered if the Commission could adopt a 10-15 year plan, which covers everything. Japan further stated that the main issues expected to be included in the plan are already described in the Convention. This CCM questioned the value of budget expenditure for the consultancy and commented that the Commission should work on issues to be really done within limited budget.

733. PNG noted that separating management from operations was important.

734. The Commission approved the review of the WCPFC planning framework and the development of a new Strategic Plan and a new Corporate Plan in **Attachment dd**.

17.2 Research projects

17.2.1 ABNJ Project

735. A. Anganuzzi, Global Coordinator of the GEF-funded, FAO-implemented ABNJ (Common Oceans) Tuna Project, provided a report on recent progress under the project (WCPFC12-2015-26). Partners in the project include all of the tuna RFMOs, as well as IGOs, regional organizations, NGOs and the private sector. The first project component relates to strengthening fisheries management including support for meetings on harvest strategies (e.g. the HSW), science-management dialogues, and the ecosystem approach to fisheries. The second project component relates to MCS and reducing IUU fishing. It includes work on MCS best practices and training curricula, in conjunction with FFA, a global database of authorised fishing vessels, legal templates for Port State Measures; electronic monitoring trials (for example in Fiji), and best practices for catch documentation schemes, which were presented at the CDS-IWG in September. The third project component relates to reducing the impacts of tuna fisheries on the ecosystem. The WCPFC is the tuna RFMO focal point for the shark activities under this component, hosting the project's Technical Coordinator – Sharks and Bycatch (Dr Shelley Clarke) within the Secretariat in Pohnpei. Work under the third component includes collaboration between WCPFC and IATTC on shark data improvement and assessment, enhancing the Bycatch Management Information System, trials to reduce seabird mortality and purse-seine bycatch, and work in the northern Indian Ocean on bycatch in gillnet fisheries. Members' ongoing participation in, and support for, the ABNJ Tuna Project was gratefully acknowledged.

736. The Chair thanked Anganuzzi for his presentation and the project's continued support of the Commission. Interested participants were referred to WCPFC12-2015-26 for more information.

737. The FFA Secretariat thanked FAO and the ABNJ project for funding assistance, particularly for MCS training it had facilitated in the region. It was noted that the second MCS Officer Foundation Course had been recently concluded, for which the FAO funding had been very useful. This course provided participants with university qualifications for officers seeking career paths in MCS.

738. The Commission noted the progress report on the ABNJ project.
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17.2.2 WPEA Project

739. The WCPFC Science Manager provided an update on the WPEA project (WCPFC12-2015-27), noting that 25% of the WCPFC tuna catch is caught in the WPEA project area. The new GEF funded WPEA Project (*Sustainable Management of Highly Migratory Fish Stocks in the West Pacific and East Asian Seas*) has three components: 1) governance for building regional and national adaptive capacity of Indonesia, Philippines and Vietnam in the management of highly migratory stocks, 2) implementation of policy, institutional and fishery management reform, and 3) knowledge sharing. Key activities include data collection (both target and bycatch) from port sampling, landed catch, logbook, VMS, and observer programme and annual tuna catch estimation, capacity building in science, compliance and management, development of specific guidelines on adaptive management and monitoring against the impact of climate change; market-based sustainable harvests through tuna supply chain analysis and eco-labelling and/or certification; development of reference points, harvest strategy and sub-regional stock assessment; and ecosystem approach to fisheries management guiding sustainable harvest of the oceanic tuna stock and reduced by-catch of sea turtles, sharks and seabirds.

740. The Philippines expressed its appreciation for WCPFC's assistance and P.Williams (SPC) for helping improving the quality of the data that Philippines provides to the Commission. This CCM agreed that there was a lot of work to be done but noted that the WPEA project helps them perform their duties

as a Commission member and the capacity building it provides helps the Philippines delegation to actively participate. The Philippines hoped the Commission continues to support the project.

741. Echoing this request for support for the project, Indonesia noted the tangible improvements in catch estimates and capacity building it had provided.

742. Vietnam express its gratitude to the Commission and to the GEF for the support provided, noting that the project had greatly improved data collection and analysis, with the Commission now receiving higher quality data from Vietnam as a result. This CCM thanked the Science Manager and SPC and hoped for further strengthened support of the Commission.

743. FFA members noted that data provision from the fisheries in these countries is poor but their catch is significant. FFA support the project because these data gaps in the stock assessments impact on the scientific work of the Commission. These CCMs noted that neither Vietnam nor Indonesia has provided, or authorised the release of, their operational- and aggregate-level data to the Commission, and strongly urged them to address this as a matter of priority.

744. The Commission noted the report on the progress of the WPEA project.

17.3 Election of officers

745. The Commission appointed Paul Callaghan (USA) to continue as Co-Chair of the FAC.

746. The Commission appointed Aisake Batibasaga (Fiji) to be Vice-Chair of the Scientific Committee.

17.4 Future meetings

747. The Commission agreed that:

- SC12 would be held in from Wednesday 3 – Thursday 11 August 2016 in Bali, Indonesia
- NC12 would be held for 5 days on a date to be confirmed in September 2016 in Japan
- TCC12 would be held from Wednesday 21 September – Tuesday 27 September 2016 in Pohnpei, Federated States of Micronesia.
- WCPFC13 would be held from Monday 5 – Friday 9 December 2016 in Fiji
- FAC10 would be held immediately prior to WCPFC13.

748. The Commission also agreed that three intersessional working groups would hold meetings in 2016, as follows:

- CDS-IWG, which would meet immediately prior to TCC12
- FADMgmtOptions-IWG would meet immediately following TCC12
- ERandEM-IWG on dates to be confirmed, preferably prior to SC12.

749. The ERandEM-IWG Chair noted that one set of possible dates which had been discussed with the FFA was for the meeting to be held in March 2016 back-to-back with FFA Monitoring, Control and Surveillance Working Group in Auckland, New Zealand, and that these would be confirmed in due course.

750. RMI noted that the growth in size of Commission meetings restricts the venues at which they can be held, and for many Pacific Island countries it was impossible to host a Commission meeting. This CCM congratulated Fiji for hosting WCPFC13.

AGENDA ITEM 18 – OTHER MATTERS

18.1 Update on WCPFC VMS

751. The Compliance Manager and the Deputy Director General of the FFA, W. Norris, presented WCPFC12-2015-29, an update on the status of the Commission VMS. The Compliance Manager noted the purpose of the agenda item was to update the Commission on changes to the Commission VMS system which would take place in 2016. The working paper outlined the process which FFA undertook to change its VMS service provider, and the background to this decision including participation by the WCPFC Secretariat in the tender process. The Commission VMS is provided by FFA under a Service Level Agreement. Currently almost 3500 vessels report to the Commission VMS. The cost to the Commission of the system has remained stable in recent years at around \$400,000 per annum (para. 9). Other costs include those for airtime services, training and redundancy.

752. The Deputy Director General of the FFA advised the Commission about the tender process FFA undertook in 2015 to test the market for alternative VMS providers. This was done for a number of reasons: a) the current VMS provider had been the provider for 5 years and it is good business practice to test the market, b) the cost of the current service provider was seen by FFA as too high and c) FFA were concerned that the VMS technology was not being developed by the current provider at the pace they wanted. The tender review panel, on which the WCPFC Secretariat sat, met three times in 2013-2014. During this time the panel reviewed the expressions of interest and created a shortlist, invited the three shortlisted firms to present and then provided a recommend to the FFA Executive. That went to the decision making body of the FFA, the Forum Fisheries Committee, in May 2015 and FFA received approval to change service providers. The new provider is Trackwell, an Icelandic company which provides VMS services to a number of fisheries agencies. WCPFC has been given formal notice of the change and meetings are planned to assist the technical work of transitioning to the new system and ensure the project plan is in place.

753. The Compliance Manager noted that FFA will switch over to the new system a little earlier than WCPFC and the Secretariat is taking steps to make sure that when the Commission switches over, all the boats that can be seen on one system are also seen on the other system. FFA has arranged for services through the current VMS to continue until 30 June 2015 after which WCPFC plans to have transitioned fully to the Trackwell system. Members will receive advice on this. The Compliance Manager referred to the paper noting that the paper includes some indicative costs which would need to be included in the Commission budget under VMS SLA costs to cover the use of two systems for one full quarter (USD\$35,000). It was noted that the Secretariat has not yet been advised of the additional costs that are likely to be charged by the airtime service providers for the direct reporting vessels, and an estimate for additional costs is also proposed. The Compliance Manager commented that some members may need assistance with using the new VMS system, so the VMS training budget was proposed to be increased by \$20,000. It was noted that Commission staff would be able to conduct the testing of the system in-house

for no additional cost to the Commission. Finally the Compliance Manager noted that the Secretariat would keep Commission members updated over the next six months.

754. Australia was glad to see the work going ahead and the Secretariat taking steps to maintain the service. It was noted that some time ago the Secretariat had raised the idea of having extra staff for this work.

755. The Compliance Manager confirmed there was no formal proposal to increase the number of VMS staff, but as was noted by the Executive Director earlier in the meeting the Secretariat was giving consideration to formally recruiting the IT Network Administrator position. This would allow the Commission IT Manager to focus more of his time during the first half of the year to working alongside the WCPFC VMS Manager and FFA VMS staff on implementing and testing the new VMS system and ensuring current IMS and website linkages are unaffected.

756. Chinese Taipei requested the Secretariat to provide additional information including the budget implication to TCC12 and to report to members on the system once the switch is made to the new provider as an update on whether the system represents any issues for the operation of the Commission VMS. This CCM asked the Secretariat to consider placing provisions in the SLA with FFA that the service provider give prior notice next time a change of this magnitude is undertaken.

757. The Deputy Director of the FFA noted these as good suggestions. A report on how the switch went, when it happens, was considered to be a good idea. The Commission was assured that the FFA Secretariat had taken the design elements seriously, and the data rules and other elements are adequately respected. It was noted that the Secretariat was taking extra time with the system switch to be absolutely certain. In response to a question about the budget, the Deputy Director of the FFA provided an assurance that the cost savings will be very significant with the new system, USD\$150,000 a year or more.

758. The Chair thanked the FFA and WCPFC Secretariats for their work on changes to the Commission VMS.

759. The Commission noted WCPFC12-2015-29 on the WCPFC VMS, noting budgetary implications would be considered by FAC9.

18.2 Other matters

760. RMI noted that discussions had taken place in the margins on marine pollution from fishing vessels and encouraged all interested CCMs to continue discussing the idea and for the Secretariat to continue its work on this matter and relevant sub-committees to take up the issue further.

761. Ecuador asked for guidance on the process of applying to become a full member of the Commission, noting that this was the second year in a row that some CNMs have expressed an interest in becoming members.

762. The WCPFC Legal Advisor noted that the SWG had discussed the process. On future applications for CNM status, CNMs can indicate their interest in becoming full members by ticking a box on the application. This will provide the opportunity for TCC to consider the CNM application and make a recommendation that would then be considered by the Commission. The Legal Advisor noted that there are no formal rules on how the Commission is to consider membership of the Commission, and Article 35 of the Convention only refers to membership of the Commission being agreed to by consensus.

763. The Pew Charitable Trusts expressed a sense of déjà vu, recalling that at the end of WCPFC12 it called on governments to get together throughout the year, to discuss and negotiate as necessary to deliver on their obligations to end overfishing and rebuild bigeye. Despite much discussion WCPFC12 delivered no additional reductions in bigeye mortality, and demonstrated no political will to do so. Despite having the strongest underlying charter of any of the tuna RFMOs, Pew stated that WCPFC has failed again failed to use the tools at its disposal to end overfishing and responsibly manage bigeye, observing that many CCMs seem to follow the approach that ‘something must be done as long as it is not me doing it.’ Emerging with no more than last year’s meeting did is an indictment on CCMs, despite the Chair’s substantial efforts to create consensus and drive discussion. Pew commented that it appears that some CCMs simply come to this meeting to prevent further management, or to look for ways to avoid it, and observed that if the Commission is to be successful, things have to change – less arguing about in-zone management and more focus on achieving high seas controls; a commitment to fully moving forward with harvest strategies, enacting regulatory measures for transshipment and stronger port-state measures, and ensuring that MCS standards are strong and comprehensive. Pew implored CCMs not to congratulate themselves because an interim reference point for skipjack was adopted, commenting that so much more is necessary and should have been achieved.

AGENDA ITEM 19 – SUMMARY REPORT OF THE WCPFC12

764. The Secretariat advised that within seven working days of the end of the meeting a final draft of the Outcomes Document (WCPFC12-2015-30_rev1) containing the decisions taken at WCPFC12 would be available on the Commission website. It was proposed that the Commission would clear the meeting Summary Report intersessionally, as per past practice.

765. There were no objections to this proposal.

AGENDA ITEM 20 – CLOSE OF MEETING

766. The Philippines expressed appreciation to the people of the Republic of Indonesia for hosting WCPFC12, their unceasing hospitality and for the meeting arrangements.

767. EU extended its thanks to the government of Indonesia and thanked the Chair for her excellent job guiding the Commission through the difficult discussions which were had this year. This CCM thanked the Executive Director and the Secretariat for their support, SPC for its guidance on scientific matters, and while the outcomes were disappointing there was a clear spirit of working together.

768. The USA thanked the government of Indonesia for the warm welcome the delegates received, the Chair and Executive Director for their leadership, the Secretariat staff and fellow Commissioners for their efforts. This CCM was leaving Bali with some frustrations, but noted its commitment to the Commission’s work intersessionally.

769. The Executive Director added the Secretariat’s gratitude to WCPFC12’s host government, for supporting the Secretariat in managing the logistics for the more than 500 delegates who attended the meeting. The Executive Director expressed appreciation to his staff for the enormous amount of work they undertook during the meeting and in the lead up to it, including preparing and coordinating the documents which facilitated the Commission’s deliberations. The Executive Director noted USA’s comments on the necessity to provide information during the intersessional period so that when delegates attend the formal meetings of the Commission they are equipped with the data and requisite knowledge needed to make meaningful decisions. The Chair’s leadership and guidance was strongly acknowledged and commended. The Executive Director noted that these were not easy issues to progress as these were

international multilateral negotiations and getting agreement was always going to be difficult, especially given the multi-gear and multi-stock character of the fisheries the Commission is mandated to manage. The Executive Director noted that he had listened intently to some of the exchanges and reinforced the point that the Commission’s work should not be limited just to the annual meetings and the sub-committee meetings. The Executive Director undertook to continue reaching out to members and stakeholder in promoting and facilitating the continuation of the kind of conversations had at the Commission in less formal settings. The Executive Director wished all delegates safe travel and greetings for the festive season ahead.

770. The Chair warmly thanked the people of Bali and the government of Indonesia for hosting WCPFC12, and thanked delegates for placing their trust in her to guide their work as Chair. There were mixed outcomes this year – some good gains and also some issues that were not able to move very far. The Chair credited the delegates for their willingness to cooperate and to keep the discussions going, noting that everyone gave their best, worked hard and looked for ways to compromise. The Chair acknowledged there was a need to consider alternatives way to progress the management of stocks, which is the major issue on which the Commission has found itself unable to progress and WCPFC’s key mandate. The Chair advised the Commission that she will continue to work with the Executive Director and members to try to explore options to move these critically important issues forward and capitalise on the commitment shown throughout the week. The Chair specially thanked the Executive Director for his leadership, the Secretariat staff, not only for preparing the Chair for the meeting but for preparing all the delegates, and the rapporteur, Dr Jane Broweleit. It was acknowledged that the work behind the scenes undertaken by the Secretariat and SPC was substantial. The Chair looked forward to working with members in 2016 and seeing them in Fiji for the next annual meeting, and wished participants safe travel home.

771. The hosting country Indonesia extended its thanks to the delegates for coming to Indonesia, and wished all participants safe flights.

772. The meeting closed at 7:00pm on Tuesday 8 December 2015.

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**Twelfth Regular Session of the Commission (WCPFC12)
Bali, Indonesia
3 – 8 December 2015
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**12th Regular Session of the
Western and Central Pacific Fisheries Commission**
[3 – 8 December, 2015 at Bali Indonesia]

**OPENING STATEMENT BY THE WCPFC CHAIR,
MS RHEA MOSS-CHRISTIAN**

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- Excellencies,
 - The Honourable Susi Pudjiastuti, Minister of Maritime Affairs and Fisheries,
 - Honourable Ministers of Member countries,
 - Heads of delegations, regional organisations and observers,
 - Distinguished guests,
 - Ladies and gentlemen.

Good morning and welcome.

It is a great honor for me to address you this morning as the Chair of the 12th Annual Session of the Western and Central Pacific Fisheries Commission.

On your behalf, I thank the Government of Indonesia for hosting us this year and for the gracious hospitality we have experienced.

I also welcome delegates and I look forward to our discussions over the coming days.

At a time when so much tragedy is happening around the world, and our sense of personal security is challenged, it can be hard to focus on fish.

But food supplies also involve our future security, specifically our *economic* security.

In this way, the challenges we are tasked with addressing are as much about economics as they are about conservation.

In our corner of the global issues landscape, we have the opportunity—and the obligation—to ensure that the tuna supplies we take for granted today continue tomorrow.

We cannot afford to miss, or worse to squander, this opportunity.

I have spent many hours since the last Annual Session in Apia preparing for this meeting and I know you have done the same.

At the end of that Session, I said to you that our discussions could not end there; that we should continue working toward finding better ways to manage tuna stocks.

As our Executive Director, Feleti Teo and I have undertaken meetings with many of you, we have noted your stated commitments to cooperate in moving us forward.

Of course, we cannot be satisfied with simply talking. Our discussions must translate into action.

And the action must be collectively ours.

I assure you, I am ready to facilitate you in that collective effort, working alongside the Commission's Executive Director.

At this point, let me take the opportunity to thank Feleti Teo and his Secretariat team for their hard work in preparing this and other Commission meetings throughout the year.

Included in my thanks are the efforts of the Commission's Science Service Provider, the SPC, and its role in providing critical information for this meeting.

The structure of our meeting Agenda this year is designed to give the Commission maximum opportunity to focus on issues of high priority.

These include conservation and management of four key tuna stocks, as well as critical bycatch species.

Intrinsic to these discussions will be the Commission's Harvest Strategy and the need to adopt a Work Plan to carry out commitments made under CMM 2014-06.

This year, we've included a special agenda item on the safety of fisheries observers, a move that was overdue.

And I'm pleased to report that there is much good will amongst our delegates to give this issue the attention it deserves.

I believe that our Agenda accurately reflects the priorities of this Commission and as a result, we are better positioned to reach meaningful outcomes.

Among our standing agenda items is the Special Requirements of Developing States, particularly the small island developing states.

It goes without saying that if we don't adequately capture the special needs and requirements of the SIDS, and if we adopt measures that marginalize SIDS and Participating Territories then, simply put, this Commission will have failed.

The objectives and the mandate of the Commission are meaningless without the full participation of SIDS, who are directly impacted by the Commission's actions in respect of shared fish stocks.

Likewise, the requirements and responsibilities of the non-SIDS must be properly accounted for. Without meeting these, this Commission cannot realize its full potential.

In other words, we have no choice but to cooperate and work together because members are dependent on each other to realize both individual and collective goals.

It is along these lines that I have consistently expressed to you in the last year that I expect each and every Member to make a contribution to moving this Commission forward.

Your contributions—which will vary in form and fashion—should be viewed as actions to secure your interests, rather than as sacrifices that erode them.

The status quo is not a long-term option.

Nor does it serve the interests of the people whom you sit here and represent; the people whose livelihoods are dependent on the fisheries of the Western and Central Pacific—whether those people be coastal and island communities, fishermen, fish workers, vessel owners or even consumers.

Doing nothing to help rebuild fish stocks that are severely over fished is in no one's interests.

My observation on the toughest issues we face is that no territory wants to be the first to move, lest it be viewed as a sign of weakness.

On the contrary, I say to you that showing leadership by taking the first step and shifting beyond old hardline positions is a sign of strength.

We owe it to the people we represent.

I thank all of you in advance for your contributions and I look forward to an outcome that we can all be proud of.

Thank you.

**12th Regular Session of the
Western and Central Pacific Fisheries Commission**
[3 – 8 December, 2015 at Bali Indonesia]
**OPENING STATEMENT BY WCPFC EXECUTIVE DIRECTOR,
FELETI P TEO**

- Your Excellencies;
- Our Gracious Host; the Honourable Susi Pudjiastuti, Minister of Maritime Affairs and Fisheries of the Government of Indonesia;
- Madam Chair of the WCPFC; Rhea Moss-Christian;
- Honourable Ministers of member countries and governments of the WCPFC;
- Heads of Delegations;
- Heads of international and regional organisations;
- Observers both intergovernmental and non-government organisations;
- Distinguished guests;
- Ladies and gentlemen.

I am indeed delighted to have the opportunity to make some opening remarks at this opening ceremony of the 12th regular session of the Western and Central Pacific Fisheries Commission (better known as the Pacific Tuna Commission).

This, of course, is my first as the Executive Director of your Tuna Commission.

So let me begin by reiterating my expression of gratitude and sincere appreciation to Commission members for entrusting me with the heavy responsibility to lead your organisation for the next four years.

In accepting this responsibility a year ago at your last Commission meeting, I undertook to carry the responsibilities of the role to the best of my capability and in full cognizance that the success of the Commission is a shared responsibility between the Secretariat and the members of the Commission.

So today, as I stand before you, I am very conscious that the next few days will bring both the opportunity for change and the burden of responsibility. Nelson Mandela once said: “Negotiation and discussion are the greatest weapons we have for peace and development.” If Mandela was here today, I hope he wouldn’t have minded me referencing him in the context of our own challenges and aspirations.

Of course, South Africa had different mountains to climb than we do, but I think the principle holds true of the challenges we encounter in managing the treasured fisheries resources of the WCPO.

Negotiation – that is, committed negotiation – will underpin our capacity to develop our tuna fishery in a sustainable way.

At the Secretariat level, there are 3 key priorities I have pursued in my first year as Executive Director: Firstly, more regular dialogue as a foundation for driving change. The Secretariat is leading increased contact with and between Members and observers. Secondly, our strategic planning processes are dated and must be reformed so that they are more comprehensive, visionary and systematic.

We are now a larger, more complex organisation than when the Commission started over a decade ago and our planning activities will certainly benefit from a more business-like approach.

In this Session of the Commission, I will submit the case to overhaul the Commission’s planning framework and the manner in which it manages its corporate affairs.

If endorsed, we will commence in the New Year, the development of a new strategic plan that sets out the long-term strategic vision and objectives for the Commission and the development of supporting corporate plans that prescribe the actions required to achieve our vision and objectives.

Thirdly, we are prioritising more strategic communications to support our efforts to connect effectively with stakeholders. A two-year Communication Plan was completed in August and is now in place, with various initiatives already being rolled out.

Ministers, Madam Chair, Ladies and Gentlemen. Let me now share some perspectives about the challenge in front us over the next week.

Our scientists have been consistent and clear in their reports on the health of our tuna stocks. Some stocks are subject to overfishing and are, in fact, in an overfished state. Immediate urgent actions are required.

Since I took on this role, I have consistently advocated that in light of the scientific advice, doing nothing is not an option for the Commission.

It is the collective responsibility of all members and stakeholders to contribute to the solutions that will enable us to rebuild those stocks that are overfished.

The status quo is untenable because the future consequences significantly outweigh the short term benefits that current efforts and fishing practices offer.

But let us imagine that we maintain the status quo. That Member countries keep fishing at today's levels, that we hold to current practices and equipment, and that tropical tuna stocks go on being depleted.

Madam Chair noted the economic risks and I render my support to that perspective. Your fishing fleets might continue to enjoy current profit levels in the short term, but not much more.

We have a strong developmental aspiration to maximize economic returns from fisheries resources. But if we do nothing today, there won't be enough tuna to fish. There won't be profits to be had in the way that your fleets currently experience.

And at that point, when your fleets are losing revenue, they'll say: why didn't you tell us? Why didn't you do something at the Commission earlier? If conservation isn't a motivator, then the economics of this issue should be.

Let's not treat the next few days as a *fait accompli*; that we'll just go through the motions, with the various parties holding to previously articulated and entrenched positions.

We need change agents. There are delegates here with the networks and negotiation skills to help us drive change and I am asking you now to step up. Particularly on bigeye catch levels. I reiterate, if conservation isn't a motivator, then the economics of this issue should be. If we wait until future sessions to decide it's time for meaningful action, then it will be much harder to address the issues than if some meaningful measures are adopted this year.

I commit fully the resources at the disposal of the Secretariat to support members of the Commission to reach out for those meaningful measures at this session.

Ministers, Madam Chair, Ladies and Gentlemen. Before I conclude let me acknowledge and offer my respect to our gracious host Minister Pudjiastuti and the government of Indonesia for the warmest of welcomes and the generosity of your hospitality.

Thank you Minister, in particular, for gracing us with your presence and making time from your heavy schedule to be with us today. We look forward to wise counsel and guidance.

Minister, I also commend your officials for their sterling efforts and support to the Secretariat in coordinating the meeting arrangements and for securing this magnificent facility for us to meet at. I thank you and wish all success for the week ahead. [END]

**12th Regular Session of the
Western and Central Pacific Fisheries Commission**
[3 – 8 December, 2015 at Bali Indonesia]
**TRANSCRIPT OF OPENING STATEMENT BY THE HONOURABLE SUSI
PUDJIASTUTI,**
Minister of Maritime Affairs and Fisheries, Indonesia

3 December 2015

Honourable Minister, Miss Rhea, Mister Feleti, Distinguished guests, ladies & gentleman,
Good morning

Indonesia in the last one year have been consolidated the fisheries resources and the marine resources and the new government lead by president Jokowi & bapak Jusuf Kala, the mission of the president is to bring back the prosperity of Indonesia as a maritime country, we want to build back our strength as the central gravity of marine activities around the region.

In this matter the president appointed me, a surprised appointment, i came from a commercial world for almost 20 years, starting my small seafood business 1983, becoming leverance there sending my fish & my lobster to the cold storage and exporter around java area, the last 10 years i was busy with my airline business, the two experience in business brought me to the place where I am right now and i want to contribute what i had experience for the country, for the fisheries & the marine resources prosperity. In the last 30 years there had been many thing especially in the last 10 years, I am witnesses alot of thing how fisheries resources depleting, how the numbers of shrimp and fish in small little village are decrease every single year until one day everything is stop there is nothing to exploit any more even hard to find to eat, i am living from coastal line of west java, tuna is one of the commodity that once a while we see but no one specifically fishing for tuna, not a tuna industry, when the session are coming, we found some big yellow fin 50 / 70 kg , until the last 15 years we never see them anymore.

When i take my post to the office, i try to look all the data that we had, in the office, from all business and fisheries what can we do to strengthening and need empowering to guard the vision of the president that Indonesia with second largest coastal line in the world almost reach 97 thousands kilometers 5 million 8 hundred square kilometers, it's ocean territorial, our export for seafood is number 3 in south east asia.

The controversy and ironic number we have to study and to assess to do an appropriate policy where we want to go and how we have to stop, to revitalize and revolving our marine resources to become a strong roler of economy of our nation. to remind every one here Indonesia has 250 millions populations right now, the biggest democratic country number 3 in the world, we are with 250 million populations, it's a big nations but also alot of marine resources that we can live from, but the number of fisherman in the last 10 years from 2003 - 2013 data decrease from 1.6 million to only 800,000, it's a signal that living as a fisherman is not enough to support for your family, and become good livelihood for the people, We lost 115 exporters of seafood in the same 10 years, which value for almost 4 billion dollars, i do understand there are few of mismanagement in the company, it's happened the business to collapse, but most of them is because of lack of raw material to process. Learning and

accessing the data we had , we found that we have been consent 1300 fishing license to 1300 vessels , and actually what is operated it's almost 7-10 thousands fishing vessels around in our water

Indonesia has a very strong regulation on fisheries from 2009 which we can enforce our tough punishment for any IUU activities in our water to start on revitalizing i was inviting all ambassador of the region neighbour, we continue to work together and support each other but i do want that we will enforce our strong regulation on any IUU practice in our water. so a month after that we all agree that IUU fishing is not only Indonesia problem, is also our neighbour country problem, china, thailand, philipine, and vietnam and malaysia also australia we all agree that IUU fishing in no manners should allowed to operate in our water.

It's not only depleting your fish resources but from what we do in the last 1 year after we issued moratorium to force for a break for analysis and evaluation and banning transshipment in our teritorial, we find out that it's not only fish, IUU fishing is not just about fishing fish, and taking your fish out but also many other crimes are involved in it, from human trafficking, drug, alcohol, food smuggling, for anything that operation is needed, for also that anything that people is needed, from sugar to rice to anything else, it's distorting for all , your good government, they despite all your custom regulation everything in and out.

And the last is human trafficking we investigate a case in benjina as an example, we had been so fast sent out back home almost 4000 burmese & Myanmars from Benjina island, many of them had been taken from their family, for a hope to get a job inland somewhere in big city in asia, in thailand, bangkok, in malaysia but what's happened they end up in island in Indonesia far away from home, they don't know the name of the place, until 22 years later Indonesia combating eradicating illegal fishing help him to be home again. And also we investigate another hundred of thousands Indonesia n seamen that right now all operate in all fishing vessels around the globe, many of them operate in africa, new zealand and pacific.

I would remind to all of us today here, to all the western pacific tuna official fisheries comission, while we discuss about our quota, how much can we do and have our business in tuna fisheries, we also remember, and look deep in to other side of this business the quota of human right that we have to fulfilled and committed, it will be shame for us to sit here discussing and talking about a high quality of cuisine gourmet and business forgetting that human right has to be also taken place. MMFA starting last week announcing that human right compliances has to also in place in all business activities, we want to declare it on 10 december that there are no more fishing business activities allowed without compliances into human right. we should learn from what happened in syria and africa we don't want western pacific to become or to be the same situation like their experience right now. everyone of us has to respect that every country need to strengthening their resilience for their food security and each economic growth. we can not say or mention yes this is what you think good for you, and you have to do it.

With all respect we had to stop on this we should not wait untill nothing to discuss or to catch anymore because every thing is out, the resilience on food security and food supply for each own especially for small island is very important.

In the last one year eradicating and combating IUU Fishing is also giving us another incredible fact and revenue, which i want to share right now here with you we are

experience growth of fisheries by shutting down those big vessels our growth are increase for almost 40-60 %, fisheries never been growing more than 6.5 %, 6.6 %, the first quarter after we eradicate combating IUU fishing our fisheries economic growth to 8.6 and every quarter after that the last one year 4 times every quarter we experience growth of 8.7, and 8.9 , people was hesitated in the beginning, this is will shut down the whole industry, the end, we find it different, tuna catch is more, catch by small traditional fisherman, people talking that the fish not swimming to the shore to be catch, our village starting getting 1-2 pieces of big yellow fin again, with was for 15 years they never see them around any more, tomini bay now catching 30-40 kg yellow fin tuna , sabang is hard to get 1 ton for the whole island in a day, in the normal day, in the old day, now they catch 20 tons every day. such a change and an incredible also number seen in local supply of fish, the local market supply increase almost 240% the catch increase 40%, the IUU fishing had been depleting the marine resources especially fish in Indonesia millions of tons every year for the last 22 years. another number surprising us is that actually now we are saving 37 of our diesel consumption, it's not because millions of car are stopping operation in the last 1 year, but thousands thousands of big vessels are stopping operation they don't need fuel anymore in our territorial. it's saving the country almost 10 billions dollars .

With so much and so good experience we had by eradicating & combating IUU fishing we issue to do the analysis & evaluation to ministerial degree moratorium & banned transshipment this is 2 other way most of the IUU fishing is taking place. they transfer everything including the exchange of their crew in the sea, if you issue 100 license i do believe out there, there will be out there 3-5 times of the license that you issued, my experience coming from interviewing all also godfather, Indonesia n agent working for these organizations, i come to one conclusion that IUU fishing is not only fishing matter, it's a big trans national organizations crime. i would advice this western pacific fisheries commission, to have a highlight to start putting this issue into the agenda of the discussion, we have to put in place, we are not discussing only quota how many tons of tuna we can catch, we have to start also contribute our conservation share.

I want to also call to all pacific country to start seeing our EEZ, it also has to contribute to conservation not only exploitation in economy ways, more you conserve of marine resources more sustain and productive your fisheries economy will be, and this is what i have find out from what we have done in the last one year, the economic growth in such a stormy days, almost double than any other sector where agriculture slowing from 6 or 7 % to only 4%

I want to remind also to all the western pacific countries especially small islands, by the years lately our age of nation is getting old, we have to start thinking to plan of our future, our president of Indonesia, Jokowi, said, that the future of Indonesia will be in the ocean, that will require us to put an appropriate management efficient and effective otherwise we will not have future of our ocean, we will have enough fish for 1 generation, but not for more generation.

Indonesia in the last 10 years experience stunting index, 1 from 3 kids that born are small, that's also another part of science that we are deplet in diet of enough protein & nutrient , in the last 10 years is difficult to find any seafood in the local market, it's getting very expensive, if there are catch it's all for export, the economy divert into aquaculture we are just learning aquaculture, we take all intensive advice to intensified the productivity & the growth, in other side it is giving us fish with so high residue of antibiotics and chemicals ,

it's an irony for country of 17,000 islands and the second largest coastal line. that we have to divert our diet menu of fish into the aquaculture which is non sustainable aquaculture. we learn from that and we want to fix this problem Sustainable aquaculture become one of our program for the next years to come, sovereignty is very important part two so we put it in a number one program, we decide to not concent our teritorial water for fishing to foreign vessels anymore. we want to revitalize and empowering our local capacity on fishing, we want to bring back the number from 800,000 to 1,600,000 fisheries households , we want to be able to create another 100 entreprise that able to export, we want to ensure that everything in a sustainable manner, because we want to put our nation into the ocean.

The future of the nation is in the ocean. We have learned from oil productivity ten years ago, we are one of the big oil producer. oil is finished we are now net importer of oil. Mining is also deplete decrease the number. Agriculture is also fighting with property and other development for the space. Forest the last born of forest is it has been very bad and almost left us know forest anymore. The only hope for this nation is the ocean. We are taking a very tough and very srong measure is for the good of our nation and for the region not only for us. Indonesia failing its will be ery bad for the economic stability, politic stability, social stability around the region. Seven million population of Syria is sending enough problem for Europe. You dont wont to have 250 millions having problem with each resilience on each food supply and security. A respect and regards into every country right sovereignty to manage appropriately marine resources. it has to be declared and respected by all member wcpfc. we talk about the climate change. the world two third of it is an ocean. we dont talk only bout forest the sea the reefs is all amazon of our ocean. The distraction of our ocean reef is also will be the biggest contribution of the climate change. Who will be affected most? us the pople from the country of the island. We isolated but we united as a global citizen by the ocean.

We all have to remember do not only take it but preserve it to make sure and assure that resources ou there we can meet again next year and year and year later to discuss about tuna because we still have tuna to catch. And when the tuna has gone we dont have discussion anymore.

I dont want to take your time to much, sharing what we have and experience i would love to discuss more if any question coming more later for all country delegate for lunch time. any question from what we have done so far i support all the goodwill and all the good faith of all asia to keep our business on fisheris especially on tuna, are continue sisting and growing. Without that business is not good and the prosperity of the people also in danger part. So is important to all of us in one of discussion come to a conclusion. Quota of tons of your tuna to catch but also quota of human right will be increase. and quota a part of the prosperity of the inhabitants of the island is also very important. Can not this industry coming and taking the fish out, the people have to struggle for the fish left over, which is not many anymore. Not agree habitants of the island capable to go to supermarket fill up they troli with the fish. So we have to make sure, we all, all of you ladies and gentlemen to got data marine resources is always enough for the coastal the island people to have at least for they diet to be to have enough protein and to growth have able compiting because their brain and their body are healthy. with a good healthy diet becasue they can catch fish so easy. Thank you, good morning. {END}



**COMMISSION
TWELFTH REGULAR SESSION**
Bali, Indonesia
3 - 8 December, 2015

AGENDA¹

AGENDA ITEM 1. OPENING OF MEETING

- 1.1 Welcoming address
- 1.2 Adoption of agenda
- 1.3 Meeting arrangements
 - 1.3.1 Establishment of small working groups (CNMs, CMS, Others)

AGENDA ITEM 2. REPORT OF THE EXECUTIVE DIRECTOR

AGENDA ITEM 3. STATEMENTS FROM MEMBERS AND PARTICIPATING TERRITORIES

AGENDA ITEM 4. MEMBERSHIP AND OTHER APPLICATIONS

- 4.1 Status of the Convention
- 4.2 Update on Observer status
- 4.3 Applications for Cooperating Non-Member status
 - 4.3.1 Participatory rights of CNMs

AGENDA ITEM 8. SPECIAL REQUIREMENTS OF DEVELOPING STATES

- 8.1 Updated checklist evaluation of SIDS special requirements (FFA)
- 8.2 CCM reports on the implementation of Article 30
- 8.3 Review of implementation of CMM 2013-07 (Paragraph 20)

AGENDA ITEM 5. INTRODUCTION OF NEW PROPOSALS

AGENDA ITEM 6. INTRODUCTION OF THE IUU VESSEL LIST RECOMMENDATIONS

AGENDA ITEM 7. OBSERVER SAFETY

AGENDA ITEM 9. REVIEW OF CMM 2014-01 (SKIPJACK, YELLOWFIN, AND BIGEYE)

Discussion will focus on purse seine fishery measures (Paragraphs 14-29) and longline fishery measures (Paragraphs 40-44).

- 9.1 General overview of stock status (Skipjack, Yellowfin, and Bigeye)
- 9.2 Review of purse seine fishery measures (paragraphs 14-29) and longline fishery measures (paragraphs 40-44)

¹ WCPFC12-2015-02_rev2 dated 2 December 2015

Recommendations from subsidiary bodies and intersessional working groups relevant to the above paragraphs will be presented with a view to facilitating a review of the Measure.

- SC11 recommendations
- TCC11 recommendations
- IWG-FAD recommendations
- Harvest strategy/relevant MOW (HSW) outcomes
- Other relevant issues
 - New proposals

AGENDA ITEM 10. REVIEW OF CMM 2010-05 (SOUTH PACIFIC ALBACORE)

10.1 General overview of the status of the stock (South Pacific albacore)

10.2 Review of Measure

Recommendations from subsidiary bodies and intersessional working groups relevant to the above Measure will be presented with a view to facilitating a review of the Measure.

- SC11 recommendations
- TCC11 recommendations
- Harvest Strategy Workshop (new title for MOW) outcomes
- Other relevant issues
 - New proposals

AGENDA ITEM 11. BYCATCH MITIGATION (Sharks, Seabirds, Turtles, Whale Sharks, Cetaceans)

Relevant recommendations from subsidiary bodies, intersessional working groups, and other relevant information, as appropriate will be considered with a view to facilitating a review of the following CMMs.

- 11.1 CMM 2010-07 and CMM 2014-05 (Sharks)
- 11.2 CMM 2012-04 (Whale Sharks)
- 11.3 CMM 2012-07 (Seabirds)
- 11.4 Others

AGENDA ITEM 12. ADOPTION OF REPORTS FROM SUBSIDIARY BODIES, INTERSESSIONAL WORKING GROUPS AND OTHER WORKSHOPS

Remaining Recommendations of the subsidiary bodies and intersessional working groups and workshop not discussed in earlier agenda items will be presented for the Commission consideration and decision.

- 12.1 SC11
- 12.2 NC11
- 12.3 TCC11
 - 12.3.1 CDS-IWG (Work Plan)
 - 12.3.2 ER/EM IWG (Work Plan)
- 12.4 IWG-ROP
- 12.5 FAD Management Options IWG
- 12.6 Harvest Strategy Workshop (MOW)

AGENDA ITEM 13. ADOPTION OF FINAL COMPLIANCE MONITORING REPORT

AGENDA ITEM 14. ADOPTION OF 2016 IUU VESSEL LIST

AGENDA ITEM 15. ADOPTION OF NEW PROPOSALS

All proposals other than species-specific proposals will be considered for adoption.

AGENDA ITEM 16. REPORT OF THE NINTH FINANCE AND ADMINISTRATION COMMITTEE

- 16.1 Report of the Ninth Finance and Administration Committee
- 16.2 Budget approval for 2016 and indicative budgets for 2017 and 2018

AGENDA ITEM 17. ADMINISTRATIVE MATTERS

- 17.1 Strategic Plan
- 17.2 Research projects
 - 17.2.1 ABNJ Project
 - 17.2.2 WPEA Project
- 17.3 Election of officers
- 17.4 Future meetings

AGENDA ITEM 18. OTHER MATTERS

- 18.1 Update on status of WCPFC VMS

AGENDA ITEM 19. SUMMARY REPORT OF THE WCPFC12

AGENDA ITEM 20. CLOSE OF MEETING

Two new minimum standards for “Observer safety at sea” and “Emergency Action Plan” for inclusion in the WCPFC Minimum Standards of the Regional Observer Programme, with an implementation date of no later than 1 January 2017.

Item: Observer safety at sea

Each ROP authorised observer programme shall ensure that observers from their programme will be provided before any boarding for a trip,

- **An approved independent two way communication satellite device; and**
- **A waterproof personal lifesaving beacon.”**

*Noting that this may consist of a single device such as “Satellite Emergency Notification Device” or it may be a combination of an independent satellite-based system such as a Sat phone plus a portable lifesaving beacon (PLB).”

Item: Emergency Action Plan for Observer Safety

Each CCM with an ROP authorised observer programme will ensure that they have an “Emergency Action Plan” (EAP) in place to accommodate any reported observer emergency including interference, harassment, intimidation and other personal safety issues.

The EAP must include communications protocol and appropriate contact information in an emergency and as a minimum will include.

- **When to report:** (Generally, observers should be required to report any instance of interference, harassment, intimidation, or assault as outlined in ROP training.)
- **Who to report to:** (Observer programmes must have a “Designated Officer/s” who is responsible for maintaining a device capable of receiving a signal from the approved independent two-way satellite communication device.)
- **Follow up responses:** (Observer programme must have an established procedure to initiate contact with the observer, the vessel, and, if necessary, the appropriate enforcement authority of Flag CCM’s and relevant Coastal CCM’s; this procedure must also include clear procedures that must be taken in the event of various emergencies.)
- **Remedial action:** (Observer programme must establish appropriate measures for addressing violations made against observers.)
- Completing the EAP protocols for observer related incident involving observer reporting of Interference Harassment, Intimidation must be resolved through a legal or nationally recognized procedure.



**COMMISSION
TWELFTH REGULAR SESSION
Bali, Indonesia
3-8 December 2015**

**CONSERVATION AND MANAGEMENT MEASURE ON A TARGET REFERENCE
POINT FOR WCPO SKIPJACK TUNA**

Conservation and Management Measure 2015-06

The Western and Central Pacific Fisheries Commission (WCPFC):

Recalling that the objective of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention) is to ensure through effective management, the long-term conservation and sustainable use of the highly migratory fish stocks of the Western and Central Pacific Ocean in accordance with the United Nations Convention on the Law of the Sea of 10 December 1982 and the Agreement for the Implementation of the Provisions of the United Nations Convention of the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA);

Recalling that Annex II of the UNFSA sets out guidelines for the application of precautionary reference points in conservation and management of straddling fish stocks and highly migratory fish stocks;

Recalling also that in article 5 (c) of the Convention, members of the Commission have committed to apply the precautionary approach in accordance with the Convention and all relevant internationally agreed standards and recommended practices and procedures;

Further recalling that Article 6 1 (a) requires members of the Commission in their application of the precautionary approach to apply the guidelines set out in Annex II of the UNFSA and determine, on the basis of the best scientific information available, stock-specific reference points and the action to be taken if they are exceeded;

Noting that the Commission has adopted a Conservation and Management Measure on Establishing a Harvest Strategy for Key Fisheries and Stocks in The Western and Central Pacific Ocean;

Desiring to make progress on the development of a harvest strategy for fisheries for WCPO skipjack tuna through the adoption of a Target Reference Point for this stock;

Adopts, in accordance with Article 10 of the Convention, the following conservation and management measure on a target reference point for WCPO skipjack tuna.

1. The target reference point for the WCPO skipjack tuna stock shall initially be 50 per cent of the estimated recent average spawning biomass in the absence of fishing, ($SB_{F=0, t1-t2}$).
2. This target reference point shall be an interim target reference point until it is reviewed in accordance with paragraph 8 below.
3. The method to be used in estimating the recent average spawning biomass in the absence of fishing shall be the same as that adopted by the Commission for the limit reference point for WCPO skipjack tuna, i.e.
 - a) The time window shall have a length of ten years and be based on the last ten years used in the most recent skipjack stock assessment, i.e. $t1=y_{last}-10$ to $t2=y_{last}-1$ where y_{last} is the last year used in the assessment; and
 - b) The estimation shall be based on the most recent skipjack stock assessment model estimates of recruitment that have been adjusted to reflect conditions without fishing according to the stock recruitment relationship.
4. Conservation and management measures adopted by the Commission shall aim at maintaining the WCPO skipjack tuna stock at the target reference point level on average.
5. The Scientific Committee shall refer to the target reference point in its assessment of the status of the WCPO skipjack tuna stock and in reporting to the Commission on management advice and implications for this stock.
6. The Commission shall use the target reference in the formulation of a harvest control rule and a harvest strategy for fisheries targeting WCPO skipjack tuna in accordance with CMM 2014-06. The harvest control rule shall be designed such that the management control to be implemented would result in the biomass-based target reference point being achieved on average in the long term, taking account of uncertainty.
7. The Commission shall consider and pay particular attention to any future recommendations of the Scientific Committee relating to the target reference point, including any recommendations with respect to potential spatial impacts of fishing on the stock, including possible local depletion or range contraction.
8. The target reference point shall be reviewed by the Commission no later than 2019, and may be reviewed at any time relevant new information is made available, such as any time a new stock assessment is prepared.



**COMMISSION
TWELFTH REGULAR SESSION**
Bali, Indonesia
3 - 8 December, 2015

**CONSERVATION AND MANAGEMENT MEASURE FOR BIGEYE, YELLOWFIN
AND SKIPJACK TUNA IN THE WESTERN AND CENTRAL PACIFIC OCEAN**

Conservation and Management Measure 2015-01¹

¹ The Commission agreed to amend CMM 2014-01 to replace references to “2015” with “2016” in paragraphs 25, 28, 29, and 43; ii) include reference to CMM 2014-01, in paragraph 62; and iii) include reference to CMM 2015-01 in Attachment C para 1 and 9, and Attachment E preamble.

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Preamble

The Western and Central Pacific Fisheries Commission (WCPFC):

Recalling that since 1999, in the Multilateral High Level Conferences, the Preparatory Conferences, and in the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Commission), a number of resolutions and Conservation and Management Measures (CMMs) were developed to mitigate the overfishing of bigeye and yellowfin tuna and to limit the growth of fishing capacity in the Western and Central Pacific Ocean and that these measures have been unsuccessful in either restricting the apparent growth of fishing capacity or in reducing the fishing mortality of bigeye or juvenile yellowfin tuna;

Recalling that the objective of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention) is to ensure through effective management, the long-term conservation and sustainable use of the highly migratory fish stocks of the Western and Central Pacific Ocean in accordance with the 1982 Convention and the Agreement;

Recalling further the final statement of the Chairman of the Multilateral High Level Conferences in 2000 that: “It is important to clarify, however, that the Convention applies to the waters of the Pacific Ocean. In particular, the western side of the Convention Area is not intended to include waters of South-East Asia which are not part of the Pacific Ocean, nor is it intended to include waters of the South China Sea as this would involve States which are not participants in the Conference” (Report of the Seventh and Final Session, 30th August- 5 September 2000, p.29);

Recognizing that the Scientific Committee has determined that the bigeye stock is subject to overfishing, and that yellowfin stocks are currently being fished at capacity, reductions in fishing mortality are required in order to reduce the risks that these stocks will become overfished;

Recognizing further the interactions that occur between the fisheries for bigeye, yellowfin and skipjack tuna;

Noting that Article 30(1) of the Convention requires the Commission to give full recognition to the special requirements of developing States that are Parties to the Convention, in particular small island developing States and Territories and possessions, in relation to the conservation and management of highly migratory fish stocks in the Convention Area and development of fisheries on such stocks, including the provision

of financial, scientific and technological assistance;

Noting further that Article 30(2) of the Convention requires the Commission to take into account the special requirements of developing States, in particular small island developing States and Territories. This includes ensuring that conservation and management measures adopted by it do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto developing States, Parties and Territories;

Taking note of Article 8(1) of the Convention requiring compatibility of conservation and management measures established for the high seas and those adopted for areas under national jurisdiction;

Recalling Article 8(4) of the Convention which requires the Commission to pay special attention to the high seas in the Convention Area that are surrounded by exclusive economic zones (EEZs);

Noting the Parties to the Nauru Agreement (PNA) have adopted and implemented “A Third Arrangement Implementing The Nauru Agreement Setting Forth Additional Terms And Conditions Of Access To The Fisheries Zones Of The Parties”

Noting further that the Members of the Pacific Islands Forum Fisheries Agency have indicated their intention to adopt a system of zone-based longline limits to replace the current system of flag-based bigeye catch limits within their EEZs, and a system of zone-based FAD set limits to replace the FAD closure and flag-based FAD set limits in their EEZs;

Adopts, in accordance with Article 10 of the Convention, the following Conservation and Management Measure with respect to bigeye, yellowfin and skipjack tuna.

I. Objectives and general rules

Objectives

The objectives of this Measure are to ensure that:

General

1. Compatible measures for the high seas and exclusive economic zones (EEZs) are implemented so that bigeye, yellowfin and skipjack tuna stocks are, at a minimum, maintained at levels capable of producing their maximum sustainable yield as qualified by relevant environmental and economic factors including the special requirements of

developing States in the Convention Area as expressed by Article 5 of the Convention. The Commission will amend, or replace the objectives with target reference points after their adoption.

Skipjack

2. the Fishing Mortality Rate (F) for skipjack will be maintained at a level no greater than F_{msy} , i.e. $F/F_{msy} \leq 1$.

Bigeye

3. the fishing mortality rate for bigeye tuna will be reduced to a level no greater than F_{msy} , i.e. $F/F_{msy} \leq 1$. This objective shall be achieved through step by step approach through 2017 in accordance with this Measure.

Yellowfin

4. the fishing mortality rate is not greater than F_{msy} , i.e. $F/F_{msy} \leq 1$.

General Rules

Attribution of Charter Arrangements

5. For the purposes of paragraph 9, 10, 16-18, 25, 28, 40, 43, 49, 50, 51, and 52, attribution of catch and effort shall be to the flag State, except that catches and effort of vessels notified as chartered under CMM 2011-05 shall be attributed to the chartering Member, or Participating Territory. Attribution for the purpose of this Measure is without prejudice to attribution for the purposes of establishing rights and allocation.

Non-Parties

6. In giving effect to CMM 2009-11 or its replacement the Commission shall advise non-Parties to the Convention wishing to acquire Co-operating Non Member (CNM) status as follows: (a) that for bigeye tuna the current fishing mortality rate is above that associated with MSY and the Scientific Committee recommends a reduction in F for bigeye tuna; (b) yellowfin tuna is not being overfished but current F is close to F_{msy} and the Scientific Committee recommends no increase in F for yellowfin tuna; (c) that skipjack tuna is not being overfished and that the Scientific Committee recommended that the Commission consider adopting limits on fishing for skipjack tuna and noted that additional purse seine effort on skipjack tuna will yield only modest long term gains in catches. Therefore, where necessary, the limits that apply to CNMs, particularly on the high seas, will be determined by the Commission in accordance with CMM 2009-11 or its revision.

Small Island Developing States

7. Unless otherwise stated, nothing in this Measure shall prejudice the rights and obligations of those small island developing State Members and Participating Territories in the Convention Area seeking to develop their domestic fisheries. This paragraph shall not be applied to paragraphs 14 - 24, 30 and 32 – 37.

8. In giving effect to this CMM, the Commission shall pay attention to the geographical situation of a small island developing State which is made up of non-contiguous groups of islands having a distinct economic and cultural identity of their own but which are separated by areas of high seas.

Transfer of effort

9. CCMs shall ensure that the effectiveness of these measures for the **purse seine** fishery are not undermined by a transfer of effort in days fished into areas within the Convention Area south of 20S. In order not to undermine the effectiveness of these measures, CCMs shall not transfer fishing effort in days fished in the purse seine fishery to areas within the Convention Area north of 20N.

10. CCMs shall ensure that the effectiveness of other measures of the Commission is not undermined by a transfer of **longline** fishing effort or capacity to other areas within the Convention Area.

Area of Application

11. This Measure applies to all areas of high seas and all EEZs in the Convention Area except where otherwise stated in the Measure.

12. Coastal States are encouraged to take measures to reduce fishing mortality on juvenile bigeye and yellowfin tuna in archipelagic waters and territorial seas and to notify/inform the WCPFC Secretariat of the relevant measures that they will apply in these waters including longline bigeye catch limits and expected number of FAD sets or bigeye catches from purse seining.

Overlap Area

13. The catch and effort limits in paragraphs 16 - 18 (FAD sets), paragraph 25 (high seas purse seine effort limits), paragraph 40 (bigeye longline catch), and paragraphs 28 and 43 (yellowfin purse seine effort and longline catch) shall be calculated from the relevant historical levels within the Convention Area except for those Member flag

States who, consistent with the WCPFC9 decision (paragraph 80 of WCPFC9 Summary Report), notify of their choice to implement IATTC measures in the overlap area. For those Member flag States who choose to implement IATTC measures in the overlap area, the calculation of their limits for the Convention Area (excluding the overlap area) shall exclude historical catch or effort within the overlap area. Notwithstanding decisions on application of catch and/or effort limits, all other provisions of this measure apply to all vessels fishing in the overlap area.

II. Measures for 2014-2017

Purse seine fishery in tropical area (20N – 20S)

FAD Set Management²

Common measures for 2014-2017

14. A three (3) months (July, August and September) prohibition of setting on FADs shall be in place for all purse seine vessels fishing in EEZs and high seas (see paragraphs 3 -7 of CMM 2009-02 for the rules for the FAD closure in the high seas).

15. The Commission shall at WCPFC11 adopt arrangements to ensure that this CMM, consistent with the Convention Article 30 2(c), does not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto SIDS. The fifth month FAD closure and alternative FAD set limit in paragraph 17 shall only take effect when these arrangements are agreed.

Additional FAD Measures for 2014

16. Each CCM must select one of the following options listed below and notify the Secretariat of that selection by April 1, 2014.³

a. The prohibition of setting on FADs shall be extended for an additional month, for a total of 4 months (July, August, September, and October). OR

b. In addition to the 3-month prohibition of setting on FADs the CCM shall

² For members of the PNA, this measure will be implemented through the Third Arrangement Implementing the Nauru Agreement of May 2008.

³ Purse seine vessels flagged to a developing coastal state member smaller than 50 m LOA (13+36=49 vessels currently on the WCPFC Record of Fishing Vessels) are exempted from this reduction requirement described in paragraphs 16 - 18. When a SIDS CCM chooses limitation of annual FAD sets stipulated in paragraphs 16 - 18, purse seine vessels newly introduced after January 1 2010 are managed outside of the FAD set limit for that CCM for 3 years following their introduction. After 3 years the FAD sets/total sets by those vessels shall be incorporated into the calculation of the baseline figure for that CCM. Those purse seine vessels exempted or managed outside the FAD set limit shall be notified to the Secretariat by 31 March 2014 or within 15 days of vessels introduced after this date.

limit the total number of FAD sets by its vessels to the number listed in column A in Attachment A.⁴

Additional FAD Measures for 2015 and 2016

17. Each CCM must select one of the following options listed below and notify the Secretariat of that selection by December 31 of the previous year.

a. The prohibition of setting on FADs shall be extended for an additional two (2) months, for a total of 5 months (January, February, July, August, September). If a non-SIDS CCM chooses this option, the CCM shall take necessary measures to ensure that its total FAD sets in 2015 and 2016 shall not increase from its average number of FAD sets in 2010-2012, as listed in column D in Attachment A. OR

b. In addition to the 3-month prohibition of setting on FADs the CCM shall limit the total number of FAD sets by its vessels to the number listed in column B in Attachment A.

Additional FAD Measures for 2017

18. In addition to the FAD measures 2015 and 2016, except for those Kiribati flagged vessels fishing in the adjacent high seas, it shall be prohibited to set on FADs in the high seas, unless the Commission decides on other alternative measures at its 2014 or 2015 or 2016 annual meeting.⁵

Reporting for FAD set limit option

19. CCMs that select an option that limits the number of FAD sets in addition to the 3-month prohibition of FAD sets (paragraph 16b, 17b) shall implement the limit on FAD sets in accordance with the following:

(a) The captain of a purse seine vessel shall weekly report (i) the number of FAD sets, (ii) the number of total sets, and (iii) estimated bigeye catch in the previous week to the flag CCM and the observer on board.

(b) The flag CCM shall provide information set forth in (19a) every month by its vessels to the Secretariat.

⁴ Throughout this measure, in the case of small purse seine fleets, of five vessels or less, the baseline level of effort used to determine a limit shall be the maximum effort in any period and not the average.

⁵ The high seas FAD closure in paragraph 18 does not apply in 2017 to a CCM that has achieved a verifiable reduction in bigeye catches by its purse seine vessels to 55% from current levels (2010-2012), to be reviewed on the basis of the advice of the Scientific Committee. The measures that the Philippines will take are in Attachment C.

- (c) After the number of FAD set conducted reaches 80% of the set limit, the CCM shall report the information (19a) above weekly to the Secretariat.
- (d) After the number of FAD sets conducted reaches 90% of the set limit, the captain shall report the information daily to the flag CCM authority.
- (e) When the number of FAD set conducted reaches the limit, the CCM shall promptly take necessary measures to ensure that no further sets on FADs shall be made by its purse seine vessels during that calendar year and report the measures taken to the Secretariat.

Purse Seine Effort Control

Exclusive Economic Zones⁶

20. Coastal States within the Convention Area that are Parties to the Nauru Agreement (PNA) shall restrict the level of purse seine effort in their EEZs to 2010 levels through the PNA Vessel Days Scheme.

21. CCMs shall support the ongoing development and strengthening of the PNA VDS including implementation and compliance with the requirements of the VDS as appropriate.

22. Other coastal States within the Convention Area with effort in their EEZs exceeding 1,500 days annually over the period 2006-2010 shall limit effort in their EEZs to 2001-2004 average or 2010 levels.

23. Other coastal States within the Convention Area other than those referred to in paragraph 20 and paragraph 22 shall establish effort limits, or equivalent catch limits for purse seine fisheries within their EEZs that reflect the geographical distributions of skipjack, yellowfin, and bigeye tunas, and are consistent with the objectives for those species. Those coastal States that have already notified limits to the Commission shall restrict purse seine effort and/or catch within their EEZs in accordance with those limits. Those coastal State CCMs that have yet to notify limits to the Commission shall do so by 30 June 2014.

Reporting against EEZ Limits

24. PNA shall report to the Commission against its collective annual limit by 1 July for the previous 12-month calendar period. CCMs subject to limits in paragraph 22 and 23 shall report their quantitative limits and their bases in their Annual Report Part 2 for 2013 and shall annually report fishing days in their Annual Report Part 2 for the

⁶ The requirement in this section to establish coastal State effort and/or catch limits shall apply to all coastal States within the Convention Area, including those north of 20N and south of 20S.

previous 12 month calendar period.

High Seas purse seine effort limits

25. For 2016, non-SIDS CCMs shall restrict the level of purse seine effort on high seas to the limits indicated in Attachment D.⁷ The Commission shall review these limits at its meeting in 2016 and agree on high seas purse seine effort limits to apply after 2016.

26. Notwithstanding any agreement that may be reached at its annual meetings in 2014, 2015 and 2016 on high seas purse seine effort limits the total effort level for non-SIDS CCMs shall not exceed the total level of effort in Attachment D.⁸

27. The limits in paragraph 25 and 26 do not confer the allocation of rights to any CCM and are without prejudice to future decisions of the Commission.

Yellowfin tuna purse seine catch

28. CCMs agree to take measures not to increase catches by their vessels of yellowfin tuna. At its 2016 regular session the Commission will formulate and adopt appropriate limits for CCMs, based on recommendations from the Scientific Committee, and taking into account other measures in this CMM. At its 2016 regular session the Commission will also formulate and adopt any in-season reporting requirements needed to support full implementation of these limits.

29. The Scientific Committee at its 2016 regular session will provide advice to the Commission on the relative impact on fishing mortality for yellowfin, of FAD set measures and any increases of yellowfin purse seine catch in unassociated schools.

Catch retention

30. To create a disincentive to the capture of small fish and to encourage the development of technologies and fishing strategies designed to avoid the capture of small tunas and other fish, CCMs shall require their purse seine vessels fishing in EEZs and on the high seas within the area bounded by 20°N and 20°S to retain on board and then land or transship at port all bigeye, skipjack, yellowfin tuna. (See CMM 2009-02 paragraphs 8-12 for the Commission's rules for catch retention in the high seas.) The

⁷ The measures that the Philippines will take are in Attachment C.

⁸ The limits in paragraph 25 are without prejudice to the positions of CCMs concerned about whether the effort on which the limits are based was compliant with CMMs.

only exceptions to this paragraph shall be:

- a) when, in the final set of a trip, there is insufficient well space to accommodate all fish caught in that set, noting that excess fish taken in the last set may be transferred to and retained on board another purse seine vessel provided this is not prohibited under applicable national law; or
- b) when the fish are unfit for human consumption for reasons other than size; or
- c) when serious malfunction of equipment occurs.

31. Nothing in paragraph 14-18 and 30 shall affect the sovereign rights of coastal States to determine how these management measures will be applied in their waters, or to apply additional or more stringent measures.

Monitoring and control

32. Notwithstanding the VMS SSP, a purse seine vessel shall not operate under manual reporting during the FADs closure periods, but the vessel will not be directed to return to port until the Secretariat has exhausted all reasonable steps to re-establish normal automatic reception of VMS positions in accordance with the VMS SSPs. The flag State shall be notified when VMS data is not received by the Secretariat at the interval specified in CMM 2011-02 or its replacement, and paragraph 36.

33. CCMs shall ensure that purse seine vessels entitled to fly their flags and fishing within the area bounded by 20° N and 20°S exclusively on the high seas, on the high seas and in waters under the jurisdiction of one or more coastal States, or vessels fishing in waters under the jurisdiction of two or more coastal States, shall carry an observer from the Commission's Regional Observer Program (ROP) (CMM 2007-01).

34. Each CCM shall ensure that all purse seine vessels fishing solely within its national jurisdiction within the area bounded by 20° N and 20°S carry an observer. These CCMs are encouraged to provide the data gathered by the observers for use in the various analyses conducted by the Commission, including stock assessments, in such a manner that protects the ownership and confidentiality of the data.

35. ROP reports for trips taken during FADs closure period shall be given priority for data input and analysis by the Secretariat and the Commission's Science Provider.

36. VMS polling frequency shall be increased to every 30 minutes during the FAD closure period. The increased costs associated with the implementation of this paragraph will be borne by the Commission.

FAD Management Plan

37. By 1 July 2014, CCMs fishing on the high seas shall submit to the Commission Management Plans for the use of FADs by their vessels on the high seas, if they have not done so. These Plans shall include strategies to limit the capture of small bigeye and yellowfin tuna associated with fishing on FADs, including implementation of the FAD closure pursuant to paragraphs 14 – 18. The Plans shall at a minimum meet the Suggested Guidelines for Preparation for FAD Management Plans for each CCM (Attachment E).

38. The Commission Secretariat will prepare a report on additional FAD management options for consideration by the Scientific Committee, the Technical & Compliance Committee and the Commission in 2014, including:

- a. Marking and identification of FADs;
- b. Electronic monitoring of FADs;
- c. Registration and reporting of position information from FAD-associated buoys; and
- d. Limits to the number of FADs deployed or number of FAD sets made.

Juvenile Tuna Catch Mitigation Research

39. CCMs and the Commission shall promote and encourage research to identify ways for vessels to avoid the capture of juvenile bigeye and yellowfin tuna during FAD sets, including, *inter-alia*, the possibility that the depth of the purse seine net is a factor in the amount of juvenile bigeye and yellowfin tuna taken during such sets. Results shall be presented annually, through the Scientific Committee and the Technical and Compliance Committee, to the Commission.

Longline fishery

Bigeye Catch limits

40. The catch limits in 2014 and thereafter for bigeye tuna shall be as specified in Attachment F. Any overage of the catch limit by a CCM shall be deducted from the catch limit for the following year for that CCM.

41. Paragraph 40 does not apply to members that caught less than 2,000 tonnes in 2004. Each member that caught less than 2,000 tonnes of bigeye in 2004 shall ensure that their catch does not exceed 2,000 tonnes in each of the next 4 years (2014, 2015, 2016 and 2017). Consistent with paragraph 6 opportunities for non-members will be decided by the Commission on a case by case basis.

42. The limits in paragraphs 40 and 41 do not confer the allocation of rights to any CCM and are without prejudice to future decisions of the Commission.

Yellowfin measures

43. CCMs agree to take measures not to increase catches by their longline vessels of yellowfin tuna. At its 2016 regular session the Commission will formulate and adopt appropriate limits for CCMs, based on recommendations from the Scientific Committee, and taking into account other measures in this CMM. At its 2016 regular session the Commission will also formulate and adopt any in-season reporting requirements needed to support full implementation of these limits.

Monthly bigeye catch report

44. CCMs listed in Attachment F shall report monthly the amount of bigeye catch by their flagged vessels to the Secretariat by the end of the following month. When 90% of the catch limit for a CCM is exceeded, the Secretariat shall notify that to all CCMs.

Spatial Management

45. CCMs will explore spatial approaches to managing the tropical tuna stocks, particularly bigeye tuna, including zone-based longline management measures and FAD set limits in the purse seine fishery.

Other Commercial fisheries

46. To assist the Commission in the further development of provisions to manage the catch of bigeye, yellowfin, and skipjack tunas the Scientific and Technical and Compliance Committees during their meetings in 2014 will provide advice to the Commission on which fisheries should be included in this effort and what information is needed to develop appropriate management measures for those fisheries.

47. CCMs shall take necessary measures to ensure that the total effort and capacity of their respective other commercial tuna fisheries for bigeye, yellowfin and skipjack tuna but excluding those fisheries taking less than 2,000 tonnes of bigeye, yellowfin, and skipjack, shall not exceed the average level for the period 2001-2004 or 2004.

48. CCMs shall provide the Commission with estimates of fishing effort for these other fisheries or proposals for the provision of effort data for these fisheries for 2013

and future years.

Capacity Management

Purse Seine vessels

49. Other than SIDS and Indonesia, CCMs shall not increase the number of purse seine vessels flying their flag larger than 24m with freezing capacity between 20N and 20S (hereinafter “LSPSVs”) above the current level.⁹

50. The concerned CCMs shall ensure that any new LSPSV constructed or purchased to replace a previous vessel or vessels, shall have a carrying capacity or well volume no larger than the vessel(s) being replaced, or shall not increase the catch or effort in the Convention Area from the level of the vessels being replaced. In such case, the authorization of the replaced vessel shall be immediately revoked. Notwithstanding the first sentence in this paragraph, for those vessels for which building approval has already been granted and notified to the Commission before 1 March 2014, the construction of those vessels will be in accordance with existing regulations of the concerned CCMs.

Longline vessels

51. Other than SIDS and Indonesia¹⁰, CCMs shall not increase the number of their longline vessels with freezing capacity targeting bigeye tuna above the current level.

52. Other than SIDS and Indonesia, CCMs shall not increase the number of their ice-chilled longline vessels targeting bigeye tuna and landing exclusively fresh fish, above the current level or above the current number of licenses under established limited entry programmes.¹¹

Capacity management work plan

53. The Commission shall develop a scheme for:

- a. Reduction of overcapacity in a way that does not constrain the access to, development of, and benefit from sustainable tuna fisheries, including on the

⁹ China shall limit its number of flagged purse seine vessels to 20 vessels to accommodate vessels moving back under its flag from the flags of other CCMs.

¹⁰ This paragraph shall not create a precedent to respect to application of exemptions non-SIDS CCMs.

¹¹ The provisions of this paragraph do not apply to those CCMs who apply domestic individual transferable quotas within a legislated/regulated management framework.

high seas, by developing coastal states, in particular small island developing States, territories, and States with small and vulnerable economies; and

b. Transfer of capacity from developed fishing members to developing coastal fishing members within its area of competence where appropriate, including market-based mechanisms for the voluntary transfer.

54. CCMs, other than SIDS, shall jointly develop a scheme to jointly reduce the capacity of LSPSVs to the level of 31 December 2012 and submit it to WCPFC11.

55. Nothing in this measure shall restrict the ability of SIDS to construct or purchase vessels from other CCMs for their domestic fleets.

III. Data provision requirements

56. Paragraphs 56 - 60 apply to China, Indonesia, Japan, Korea, Philippines and Chinese Taipei.

57. Operational level catch and effort data in accordance with the *Standards for the Provision of Operational Level Catch and Effort Data* attached to the *Rules for Scientific Data to be Provided to the Commission* relating to all fishing in EEZs and high seas south of 20N subject to this CMM except for artisanal small-scale vessels shall be provided to the Commission¹² not only for the purpose of stocks management but also for the purpose of cooperation to SIDS under Article 30 of the Convention.¹³

58. The Commission shall ensure the confidentiality of those data provided as non-public domain data.

59. CCMs whose vessel fish in EEZs and high seas north of 20N subject to this CMM shall ensure that aggregated data by 1 x 1 in that area be provided to the Commission, and shall also, upon request, cooperate in providing operational level data in case of Commission's stock assessment of tropical tuna stocks under a data handling agreement to be separately made between each CCM and the Scientific Provider.

¹² CCMs which have a practical difficulty in providing operational data from 2015 may take a grace period of three (3) years under their national plan. This plan shall be provided to the Commission. Such CCM shall provide operational level data which are collected after the date of lifting domestic constraint.

¹³ This paragraph shall not apply to Indonesia, until it changes its national laws so that it can provide such data. This exception shall expire when such changes take effects, but in any event no later than 31 December 2025. Indonesia will, upon request, make best effort to cooperate in providing operational level data in case of Commission's stock assessment of those stocks under a data handling agreement to be separately made with the Scientific Provider

60. Those CCMs shall report such agreement to the Commission.

IV. Review of measures

61. The Commission shall review this CMM annually to ensure that the various provisions are having the intended effect(s). It is anticipated that significant new information will enable a further review in 2014.

V. Final Clause

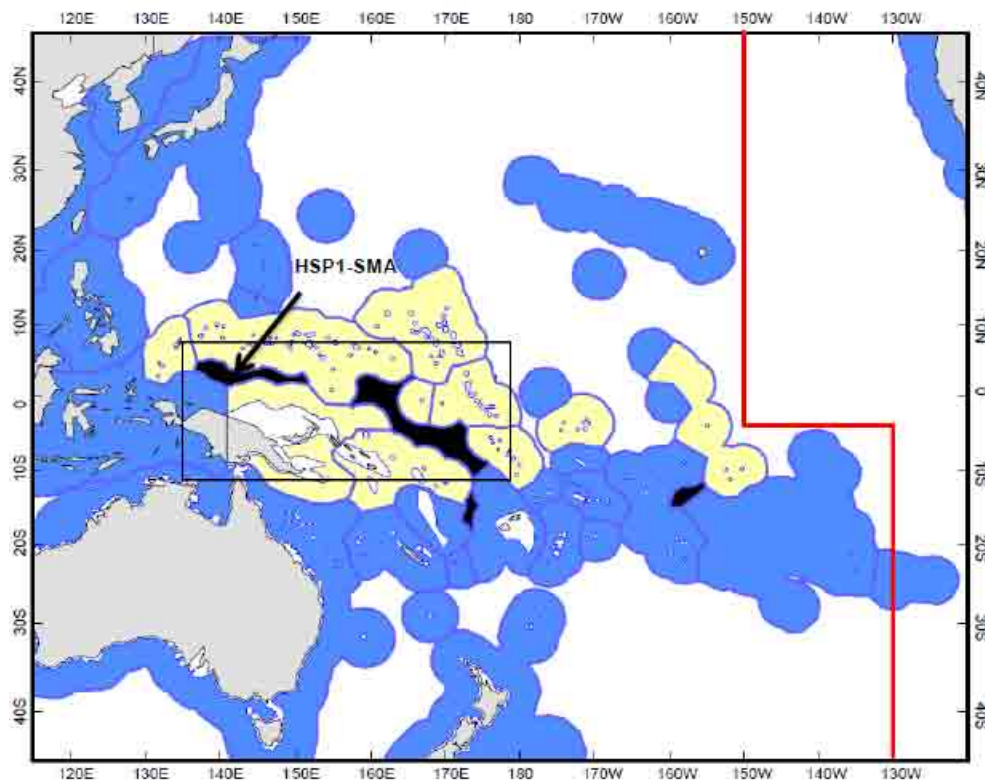
62. This measure replaces CMM 2012-01, CMM 2013-01 and CMM 2014-01 and shall remain in effect until 31 December 2017.

Attachment A: FAD set limits tables (2014 – 2016)

	Column A		Column B		Column C	Column D
	2014 FAD set limit	2014 Rule (baseline period is 2010 - 2012)	2015 and 2016 FAD set limit	2015 and 2016 Rule (baseline period is 2010 - 2012)	2015 and 2016 FAD set limit	2015 and 2016 Rule (baseline period is 2010 - 2012) (2010-12 average except for fleets of five or fewer vessel who have the maximum for 2010-12)
CHINA	845	31.5% of average total sets	738	27.5% of average total sets	644	24% of average total sets
ECUADOR	119	31.5% of average total sets	104	27.5% of average total sets	91	24% of average total sets
EL SALVADOR	59	31.5% of maximum total sets (small fleet)	52	27.5% of maximum total sets (small fleet)	45	29% of maximum total sets (small fleet)
FSM	604	8/9 average FAD sets	528	7/9 average FAD sets	453	6/9 average FAD sets
JAPAN	2,139	31.5% of average total sets	1,867	27.5% of average total sets	1,630	24% of average total sets
KIRIBATI	493	36.5% of average total sets	439	32.5% of average total sets	392	29% of average total sets
MARSHALL ISLANDS	1,028	8/9 average FAD sets	900	7/9 average FAD sets	771	6/9 average FAD sets
NEW ZEALAND	183	31.5% of maximum total sets (small fleet)	160	27.5% of maximum total sets (small fleet)	139	24% of maximum total sets (small fleet)
PAPUA NEW GUINEA	2,215	36.5% of average total sets	1,972	32.5% of average total sets	1,760	29% of average total sets
PHILIPPINES (distant-water)	462	31.5% of average total sets	403	27.5% of average total sets	352	24% of average total sets
REPUBLIC OF KOREA	2,286	31.5% of average total sets	1,996	27.5% of average total sets	1,742	24% of average total sets
SOLOMON ISLANDS	165	8/9 maximum FAD sets (small fleet)	145	7/9 maximum FAD sets (small fleet)	124	6/9 maximum FAD sets (small fleet)
EUROPEAN UNION	170	31.5% of maximum total sets (small fleet)	149	27.5% of maximum total sets (small fleet)	130	24% of maximum total sets (small fleet)
CHINESE TAIPEI	2,416	31.5% of average total sets	2,109	27.5% of average total sets	1,841	24% of average total sets
TUVALU	127	36.5% of maximum total sets (small fleet)	113	32.5% of maximum total sets (small fleet)	101	29% of maximum total sets (small fleet)
USA	2,522	31.5% of average total sets	2,202	27.5% of average total sets	1,922	24% of average total sets
VANUATU	349	8/9 maximum FAD sets (small fleet)	306	7/9 maximum FAD sets (small fleet)	262	6/9 maximum FAD sets (small fleet)
TOTAL	16,183		14,181		12,397	15,864

Attachment B: WCPFC Convention Area Related to Attachment C

- showing HSP-1 SMA where the arrangements in Attachment C apply



This map displays indicative maritime boundaries only. It is presented without prejudice to any past, current or future claims by any State. It is not intended for use to support any past, current or future claims by any State or territory in the western and central Pacific or east Asian region. Individual States are responsible for maintaining the coordinates for their maritime claims. It is the responsibility of flag States to ensure their vessels are informed of the coordinates of maritime limits within the Convention Area. Coastal States are invited to register the coordinates for their negotiated and agreed maritime areas with the Commission Secretariat.

Attachment C: Measure for Philippines

1. This Attachment of CMM 2015-01 shall apply to Philippine traditional fresh/ice chilled fishing vessels operating as a group.

AREA OF APPLICATION

2. This measure shall apply only to High Seas Pocket no. 1 (HSP-1), which is the area of high seas bounded by the Exclusive Economic Zones (EEZs) of the Federated States of Micronesia to the north and east, Republic of Palau to the west, Indonesia and Papua New Guinea to the south. For the purposes of this measure, the exact coordinates for the area shall be those used by the WCPFC vessel monitoring system (VMS). A map showing the HSP-1 Special Management Area (in Attachment B).

REPORTING

3. Philippines shall require its concerned vessels to submit reports to the Commission at least 24 hours prior to entry and no more than 6 hours prior to exiting the HSP-1 SMA. This information may, in turn, be transmitted to the adjacent coastal States/Territories.

The report shall be in the following format:

VID/Entry or Exit: Date/Time; Lat/Long

4. Philippines shall ensure that its flagged vessels operating in the HSP-1 SMA report sightings of any fishing vessel to the Commission Secretariat. Such information shall include: vessel type, date, time, position, markings, heading and speed.

OBSERVER

5. The fishing vessels covered by this measure shall employ a WCPFC Regional Observer on board during the whole duration while they operate in HSP-1 SMA in accordance with the provisions of CMM 2007-01.

6. Regional Observers from other CCMs shall be given preference/priority. For this purpose, the Philippines and the Commission Secretariat shall inform the CCMs and the Adjacent Coastal State of the deployment needs and requirements at 60 days prior expected departure. The Secretariat and the CCM that has available qualified regional observer shall inform the Philippines of the readiness and availability of the Regional Observer at least 30 days prior to the deployment date. If none is available, the Philippines is authorized to deploy regional observers from the Philippines.

VESSEL LIST

7. The Commission shall maintain an updated list of all fishing vessels operating in HSP1 SMA based on the foregoing vessel's entry and exit reports submitted to the Commission. The list will be made available to Commission Members through the WCPFC website.

MONITORING OF PORT LANDINGS

8. The Philippines shall ensure that all port landings of its vessels covered by this decision are monitored and accounted for to make certain that reliable catch data by species are collected for processing and analysis.

COMPLIANCE

9. All vessels conducting their fishing activities pursuant to this Attachment to CMM 2015-01 shall comply with all other relevant CMMs. Vessels found to be non-complaint with this decision shall be dealt with in accordance with CMM 2010-06, and any other applicable measure adopted by the Commission.

EFFORT LIMIT

10. The total effort of these vessels shall not exceed 4,659¹⁴ days. The Philippines shall limit its fleet to 36 fishing vessels (described by the Philippines as catcher fishing vessels) in the HSP-1 SMA.

¹⁴ Reference Table 2(b), WCPFC9-2012-IP09_rev3

Attachment D. High Seas Purse Seine Effort Limits (days)

CCM	EFFORT LIMIT (DAYS)
CHINA	26
ECUADOR	**
EL SALVADOR	**
EUROPEAN UNION	403
INDONESIA	(0)
JAPAN	121
NEW ZEALAND	160
PHILIPPINES	#
REPUBLIC OF KOREA	207
CHINESE TAIPEI	95
USA	1270

** subject to CNM on participatory rights, in accordance with paragraph 6 of this CMM
 # The measures that the Philippines will take are in Attachment C

Attachment E: Preparation of FAD Management Plans

To support obligations in respect of FADs¹⁵ in CMM-2013-01, CMM 2014-01 and CMM 2015-01, the FAD Management Plan (FADMP) for a CCM purse seine fleet to be submitted to the Commission shall include:

- An objective
- Scope:
 - Description of its application with respect to:
 - Vessel-types and support and tender vessels,
 - FAD types [anchored (AFAD) AND drifting (DFAD)],
 - maximum FAD numbers permitted to be deployed [per purse seine or ring net vessel per FAD type],
 - reporting procedures for AFAD and DFAD deployment,
 - catch reporting from FAD sets (consistent with the Commission's Standards for the Provision of Operational Catch and Effort Data),
 - minimum distance between AFADs,
 - incidental by-catch reduction and utilization policy,
 - consideration of interaction with other gear types,
 - statement or policy on "FAD ownership".
 - Institutional arrangements for management of the FAD Management Plans
 - Institutional responsibilities,
 - Application processes for FAD deployment approval,
 - Obligations of vessel owners and masters in respect of FAD deployment and use,
 - FAD replacement policy,
 - Reporting obligations,
 - Observer acceptance obligations,
 - Relationship to Catch Retention Plans,
 - Conflict resolution policy in respect of FADs.
 - FAD construction specifications and requirements
 - FAD design characteristics (a description),
 - FAD markings and identifiers,
 - Lighting requirements,
 - radar reflectors,
 - visible distance,
 - radio buoys [requirement for serial numbers],
 - satellite transceivers [requirement for serial numbers].
 - Applicable areas
 - Details of any closed areas or periods e.g. territorial waters, shipping lanes, proximity to artisanal fisheries, etc.

¹⁵ Fish aggregating devices (FAD) are drifting or anchored floating or submerged objects deployed by vessels for the purpose of aggregating target tuna species for purse seine or ring-net fishing operations

- Applicable period for the FAD-MP
- Means for monitoring and reviewing implementation of the FAD-MP.
- Means for reporting to the Commission

Attachment F: Bigeye Longline Catch Limits by Flag

CCMs	Catch Limits			
	2014	2015	2016	2017
CHINA	9,398	8,224	8,224	7,049
INDONESIA	5,889	5,889*	5,889*	5,889*
JAPAN	19,670	18,265	18,265	16,860
REPUBLIC OF KOREA	15,014	13,942	13,942	12,869
CHINESE TAIPEI	11,288	10,481	10,481	9,675
USA	3,763	3,554	3,554	3,345

*Provisional and maybe subject to revision following data analysis and verification



**COMMISSION
TWELFTH REGULAR SESSION**
Bali, Indonesia
3 - 8 December, 2015

**CONSERVATION AND MANAGEMENT MEASURE
FOR SOUTH PACIFIC ALBACORE**

Conservation and Management Measure 2015-02¹

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

In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean:

Recalling that the Scientific Committee has advised the Commission that longline fishing mortality and longline catch be reduced to avoid further decline in the vulnerable biomass so that economically viable catch rates can be maintained;

Further recalling the recommendation by the Technical and Compliance Committee that the data requirements of CMM 2010-05 needed to be revised in order to make it more verifiable;

Noting that, given the age-specific mortality of the longline fleets, any significant increase in effort would reduce CPUE to low levels with only moderate increases in yields. CPUE reductions may be more severe in areas of locally concentrated fishing effort.

Further noting that estimates of MSY are highly uncertain because of the extrapolation of catch and effort well beyond any historical levels. Projections demonstrated that longline exploitable biomass, and hence CPUE, would fall sharply if catch and effort were increased to MSY levels. Therefore, the economic consequences of any such increases should be carefully assessed beforehand.

Adopts, in accordance with the Article 10 of the WCPFC Convention that:

1. Commission Members, Cooperating Non-Members, and participating Territories (CCMs) shall not increase the number of their fishing vessels actively fishing for South Pacific albacore in the Convention Area south of 20°S above 2005 levels or recent historical (2000-2004) levels.

¹ By adoption of this CMM (CMM 2015-02) the Commission rescinds CMM 2010-05 which has been revised and replaced.

2. The provisions of paragraph 1 shall not prejudice the legitimate rights and obligations under international law of small island developing State and Territory CCMs in the Convention Area for whom South Pacific albacore is an important component of the domestic tuna fishery in waters under their national jurisdiction, and who may wish to pursue a responsible level of development of their fisheries for South Pacific albacore.

3. CCMs that actively fish for South Pacific albacore in the Convention Area south of the equator shall cooperate to ensure the long-term sustainability and economic viability of the fishery for South Pacific albacore, including cooperation and collaboration on research to reduce uncertainty with regard to the status of this stock.

4. CCMs shall report annually to the Commission the annual catch levels taken by each of their fishing vessels that has taken South Pacific albacore, as well as the number of vessels actively fishing for South Pacific albacore, in the Convention area south of 20°S. Catch by vessel shall be reported according to the following species groups: albacore tuna, bigeye tuna, yellowfin tuna, swordfish, other billfish, and sharks. Initially this information will be provided for the period 2006-2014 and then updated annually. CCMs are encouraged to provide data from periods prior to these dates.

5. This measure will be reviewed annually on the basis of advice from the Scientific Committee on South Pacific albacore.

Guidance for the development and evaluation of management plans for longline fisheries targeting sharks in association with WCPFC fisheries

Rationale

1. With a view to addressing SC11ⁱ and TCC11ⁱⁱ recommendations related to CMM 2014-05 para 2 "Measures for longline fisheries targeting sharks" in association with WCPFC fisheries, WCPFC12 tasks the Secretariat to develop draft guidance for the development and evaluation of management plans for longline fisheries targeting sharks in association with WCPFC fisheries taking into account the elements listed below.

General principles

2. Management plans for sharks should be based on article 5 of the Convention and para 2 of CMM 2014-05, taking into account advice from SC and TCC.

Existing measure

4. CMM 2014-05 provides the following measures for longline fisheries targeting sharks and these can be considered by the management plans:

* *limitation of catches*: specific authorisations to fish such as a licence and a TAC or other measure to limit the catch of shark to acceptable levels.

* *by-catch limitation*: demonstrate how the fisheries aim to avoid or reduce catch and maximises live release of specimens of highly depleted species such as silky and oceanic whitetip sharks caught incidentally.

* *evaluation and review*: on the basis of advice from the SC and TCC, the Commission shall review the implementation and effectiveness of management arrangements provided in this measure, including minimum data requirements, after 2 years of its implementation and shall consider the application of additional measures for the management of shark stocks in the Convention Area, as appropriate.

Definitions

5. The Secretariat shall propose a range of possible definitions of a longline fishery targeting key shark species in association with WCPFC fisheries, for the consideration of SC12 and TCC12.

Minimum requirements

6. The Secretariat shall compile and propose a list of candidate elements to be considered for the development of management plans for the consideration of SC12 and TCC12. Those candidate elements may include *inter alia*:

- i. The scope in terms of stocks, fishery (specific description of the fishery targeting sharks in association with WCPFC fisheries for which the management plan needs to be developed) and the area of application of the management plan;
- ii. Specific authorisations to access the fishery, e.g. licence etc;

- iii. Species specific information for the establishment of catch, effort or capacity limits, ensuring the application of the most recent scientific advice available;
- iv. Management limits and reference points, where possible;
- v. Conservation and technical measures designed to avoid and reduce, as far as possible, unwanted catches;
- vi. With respect to highly depleted species (such as oceanic whitetip and silky sharks), a demonstration of how the relevant longline fishery is avoiding or reducing catches and maximising live release of incidentally caught sharks;

Evaluation

7. The Secretariat shall provide a list of elements to be considered for the evaluation of the management plans. They may include, *inter alia*:

- i. Data requirements in line with the *Scientific Data to be provided to the WCPFC*;
- ii. Quantifiable indicators for monitoring their implementation;
- iii. Provisions for a periodic review of the plan's performance with subsequent revision, in particular to take account of the most recent scientific advice;
- iv. Evaluation of the scientific basis and methodology used for the determination of limits and measures outlined in the management plans
- v. Ensuring that specific shark measures set out in CMMs are reflected in the management plans

Timeline

8. The draft guidance should be presented to SC12 and TCC12 for consideration and presented to WCPFC 13 with a view to its adoption by the Commission.

ⁱ 581. *After considering the shark management plans submitted by Japan and Chinese Taipei in accordance with paragraph 2 of CMM 2014-05, review by SC11 was made difficult 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. SC11 recommends that the Commission:*

a) *Consider development of a list of minimum requirements that such a plan should include, guidelines to evaluate such a plan, and the definition of a target shark fishery for future review by SC, TCC and the Commission;*

b) *Notes the need for plans to contain species specific information and a rationale for how catch, effort or capacity limits are derived, amongst other minimum requirements.*

ⁱⁱⁱ 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.*



COMMISSION
TWELFTH REGULAR SESSION
 Bali, Indonesia
 3-8 December 2015

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



**COMMISSION
TWELFTH REGULAR SESSION
Bali, Indonesia
3-8 December 2015**

**CONSERVATION AND MANAGEMENT MEASURE TO MITIGATE THE IMPACT
OF FISHING FOR HIGHLY MIGRATORY FISH STOCKS ON SEABIRDS**

Conservation and Management Measure 2015-03¹

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

Concerned that some seabird species, notably albatrosses and petrels, are threatened with global extinction;

Noting advice from the Commission for the Conservation of Antarctic Marine Living Resources that together with illegal, unreported and unregulated fishing, the greatest threat to Southern Ocean seabirds is mortality in longline fisheries in waters adjacent to its Convention Area;

Noting scientific research into mitigation of seabird bycatch in surface longline fisheries has showed that the effectiveness of various measures varies greatly depending on the vessel type, season, and seabird species assemblage present; and

Noting the advice of the Scientific Committee that combinations of mitigation measures are essential for effective reduction of seabird bycatch;

Resolves as follows:

1. Commission Members, Cooperating Non-members and participating Territories (CCMs) shall, to the greatest extent practical, implement the International Plan of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries (IPOA-Seabirds) if they have not already done so.
2. CCMs shall report to the Commission on their implementation of the IPOA-Seabirds, including, as appropriate, the status of their National Plans of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries.

¹ This conservation and management measure will replace CMM 2012-07 and will come into effect on 1 January 2017; until then, all the provisions of CMM 2012-07 will remain in effect.

Adopts, in accordance with Article 5 (e) and 10 (1)(c) of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean the following measures to address seabird bycatch:

South of 30° South

1. CCMs shall require their longline vessels fishing south of 30°S, to use at least two of these three measures: weighted branch lines, night setting and tori lines. Table 1 does not apply south of 30° South. See Annex 1 for specifications of these measures.

North of 23° North

2. CCMs shall require their large-scale longline vessels of 24 meters or more in overall length fishing north of 23°N, to use at least two of the mitigation measures in Table 1, including at least one from Column A. CCMs also shall require their small-scale longline vessels less than 24 meters in overall length fishing north of 23°N, to use at least one of the mitigation measures from Column A in Table 1. See Annex 1 for specifications of these measures.

Table 1: Mitigation measures

<i>Column A</i>	<i>Column B</i>
<i>Side setting with a bird curtain and weighted branch lines²</i>	<i>Tori line³</i>
<i>Night setting with minimum deck lighting</i>	<i>Blue-dyed bait</i>
<i>Tori line</i>	<i>Deep setting line shooter</i>
<i>Weighted branch lines</i>	<i>Management of offal discharge</i>

Other Areas

3. In other areas (between 30°S and 23°N), where necessary, CCMs are encouraged to have their longline vessels employ one or more of the seabird mitigation measures listed in Table 1.

General Principles

4. For research and reporting purposes, each CCM with longline vessels that fish in the Convention Area south of 30°S or north of 23°N shall submit to the Commission in part 2 of its annual report information describing which of the mitigation measures they require their vessels to use, as well as the technical specifications for each of those mitigation measures. Each such CCM shall also include in its annual reports for subsequent years any changes it has made to its required mitigation measures or technical specifications for those measures.

² If using side setting with a bird curtain and weighted branch lines from Column A, this will be counted as two mitigation measures.

³ If a tori line is selected from both Column A and Column B, this equates to simultaneously using two (i.e. paired) tori lines.

5. CCMs are encouraged to undertake research to further develop and refine measures to mitigate seabird bycatch including mitigation measures for use during the setting and hauling process and should submit to the Secretariat for the use by the SC and the TCC any information derived from such efforts. Research should be undertaken in the fisheries and areas to which the measure will be used.

6. The SC and TCC will annually review any new information on new or existing mitigation measures or on seabird interactions from observer or other monitoring programmes. Where necessary, an updated suite of mitigation measures, specifications for mitigation measures, or recommendations for areas of application will then be provided to the Commission for its consideration and review as appropriate.

7. CCMs are encouraged to adopt measures aimed at ensuring that seabirds captured alive during longlining are released alive and in as good condition as possible and that wherever possible hooks are removed without jeopardizing the life of the seabird concerned. Research into the survival of released seabirds is encouraged.

8. The intersessional working group for the regional observer programme (IWG-ROP) will take into account the need to obtain detailed information on seabird interactions to allow analysis of the effects of fisheries on seabirds and evaluation of the effectiveness of bycatch mitigation measures.

9. CCMs shall annually provide to the Commission, in Part 1 of their annual reports, all available information on interactions with seabirds reported or collected by observers, including mitigation used, observed and reported species specific seabird bycatch rates and numbers, to enable the Scientific Committee to estimate seabird mortality in all fisheries to which the Convention applies. (see Annex 2 for Part 1 reporting template guideline). Alternatively, statistically rigorous estimates of species- specific seabird interaction rates (for longline, interactions per 1,000 hooks) and total numbers should be reported.

10. This Conservation and Management measure replaces CMM 2012-07, which is hereby repealed.

Annex 1. Specifications

1. Tori lines (South of 30° South)

1a) For vessels ≥ 35 m total length

- i. Deploy at least 1 tori line. Where practical, vessels are encouraged to use a second tori line at times of high bird abundance or activity; both tori lines shall be deployed simultaneously, one on each side of the line being set. If two tori lines are used baited hooks shall be deployed within the area bounded by the two tori lines.
- ii. A tori line using long and short streamers shall be used. Streamers shall be: brightly coloured, a mix of long and short streamers.
 - a. Long streamers shall be placed at intervals of no more than 5 m, and long streamers must be attached to the line with swivels that prevent streamers from wrapping around the line. Long streamers of sufficient length to reach the sea surface in calm conditions must be used.
 - b. Short streamers (greater than 1m in length) shall be placed no more than 1m apart.
- iii. Vessels shall deploy the tori line to achieve a desired aerial extent greater than or equal to 100 m. To achieve this aerial extent the tori line shall have a minimum length of 200m, and shall be attached to a tori pole >7 m above the sea surface located as close to the stern as practical.
- iv. If vessels use only one tori line, the tori line shall be deployed windward of sinking baits.

1b) For vessels < 35 m total length

- i. A single tori line using either long and short streamers, or short streamers only shall be used.
- ii. Streamers shall be: brightly coloured long and/or short (but greater than 1m in length) streamers must be used and placed at intervals as follows:
 - a. Long streamers placed at intervals of no more than 5m for the first 55 m of tori line.
 - b. Short streamers placed at intervals of no more than 1m.
- iii. Long streamers shall be attached to the line with swivels that prevent streamers from wrapping around the line. All long streamers shall reach the sea-surface in calm conditions.
- iv. Vessels shall deploy the tori line to achieve a desired aerial extent of 75 m. To achieve this aerial extent the tori line shall have a minimum length of 100m, and shall be attached to a tori pole >6 m above the sea surface located as close to the stern as practical. If the tori line is less than 150 m in length, it must have a towed object attached to the end so that the aerial extent is maintained over the sinking baited hooks.
- v. If two tori lines are used, the two lines must be deployed on opposing sides of the main line.

2. Tori lines (North of 23° North)

2a) Long Streamer

- i. Minimum length: 100 m
- ii. Must be attached to the vessel such that it is suspended from a point a minimum of 5m above the water at the stern on the windward side of the point where the hookline enters the water.
- iii. Must be attached so that the aerial extent is maintained over the sinking baited hooks.
- iv. Streamers must be less than 5m apart, be using swivels and long enough so that they are as close to the water as possible.
- v. If two (i.e. paired) tori lines are used, the two lines must be deployed on opposing sides of the main line.

2b) Short Streamer (For vessels ≥ 24 m total length)

- i. Must be attached to the vessel such that it is suspended from a point a minimum of 5m above the water at the stern on the windward side of a point where the hookline enters the water.
- ii. Must be attached so that the aerial extent is maintained over the sinking baited hooks.
- iii. Streamers must be less than 1m apart and be 30 cm minimum length.
- iv. If two (i.e. paired) tori lines are used, the two lines must be deployed on opposing sides of the main line.

2c) Short Streamer (For vessels < 24 m total length)

This design shall be reviewed no later than 3 years from the implementation date based on scientific data.

- i. Must be attached to the vessel such that it is suspended from a point a minimum of 5m above the water at the stern on the windward side of a point where the hookline enters the water.
- ii. Must be attached so that the aerial extent is maintained over the sinking baited hooks.
- iii. If streamers are used, it is encouraged to use the streamers designed to be less than 1m apart and be 30cm minimum length.
- iv. If two (i.e. paired) tori lines are used, the two lines must be deployed on opposing sides of the mainline.

3. Side setting with bird curtain and weighted branch lines

- i. Mainline deployed from port or starboard side as far from stern as practicable (at least 1m), and if mainline shooter is used, must be mounted at least 1m forward of the stern.
- ii. When seabirds are present the gear must ensure mainline is deployed slack so that baited hooks remain submerged.
- iii. Bird curtain must be employed:
 - Pole aft of line shooter at least 3m long;
 - Minimum of 3 main streamers attached to upper 2m of pole;
 - Main streamer diameter minimum 20mm;
 - Branch streamers attached to end of each main streamer long enough to drag on water (no wind) – minimum diameter 10mm.

4. Night setting

- i. No setting between nautical dawn and before nautical dusk.
- ii. Nautical dusk and nautical dawn are defined as set out in the Nautical Almanac tables for relevant latitude, local time and date.
- iii. Deck lighting to be kept to a minimum. Minimum deck lighting should not breach minimum standards for safety and navigation.

5. Weighted branch lines

- i. Following minimum weight specifications are required:
 - one weight greater than or equal to 40g within 50cm of the hook; or
 - greater than or equal to a total of 45g attached to within 1 m of the hook; or
 - greater than or equal to a total of 60 g attached to within 3.5 m of the hook; or
 - greater than or equal to a total of 98 g weight attached to within 4 m of the hook.

6. Management of offal discharge

- i. Either no offal discharge during setting or hauling;
- ii. Or strategic offal discharge from the opposite side of the boat to setting/hauling to actively encourage birds away from baited hooks.

7. Blue-dyed bait

- i. If using blue-dyed bait it must be fully thawed when dyed.
- ii. The Commission Secretariat shall distribute a standardized colour placard.
- iii. All bait must be dyed to the shade shown in the placard.

8. Deep setting line shooter

- i. Line shooters must be deployed in a manner such that the hooks are set substantially deeper than they would be lacking the use of the line shooter, and such that the majority of hooks reach depths of at least 100 m.

Annex 2. Guidelines for reporting templates for Part 1 report

The following tables should be included in the Part 1 country reports, summarising the most recent five years.

Table x: Effort, observed and estimated seabird captures by fishing year for [CCM] [South of 30°S; North of 23°N; or 23°N - 30°S¹]. For each year, the table gives the total number of hooks; the number of observed hooks; observer coverage (the percentage of hooks that were observed); the number of observed captures (both dead and alive); the capture rate (captures per thousand hooks) and mitigation types used by the fleet.

Year	Fishing effort				Observed seabird captures	
	Number of vessels	Number of hooks	Observed hooks	% hooks observed	Number	Rate ²
2006						
2007						
2008						
2009						
2010						
2011						
2012						

¹ State North of 23°N, South of 30°S or 23°N - 30°S, for CCMs fishing in all areas provide separate tables for each; ² Provide as captures per one thousand hooks.

Table y: Number of observed seabird captures in [CCM] longline fisheries, 2012, by species and area.

Species	South of 30°S	North of 23°N	23°N - 30°S	Total
E.g. Antipodean albatross				
E.g. Gibson's albatross				
E.g. Unidentified albatross				
E.g. Flesh footed shearwater				
E.g. Great winged petrel				
E.g. White chinned petrel				
E.g. Unidentified				
Total				

SC11 Summary Report Attachment H**The Commission for the Conservation and Management of
Highly Migratory Fish Stocks in the Western and Central Pacific Ocean****Scientific Committee
Eleventh Regular Session**

Pohnpei, Federated States of Micronesia
5–13 August 2015

SHARK RESEARCH PLAN AND STOCK ASSESSMENT SCHEDULE

1. Principles for determining stock assessment timing and scheduling

An informal small group (ISG) proposed the following set of principles for determining the schedule of stock assessments:

- Responsive to the requirements and expectations of the Commission.
- Feasible and practical from a technical and data availability perspective (for the estimation of management quantities).
- Gives consideration to current status, trends in indicators of status or other indicators of vulnerability.
- Efficient in terms of time and resources as well as from a technical perspective (synergies where possible).
- Within the expected budget allocation for assessments and the capacity of the science service provider (or other agency).

2. Stock Assessment Schedule for Tuna, Billfish and Sharks

With reference to the above principles, the ISG proposed the schedule of stock assessment contained in Table 1. The ISG proposed that the schedule should again be reviewed in 2017 with consideration of the years 2018 onwards.

3. Shark Research Plan – overall

The ISG considered the research plan for shark species of special interest (“key shark species”) to the Western and Central Pacific Fisheries Commission (the “shark research plan”). This plan is intended to be regional in scope and include all research deemed necessary to support management of sharks as WCPFC fulfils its obligations under its convention. The ISG did not propose any additions or amendments to the elements of the overall plan.

4. Shark Research Plan – priorities for 2016

The ISG considered which elements of the shark research plan to progress in 2016. The ISG proposal is contained in Table 2 and it is recommended that the draft shark research plan (SC11-EB-WP-01) be revised to reflect this and re-issued.

Table 1: SC11 ISG1 Proposed Assessment Schedule.

Species	Stock	Last assessment	2013	2014	2015	2016	2017	2018	2019	2020	Rationale/Comments**
Bigeye tuna	WCPO	2014		X			X			X	BET, YFT and SKJ will all use data to 2015 for next assessments (2016 for SKJ, 2017 for BET & YFT) (common baseline for management statistics). Operational data required (may become available from start of 2016). BET CPUE indices presented at SC12 (2016) Maintain 3 year schedule from 2017 onwards.
Skipjack tuna	WCPO	2014		X		X			X		SKJ tagging ceased in 2013 and the impact of tagging data in the assessment will become less current with delay. Separate SKJ to manage SPC workload. Maintain 3 year schedule from 2016 onwards.
Yellowfin tuna	WCPO	2014		X			X			X	Maintain 3 year schedule from 2017 onwards. Operational data required (may become available from start of 2016). YFT CPUE indices presented at SC12 (2016).
Albacore	South Pacific	2012			X			X			Maintain 3 year schedule from 2015 onwards.
Striped marlin	Southwest Pacific	2012						X			
	Northwest Pacific	2012			X			?			Pending ISC confirmation.
Swordfish	Southwest Pacific	2013	X				X				Efficiencies and synergies with SP blue shark. Growth/maturity review complete Jan 2016. Operational data may become available from start of 2016. SWO CPUE indices presented at SC12 (2016).
Silky shark	WCPO	2013	X					?			
	Pacific-wide	-									
Oceanic whitetip	WCPO	2012							?		
Blue shark	Southwest Pacific	-				X					Efficiencies and synergies with SP swordfish and ISC north Pacific blue shark. All shark assessments have high reliance on observer data for catch and CPUE trends – need full submission of observer data from fishing nations.
	Northwest Pacific	2014		X			X				ISC confirmed 2017
Mako shark (shortfin)	Southwest Pacific	-						?			Synergy with north Pacific Mako
	Northwest Pacific	-						X			ISC confirmed 2018, if data supports

Porbeagle	Southern Ocean	-			X*						
Thresher	Pacific-wide					X*					
Hammerhead	WCPO	-	No assessment scheduled but other work proposed in Table 6								
	Pacific-wide	-	No assessment scheduled								
Whaleshark	WCPO	-	No assessment scheduled but other work proposed in Table 6								
	Pacific-wide	-	No assessment scheduled								

* co-ordinated through the ABNJ

** SC8 (2012) also considered the schedule of stock assessments: “467. SC8 discussed the regularity of stock assessments from both biological and funding perspectives. SC8 considered that the stock assessments for the major tuna species should be conducted every three years, swordfish should be conducted every four years (i.e. next assessed in 2017), and other billfish species should be conducted every five years. An ongoing programme of shark assessments should be implemented once a decision is taken regarding whether to extend the Shark Research Programme.”

Table 2: Projects identified by SC11 ISG1 to be carried out in 2016.

Project title	Start date	Completion date	Organisation	WCPFC Budget (US\$)	Other Sources Budget (US\$)	ISG1 Notes
Blue shark stock assessment in the south Pacific	Jan 2016	August 2016	SPC-OFP	‡		SPC core shark funding.
Thresher shark indicators/assessment Pacific-wide.	Jan 2016	December 2016	ABNJ-Sharks		?	
Length-weight conversion factor review	Jan 2016	August 2016		10,000		
Develop proposed limit reference points for elasmobranchs [¥]	Jan 2016	December 2016		25,000		Budget amended to \$25k.
Monte Carlo analysis of mitigation approaches: extension of longline analysis and develop model for purse seine	Jan 2016	August 2016	SPC-OFP	25,000		
Maternal length and litter size in shortfin mako sharks	Jan 2016	December 2016	? (ISC)		30,000 (?)	May be undertaken by ISC. Required for stock assessment (Table 6).
Post-release survival of silky and oceanic whitetip sharks from longline sets	Jan 2016	December 2017	SPC-OFP + collaborators		250,000+	ABNJ sharks \$ identified. Further external \$ and/or opportunities for collaboration exist.
Post release mortality of sharks and rays from longline <u>and</u> purse seine vessels (EU)	Jan 2016	December 2017	?	44,000 (+ 44,000 in 2017)	440,000	EU funding to be confirmed. Involves 20% matching from Commission.
Experimental assessment of hook type and branchline leader material on shark catch	Jan 2016	December 2017	SPC-OFP + collaborators		150,000+	External \$ and/or opportunities for collaboration exist.
Observer form re-development to collect data on handling and release of sharks	Jan 2016	December 2016	SPC-OFP+FFA	‡		SPC core shark funding.
Review data for non-key sharks elasmobranchs	Jan 2016	December 2016	SPC-OFP	‡		SPC core shark funding
TOTAL				104,000		

‡ SPC core shark funding.

¥ Note the scope of this work is to be determined by the MI theme.



COMMISSION
TWELFTH REGULAR SESSION
 Bali, Indonesia
 3 - 8 December 2015

CONSERVATION AND MANAGEMENT MEASURE TO ESTABLISH A MULTI-ANNUAL REBUILDING PLAN FOR PACIFIC BLUEFIN TUNA

Conservation and Management Measure 2015-04¹

The Western and Central Pacific Fisheries Commission (WCPFC):

Recognizing that WCPFC6 adopted Conservation and Management Measure for Pacific bluefin tuna (CMM 2009-07) and the measure was revised three times since then (CMM 2010-04, CMM 2012-06 and CMM 2013-09) based on the conservation advice from the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) on this stock;

Expressing grave concern for the latest stock assessment provided by ISC Intercessional Plenary Meeting in March 2014 indicating the following:

- The current (2012) Pacific bluefin tuna biomass level is near historically low levels and experiencing high exploitation rates above all biological reference points except for F_{loss} ;
- The average recruitment level for the last five years may have been below the historical average level;
- The recently adopted WCPFC CMM 2013-09 and IATTC resolution for 2014 (C-13-02), if continued in to the future, are not expected to increase spawning stock biomass (SSB) if recent low recruitment continues;
- If the low recruitment of recent years continues, the risk of SSB falling below its historically lowest level observed would increase;
- Further substantial reductions in fishing mortality and juvenile catch over the whole range of juvenile ages should be considered to reduce the risk SSB falling below its historically lowest level; and
- Monitoring of recruitment should be strengthened to allow the trend of recruitment to be understood in a timely manner,

¹ This CMM revises and replaces CMM 2014-04

Recognizing the importance of development of reference points for conservation and management of Pacific bluefin tuna in 2014; and

Further recalling that paragraph (4), Article 22 of the WCPFC Convention, which requires cooperation between the Commission and the IATTC to reach agreement to harmonize CMMs for fish stocks such as Pacific bluefin tuna that occur in the convention areas of both organizations;

Adopts, in accordance with Article 10 of the WCPFC Convention that:

General Provision

1. The Commission Members, Cooperating Non-Members and participating Territories (hereinafter referred to as CCMs) shall implement a provisional Multi-Annual Rebuilding Plan for Pacific bluefin tuna starting in 2015, with the initial goal of rebuilding the SSB to the historical median (42,592 t) within 10 years with at least 60% probability. Implementation and progress of this plan shall be reviewed based on the results of stock assessments and SSB projections to be conducted by ISC in 2016 and every three years thereafter. For this purpose, the ISC is requested to update the SSB projections for the harvest scenarios previously recommended by the WCPFC, along with any additional scenarios recommended by the Northern Committee. This CMM shall be amended if necessary upon such review.

2. The Northern Committee shall consider and develop reference points and harvest control rules for the long-term management of Pacific bluefin tuna at its meetings in 2015 and 2016. In light of the progress of this work, the provisional Multi-Annual Rebuilding plan provided in paragraph 1 shall be reviewed and, if necessary to rebuild the stock to a level consistent with the long-term management framework for the stock, amended in 2016.

Management measures

3. CCMs shall take measures necessary to ensure that:

- (1) Total fishing effort by their vessel fishing for Pacific bluefin tuna in the area north of the 20° N shall stay below the 2002–2004 annual average levels.
- (2) All catches of Pacific bluefin tuna less than 30 kg shall be reduced to 50% of the 2002–2004 annual average levels. Any overage of the catch limit shall be deducted from the catch limit for the following year.

4. CCMs shall take every possible measure not to increase catches of Pacific bluefin tuna 30 kg or larger from the 2002–2004 annual average levels.

5. An emergency rule shall be developed in 2016 which stipulates specific rules all CCMs shall comply with when drastic drops of recruitment are detected.

6. CCMs shall report their 2002–2004 baseline fishing effort and <30 kg and >=30 kg catch levels for 2013 and 2014, by fishery, as referred to in the preceding two paragraphs, to the Executive Director by 31 July 2015. CCMs shall also report to the Executive Director by 31 July each year their fishing effort and <30 kg and >=30 kg catch levels, by fishery, for the previous

year, accounting for all catches, including discards. The Executive Director will compile this information each year into an appropriate format for the use of the Northern Committee.

7. CCMs shall intensify cooperation for effective implementation of this CMM, including juvenile catch reduction.

8. CCMs, in particular those catching juvenile Pacific bluefin tuna, shall take measures to monitor and obtain prompt results of recruitment of juveniles each year.

9. Consistent with their rights and obligations under international law, and in accordance with domestic laws and regulations, CCMs shall, to the extent possible, take measures necessary to prevent commercial transaction of Pacific bluefin tuna and its products that undermine the effectiveness of this CMM, especially measures prescribed in the paragraph 3 above. CCMs shall cooperate for this purpose.

10. CCMs shall cooperate to establish a catch documentation scheme (CDS) to be applied to Pacific bluefin tuna as a matter of priority.

11. CCMs shall also take measures necessary to strengthen data collecting system for Pacific bluefin tuna fisheries in order to improve the data quality and timeliness of all the data reporting;

12. CCMs shall report to Executive Director by 31 July annually measures they used to implement paragraphs 3, 4, 6, 8, 9, 11 and 14 of this CMM. CCMs shall also monitor the international trade of the products derived from Pacific bluefin tuna and report the results to Executive Director by 31 July annually. The Northern Committee shall annually review those reports CCMs submit pursuant to this paragraph and if necessary, advise a CCM to take an action for enhancing its compliance with this CMM.

13. The WCPFC Executive Director shall communicate this Conservation Management Measure to the IATTC Secretariat and its contracting parties whose fishing vessels engage in fishing for Pacific bluefin tuna and request them to take equivalent measures in conformity with this CMM.

14. To enhance effectiveness of this measure, CCMs are encouraged to communicate with and, if appropriate, work with the concerned IATTC contracting parties bilaterally.

15. The provisions of paragraphs 3 and 4 shall not prejudice the legitimate rights and obligations under international law of those small island developing State Members and participating territories in the Convention Area whose current fishing activity for Pacific bluefin tuna is limited, but that have a real interest in fishing for the species, that may wish to develop their own fisheries for Pacific bluefin tuna in the future.

16. The provisions of paragraph 15 shall not provide a basis for an increase in fishing effort by fishing vessels owned or operated by interests outside such developing coastal State, particularly Small Island Developing State Members or participating territories, unless such fishing is conducted in support of efforts by such Members and territories to develop their own domestic fisheries



**COMMISSION
TWELFTH REGULAR SESSION**
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3-8 December 2015

**AGREED LIST OF OBLIGATIONS TO BE ASSESSED IN 2016 -2018 AND FREQUENCY OF
ASSESSMENT FOR FORWARD YEARS**

Background and Overview

TCC11 recommended that intersessional work be done to develop a list of obligations to be assessed during the CMS process in 2016 prior to WCPFC12, noting the need to review bycatch issues and the potential need to develop a rolling schedule of obligations to be assessed on a regular basis (TCC11 Summary Report, para 144).

The United States agreed at TCC11 to take the lead on this intersessional work in advance of WCPFC12. The United States and FFA members provided suggestions for prioritizing obligations to be assessed in 2016 (and beyond) and in developing a suggested frequency of assessment for those obligations.

The Commission approved a list of Conservation and Management Measures to be reviewed by the Compliance Monitoring Scheme in 2016 – 2018 (**Table 2 – 4**) and a frequency for CMMs to be assessed for 2016 and beyond (WCPFC12-2015-DP20_rev2) (**Table 1**). It was noted that this list will need to be revised as appropriate in the following years to take into account Conservation and Management Measures that are adopted or revised.

The Secretariat was tasked with producing an accompanying paper that provides the detail of individual obligations (CMM paragraphs) which will be used by the Secretariat in preparing draft CMRs (WCPFC12-2015-19g_rev1). The individual obligations to be included in draft CMRs have been included below each Conservation and Management Measure heading, with notes on the relevant dCMR section (refer CMM 2015-07 paragraph 3) (**Tables 2 – 4**).

Table 1: FREQUENCY OF ASSESSMENT OF CMMs FOR 2016 AND BEYOND¹

CMM/Obligation	Title	Assessment/Review Frequency (years)
<i>Sci Data</i>	<i>1-3 & 5 (catch est, active vessels, op data, size data)</i>	1
<i>Art. 23.2 (b) & (c)</i>	<i>Annual Report Part 1 and Part 2</i>	1
<i>Art. 25(2) & Art. 23(5)</i>	<i>Alleged FV violations & Control of Nationals – investigations and reports</i>	1
<i>2005-03</i>	<i>NP Albacore</i>	1
<i>2007-01</i>	<i>ROP</i>	1
<i>2009-06</i>	<i>Transshipment</i>	1
<i>2010-02</i>	<i>EHSP</i>	1
<i>2010-05</i>	<i>SP Albacore</i>	1
<i>2013-05</i>	<i>Catch and Effort Reporting</i>	1
<i>2013-07</i>	<i>Special Requirements of SIDS</i>	1
<i>2013-10 & 2014-03</i>	<i>RFV & RFV SSPs</i>	1
<i>2014-01</i>	<i>Tropical Tuna</i>	1
<i>2014-02</i>	<i>VMS</i>	1
<i>2014-04</i>	<i>Pacific Bluefin (rebuilding plan)</i>	1
<i>2011-04</i>	<i>Oceanic Whitetip</i>	2
<i>2006-08</i>	<i>HSBI</i>	2
<i>2013-08</i>	<i>Silky Sharks</i>	2
<i>2010-07</i>	<i>Sharks</i>	2
<i>2014-05</i>	<i>Sharks</i>	2
<i>2004-03</i>	<i>FV Marking</i>	2
<i>2012-04</i>	<i>Whale Sharks</i>	2
<i>2010-01</i>	<i>NP Striped Marlin</i>	2
<i>2008-03</i>	<i>Sea Turtles</i>	3
<i>2008-04</i>	<i>Driftnets</i>	3
<i>2012-07</i>	<i>Seabirds</i>	3
<i>2009-03</i>	<i>Swordfish</i>	3
<i>2011-03</i>	<i>Cetaceans</i>	3
<i>2012-05</i>	<i>Charter Notification</i>	3
<i>2006-04</i>	<i>Striped Marlin in the Southwest Pacific</i>	3
<i>2009-05</i>	<i>Data Buoys</i>	3

	Reviewed Annually		Reviewed Every 2 Years		Reviewed Every 3 Years
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¹ **Notes:** Some CMMs or other decisions were omitted: SciData 4 – because of recommendation from TCC11; 2013-06 – CMM Art. 30 Criteria - redundant (included in para 2 of 2013-07); 2009-11 – CNMS – redundant (we already review annually in small working group); 2013-04 – UVI – redundant (included in para 6(s) of 2013-10); 2009-09 – Stateless Vessels – redundant (included in para 3(h) of 2010-06); 2012-03 – ROP N20N- redundant – CMM 2007-01; 2009-02 – FAD Closure – redundant – covered in CMM 2014-01; 2010-06 – IUU – no obligations to be assessed. Others were combined to remove redundancies: Art. 23(5) – Control of Nationals – combined with Art. 25(2); and 2014-03 – RFV SSPs – combined with CMM 2013-10.

Table 2: AGREED LIST OF CMMs TO BE REVIEWED IN COMPLIANCE MONITORING REPORTS PREPARED IN 2016 – COVERING 2015 ACTIVITIES. With Secretariat notes on the individual obligations within a CMM which will be included in draft CMR and the relevant draft CMR section number ²	
Sci Data	1-3 & 5 (catch est, active vessels, op data, size data)
	SciData 01 vi
	SciData 01 vii
	SciData 02 vi
	SciData 02 vii
	SciData 03 vi
	SciData 03 vii
	SciData 05 vi
	SciData 05 vii
Art. 23.2 (b) & (c)	Annual Report Part 1 and Part 2
	Convention Article 23 2 (b) vii
	Convention Article 23 2 (c) vii
Art. 25(2) & Art. 23(5)	Alleged FV violations & Control of Nationals – investigations and reports
	Convention Article 23 (5) vii
	Convention Article 25 (2) vii
2005-03	NP Albacore
	CMM 2005-03 02 i
	CMM 2005-03 03 ii
	CMM 2005-03 03 vii
	CMM 2005-03 04 ii
2007-01	ROP
	CMM 2007-01 07 v
	CMM 2007-01 10 v
	CMM 2007-01 13 v
	CMM 2007-01 14 (vii) v
	CMM 2007-01 Attachment K Annex C 06 v
	CMM 2007-01 Attachment K Annex C 06 vii
2009-06	Transshipment
	CMM 2009-06 11 ii
	CMM 2009-06 11 vii
	CMM 2009-06 13 v
	CMM 2009-06 29 i
	CMM 2009-06 34 i

² CMM 2015-07, paragraph 3: **(i)** catch and effort limits for target species; **(ii)** catch and effort reporting for target species; **(iii)** reporting including with respect to implementation of measures for non-target species; **(iv)** spatial and temporal closures, and restrictions on the use of fish aggregating devices; **(v)** authorizations to fish and the Record of Fishing Vessels, observer, VMS coverage, transshipment and the High Seas Boarding and Inspection Scheme; **(vi)** provision of scientific data through the Part 1 Annual Report (and its addendum) and the Scientific Data to be provided to the Commission; and **(vii)** submission of the Part II Annual Report, including compliance with the obligations in paragraph 22, and compliance with other Commission reporting deadlines.

Table 2: AGREED LIST OF CMMs TO BE REVIEWED IN COMPLIANCE MONITORING REPORTS PREPARED IN 2016 – COVERING 2015 ACTIVITIES. With Secretariat notes on the individual obligations within a CMM which will be included in draft CMR and the relevant draft CMR section number ²	
	CMM 2009-06 35 a (ii) ii
	CMM 2009-06 35 a (iii) ii
	CMM 2009-06 35 a (iii) vii
	CMM 2009-06 35 a (iv) ii
	CMM 2009-06 35 a (iv) vii
2010-02	<i>EHSP</i>
	CMM 2010-02 02 ii
	CMM 2010-02 02 vii
2010-05	<i>SP Albacore</i>
	CMM 2010-05 01 i
	CMM 2010-05 04 ii
2013-05	<i>Catch and Effort Reporting</i>
	CMM 2013-05 01 ii
	CMM 2013-05 02 ii
2013-07	<i>Special Requirements of SIDS</i>
	CMM 2013-07 19 vii
2013-10 & 2014-03	<i>RFV & RFV SSPs</i>
	CMM 2013-10 02 v
	CMM 2013-10 03 v
	CMM 2013-10 04 v
	CMM 2013-10 07 v
	CMM 2013-10 07 vii
	CMM 2013-10 09 v
	CMM 2013-10 09 vii
	CMM 2013-10 16 v
	CMM 2013-10 17 v
	CMM 2014-03 02 v
2014-01	<i>Tropical Tuna</i>
	CMM 2014-01 14 iv
	CMM 2014-01 16 iv
	CMM 2014-01 16 vii
	CMM 2014-01 16 footnote 3 vii
	CMM 2014-01 19 ii
	CMM 2014-01 20 i
	CMM 2014-01 22 i
	CMM 2014-01 23 vii
	CMM 2014-01 24 ii
	CMM 2014-01 24 vii
	CMM 2014-01 25 i
	CMM 2014-01 30 i
	CMM 2014-01 33 v

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	CMM 2014-01 34	v
	CMM 2014-01 37	iv
	CMM 2014-01 37	vii
	CMM 2014-01 40	i
	CMM 2014-01 41	i
	CMM 2014-01 44	ii
	CMM 2014-01 44	vii
	CMM 2014-01 47	i
	CMM 2014-01 48	ii
	CMM 2014-01 49	i
	CMM 2014-01 50	i
	CMM 2014-01 50	vii
	CMM 2014-01 51	i
	CMM 2014-01 52	i
	CMM 2014-01 57	vii
	CMM 2014-01 59	vii
	CMM 2014-01 Att C 03	ii
	CMM 2014-01 Att C 03	vii
	CMM 2014-01 Att C 04	ii
	CMM 2014-01 Att C 05-06	v
	CMM 2014-01 Att C 08	ii
2014-02	VMS	
	CMM 2014-02 04	v
	CMM 2014-02 9a	v
	CMM 2014-02 9a VMS SSPs 2.8	v
	CMM 2014-02 9a VMS SSPs 7.2.2	v
	CMM 2014-02 9a VMS SSPs 7.2.2	vii
2014-04	Pacific Bluefin (rebuilding plan)	
	CMM 2014-04 03	i
	CMM 2014-04 05	iii
	CMM 2014-04 05	vii
	CMM 2014-04 11	iii
	CMM 2014-04 11	vii
2011-04	Oceanic Whitetip	
	CMM 2011-04 03	iii
	CMM 2011-04 03	vii
2006-08	HSBI	
	CMM 2006-08 07	v
	CMM 2006-08 30	v
	CMM 2006-08 30	vii
	CMM 2006-08 32	v
	CMM 2006-08 33 and 36	v

Table 2: AGREED LIST OF CMMs TO BE REVIEWED IN COMPLIANCE MONITORING REPORTS PREPARED IN 2016 – COVERING 2015 ACTIVITIES. With Secretariat notes on the individual obligations within a CMM which will be included in draft CMR and the relevant draft CMR section number ²		
	CMM 2006-08 33 and 36	vii
	CMM 2006-08 40	v
	CMM 2006-08 40	vii
	CMM 2006-08 41	v
	CMM 2006-08 41	vii
2013-08	Silky Sharks	
	CMM 2013-08 01	i
	CMM 2013-08 03	iii
	CMM 2013-08 03	vii
2010-07	Sharks	
	CMM 2010-07 09	i
	CMM 2010-07 12	vii
2008-03	Sea Turtles	
	CMM 2008-03 02	iii
	CMM 2008-03 02	vii
	CMM 2008-03 07c	iii
	CMM 2008-03 07c	vii
2008-04	Driftnets	
	<i>Secretariat needs further guidance on which paragraphs should be included</i>	
2012-07	Seabirds	
	CMM 2012-07 04	iii
	CMM 2012-07 04	vii
	CMM 2012-07 09	iii
	CMM 2012-07 09	vii

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Sci Data	1-3 & 5 (catch est, active vessels, op data, size data)	
	SciData 01	vi
	SciData 01	vii
	SciData 02	vi
	SciData 02	vii
	SciData 03	vi
	SciData 03	vii
	SciData 05	vi
	SciData 05	vii
Art. 23.2 (b) & (c)	Annual Report Part 1 and Part 2	
	Convention Article 23 2 (b)	vii
	Convention Article 23 2 (c)	vii
Art. 25(2) & Art. 23(5)	Alleged FV violations & Control of Nationals – investigations and reports	
	Convention Article 23 (5)	vii
	Convention Article 25 (2)	vii
2005-03	NP Albacore	
	CMM 2005-03 02	i
	CMM 2005-03 03	ii
	CMM 2005-03 03	vii
	CMM 2005-03 04	ii
2007-01	ROP	
	CMM 2007-01 07	v
	CMM 2007-01 10	v
	CMM 2007-01 13	v
	CMM 2007-01 14 (vii)	v
	CMM 2007-01 Attachment K Annex C 06	v
	CMM 2007-01 Attachment K Annex C 06	vii
2009-06	Transshipment	
	CMM 2009-06 11	ii
	CMM 2009-06 11	vii
	CMM 2009-06 13	v
	CMM 2009-06 29	i
	CMM 2009-06 34	i

³ CMM 2015-07, paragraph 3: **(i)** catch and effort limits for target species; **(ii)** catch and effort reporting for target species; **(iii)** reporting including with respect to implementation of measures for non-target species; **(iv)** spatial and temporal closures, and restrictions on the use of fish aggregating devices; **(v)** authorizations to fish and the Record of Fishing Vessels, observer, VMS coverage, transshipment and the High Seas Boarding and Inspection Scheme; **(vi)** provision of scientific data through the Part 1 Annual Report (and its addendum) and the Scientific Data to be provided to the Commission; and **(vii)** submission of the Part II Annual Report, including compliance with the obligations in paragraph 22, and compliance with other Commission reporting deadlines.

Table 3: AGREED LIST OF CMMs TO BE REVIEWED IN COMPLIANCE MONITORING REPORTS PREPARED IN 2017 – COVERING 2016 ACTIVITIES. With Secretariat notes on the individual obligations within a CMM which were included in dCMR and the relevant dCMR section number ³		
	CMM 2009-06 35 a (ii)	ii
	CMM 2009-06 35 a (iii)	ii
	CMM 2009-06 35 a (iii)	vii
	CMM 2009-06 35 a (iv)	ii
	CMM 2009-06 35 a (iv)	vii
2010-02	<i>EHSP</i>	
	CMM 2010-02 02	ii
	CMM 2010-02 02	vii
2010-05	<i>SP Albacore</i>	
	CMM 2010-05 01	i
	CMM 2010-05 04	ii
2013-05	<i>Catch and Effort Reporting</i>	
	CMM 2013-05 01	ii
	CMM 2013-05 02	ii
2013-07	<i>Special Requirements of SIDS</i>	
	CMM 2013-07 19	vii
2013-10 & 2014-03	<i>RFV & RFV SSPs</i>	
	CMM 2013-10 02	v
	CMM 2013-10 03	v
	CMM 2013-10 04	v
	CMM 2013-10 07	v
	CMM 2013-10 07	vii
	CMM 2013-10 09	v
	CMM 2013-10 09	vii
	CMM 2013-10 16	v
	CMM 2013-10 17	v
	CMM 2014-03 02	v
2014-01	<i>Tropical Tuna</i>	
	CMM 2014-01 14	iv
	CMM 2014-01 16	iv
	CMM 2014-01 16	vii
	CMM 2014-01 16 footnote 3	vii
	CMM 2014-01 19	ii
	CMM 2014-01 20	i
	CMM 2014-01 22	i
	CMM 2014-01 23	vii
	CMM 2014-01 24	ii
	CMM 2014-01 24	vii
	CMM 2014-01 25	i
	CMM 2014-01 30	i
	CMM 2014-01 33	v

Table 3: AGREED LIST OF CMMs TO BE REVIEWED IN COMPLIANCE MONITORING REPORTS PREPARED IN 2017 – COVERING 2016 ACTIVITIES. With Secretariat notes on the individual obligations within a CMM which were included in dCMR and the relevant dCMR section number³

	CMM 2014-01 34	v
	CMM 2014-01 37	iv
	CMM 2014-01 37	vii
	CMM 2014-01 40	i
	CMM 2014-01 41	i
	CMM 2014-01 44	ii
	CMM 2014-01 44	vii
	CMM 2014-01 47	i
	CMM 2014-01 48	ii
	CMM 2014-01 49	i
	CMM 2014-01 50	i
	CMM 2014-01 50	vii
	CMM 2014-01 51	i
	CMM 2014-01 52	i
	CMM 2014-01 57	vii
	CMM 2014-01 59	vii
	CMM 2014-01 Att C 03	ii
	CMM 2014-01 Att C 03	vii
	CMM 2014-01 Att C 04	ii
	CMM 2014-01 Att C 05-06	v
	CMM 2014-01 Att C 08	ii
2014-02	VMS	
	CMM 2014-02 04	v
	CMM 2014-02 9a	v
	CMM 2014-02 9a VMS SSPs 2.8	v
	CMM 2014-02 9a VMS SSPs 7.2.2	v
	CMM 2014-02 9a VMS SSPs 7.2.2	vii
2014-04	Pacific Bluefin (rebuilding plan)	
	CMM 2014-04 03	i
	CMM 2014-04 05	iii
	CMM 2014-04 05	vii
	CMM 2014-04 11	iii
	CMM 2014-04 11	vii
2014-05	Sharks	
	CMM 2014-05 02	vii
2004-03	FV Marking	
	CMM 2004-03 02	v
2012-04	Whale Sharks	
	CMM 2012-04 03	iii
	CMM 2012-04 03	vii
	CMM 2012-04 06	iii
	CMM 2012-04 06	vii

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2010-01	<i>NP Striped Marlin</i>	
	CMM 2010-01 05	i
	CMM 2010-01 08	ii
2009-03	<i>Swordfish</i>	
	CMM 2009-03 01	i
	CMM 2009-03 02	i
	CMM 2009-03 03	i
	CMM 2009-03 08	ii
	CMM 2009-03 08	vii
2011-03	<i>Cetaceans</i>	
	CMM 2011-03 05	iii
	CMM 2011-03 05	vii
2012-05	<i>Charter Notification</i>	
	CMM 2012-05 03	vii

Table 4: AGREED LIST OF CMMs TO BE REVIEWED IN COMPLIANCE MONITORING REPORTS PREPARED IN 2018 – COVERING 2017 ACTIVITIES. With Secretariat notes on the individual obligations within a CMM which were included in dCMR and the relevant dCMR section number ⁴		
Sci Data	1-3 & 5 (catch est, active vessels, op data, size data)	
	SciData 01	vi
	SciData 01	vii
	SciData 02	vi
	SciData 02	vii
	SciData 03	vi
	SciData 03	vii
	SciData 05	vi
	SciData 05	vii
Art. 23.2 (b) & (c)	Annual Report Part 1 and Part 2	
	Convention Article 23 2 (b)	vii
	Convention Article 23 2 (c)	vii
Art. 25(2) & Art. 23(5)	Alleged FV violations & Control of Nationals – investigations and reports	
	Convention Article 23 (5)	vii
	Convention Article 25 (2)	vii
2005-03	NP Albacore	
	CMM 2005-03 02	i
	CMM 2005-03 03	ii
	CMM 2005-03 03	vii
	CMM 2005-03 04	ii
2007-01	ROP	
	CMM 2007-01 07	v
	CMM 2007-01 10	v
	CMM 2007-01 13	v
	CMM 2007-01 14 (vii)	v
	CMM 2007-01 Attachment K Annex C 06	v
	CMM 2007-01 Attachment K Annex C 06	vii
2009-06	Transshipment	
	CMM 2009-06 11	ii
	CMM 2009-06 11	vii
	CMM 2009-06 13	v
	CMM 2009-06 29	i
	CMM 2009-06 34	i

⁴ CMM 2015-07, paragraph 3: **(i)** catch and effort limits for target species; **(ii)** catch and effort reporting for target species; **(iii)** reporting including with respect to implementation of measures for non-target species; **(iv)** spatial and temporal closures, and restrictions on the use of fish aggregating devices; **(v)** authorizations to fish and the Record of Fishing Vessels, observer, VMS coverage, transshipment and the High Seas Boarding and Inspection Scheme; **(vi)** provision of scientific data through the Part 1 Annual Report (and its addendum) and the Scientific Data to be provided to the Commission; and **(vii)** submission of the Part II Annual Report, including compliance with the obligations in paragraph 22, and compliance with other Commission reporting deadlines.

Table 4: AGREED LIST OF CMMs TO BE REVIEWED IN COMPLIANCE MONITORING REPORTS PREPARED IN 2018 – COVERING 2017 ACTIVITIES. With Secretariat notes on the individual obligations within a CMM which were included in dCMR and the relevant dCMR section number ⁴		
	CMM 2009-06 35 a (ii)	ii
	CMM 2009-06 35 a (iii)	ii
	CMM 2009-06 35 a (iii)	vii
	CMM 2009-06 35 a (iv)	ii
	CMM 2009-06 35 a (iv)	vii
2010-02	<i>EHSP</i>	
	CMM 2010-02 02	ii
	CMM 2010-02 02	vii
2010-05	<i>SP Albacore</i>	
	CMM 2010-05 01	i
	CMM 2010-05 04	ii
2013-05	<i>Catch and Effort Reporting</i>	
	CMM 2013-05 01	ii
	CMM 2013-05 02	ii
2013-07	<i>Special Requirements of SIDS</i>	
	CMM 2013-07 19	vii
2013-10 & 2014-03	<i>RFV & RFV SSPs</i>	
	CMM 2013-10 02	v
	CMM 2013-10 03	v
	CMM 2013-10 04	v
	CMM 2013-10 07	v
	CMM 2013-10 07	vii
	CMM 2013-10 09	v
	CMM 2013-10 09	vii
	CMM 2013-10 16	v
	CMM 2013-10 17	v
	CMM 2014-03 02	v
2014-01	<i>Tropical Tuna</i>	
	CMM 2014-01 14	iv
	CMM 2014-01 16	iv
	CMM 2014-01 16	vii
	CMM 2014-01 16 footnote 3	vii
	CMM 2014-01 19	ii
	CMM 2014-01 20	i
	CMM 2014-01 22	i
	CMM 2014-01 23	vii
	CMM 2014-01 24	ii
	CMM 2014-01 24	vii
	CMM 2014-01 25	i
	CMM 2014-01 30	i
	CMM 2014-01 33	v

Table 4: AGREED LIST OF CMMs TO BE REVIEWED IN COMPLIANCE MONITORING REPORTS PREPARED IN 2018 – COVERING 2017 ACTIVITIES. With Secretariat notes on the individual obligations within a CMM which were included in dCMR and the relevant dCMR section number⁴

	CMM 2014-01 34	v
	CMM 2014-01 37	iv
	CMM 2014-01 37	vii
	CMM 2014-01 40	i
	CMM 2014-01 41	i
	CMM 2014-01 44	ii
	CMM 2014-01 44	vii
	CMM 2014-01 47	i
	CMM 2014-01 48	ii
	CMM 2014-01 49	i
	CMM 2014-01 50	i
	CMM 2014-01 50	vii
	CMM 2014-01 51	i
	CMM 2014-01 52	i
	CMM 2014-01 57	vii
	CMM 2014-01 59	vii
	CMM 2014-01 Att C 03	ii
	CMM 2014-01 Att C 03	vii
	CMM 2014-01 Att C 04	ii
	CMM 2014-01 Att C 05-06	v
	CMM 2014-01 Att C 08	ii
2014-02	VMS	
	CMM 2014-02 04	v
	CMM 2014-02 9a	v
	CMM 2014-02 9a VMS SSPs 2.8	v
	CMM 2014-02 9a VMS SSPs 7.2.2	v
	CMM 2014-02 9a VMS SSPs 7.2.2	vii
2014-04	Pacific Bluefin (rebuilding plan)	
	CMM 2014-04 03	i
	CMM 2014-04 05	iii
	CMM 2014-04 05	vii
	CMM 2014-04 11	iii
	CMM 2014-04 11	vii
2011-04	Oceanic Whitetip	
	CMM 2011-04 03	iii
	CMM 2011-04 03	vii
2006-08	HSBI	
	CMM 2006-08 07	v
	CMM 2006-08 30	v
	CMM 2006-08 30	vii
	CMM 2006-08 32	v
	CMM 2006-08 33 and 36	v

Table 4: AGREED LIST OF CMMs TO BE REVIEWED IN COMPLIANCE MONITORING REPORTS PREPARED IN 2018 – COVERING 2017 ACTIVITIES. With Secretariat notes on the individual obligations within a CMM which were included in dCMR and the relevant dCMR section number ⁴	
	CMM 2006-08 33 and 36 vii
	CMM 2006-08 40 v
	CMM 2006-08 40 vii
	CMM 2006-08 41 v
	CMM 2006-08 41 vii
2013-08	<i>Silky Sharks</i>
	CMM 2013-08 01 i
	CMM 2013-08 03 iii
	CMM 2013-08 03 vii
2010-07	<i>Sharks</i>
	CMM 2010-07 09 i
	CMM 2010-07 12 vii
2006-04	<i>Striped Marlin in the Southwest Pacific</i>
	CMM 2006-04 01 i
	CMM 2006-04 04 ii
2009-05	<i>Data Buoys</i>
	<i>Secretariat needs further guidance on which paragraphs should be included</i>

Specifications for the implementation by the Secretariat of a “List of all RFV vessels WCPFC VMS reporting status”

In recent times there have been a number of instances where, through WCPFC members High Seas Boarding and Inspections, Port Inspections or MCS operations, vessels have been identified as possibly not meeting WCPFC VMS requirements, but further investigations have found that there were some procedural issues which delayed activating the VTAF (Vessel Tracking Activation Form) details including as a result of moving from the FFA VMS to the WCPFC VMS.

WCPFC12 endorsed a TCC11 recommendation 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 proposed specifications for the “List of all RFV vessels WCPFC VMS reporting status” as described in paragraph 211 of the TCC11 Summary Report are:

1. The list is not proposed to be public domain information. The list will only accessible by authorized CCM users through the secure online WCPFC systems (the Secretariat is currently working with its IT/IMS contractors to develop the best approach for publishing, it will either the WCPFC website secure section or the WCPFC intranet system);
2. The list will be based on details of vessels as contained in the RFV and records held by WCPFC Secretariat;
3. The list will be readily searchable including but not limited to:
 - a. submitted by CCM / flag of the vessel ;
 - b. VID;
 - c. Vessel name as contained in the RFV.
4. The list will be maintained and updated by the Secretariat a least once a week and the current list will be published with a notation included confirming the date of last update;
5. The Secretariat will publish the first version of the list by **30 June 2016**.
6. The data fields proposed to be maintained in the list are also described in the table below:

Vessel Name	RFV VID	Call Sign	Submitting CCM/Flag	Vessel type	VTAF details held by WCPFC	VTAF activation date	VMS reporting channel	Date of last update
<i>All vessels as contained in the RFV</i>	<i>As contained in the RFV</i>	<i>As contained in the RFV</i>	<i>As contained in the RFV</i>	<i>As contained in the RFV</i>	<i>Date of receipt will be noted where applicable (otherwise will be blank)</i>	<i>Date of first report to WCPFC VMS</i>	<i>For example a choice of WCPFC direct; through FFA; manual reporting or not reporting</i>	<i>Noting that the list will be published at least once a week</i>



**COMMISSION
TWELFTH REGULAR SESSION**
Bali, Indonesia
3-8 December 2015

**ADOPTED 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 were adopted by the Commission

(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.

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

	Field Name*	Text
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.
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'.



**COMMISSION
TWELFTH REGULAR SESSION
Bali, INDONESIA
3-8 December 2015**

CHARTER NOTIFICATION SCHEME

Conservation and Management Measure 2015-05¹

The Western and Central Pacific Fisheries Commission (WCPFC)

ACKNOWLEDGING the important contribution of chartered vessels to sustainable fisheries development in the Western & Central Pacific Ocean;

CONCERNED with ensuring that charter arrangements do not promote IUU fishing activities or undermine conservation and management measures;

REALIZING that there is a need for the WCPFC to establish procedures for charter arrangements;

Adopts, in accordance with Article 10 of the WCPF Convention that:

1. The provisions of this measure shall apply to Commission Members and Participating Territories that charter, lease or enter into other mechanisms with vessels eligible under Para.4 flagged to a another State or Fishing Entity for the purpose of conducting fishing operations in the Convention Area as an integral part of the domestic fleet of that chartering Member or Participating Territory.
2. Each chartering Member or Participating Territory shall notify the Commission of any vessel to be identified as chartered in accordance with this measure by submitting electronically where possible to the Executive Director by 1 July 2010 the following information with respect to each chartered vessel:
 - a) name of the fishing vessel;
 - b) WCPFC Identification Number (WIN);
 - c) name and address of owner(s);
 - d) name and address of the charterer;
 - e) the duration of the charter arrangement; and

¹ By adoption of this CMM (CMM-2015-05) the Commission rescinds CMM-2012-05 which has been revised and replaced.

f) the flag state of the vessel.

Upon receipt of the information the Executive Director will immediately notify the flag State.

3. After 1 July 2010, each chartering Member or Participating Territory shall notify the Executive Director as well as the flag State, within 15 days, or in any case within 72 hours before commencement of fishing activities under a charter arrangement of:

a) any additional chartered vessels along with the information set forth in paragraph 2;

b) any change in the information referred to in paragraph 2 with respect to any chartered vessel; and

c) termination of the charter of any vessel previously notified under paragraph 2.

4. Only vessels listed on the WCPFC Record of Fishing Vessels or the WCPFC Interim Register of Non-CCM Carriers and Bunkers, and not on the WCPFC IUU vessel list, or IUU List of another RFMO, are eligible for charter.

5. The Executive Director shall make the information required in paragraph 2 and 3 available to all CCMs.

6. Each year the Executive Director shall present a summary of all notified chartered vessels to the Commission for review. If necessary, the Commission may review and revise this measure.

7. The Commission will continue to work on the development of a broader framework for the management and control of chartered vessels. In particular, this work shall cover the issues of attribution of catch and effort by chartered vessels and the relationship between the flag State and the chartering Member or Participating Territory on control of, and responsibilities towards, the chartered vessels.

8. This Measure shall expire on 31 December 2018 unless renewed by the Commission.



**COMMISSION
TWELFTH REGULAR SESSION**
Bali, Indonesia
3-8 December 2015

TCC WORK PLAN 2016 - 2018

TCC Priorities

1) Priority core business tasks (standing Agenda Items)

- a. Monitor and review compliance with conservation and management measures adopted by the Commission (Compliance Monitoring Scheme).
- b. Assessment of IUU vessel nominations and review of vessels currently on the IUU list
- c. Review of cooperating non-member applications.
- d. Monitor obligations relating to Small Island Developing States and territories.
- e. Review Annual report(s) of the WCPFC Secretariat, which should address relevant technical and compliance issues, which may include HSBI, ROP, VMS, RFV, Data Rules, and transshipment and note the Executive Director's report on these matters and other issues as appropriate.
- f. Review the ongoing work of the Intercessional Working Groups (IWG) noted in Section 3.
- g. Review information about technical and compliance matters arising under existing CMMs.
- h. Make technical comments on proposed CMMs.

2) Priority project specific tasks

- a. Develop responses to non-compliance. [TCC task]
- b. Develop a multi-year program of obligations to be assessed under the CMS, which ensures that all obligations are assessed over time. [TCC task]
- c. Provide advice on CMMs that need revision to improve compliance and monitoring, including those for which interpretation issues have been identified through the CMS process. [TCC task]
- d. Respond to capacity assistance needs identified through the CMS process, including through annual consideration of implementation plans. [TCC task] [\$]
- e. Support building the capacity of SIDS, which may include:

- i. implement observer programs, including training and data management
- ii. develop and implement the MCS Information Management System at a national level
- iii. improve bycatch reporting, in particular sharks
- iv. Assist SIDS with setting up a system or process for reports on transshipment activities and MTU inspections.
 - [WCPFC Secretariat, FFA/SPC, Other, TCC task] [\$]
- f. Independent audit or review of the Compliance Monitoring Scheme. [Secretariat] [\$]
- g. Technical and compliance-related advice to address BET overfishing. [TCC task]
- h. Further develop port-based initiatives as part of the suite of MCS tools, including a summary of port state measures adopted by other RFMOs [Secretariat task] and a summary of port state measures undertaken by members. [TCC task]
- i. Review information about scientific data provision. [TCC task, Secretariat task to prepare papers]
- j. Develop guidelines for the elaboration of management plans for sharks caught in the WCPFC Convention area. [TCC task with assistance from SPC/Secretariat] [\$]
- k. Technical and compliance-related advice to support the development of harvest strategies, including consideration of the implications of harvest control rules. [TCC task]
- l. Consider alternatives to current fins to carcass ratio to ensure effective monitoring of CMM 2010-07 [TCC task]

3) Intersessional working groups

Budgets and timeframes to be assessed separately

ROP IWG: Review ROP.

FAD IWG: Review and develop FAD measures.

CDS IWG: Develop and implement a Catch Documentation Scheme for WCPFC species.

EM and ER IWG: Continue the development of standards, specifications and procedures for e-technologies.

4) Priority Issues forwarded from the Commission (pending Commission meeting).

2016	2017	2018
Article 14(1)(a) Priority tasks with respect to the provision of information, technical advice and recommendations		
Provide advice on CMMs that need revision to improve compliance and monitoring, including those for which interpretation issues have been identified through the CMS process.	Provide advice on CMMs that need revision to improve compliance and monitoring, including those for which interpretation issues have been identified through the CMS process.	Provide advice on CMMs that need revision to improve compliance and monitoring, including those for which interpretation issues have been identified through the CMS process.
Consider alternatives to current fins to carcass ratio to ensure effective monitoring of finning ban in the WCPFC Convention area.		Technical and compliance-related advice to support the development of harvest strategies, including consideration of the implications of harvest control rules.
Develop guidelines for the elaboration of management plans for sharks caught in the WCPFC Convention area [Secretariat/Shelley Clarke to assist] [\$]		
Technical and compliance-related advice to address BET overfishing.	Technical and compliance-related advice to address BET overfishing.	Technical and compliance-related advice to address BET overfishing.
Article 14(1)(b) Priority tasks with respect to the monitoring and review of compliance		
Develop a multi-year program of obligations to be assessed under the CMS, which ensures that all obligations are assessed over time.		
Develop responses to non-compliance	Develop responses to non-compliance	
Respond to capacity assistance needs identified through the CMS process, including through annual	Respond to capacity assistance needs identified through the CMS process, including	Respond to capacity assistance needs identified through the CMS process, including through

2016	2017	2018
consideration of implementation plans. [\$]	through annual consideration of implementation plans. [\$]	annual consideration of implementation plans. [\$]
Review information about scientific data provision	Review information about scientific data provision	Independent audit or review of the Compliance Monitoring Scheme [Secretariat] [\$]
		Review information about scientific data provision
Article 14(1)(c) Priority tasks with respects to implementation of cooperative MCS & E		
Implement observer programs, including training and data management [\$]		Implement observer programs, including training and data management [\$]
	Develop and implement the MCS Information Management System at a national level [\$]	Develop and implement the MCS Information Management System at a national level [\$]
Assist SIDS with setting up a system or process for reports on transshipment activities and MTU inspections [\$]	Assist SIDS with setting up a system or process for reports on transshipment activities and MTU inspections [\$]	
Consider summary of port state measures adopted by other RFMOs [Secretariat]		
Consider summary of port state measures undertaken by members		

Approved Workplan for CDS-IWG 2015/16 and notes on CCM and Secretariat MBR trial covering 2013 activities

Milestone	Date	Responsibility
1. Scope		
1a. Agree on Priority Species and gear types for initial implementation	Dec 2015 (WCPFC 12)	CCMs & Commission
2. CDS Standards development		
2a. Comments to WCPFC Secretariat on <i>CDS-IWG2 DP04 Standards</i>	31 Oct 2015 (Intersessional)	CCMs and Stakeholders
2b. Present update on draft Standards developments (Information paper)	Dec 2015 (WCPFC12)	FFA
2c. Comment to WCPFC Secretariat on updated CDS Standards papers	31 March 2016 (Intersessional)	CCMs
2d. Circulation of revised standards	1 Sept 2016	FFA & WCPFC Secretariat
2e. TCC 12 to recommend to the Commission Revised draft Standards	Oct 2016 (CDS-IWG and TCC 12)	CDS-IWG & TCC
2f. Adoption of Revised draft Standards	Dec 2016 (WCPFC 13)	CCMs and Commission
3. Mass Balance Reconciliation (MBR) Trial – covering 2013 activities		
3a. Further investigation by the Secretariat of the tasking for 2016	31 Oct 2015	Secretariat
3b. Review by Commission of Secretariat recommendation	Dec 2015 (FAC and WCPFC 12)	CCMs and Commission
3c. CCMs prepare MBR data for Part I Report	Jan to July 2016	CCMs
3d. Part I Report Submission	Part I report submission deadline	CCMs
3e. Secretariat collate Part I MBR submissions	June to Aug 2016	Secretariat
3f. Consider merits and review MBR outcome to CDS development	Sept 2016 (CDS-IWG, TCC) Dec 2016 (WCPFC 13)	CDS-IWG , TCC and Commission
4. CMM development		
4a. Development of draft CMM	Jan-July 2017	TBD
4b. Review draft CMM	Sept 2017 (CDS-IWG, TCC12)	TCC 12
4c. Adoption of CMM	Dec 2017 (WCPFC13)	CMMs and Commission

Notes on the Mass Balance Reconciliation (MBR) Trial for 2016 – covering 2013 activities

1. At the CDS-IWG 2015 meeting, FFA Secretariat presented a paper “Mass Balance Reconciliation” (WCPFC-2015-CDSIWG02-DP03). The paper introduced the concept of Mass Balance Reconciliation (MBR), and noted the following key points:

- “MBR is essentially a comparison of declared catch with declared imports, exports and domestic consumption at different points in the commodity chain”
- “A MBR calculation can be used to identify areas where significant anomalies in catch or trade are occurring, acting as a trigger to investigate points where IUU product may be entering or leaving the commodity chain, as well as the sources of that product.”
- “A MBR calculation generates a MBR ratio between declared catch and declared exports, imports, and domestic consumption. This ratio is indicative of how well existing catch and trade data collections systems are. It can be used as a Key Performance Indicator to gauge the effectiveness of WCPFCs’ CDS development, implementation and management.”
- In terms of the WCPFC an MBR may be used as comparison ratio of declared catch to declared trade data for particular species, where one would expect the ratio to be 1:1. Any difference and areas of uncertainty can serve as a trigger to identify and investigate where product disappearance or creation is occurring. MBR for a species would involve:

$$\text{Total WCPFC Landing} = \text{Total Exports} + \text{Total Domestic Consumption}$$

2. The outcomes from the CDS-IWG 2015 meeting on MBR were:

24. In relation to DP03, the CDS-IWG
- i. Thanked the FFA for their work on the Mass Balance Reconciliation (MBR) Concept as outlined in the paper;
 - ii. Supported in principle the importance of making a start on the collection of the data as set out in Table 1 and Table 2 in DP03;
 - iii. Noted that MBR is used by other RFMOs e.g. CCSBT, although it is not anticipated that WCPFC will have all possible data fields in this trial;
 - iv. Recognized that MBR is very complicated, which although desirable in the initial stages is likely to be a challenge for Members to gather and report the data and for the Secretariat to collate and reconcile information based on the member reports;
 - v. Agreed to implement MBR as a trial on a voluntary basis, which is to be reviewed annually, and noting that the reporting is not yet to be assessed under the Compliance Monitoring Scheme; and
 - vi. Noted that developing a CDS should be the primary objective of this IWG, and that a trial of the MBR should happen alongside progress continuing to be made on CDS.

25. The CDS-IWG agreed to

1. **recommend that CCMs are encouraged to include in Annual Report Part 1, in standardized format, the information outlined in DP03 Table 1 and Table 2. For the purposes of the trial, CCMs are encouraged where available to include these tables (the information outlined in DP03 Table 1 and Table 2) related to the 2013 calendar year in their 2016 Annual Report Part 1 (so that there is at least one common year that can be the basis of the first trial MBR).**
2. **task the Secretariat with the assistance of an appropriately qualified consultant to provide, to the extent practicable, an annual 2013 MBR calculation for the consideration of the CDS-IWG, TCC and the Commission in 2016.**

3. For recommendation paragraph 25.1, provided below are the proposed templates of the two tables that the CDS-IWG recommendation is encouraging CCMs complete and include in their 2016 Annual Report part 1 for the 2013 calendar year.

Table 1 – Minimum requirements for Disposal of Species (Export and Domestic Market)

Requirement	
Flag CCM	
Catch Location (CCM EEZ or WCPFC HS area)	
Destination (Domestic or Country)	
Gear Code	
Net weight (processed) kg	
Estimated whole weight	

Table 2 - Receipt and Redistribution of Species (re-export and re-imports, transshipment activities to be considered as either export or import)

Requirement	
Export year	
Export CCM or Domestic	
Import CCM	
Harvest year	
Gear code	
Net weight (processed) kg	
Estimated whole weight	

4. In respect of CDS-IWG recommendation paragraph 25.2, during the CDS-IWG discussions some CCMs noted their concerns that they envisaged difficulties in being able to provide complete data for the MBR trial. Following TCC11, the Secretariat sought the informal views of a number of experts in Catch Documentation Scheme development and the FFA Secretariat, with a view to better understanding the likely requirements and potential workload for the Secretariat proposed task during 2016. The information that is annually published on the CCSBT website related to the annual summary Catch Documentation Scheme Harvest Report 2010 –2014 and Trade Information Scheme subset Annex 2 report were also reviewed (http://www.ccsbt.org/site/sbt_data.php).

6. From these consultations, the Secretariat feels that the proposed 2013 MBR calculation activity that was initially recommended for the Secretariat to undertake in 2016, continues to remain quite unclear as a task. It seems fairly certain from the discussions during the CDS-IWG 2015 meeting and as confirmed in the language of the recommendation (paragraph 25.1 of the 2015 CDS-IWG Summary Report), that the information which CCMs will provide on 2013 calendar year data in the format of Table 1 and Table 2 (above) will likely be incomplete across fisheries and among CCMs. The experts that were consulted

expressed views to the Secretariat, which confirmed that even if all CCMs were able to submit complete data for 2013 calendar year, their expectation is that there would still not be sufficient information to undertake a reasonable 2013 MBR reconciliation. There will be core business tasks related to CMR, SC and TCC/CDS-IWG that will necessarily be priorities for the Secretariat's time and resources during that time.

7. Given these points the Commission approved the Secretariat's recommendation that the task in paragraph 25.2 of the 2015 CDS-IWG Summary Report is clarified to be a tasking for the Secretariat to provide for the 2016 CDS-IWG meeting, two tables that collate the available information as submitted by CCMs in Annual Report Part 1 2016.

Summary Table 1 - minimum requirements for disposal of species in 2013

- Flag State / Fishing Entity
- Harvest Year
- Catch location
- Destination
- Gear
- Net Weight (kg)
- Estimated Whole Weight (kg) -calculated by applying conversion factors to the net weight

Summary Table 2 – receipt and redistribution of species in 2013

- Export year
- Export CCM or Domestic
- Import CCM
- Harvest Year
- Gear
- Net Weight (kg)

Estimated Whole Weight (kg) -calculated by applying conversion factors to the net weight

8. During the CDS-IWG 2016 meeting, it is further proposed that the CDS-IWG meeting could review the Secretariat prepared summary tables, and at that point take an informed decision on the next steps for the MBR trial, including if recommending whether the engagement of an expert consultant to undertake MBR calculation analyses should still occur.



**COMMISSION
TWELFTH REGULAR SESSION**
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COMMISSION ADOPTED PRE-NOTIFICATION PROCESS FROM OBSERVER PROVIDERS TO FLAG CCMS OF POSSIBLE ALLEGED INFRINGEMENTS BY THEIR VESSELS AND TO COASTAL STATE CCMS OF POSSIBLE ALLEGED INFRINGEMENTS IN THEIR WATERS:

- a) Observer, as part of their usual duties will complete the ROP minimum data elements on the WCPFC Observer Trip Monitoring Summary, or which are included in SPC/FFA General Form 3 (see example below), for each trip;
- b) Observer keeps this report/form (and all other data) confidential and returns to home port or disembarkation point;
- c) Observer fully disembarks the vessel;*
- d) Observer transmits their data and reports per their standard procedures to an authorized observer provider/person for their national or subregional observer programme;
- e) Observer arriving back from the vessel in observer's home port, or if required, has to travel back to home country & awaits debriefing;
- f) Observer is debriefed as soon as is practicable after finishing the trip/trips*;

Pre-Notification Process

- g) In the event that there is a "YES" noted in the WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are included in SPC/FFA General Form 3 the observer provider is expected where practicable, to promptly submit the relevant data to the Commission Secretariat (the data may be provided through the Commission data service provider (SPC-OFI) or provided directly to the Secretariat).
- h) In considering the timeliness of the submission of the ROP minimum data elements on the WCPFC Observer Trip Monitoring Summary, or which are included in SPC/FFA General Form 3, the observer provider must ensure the observer is safely disembarked from the vessel and has returned to their home port, and where possible the observer has been fully debriefed.
- i) The observer provider may decide that further investigation of a "YES" noted in the WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are included in SPC/FFA General Form 3 (or equivalent) is needed before the relevant data is submitted to the Commission Secretariat.
- j) If there is only "NO" noted in the WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are included in SPC/FFA General Form 3 (or debriefing determines there to be only "NO" noted) the ROP data, including WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are included in SPC/FFA General Form 3 would be submitted through usual processes to the Commission Secretariat.
- k) The Commission Secretariat will facilitate the provision of certain data fields in the relevant WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are included in

SPC/FFA General Form 3 and the additional supporting fields *** to the responsible flag CCM and coastal State CCM where applicable. In accordance with the data rules, the information that is provided to flag CCMs and coastal State CCMs will exclude the name of the observer, their nationality and the observer trip ID, but will instead identify the observer provider programme that placed the observer.

- l) The authorised Flag state and coastal State official contacts can request from the observer provider** further supporting details for their investigations. Vessel captain/owners/point of contact will communicate with flag State official contacts regarding any alleged infringements.
- m) The Commission Secretariat will facilitate the collation of communications related to the outcome of investigations of any “YES” noted in the WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are included in SPC/FFA General Form 3, including from the flag CCMs.

*If an observers carries out one or more trips consecutively on the same vessel. That vessel cannot request through their official contacts a copy of the WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are included in SPC/FFA General Form 3 compiled by that observer until the observer has completely finished his trips on the vessel and has fully disembarked the vessel.

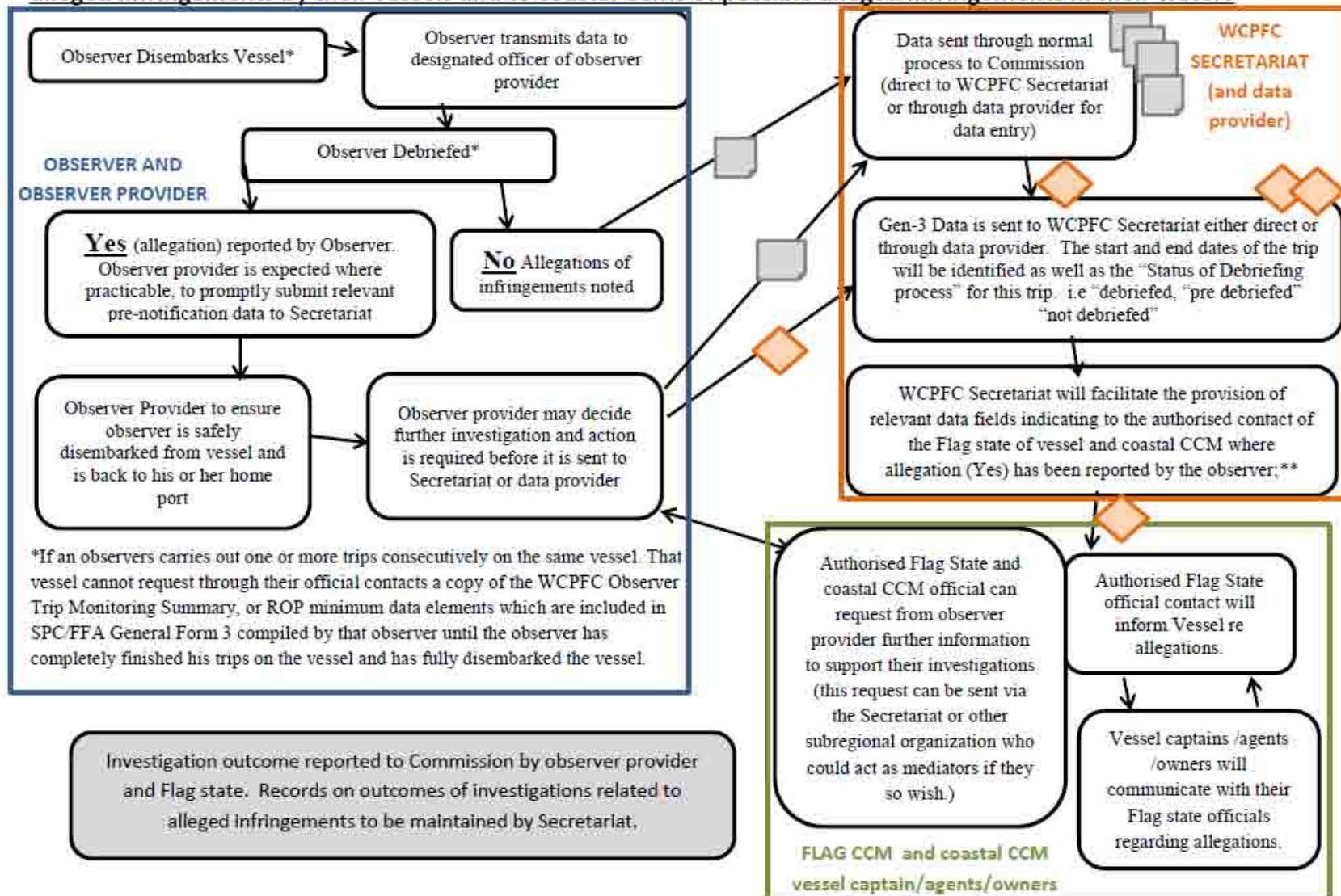
** Request could be sent via the Commission Secretariat or other sub regional organizations who would verify the persons making the request are genuine official contacts and could act as intermediators between the relevant CCM and the provider if they so wish.

*** The Commission agreed that to support the pre-notification process, that there are two additional fields that should be provided by observer providers to support a flag CCMs investigations of any possible alleged infringements. These are:

1. “start date of trip and end date of trip”
2. “status of the debriefing process” i.e, “debriefed”, “pre debriefed” or “not debriefed”

Final notes: The Commission agreed that there would be a six month delay before implementation of the pre-notification process commences, and approved the attached flowchart to illustrate the approved pre-notification process.

Schematic of Commission adopted Pre-Notification Process from observer providers to flag CCMs of possible alleged infringements by their vessels and to coastal CCMs of possible alleged infringements in their waters



**Note: that in accordance with the data rules, the information that is provided to flag CCM and as applicable coastal CCM will not include name of observer their nationality and the observer trip ID, but will instead identify the observer provider that placed the observer. The start and end dates of the trip will be identified as well as the "Status of Debriefing process" for this trip. i.e "debriefed," "pre debriefed" "not debriefed"

Agreed Workplan for FADMgmtOptionsIWG in 2016

Objective	Date	Responsibility
A. Develop FAD Research Plan		
A. 1. Further develop draft research plan	Jan – Feb 2016	Secretariat / SPC-OFP FADMgmtOptions-IWG Chair Vice-Chair
A. 2. Consider draft research plan	Aug 2016 (SC12) Oct 2016 (TCC12 and FADIWG)	CCMs, SC and TCC, FADMgmtOptionsIWG,
A. 3. Adoption of decision/s	Dec 2016 (WCPFC 13)	CCMs and Commission
B. TOR a. Collection of additional data on FADs and their use in WCPO fisheries		
B.1 Development of an initial list of FAD related data fields to be reported by vessel operators based on ROP minimum standard data fields, and the data fields (collected by other RFMOs).	Jan – Feb 2016	Secretariat / SPC-OFP
B.2 Consultancy considering the work by Secretariat/SPC-OFP and provides a cost-benefit analysis (see below)	Complete by June 2016	Secretariat (consultant)
B.3 Consider report of consultant and develop recommendations for WCPFC12	Aug 2016 (SC12) Oct 2016 (TCC12 and FADIWG)	CCMs, SC, TCC FADMgmtOptionsIWG
B.4 Adoption of decision/s	Dec 2016 (WCPFC 13)	CCMs and Commission
C. TOR b. FAD marking, and identification, and use of electronic signatures; TOR c. FAD monitoring, tracking and control TOR e. Advise on options for FAD marking and monitoring for WCPO wide application		
C.1 Consultancy (see below)	Complete by June 2016	Secretariat (consultant)
C.2 Consider report of consultant and develop recommendations for WCPFC12	Aug 2016 (SC12) Oct 2016 (TCC12 and FADIWG)	CCMs, SC, TCC FADMgmtOptionsIWG
C.3 Adoption of decision/s	Dec 2016 (WCPFC 13)	CCMs and Commission
D. TOR d. FAD Management Options		
D.1 Discussion paper on FAD Management Options	31 March 2016 (Intersessional)	FADMgmtOptions-IWG Chair
D.2 Review and submit comments on discussion paper	30 May 2016 (Intersessional)	CCMs, PNAO, FFA, Industry, SPC and NGOs
D.3 Revised discussion paper developed	June 30 2016	FADMgmtOptions-IWG Chair
D.3 Consider revised discussions paper	Aug 2016 (SC12) Oct 2016 (TCC12 and FADIWG) Dec 2016 (WCPFC13)	CCMs, SC and TCC, FADMgmtOptionsIWG, Commission

Draft Prospectus for obtaining consultant services to evaluate aspects related to Fish Aggregating Devices employed of fished upon in the Western and Central Pacific.

Purpose: The purpose of this contract is to provide a report to inform the WCPFC Commission and the relevant subsidiary bodies on aspects related to the use and monitoring of FADs deployed and encountered in the WCPO.

Objectives: Evaluate, based on as broad a spectrum of existing information sources, the need and viability of a common marking system for FADS deployed / encountered in the WCPO.

Provide a quantitative cost-benefit analysis of implementing a spectrum of FAD marking and monitoring systems for FADS deployed / encountered in the WCPO.

In completing the above respond to the following questions:

1. Is there any merit (e.g. a positive cost / benefit analysis) of establishing a manual FAD marking system for the specific purpose of enabling improved scientific data collection. (The analysis shall include administrative and business compliance costs)
2. If there is merit in establishing a manual FAD marking system what would be the most efficient way of implementing such as system?
(What are the design specifications and projected costs for implementing an effective manual FAD marking system?)
3. What would be proposed definitions for “FADs deployed” and “FADs encountered”, in any future data reporting by vessel operators?

[Other elements?]

Deliverable(s): A report shall be provided in draft to the Secretariat by the date designated below. The Secretariat will review the draft and provide comments within 30 calendar days. The consultant shall respond to all comments made and provide a final draft within 30 calendar days of receipt of the Secretariat draft review.

Timeframe: The draft report shall be provided by XX days after being informed by the Secretariat of initiation of the contract period. Under no circumstances shall the final report not be provided after July1, 2016.

Qualification(s) of a prospective consultant:

Estimated price range: This study is envisioned to be a “desk review” and significant travel is not anticipated. However, if after consultation with prospective bidders that travel should be incorporated – that modification shall be made by the Expectative Director. The anticipated cost is projected to be between X and Y.

**2015 FINAL COMPLIANCE MONITORING REPORT
(COVERING 2014 ACTIVITIES)
Executive Summary**

I. INTRODUCTION

1. WCPFC12 undertook its fifth annual review of compliance by CCMs against a priority list of Commission obligations agreed to at WCPFC11 (see Att U to WCPFC11 Summary Report). TCC11 developed a provisional compliance monitoring report covering all CCMs against obligations in seven categories as per paragraph 3 of CMM 2014-07.

2. A number of CCMs provided additional information between TCC11 and WCPFC12. A special TCC was convened prior to WCPFC12 to review and evaluate the additional information. The special TCC only considered additional information that was provided by the deadline of 30 days prior to WCPFC12. The special TCC considered all additional information, including for CCMs not present at the working group meetings.

3. After considering the additional information, the special TCC was unable to assess three obligations: CMM 2007-01, Para 14 (vii); CMM 2013-01 Para 14 and CMM 2013-01 Para 16. This report has been updated to reflect the outcomes of the special TCC.

4. The Commission concluded that the following CCMs are considered to be “Compliant” under the provisions of CMM 2014-07: *Canada, Cook Islands, Mexico, New Caledonia, Nauru and Vietnam.*

5. The Commission concluded that the following CCMs are considered to be “Non-Compliant” under the provisions of CMM 2014-07: *Australia, China, Ecuador, European Union, Fiji, Federated States of Micronesia, France, Indonesia, Japan, Kiribati, Republic of Korea, Marshall Islands, Niue, New Zealand, Panama, French Polynesia, Papua New Guinea, Philippines, Palau, Samoa, Solomon Islands, El Salvador, Thailand, Tokelau, Tonga, Tuvalu, Chinese Taipei, United States of America, Vanuatu, Wallis and Futuna.*

II. DEVELOPMENT OF THE PROVISIONAL COMPLIANCE MONITORING REPORT BY TCC11

6. TCC11 reviewed the draft Compliance Monitoring Report (draft CMR) for 36 CCMs in a closed working group session. The draft CMR is classified as non-public domain data as a number of CCMs were not able to agree to release their non-public domain data, therefore the decision was made to close the session.

7. TCC11 agreed to conduct the compliance review process in accordance with the agreed principles articulated in WCPFC-TCC11-2015-23 rev 1.

8. The tier scoring system adopted by WCPFC11 assisted in evaluating the compliance of CCMs for the provision of scientific data and TCC11 concluded that it was very useful and informative tool.

9. TCC11 notes that the Provisional CMR provides its provisional compliance assessment and it is submitting this report to the Commission for its consideration and final assessment.

III. ISSUES ARISING DURING THE COMPLIANCE REVIEW PROCESS

CMM 2007-01, Para 14(vii); CMM 2013-01, Para 14; and CMM 2013-01, Para 16

10. TCC11 encountered difficulty in assessing the obligations in CMM 2007-01, Para 14(vii); CMM 2013-01, para 14; and CMM 2013-01, Para 16. A number of significant issues were raised by both flag states and coastal states.

11. TCC11 reached a compromise for progressing the issue during this year's assessment; however, many CCMs remained uncomfortable with the agreed way forward. TCC11 noted that this reflects a change to the way these obligations have previously been assessed.

12. TCC11 agreed that CCMs would be assessed as Compliant against these obligations if they were able to provide details indicating that a good faith effort had been made to investigate the alleged violations. However, many CCMs noted that most of the reports of investigations fell far short of what would be considered a full investigation, and would be considering any relevant CCMs actions between TCC11 and WCPFC12 when assessing the final compliance status.

13. TCC11 agreed that the provisional CMR would clearly note the concerns raised with the agreed approach. The following issues were noted:

- a. CCMs take allegations of violations involving observer harassment or interference very seriously;
- b. CCMs consider the annual FAD closure to be a central part of the Tropical Tunas measure;
- c. The revised CMS CMM must include a mechanism that requires CCMs to report back annually on the progress of these investigations until they are resolved;
- d. The Commission must prioritize finding a resolution to facilitate the process for flag states to obtain observer reports relating to alleged violations in a timely manner;
- e. Any solution must include the commitment of both flag states and coastal states that provide observers to collaborate to improve this process;
- f. If the allegations of a violation come from an observer report, any investigation into those violations must include, at a minimum, review of that report;
- g. CCMs noted that a full investigation is the first step and what is most critical is that CCMs address any violations that are found; and
- h. Coastal states shall receive notification of alleged violations occurring in their waters.

14. The special TCC, when considering the additional information provided by a number of CCMs between TCC11 and WCPFC12, were unable to reach consensus on the final compliance assessments for CMM 2007-01 Para 14 (vii), CMM 2013-01 Para 14 and CMM 2013-01 Para 16 and agreed to not assess these three obligations for 2014.

15. TCC11 agreed that the process as described in paragraph 12 was only accepted on the basis that this does not set a precedent for how these obligations will be assessed in the future. The special TCC reaffirmed this view.

16. TCC11 identified three recommendations and the special TCC identified a further two recommendations to assist in improving the ability of the Commission to assess compliance on these issues in the future.

IV. WCPFC12 ADOPTED THE FOLLOWING RECOMMENDATIONS CONTAINED IN THE TCC11 pCMR AND OUTCOMES OF THE SPECIAL TCC:

- 17. TCC11 and the special TCC recommend that WCPFC12 prioritize finding a resolution to facilitate the process for flag states to obtain observer reports relating to alleged infringements in a timely manner, noting that any solution must include the commitment of both flag States and coastal States as well as observer providers to collaborate to improve this process. It is the responsibility of all CCMs to work together on this issue as a priority.**
- 18. As an initial response to the recommendation in paragraph 17, TCC11 and the special TCC recommends that WCPFC12 adopt IWG-ROP4's recommendations in paragraphs 28 – 31 of the IWG-ROP4 Summary Report to establish a "pre-notification process from observer providers to flag CCMs of possible alleged infringements by their vessels."**
- 19. TCC11 recommends that WCPFC12 encourage the Secretariat to continue its work developing the Secretariat's compliance case file system on the IMS, which would allow the Secretariat to track the alleged infringements reported by observers as Article 25(2) matters.**
- 20. Special TCC recommends that WCPFC12 prioritize development of criteria to provide guidance to TCC in assessing what would constitute a "compliant" assessment in respect to matters of investigations being undertaken by a flag State.**
- 21. The special TCC was pleased to note the reporting of remedial actions being undertaken by a number of CCMs as they improve implementation of obligations. However, the special TCC notes with concern that there are a number of outstanding investigations from 2014 on which little progress was reported and recommends that WCPFC12, taking into account paragraph 17, reiterate flag State obligations to investigate as fully as possible and report progress on outstanding investigations to TCC12.**
22. TCC11 was pleased to note that there has been significant progress in the provision operational level catch and effort data by two CCMs. However, there continues to be a significant difference of interpretation as to whether the obligation contained in paragraph 03 (Operational level catch and effort data) of the Scientific Data to be Provided to the Commission is met by providing aggregated catch and effort data and size composition data, as described in paragraphs 04 and 05 of the Scientific Data to be Provided to the Commission.
23. As a result, TCC11 was again unable to assess this obligation. However, TCC11 notes that additional progress in this area is expected in 2016.
24. In conducting its assessment of CMM 2013-01, Para 40, TCC11 noted that a majority of CCMs identified one CCM as Priority Non-Compliant against this obligation, while a minority of CCMs believed that the CCM should be assessed as Compliant. The majority view was that despite the fact the CCM had adjusted its annual Bigeye Tuna quota for 2015, to reflect the overage in 2014, the CCM remained Priority Non-Compliant due to the overage. The minority view was that paragraph 40 allows for the adjustment of the following year's quota and thus if the CCM has made that

adjustment, it should be assessed as Compliant.

25. Consistent with the 2012, 2013 and 2014 Final Compliance Monitoring Report, CCMs evaluated as “non-compliant” are strongly encouraged to address their implementation issues even without a response procedure.

26. TCC11 agreed not to assess the following paragraphs: CMM 2007-01 Para 8, CMM 2007-01, Att K, Annex C, Para 4; CMM 2013-01, Para 28; Section 03 of the Scientific Data Requirements (as noted above); and Section 07 of the Scientific Data Requirements.

27. The special TCC also agreed not to assess the following paragraphs: CMM2007-01 Para 14 (vii); CMM2013-01 Para 14 and CMM2013-01 Para 16.

V. REQUESTS FOR ASSISTANCE AND CAPACITY BUILDING

28. Several areas were identified where targeted assistance is required to assist SIDS and other CCMs in implementing specific obligations.

CMM	CMM paragraph	CCM
2007-01		Indonesia
2007-01	Att. K Annex C para 06	Kiribati, FSM, Vanuatu
2009-06		Kiribati, Vanuatu
2011-02 (2014-02)	9a	Indonesia
	9a VMS SSPs 7.2.2	Tuvalu
2013-01 (2014-01)	24, 44, 47, 48, 49	Indonesia

Appendix 2: 2015 Final Compliance Monitoring Report (for 2014 activities)

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	<i>CMM 2006-08: High Seas Boarding and Inspection</i>				
<i>Para (7)</i>	Australia, China, Cook Islands, Ecuador, El Salvador, European Union, Federated States of Micronesia, Fiji, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Panama, Papua New Guinea, Philippines, Chinese Taipei, Thailand, Tuvalu, United States, Vanuatu				
<i>Para (30)</i>	Australia, Cook Islands, France, United States				
<i>Para (30) (reporting)</i>	Australia, Cook Islands, France, United States				

¹ a. Further clarification of obligation

b. Capacity building or technical assistance required

c. Additional information required

d. Rectify by XX date

e. Other remedial action as determined by the commission. For alleged infringement CCM is to report back on investigation

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
<i>deadline)</i>					
<i>Para (32)</i>					
<i>Para (33) & (36)</i>					
<i>Para (33) & (36) (reporting deadline)</i>					
<i>Para (40)</i>	Australia, Canada, Cook Islands, Federated States of Micronesia, Japan, Kiribati, Korea, New Zealand, Chinese Taipei, Tuvalu, United States, France	Papua New Guinea			
<i>Para (40) (reporting deadline)</i>	Australia, Canada, Cook Islands, Federated States of Micronesia, Japan, Kiribati, Korea, New Zealand, Chinese Taipei, Tuvalu, United States	Papua New Guinea	France	France [2]	
<i>Para (41)</i>	China, Fiji, Chinese Taipei, Philippines				
<i>Para (41) (reporting</i>	China, Fiji, Chinese Taipei	Philippines			

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
<i>deadline)</i>					
<i>CMM 2007-01: Regional Observer Programme</i>					
<i>Para (7)</i>	Australia, China, Cook Islands, Ecuador, El Salvador, European Union, Federated States of Micronesia, Fiji, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Papua New Guinea, Philippines, Chinese Taipei, Tuvalu, United States, Vanuatu, Panama				
<i>Para (8)</i>	Not Assessed	Not Assessed	Not Assessed	Not Assessed	
<i>Para (9)</i>	Australia, Cook Islands, Ecuador, El Salvador, European Union, Federated States of Micronesia, Fiji, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Papua New Guinea, Philippines, Chinese Taipei, Tuvalu, United States, Vanuatu		Indonesia	Indonesia (3)	Indonesia [b, e]

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	<i>*China [unable to reach a decision on this assessment – not assessed]</i>				
<i>Para (10)</i>	Australia, China, Cook Islands, Ecuador, El Salvador, European Union, Federated States of Micronesia, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Papua New Guinea, Philippines, Chinese Taipei, Tuvalu, United States, Vanuatu				
<i>Para (13)</i>	Australia, China, Cook Islands, Federated States of Micronesia, Fiji, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Caledonia, New Zealand, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Tokelau, Tonga, Tuvalu, United States, Vanuatu	Palau			Palau [c];

CMM/Data Provision	Compliance or Implementation Status			2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	Compliant	Non-Compliant	Priority Non-Compliant		
<i>Para (14) (vii)</i>	Not Assessed	Not Assessed	Not Assessed	Not Assessed	
<i>Att K, Annex C, Para (4)</i>	Not Assessed	Not Assessed	Not Assessed	Not Assessed	
<i>Att K, Annex C, Para (4) (para 4 – Collective obligation)</i>	Not Assessed	Not Assessed	Not Assessed	Not Assessed	
<i>Att K, Annex C, Para (6)</i>	Cook Islands, China, Fiji, Korea, New Caledonia, Philippines, United States	Kiribati, Vanuatu	European Union, Federated States of Micronesia, Indonesia, Japan, Chinese Taipei, Tuvalu	European Union [3], Federated States of Micronesia [3], Indonesia [3], Japan [2], Chinese Taipei [3], Tuvalu [3]	Indonesia [b]; Kiribati [b]; Federated States of Micronesia [b]; Vanuatu [b]
<i>Att K, Annex C, Para (6) (reporting deadline)</i>	China, Cook Islands, European Union, Federated States of Micronesia, Fiji, Japan, Kiribati, Korea, New Caledonia, Chinese Taipei, Tuvalu, United States, Vanuatu		Indonesia, Philippines	Indonesia [3]; Philippines [3]	Indonesia [b]

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
<i>Att K, Annex C, Para (8)</i>	Australia, China, Cook Islands, Ecuador, European Union, El Salvador, Fiji, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Papua New Guinea, Philippines, Tuvalu, Chinese Taipei, United States, Vanuatu				
<i>CMM 2009-03: Swordfish</i>					
<i>Para (1)</i>	Australia, China, European Union, Indonesia, Japan, Korea, New Zealand, Philippines, Chinese Taipei, United States				
<i>Para (2)</i>	Australia, European Union, Indonesia, Japan, Korea, New Zealand, Philippines, Chinese Taipei, United States		China		
<i>Para (3)</i>	Australia, China, European				

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	Union, Indonesia, Japan, Korea, New Zealand, Philippines, Chinese Taipei, United States				
<i>Para (8)</i>	Australia, China, Cook Islands, European Union, Fiji, French Polynesia, Indonesia, Japan, Korea, New Caledonia, New Zealand, Chinese Taipei, Tonga, United States, Vanuatu				
<i>Para (8) (reporting deadline)</i>	Australia, China, Cook Islands, European Union, Fiji, French Polynesia, Japan, Korea, New Caledonia, New Zealand, Chinese Taipei, Tonga, United States, Vanuatu		Indonesia	Indonesia [2]	
<i>CMM 2009-06: Transshipment</i>					
<i>Para (11)</i>	European Union, El Salvador, Federated States of Micronesia, Fiji, Marshall Islands, New Zealand,	Vanuatu	China, Ecuador, Indonesia, Kiribati, Panama, Papua New Guinea	China [2]; Ecuador [3]; Indonesia [3]; Kiribati [2]; Panama [3]; Papua	China [c, e]; Ecuador [c, e]; Indonesia [c, e]; Kiribati [b, c, e];

CMM/Data Provision	Compliance or Implementation Status			2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	Compliant	Non-Compliant	Priority Non-Compliant		
	Tuvalu, United States, Japan, Korea, Philippines, Solomon Islands, Chinese Taipei			New Guinea [2]	Panama [c, e]; Papua New Guinea [c, e]; Vanuatu [b, c, e]
<i>Para (11) (reporting deadline)</i>	China, European Union, Federated States of Micronesia, Fiji, Japan, Kiribati, Korea, Marshall Islands, New Zealand, Solomon Islands, Tuvalu, Chinese Taipei, United States, Vanuatu	Ecuador, Indonesia, Papua New Guinea, El Salvador	Panama, Philippines, ,	Panama [2]; Philippines [2]	
<i>Para (13)</i>	China, El Salvador, European Union, Indonesia, Japan, Kiribati, Korea, Philippines, Solomon Islands, Chinese Taipei, United States, Vanuatu				
<i>Para (29)</i>	Australia, China, Ecuador, European Union, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Zealand, Papua New Guinea, Philippines, Solomon Islands, Chinese				

CMM/Data Provision	Compliance or Implementation Status			2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	Compliant	Non-Compliant	Priority Non-Compliant		
	Taipei, United States, Vanuatu				
<i>Para (34)</i>	Australia, Canada, Cook Islands, European Union, Federated States of Micronesia, Fiji, French Polynesia, Japan, New Caledonia, New Zealand, Panama, Philippines, Tonga, Tuvalu, United States		China, Indonesia, Kiribati, Korea, , Chinese Taipei Vanuatu	Indonesia [3]; Kiribati [3]	Kiribati [b]; Vanuatu [b]
<i>Para (35) (a) (ii)</i>	China, Indonesia, Japan, Korea, Philippines, Chinese Taipei, Vanuatu, Kiribati				Kiribati [b]
<i>Para (35) (a) (iii)</i>	Solomon Islands, Philippines, Chinese Taipei, China, Japan, Korea, Vanuatu		Indonesia, Kiribati	Indonesia [3]; Kiribati (3)	Kiribati [b]; Vanuatu [b]
<i>Para (35) (a) (iii) (reporting deadline)</i>	Solomon Islands,	Philippines	China, Indonesia, Japan, Kiribati, Korea, Chinese Taipei, Vanuatu	China [2]; Indonesia [2]; Japan [2]; Kiribati [2]; Korea [2]; Chinese Taipei [2]; Vanuatu [2]	Kiribati [b]; Vanuatu [b]
<i>Para (35) (a) (iv)</i>	Solomon Islands, Chinese Taipei, China, Japan, Korea, Vanuatu	Philippines	Indonesia, Kiribati	Indonesia [3], Kiribati [3]	Kiribati [b]; Vanuatu [b]

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
<i>Paragraph (35) (a) (iv) (reporting deadline)</i>	Solomon Islands,		China, Indonesia, Japan, Kiribati, Korea, Philippines, Chinese Taipei, Vanuatu	China [2], Indonesia [2], Japan [2], Kiribati [2], Korea [2], Philippines [2], Chinese Taipei [2], Vanuatu [2]	Kiribati [b]; Vanuatu [b]
<i>CMM 2010-01: North Pacific Striped Marlin</i>					
<i>Para (5)</i>	China, Japan, Indonesia , Korea, Philippines, Chinese Taipei, United States				
<i>Para (8)</i>	China, Japan, Indonesia , Korea, Philippines, Chinese Taipei, United States				
<i>Para (8) (reporting deadline)</i>	China, Japan, Korea, Philippines, Chinese Taipei, United States		Indonesia	Indonesia [2]	
<i>CMM 2010-02: Eastern High Seas Pocket Special Management Area</i>					
<i>Para (2) (ii)</i>	Cook Islands, Federated States of Micronesia, New Zealand, Vanuatu, United States, European Union	Fiji , Kiribati	China, Panama, Chinese Taipei,	China [3], Panama [3], Chinese Taipei [3]	
<i>Para (2) (reporting deadline)</i>	Cook Islands, Federated States of Micronesia, New Zealand	European Union, Kiribati	China, Fiji, Panama, Chinese Taipei, United States, Vanuatu	China [2]; Fiji [2]; Panama [2]; Chinese Taipei [2]; United States [2];	

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
				Vanuatu [2]	
	<i>CMM 2010-05: South Pacific Albacore</i>				
<i>Para (1)</i>	Australia, China, European Union, Indonesia, Japan, Korea, New Zealand, Philippines, Chinese Taipei, United States				
<i>Para (4)</i>	Australia, China, Cook Islands, European Union, Fiji, French Polynesia, Indonesia, Japan, New Caledonia, New Zealand, Samoa, Chinese Taipei, Tonga, United States, Vanuatu				
	<i>CMM 2011-02: Vessel Monitoring System</i>				
<i>Para (4)</i>	Canada, China, Ecuador, El Salvador, European Union, Federated States of Micronesia, Fiji, Indonesia, Japan, Kiribati, Korea, Marshall Islands, Panama, Papua New Guinea, Philippines, Chinese Taipei, Tuvalu, United States, Vanuatu				

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
<i>Para (9)(a)</i>	Australia, Canada, Cook Islands, Ecuador, El Salvador, European Union, Federated States of Micronesia, Fiji, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Papua New Guinea, , Thailand, Tuvalu, United States , Vanuatu, , Chinese Taipei	Philippines	China, Indonesia, Panama,	China (2), Indonesia (3), Panama (2)	Indonesia [b]
<i>Para (9)(a) – VMS SSPs para 2.8</i>	Australia, Canada, Cook Islands, China, Ecuador, El Salvador, European Union, Federated States of Micronesia, Fiji, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Papua New Guinea, Thailand, Tuvalu, United States , Vanuatu, Chinese Taipei		Indonesia, Panama, Philippines	Indonesia [3], Panama [3], Philippines [3]	
<i>Para (9) (a) – VMS SSPs para 7.2.2</i>	Australia, Canada, China, Cook Islands, El Salvador, European Union, Federated States of Micronesia, Fiji, Indonesia, Japan, Kiribati,	Ecuador			

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	Korea, Marshall Islands, New Caledonia, New Zealand, Panama, Philippines, Chinese Taipei, Tuvalu, United States, Vanuatu, , Papua New Guinea				
<i>Para (9) (a) – VMS SSPs para 7.2.2 (reporting deadline)</i>	Australia, Canada, China, Cook Islands, El Salvador, European Union, Federated States of Micronesia, Fiji, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Panama, Philippines, Chinese Taipei, Tuvalu, United States, Vanuatu		Ecuador, Papua New Guinea	Ecuador (2), Papua New Guinea (2)	
<i>CMM 2013-01: Tropical Tunas</i>					
<i>Para (9)</i>	China, Ecuador, El Salvador, European Union, Indonesia, Japan, New Zealand, Philippines, Chinese Taipei, United States				
<i>Para (14)</i>	Not Assessed	Not Assessed	Not Assessed	Not Assessed	

CMM/Data Provision	Compliance or Implementation Status			2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	Compliant	Non-Compliant	Priority Non-Compliant		
<i>Para (16)</i>	Not Assessed	Not Assessed	Not Assessed	Not Assessed	
<i>Para (16) (reporting deadline)</i>	China, Federated States of Micronesia, Japan, Kiribati, Korea, New Zealand, Chinese Taipei, United States	Australia, Ecuador, European Union, El Salvador, Indonesia, Marshall Islands, Papua New Guinea, Philippines, Solomon Islands	Tuvalu, Vanuatu	Tuvalu [2] Vanuatu [2]	
<i>Para (16 footnote 3) (reporting deadline)</i>	Kiribati	Federated States of Micronesia, Solomon Islands			
<i>Para (19)</i>	Federated States of Micronesia, Japan, Kiribati, Korea				
<i>Para (20) (collective obligation)</i>	PNA				
<i>Para (22)</i>	Japan				
<i>Para (23)</i>	Australia, Cook Islands, Fiji, French Polynesia, Indonesia, New Caledonia, Philippines, Samoa, Chinese Taipei,		Wallis & Futuna		

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	Tokelau, Tonga, United States, Vanuatu, Niue				
<i>Para (23) (reporting deadline)</i>	Australia, Cook Islands, Fiji, French Polynesia, New Caledonia, Samoa, Chinese Taipei, Tokelau, Tonga, United States, Indonesia, Niue, Philippines, Vanuatu	Wallis & Futuna			
<i>Para (24)</i>	Australia, Cook Islands, Fiji, French Polynesia, Japan, New Caledonia, Niue, Philippines, Samoa, Chinese Taipei, Tokelau, Tonga, United States, Vanuatu, New Zealand	Indonesia, Wallis & Futuna			
<i>Para (24) (reporting deadline)</i>	Cook Islands, New Caledonia, French Polynesia, Chinese Taipei, United States	Australia, Fiji, Indonesia, Japan, Niue, New Zealand, Philippines, Samoa, Tokelau, Tonga, Vanuatu, Wallis & Futuna			
<i>Para (24) (para 4 - collective)</i>	PNA				

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
<i>obligation)</i>					
<i>Para (25)</i>	Australia, China, Ecuador, El Salvador, European Union, Indonesia, Japan, Korea, Mexico, New Zealand, Philippines, Chinese Taipei, United States				
<i>Para (28)</i>	Not Assessed	Not Assessed	Not Assessed	Not Assessed	Not Assessed
<i>Para (30)</i>	China, Ecuador, El Salvador, European Union, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Zealand, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Tuvalu, United States, Vanuatu				
<i>Para (33)</i>	China, Ecuador, El Salvador, European Union, Federated States of Micronesia, Japan, Kiribati, Korea, Marshall Islands, New Zealand, Papua New Guinea, Philippines, Chinese Taipei, Tuvalu,		Indonesia	Indonesia [3]	

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	United States, Vanuatu				
<i>Para (34)</i>	Federated States of Micronesia, Kiribati, Marshall Islands, Nauru, Papua New Guinea, Palau, Solomon Islands, Tokelau, Tuvalu, United States, Vanuatu		Indonesia, Philippines	Indonesia [3], Philippines [2]	
<i>Para (37)</i>	Australia, Ecuador, El Salvador, European Union, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Zealand, Papua New Guinea, Philippines, Chinese Taipei, United States, Vanuatu				
<i>Para (37) (reporting deadline)</i>	Australia, Ecuador, El Salvador, European Union, Federated States of Micronesia, Japan, Kiribati, Korea, Marshall Islands, New Zealand, Papua New Guinea, Philippines, Chinese Taipei, United States, Vanuatu	Indonesia			

CMM/Data Provision	Compliance or Implementation Status			2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	Compliant	Non-Compliant	Priority Non-Compliant		
<i>Para (40)</i>	China, Indonesia, Japan, Korea, Chinese Taipei		United States		
<i>Para (41)</i>	Australia, European Union, New Zealand, Philippines				
<i>Para (44)</i>	China, Japan, Korea, Chinese Taipei, United States		Indonesia	Indonesia [2]	Indonesia [b]
<i>Para (44) (reporting deadline)</i>	Chinese Taipei, Korea		China, Indonesia, Japan, United States	China [2], Indonesia [2], Japan [2], United States [2]	
<i>Para (47)</i>	Japan, Philippines		Indonesia		Indonesia [c]
<i>Para (48)</i>	Japan, Philippines		Indonesia	Indonesia [2]	
<i>Para (49)</i>	Australia, Canada, China, Ecuador, European Union, El Salvador, Japan, Korea, New Zealand, Philippines, Chinese Taipei, United States				Indonesia [b]
<i>Para (50)</i>	China, Japan, Korea, Philippines, Chinese Taipei, United States				
<i>Para (50) (reporting deadline)</i>	China, Japan, Korea, Philippines, Chinese Taipei, United States				

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
<i>Para (51)</i>	Australia, Canada, China, European Union, Korea, New Zealand, Philippines, Chinese Taipei, United States, Japan				
<i>Para (52)</i>	Canada, China, European Union, Korea, Philippines, Chinese Taipei, United States, Japan				
<i>Para (54)</i> <i>(para 4 - collective obligation)</i>	non-SIDS CCMs				
<i>Att C (3)</i>	Philippines				
<i>Att C (3)</i> <i>(reporting deadline)</i>		Philippines			
<i>Att C (4)</i>		Philippines			
<i>Att C (5-6)</i>	Philippines				
<i>Att C (8)</i>	Philippines				
CMM 2013-03: RFV SSPs					
<i>Para (2)</i>	Cook Islands, El Salvador, Marshall Islands, New Caledonia, New Zealand, Tonga, United States,	Australia, China, Ecuador, European Union, French Polynesia,			

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2nd, 3rd, 4th or 5th Year with a Potential Compliance Issue	Next Steps¹
	Canada, Fiji, Federated States of Micronesia, Solomon Islands	Indonesia, Japan, Kiribati, Korea, Panama, Papua New Guinea, Philippines, Thailand, Tuvalu, Chinese Taipei, Vanuatu			
<i>CMM 2013-09: Pacific Bluefin Tuna</i>					
<i>Para (2)</i>	Japan, Korea, Philippines, Chinese Taipei, United States				
<i>Para (8)</i>	Japan, Korea, Philippines, Chinese Taipei, United States				
<i>Para (8) (reporting deadline)</i>	Japan, Korea, Chinese Taipei, United States	Philippines			
<i>CMM 2013-10: Record of Fishing Vessels</i>					
<i>Para (2)</i>	China, Cook Islands, Ecuador, El Salvador, European Union, Federated States of Micronesia, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New				

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	Caledonia, New Zealand, Panama, Papua New Guinea, Philippines, Samoa, Solomon Islands, Chinese Taipei, Thailand, Tuvalu, United States, Vanuatu, Vietnam				
<i>Para (3)</i>	Australia, Canada, China, Cook Islands, El Salvador, European Union, Federated States of Micronesia, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Panama, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Tuvalu, United States, Vanuatu	Ecuador, Thailand			
<i>Para (4)</i>	Australia, Canada, China, Cook Islands, El Salvador, European Union, Federated States of Micronesia, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New	Ecuador			

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	Caledonia, New Zealand, Panama, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Thailand, Tuvalu, United States, Vanuatu				
<i>Para (7)</i>	Australia, Canada, China, Cook Islands, Ecuador, El Salvador, European Union, Federated States of Micronesia, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Panama, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Thailand, Tonga, Tuvalu, United States, Vanuatu, Vietnam				
<i>Para (7) (reporting deadline)</i>	Australia, Canada, China, Cook Islands, Ecuador, El Salvador, European Union, Federated States of Micronesia, Fiji, French Polynesia, Indonesia, Japan,				

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Panama, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Thailand, Tonga, Tuvalu, United States, Vanuatu				
<i>Para (9)</i>	Australia, Canada, China, Cook Islands, Ecuador, El Salvador, European Union, Federated States of Micronesia, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Panama, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Thailand, Tonga, Tuvalu, United States, Vanuatu, Vietnam				
<i>Para 9 (reporting deadline)</i>	Australia, Canada, China, Cook Islands, Ecuador, El Salvador, European Union, Federated States of				

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	Micronesia, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Panama, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Thailand, Tonga, Tuvalu, United States, Vanuatu, Vietnam				
<i>Para (16)</i>	Australia, China, Cook Islands, Ecuador, El Salvador, European Union, Federated States of Micronesia, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Panama, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Tuvalu, United States, Vanuatu	Thailand			
<i>Para (17)</i>	Australia, Canada, China, Cook Islands, Ecuador, El	Wallis & Futuna			

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	Salvador, European Union, Federated States of Micronesia, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Panama, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Thailand, Tonga, Tuvalu, United States, Vanuatu				
CMM 2014-07: CMS					
<i>Para (22) (reporting deadline)</i>	Australia, China, Cook Islands, El Salvador, European Union, Federated States of Micronesia, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Zealand, Panama, Philippines, Samoa, Solomon Islands, Chinese Taipei, Thailand, Tuvalu, United States, Vanuatu, Vietnam	Ecuador, France, Palau, Wallis & Futuna	Papua New Guinea	Papua New Guinea [2]	

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	Convention				
<i>Article 23 Para (5) (reporting deadline)</i>					
<i>Article 23 Para (2) (b) (reporting deadline)</i>	Australia, Canada, China, Cook Islands, European Union, Federated States of Micronesia, Fiji, French Polynesia, Japan, Kiribati, Korea, Marshall Islands, Mexico, Nauru, New Caledonia, New Zealand, Niue, Panama, Philippines, Palau, Samoa, Solomon Islands, Chinese Taipei, Tokelau, Tonga, Tuvalu, United States, Vanuatu, Vietnam	Indonesia	Ecuador, Papua New Guinea, El Salvador, Thailand, Wallis and Futuna	Ecuador (2), Papua New Guinea, (2), El Salvador (2), Thailand (2), Wallis and Futuna [3]	
<i>Article 23 Para (2) (c) (reporting deadline)</i>	Australia, Canada, China, Cook Islands, Ecuador, El Salvador, European Union, Federated States of Micronesia, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Marshall		France, Wallis & Futuna	France [3], Wallis & Futuna [3]	

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	Islands, Mexico, Nauru, New Caledonia, New Zealand, Niue, Panama, Papua New Guinea, Philippines, Palau, Samoa, Solomon Islands, Chinese Taipei, Thailand, Tokelau, Tonga, Tuvalu, United States, Vanuatu, Vietnam				
<i>Article 25 Para (2) (reporting deadline)</i>	Fiji, Japan, Chinese Taipei	China, Philippines, Vanuatu, Wallis & Futuna			
	Scientific Data²				

² The references in columns “Non-Compliant” and “Priority Non-Compliant” are based on the tiered scoring system used in the following document: *Scientific Data to be Provided to the Commission* (WCPFC-TCC11-2015-IP04 dated 17 August 2015), however, the percentages shown are the latest as provided by SPC to TCC11 (as at 25 Sept 2015).

Tier I: No data are provided, or data have been provided but they have been evaluated as ‘unusable’ (instances where none of the data provided can be used in assessments). This level of data gap is the most severe and has by far the greatest impacts on the scientific work of the Commission.

Tier II: Data have been provided, most of which can be used for the scientific work of the Commission, but (i) there are one or several (minimum-standard) data fields not provided and/or (ii) the coverage of the data is not according to the requirements. In these cases, some of the scientific work of the Commission cannot be undertaken. The % value assigned in this category

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
<i>Section 01 – Estimate of Annual Catches²</i>	Australia, Canada, Cook Islands, Ecuador, El Salvador, European Union, Federated States of Micronesia, Fiji, French Polynesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Papua New Guinea, Philippines, Samoa, Solomon Islands, Chinese Taipei, Tokelau, Tonga, Tuvalu, United States, Vanuatu		China [Tier II: 77%], Indonesia [Tier II: 69%]	China (2), Indonesia (3)	
<i>Section 01 – (reporting deadline)</i>	Australia, Canada, China, Cook Islands, Ecuador, El Salvador, European Union, Federated States of Micronesia, Fiji, French Polynesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Papua New Guinea,	Indonesia			

represents the estimated proportion of the key attribute data provided compared to the full set of key attribute data required as stipulated in the WCPFC data submission guidelines.

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	Philippines, Samoa, Solomon Islands, Chinese Taipei, Tokelau, Tonga, Tuvalu, United States, Vanuatu				
<i>Section 02 – Number of Active Vessels</i>	Australia, Canada, Cook Islands, Ecuador, El Salvador, European Union, Federated States of Micronesia, Fiji, French Polynesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Papua New Guinea, Philippines, Samoa, Solomon Islands, Chinese Taipei, Tokelau, Tonga, Tuvalu, United States, Vanuatu	Indonesia	China	China (2)	
<i>Section 02 (reporting deadline)</i>	Australia, Canada, Cook Islands, Ecuador, El Salvador, European Union, Federated States of Micronesia, Fiji, French Polynesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New	Indonesia	China	China (2)	

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	Zealand, Papua New Guinea, Philippines, Samoa, Solomon Islands, Chinese Taipei, Tokelau, Tonga, Tuvalu, United States, Vanuatu				
<i>Section 03 (vi) – Operational Level Catch and Effort Data</i>	Not Assessed	Not Assessed	Not Assessed	Not Assessed	Not Assessed
<i>Section 03 (reporting deadline) – Operational Level Catch and Effort Data</i>	Not Assessed	Not Assessed	Not Assessed	Not Assessed	Not Assessed
<i>Section 04 – Catch and Effort Data Aggregated By Time Period and Geographic</i>	Australia, Canada, Cook Islands, Ecuador, El Salvador, Federated States of Micronesia, Fiji, French Polynesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New	Philippines [Tier 1 for Handline (HL), Ringnet (RN), Other gears (OTH)]	China [Tier II: 88%], Indonesia [Tier I]	China (3); Indonesia (4)	

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
<i>Area²</i>	Zealand, Papua New Guinea, Samoa, Solomon Islands, Chinese Taipei, Tonga, Tuvalu, United States, Vanuatu				
<i>Section 04 – (reporting deadline)</i>	Australia, Canada, China, Cook Islands, Ecuador, El Salvador, European Union, Federated States of Micronesia, Fiji, French Polynesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Papua New Guinea, Philippines, Samoa, Solomon Islands, Chinese Taipei, Tonga, Tuvalu, United States, Vanuatu		Indonesia	Indonesia (2)	
<i>Section 05 (vi)– Size Compositio n²</i>	Australia, Cook Islands, El Salvador, Federated States of Micronesia, Fiji, French Polynesia, Indonesia, Japan, Korea, Marshall Islands, New Caledonia, New Zealand, Papua New Guinea, Samoa, Solomon Islands, Chinese Taipei, Tonga,	Kiribati [Tier 1 for Longline (LL)]	China [Tier I for purse seine (PS)] , Ecuador [Tier I for purse seine (PS)], European Union [Tier I for longline (LL) and purse seine (PS)], Philippines [Tier I	China (2), Ecuador (3) European Union (3); Philippines (3)	

	Compliance or Implementation Status				
CMM/Data Provision	Compliant	Non-Compliant	Priority Non-Compliant	2 nd , 3 rd , 4 th or 5 th Year with a Potential Compliance Issue	Next Steps ¹
	Tuvalu, United States, Vanuatu		for Longline (LL)]		
<i>Section 05 (reporting deadline)- Size Composition</i>	Australia, Cook Islands, China, Federated States of Micronesia, Fiji, French Polynesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Papua New Guinea, Philippines, Samoa, Solomon Islands, Chinese Taipei, Tonga, Tuvalu, United States, Vanuatu, Wallis & Futuna		Ecuador, European Union, Indonesia, El Salvador	Ecuador (2), European Union (2), Indonesia (2), El Salvador (2)	
<i>Section 07</i>	Not Assessed	Not Assessed	Not Assessed	Not Assessed	Not Assessed
<i>Section 07 (reporting deadline)-</i>	Not Assessed	Not Assessed	Not Assessed	Not Assessed	Not Assessed



WCPFC IUU VESSEL LIST FOR 2016

(Effective from 7 February 2016: WCPFC12 agreed to maintain the WCPFC IUU list for 2015 as the WCPFC IUU list for 2016)

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 ¹	Flag State Registration Number/ IMO Number	Call Sign (previous call signs)	Owner/beneficial owners (previous owners)	Notifying CCM	IUU activities
Neptune	<i>unknown</i> (Georgia)	10 Dec. 2010	M-00545	<i>unknown</i> (4LOG)	Space Energy Enterprises Co. Ltd.	France	Fishing on the high seas of the WCPF Convention Area without being on the WCPFC Record of Fishing Vessels (CMM 2007-03-para 3a)
Fu Lien No 1	<i>unknown</i> (Georgia)	10 Dec. 2010	M-01432 IMO No 7355662	<i>unknown</i> (4LIN2)	Fu Lien Fishery Co., Georgia	United States	Is without nationality and harvested species covered by the WCPF Convention in the Convention Area (CMM 2007-03, para 3h)
Yu Fong 168	Chinese Taipei	11 Dec. 2009		BJ4786	Chang Lin Pao-Chun, 161 Sanmin Rd., Liouciuo Township, Pingtung County 929, Chinese Taipei	Marshall Islands	Fishing in the Exclusive Economic Zone of the Republic of the Marshall Islands without permission and in contravention of Republic of the Marshall Islands's laws and regulations. (CMM 2007-03, para 3b)

¹ **Supplementary note as at 8 Dec 2015:** In October 2015, at the request of TCC11 the Executive Director sent letters to: Chinese Taipei and Georgia to request information of their vessel/s on the WCPFC IUU list, specifically their last known operations and whereabouts; and to other RFMOs (CCAMLR, CCSBT, IATTC, ICCAT, IOTC, NPAFC & SPRFMO) to seek their cooperation with locating the vessels on the WCPFC IUU list underlining that they are now listed on a number of IUU lists. Georgia replied to confirm that the vessels **Neptune** and **Fu Lien No 1** are no longer flying Georgia flag. Chinese Taipei confirmed that with respect to **Yu Fong 168**, the license was revoked in 2009 the owner of the vessel has been penalized through repeated monetary punishment for violating the rules of not returning to port. Chinese Taipei further advised that the most recent information was received from Thailand's notification to IOTC that the vessel landed their catches in the port of Phuket in the year 2013. CCAMLR and NPAFC replied and confirmed that there are no updates to provide, and ICCAT confirmed that the three vessels are included on the provisional IUU list which will be considered for adoption at the forthcoming ICCAT meeting, 10-17 November 2015.



**COMMISSION
TWELFTH REGULAR SESSION**
Bali, Indonesia
3-8 December 2015

**AGREED WORK PLAN FOR THE ADOPTION OF HARVEST STRATEGIES
UNDER CMM 2014-06**

This plan is intended to give effect to the requirements contained in paragraph 13 of CMM 2014-06:

“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 albacore 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.”

A proposed schedule of actions to adopt or refine harvest strategies is provided for skipjack, bigeye, yellowfin and South Pacific albacore (it is noted that under the CMM the Northern Committee will be responsible for developing a schedule for Pacific bluefin and north Pacific albacore). These actions in the draft work plan are based upon the “Elements of a harvest strategy” in paragraph 7 of CMM 2014-06:

“Elements of a harvest strategy

7. Each harvest strategy developed in accordance with this CMM shall, wherever possible and where appropriate, contain the following elements:

- a. Defined operational objectives, including timeframes, for the fishery or stock ('management objectives')*
- b. Target and limit reference points for each stock ('reference points')*
- c. Acceptable levels of risk of not breaching limit reference points ('acceptable levels of risk')*
- d. A monitoring strategy using best available information to assess performance against reference points ('monitoring strategy')*
- e. Decision rules that aim to achieve the target reference point and aim to avoid the limit reference point ('harvest control rules'), and*
- f. An evaluation of the performance of the proposed harvest control rules against management objectives, including risk assessment ('management strategy evaluation').”*

Explanatory Notes

For detailed information on the objectives, principles and elements of harvest strategies, members are referred to CMM2014-06 and its annex.

Stocks or Fisheries?

This work plan anticipates that the Commission will agree initial harvest strategy elements on a stock basis (limit reference points and acceptable levels of risk of breaching a limit reference point). All other harvest strategy elements, including objectives, target reference points, Harvest Control Rules, and monitoring strategies, may be developed for stocks and/or fisheries. As such, this work plan is organized assuming that harvest strategies will be initially developed on a stock-specific basis, but the Commission will reorganise it as needed if harvest strategy elements are adopted on a fishery-specific basis. Any harvest control rules developed for fisheries should be designed and evaluated to achieve the TRP for each of the [main] stocks caught by that fishery.

The plan also reflects the different level of progress amongst the four tuna stocks included in the work plan. More rapid progress on harvest strategy elements for some stocks should not undermine the progress on other elements.

Rationale for Sequencing

The sequencing of the harvest strategy elements through the plan has been designed to allow efficient development of harvest strategies. Under the plan, the recording of management objectives and agreement on target reference points and risks of breaching limits reference points are planned to be undertaken first and these are followed by the development of harvest control rules. Management strategy evaluation is planned to ensure that harvest control rules meet objectives and target reference points. It is anticipated that management strategy evaluation and the development of harvest control rules will be an iterative process.

It is recognised that, for south Pacific albacore and skipjack tuna, the development of target reference points early has been dependent on a substantial body of analysis and modelling to explore the candidate targets suitability and alignment with objectives. Similar preparatory analysis will be required before adoption of target reference points for yellowfin and bigeye tunas. The work plan for bigeye tuna differs from the other stocks to reflect its current status (below limit reference point). The first steps in the plan for bigeye tuna relate to rebuilding the stock above its limit reference point.

Recording Objectives

It is proposed that the Commission can initially 'record' a range of candidate management objectives rather than 'agree' management objectives. This will allow development of relevant performance measures for management strategy evaluation. It is noted that the Commission has previously recorded a range of candidate objectives for tuna stocks and fisheries, including those in the final 'Report of the Expert Working Group Management Objectives, Performance Indicators and Reference Points' (MOW2-IP/01Rev 1), which was developed in the course of the first two Management Objectives Workshops (2012 and 2013) and accepted by WCPFC10.

Review and Amendment of the plan

It is recognised that there is a need for some flexibility in the plan as work progresses. The workplan should be considered a living document and it is proposed that progress against the plan be reviewed annually by the Commission as a permanent agenda item. The plan may be amended following this review or following the advice of a subsidiary body.

	South Pacific Albacore	Skipjack	Bigeye	Yellowfin
2015	<p>Record management objectives for the fishery or stock (a).</p> <ul style="list-style-type: none"> • SC provide advice on implications of a range of Target Reference Points for south Pacific albacore. • Commission record management objectives for south Pacific albacore noting advice provided by the SC on a range of target reference points. 	<p>Record management objectives for the fishery or stock (a).</p> <p>Agree Target Reference Point (b).</p> <ul style="list-style-type: none"> • Commission record management objectives for skipjack noting advice provided by the SC on a range of target reference points. • Commission agree to a Target Reference Point for skipjack. 	<ul style="list-style-type: none"> • Commission task SC to determine a biologically reasonable timeframe for rebuilding bigeye tuna to [or above] its limit reference point. 	

	South Pacific Albacore	Skipjack	Bigeye	Yellowfin
2016	<p>Record management objectives for the fishery or stock (a).</p> <p>Agree Target Reference Point (b).</p> <p>Agree acceptable levels of risk (c).</p> <p>Agree monitoring strategy (d).</p> <p>Develop harvest control rules (e).</p> <p>Management strategy evaluation (f)</p> <ul style="list-style-type: none"> • SC provide advice on a monitoring strategy to assess performance against reference points. • SC provide advice on a range of performance indicators to evaluate performance of harvest control rules. • Commission record management objectives for south Pacific albacore noting advice provided by the SC. 	<p>Record management objectives for the fishery or stock (a).</p> <p>Agree acceptable levels of risk (c).</p> <p>Agree monitoring strategy (d).</p> <p>Develop harvest control rules (e).</p> <p>Management strategy evaluation (f)</p> <ul style="list-style-type: none"> • SC provide advice on a monitoring strategy to assess performance against reference points. • SC provide advice on a range of performance indicators to evaluate performance of harvest control rules. • Commission record management objectives for skipjack. 	<p>Record management objectives for the fishery or stock (a).</p> <p>Agree acceptable levels of risk (c).</p> <ul style="list-style-type: none"> • Commission agree timeframes to rebuild stock to limit reference point. • Commission agree acceptable levels of risk for breaching Limit Reference Point for bigeye tuna. • Commission record management objectives for bigeye and ask SC for advice on a range of target reference points. 	<p>Record management objectives for the fishery or stock (a).</p> <p>Agree acceptable levels of risk (c).</p> <ul style="list-style-type: none"> • Commission agree to acceptable levels of risk for breaching Limit Reference Point for yellowfin tuna. • Commission record management objectives for yellowfin and ask SC for advice on a range of target reference points.

	South Pacific Albacore	Skipjack	Bigeye	Yellowfin
2016	<ul style="list-style-type: none"> • Commission agree to acceptable levels of risk for breaching Limit Reference Point for south pacific albacore. • Commission agree a Target Reference Point for south pacific albacore. • Commission agree to a monitoring strategy to assess performance against reference points. • Commission agree performance indicators to evaluate harvest control rules 	<ul style="list-style-type: none"> • Commission agree to acceptable levels of risk for breaching Limit Reference Point for skipjack. • Commission agree to a monitoring strategy to assess performance against reference points. • Commission agree performance indicators to evaluate harvest control rules 		

	South Pacific Albacore	Skipjack	Bigeye	Yellowfin
2017	<p>Develop harvest control rules (e).</p> <p>Management strategy evaluation (f).</p> <ul style="list-style-type: none"> • SC provide advice on candidate harvest control rules based on agreed reference points. • Commission consider advice on progress towards harvest control rules. 	<p>Develop harvest control rules (e).</p> <p>Management strategy evaluation (f).</p> <ul style="list-style-type: none"> • SC provide advice on candidate harvest control rules based on agreed reference points. • Commission consider advice on progress towards harvest control rules. 	<p>Agree Target Reference Point (b).</p> <ul style="list-style-type: none"> • SC provide advice on a range of Target Reference Points for bigeye. • Commission agree a Target Reference Point for bigeye. 	<p>Agree Target Reference Point (b).</p> <ul style="list-style-type: none"> • SC provide advice on a range of Target Reference Points for yellowfin. • Commission agree a Target Reference Point for yellowfin.

	South Pacific Albacore	Skipjack	Bigeye	Yellowfin
2018	<p>Develop harvest control rules (e)</p> <p>Management strategy evaluation (f)</p> <ul style="list-style-type: none"> • SC provide advice on performance of candidate harvest control rules. • TCC consider the implications of candidate harvest control rules. • Commission consider advice on progress towards harvest control rules. 	<p>Develop harvest control rules (e)</p> <p>Management strategy evaluation (f)</p> <ul style="list-style-type: none"> • SC provide advice on performance of candidate harvest control rules. • TCC consider the implications of candidate harvest control rules. • Commission consider advice on progress towards harvest control rules. 	<p>Agree monitoring strategy (d).</p> <p>Develop harvest control rules (e).</p> <p>Management strategy evaluation (f).</p> <ul style="list-style-type: none"> • SC provide advice on a monitoring strategy to assess performance against reference points. • SC provide advice on a range of performance indicators to evaluate performance of harvest control rules. • Commission agree to a monitoring strategy to assess performance against reference points. • Commission agree performance indicators to evaluate harvest control rules 	<p>Agree monitoring strategy (d).</p> <p>Develop harvest control rules (e).</p> <p>Management strategy evaluation (f).</p> <ul style="list-style-type: none"> • SC provide advice on a monitoring strategy to assess performance against reference points. • SC provide advice on a range of performance indicators to evaluate performance of harvest control rules. • Commission agree to a monitoring strategy to assess performance against reference points. • Commission agree performance indicators to evaluate harvest control rules



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Standards, specifications and procedures (SSP) for the fishing vessel monitoring system (VMS) of the Western and Central Pacific Fisheries Commission (WCPFC)¹

Responsible for conservation and management of highly migratory species within its convention area, WCPFC is empowered to establish a VMS under Article 24(8) of the *Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean* and, subsequently, by the adoption of Conservation and Management Measure 2007-02 at its fourth regular session. Annex 1 of this Measure defines the basic, functional specification for the VMS in terms of the generic equipment to be used, position accuracy and reporting frequency and data delivery time.

The purpose of these SSP is to establish the terms of implementation of the VMS, including methods to ensure compliance of Automatic Location Communicators (ALCs: term identical with the FFA's Mobile Transceiver/Transmitter Unit or MTU) with the Annex 1 standards; inspection protocols; rules on polling; reporting frequencies; tampering prevention measures; and obligations and roles of fishing vessels, CCMs, the FFA secretariat and the Commission secretariat.

1. Application

The SSPs shall apply to the Commission VMS that covers the high seas within the Convention Area. The SSP for the operation of VMS programs within waters under national jurisdiction shall be the exclusive responsibility of the Coastal State.

¹ The first WCPFC VMS SSPs were approved at WCPFC5 (Dec 2008). This version incorporates i) as an attachment the WCPFC9 adopted amendment related to the reporting timeframes for manual reporting in the event of ALC malfunction which applies from 1 March 2013 - 1 March 2017 and the standard reporting format for these manual reports; ii) agreed amendments at WCPFC12 (Dec 2015) to Section 2 paragraph 7; and iii) updates throughout of references of "CMM 2007-02" with "CMM 2014-02 (or its successor measure)".

2. Methods to ensure ALCs comply with WCPFC standards

1. Vessels subject to the Commission's VMS in the WCPFC Convention Area will be required to carry a fully operational ALC that complies with the full range of minimum standards set out in Annex 1 of CMM-2007-02, (hereafter referred to as Annex 1).
2. The installation and use of ALCs will be governed by rules, based upon the principles set down in this SSP, and adopted and published by the Commission.
3. Vessels with ALCs that comply with the full range of the minimum standards set out in Annex I, but that cannot be remotely polled must either have a regular reporting rate of one hour or less, or will carry and operate, in addition to the ALC, a means of two-way communication by voice (e.g., radio, satellite telephone) or data (e.g., telex, facsimile, email) permitting real time contact with the WCPFC Secretariat, as necessary, with the assistance of the flag CCM, in the English language.
4. At the time of registration of the VMS, vessels equipped with a means of two-way communication, as provided in paragraph 3 above, will declare this means of communication as well as relevant user ID and any additional information required by the Secretariat to be able to establish communications with the vessel.
5. Verification of compliance with the requirements of Annex 1 will be the responsibility of the flag-state CCM for a given vessel.
6. In preparing the initial list of approved ALCs, the WCPFC Secretariat will take into account lists approved by existing regional and sub-regional VMS programmes and lists approved by CCMs.
7. The Secretariat will assess proposals for inclusion of additional ALC makes and models on this list from both CCMs and equipment manufacturers and make recommendations for the TCC's consideration and the Commission's approval. Approval of ALCs will be based on the Secretariat's assessments of ALCs against minimum standards for the Commission VMS as set out in Annex 1 of CMM 2014-02 (or its successor measure), WCPFC SSPs, as relevant, by determining that the ALC make and model has the ability to successfully report to the Commission VMS, and by using the methodology established by the FFA with expenses for type approval processing to be borne by the proposing entity. By 31 July 2016, and as needed thereafter, the Secretariat will recommend removal from the list of approved ALC types any makes and models it has determined do not meet the minimum standards set out in Annex 1 of CMM 2014-02 (or successor measure), or do not have the ability to successfully report to the Commission VMS. If an ALC make and model is removed from the list of

approved ALC types, flag States will ensure that their fishing vessels replace non-type approved ALCs with approved ALCs by the next replacement of the ALC but no later than three years after the Commission's decision.

8. The Secretariat will administer a Commission VMS database. For each fishing vessel required to report to the Commission VMS the flag CCM will submit all necessary data to complete its data file in the Commission's VMS database. This data will include the name of the vessel, unique vessel identification number (UVI)², radio call sign, length, gross registered tonnage, power of engine expressed in kilowatts/horsepower, types of fishing gear(s) used as well as the make, model, unique network identifier (user ID) and equipment identifier (manufacturer's serial number) of the ALC that vessel will be using to fulfil its Commission VMS reporting requirements.

9. Periodic audits of a representative sample of installed ALCs are to be carried out by CCMs to verify that the specification and standards as set out in Annex 1 are being complied with, and that there is no visible evidence of tampering.

10. The number of audits, to be planned on an annual basis, will be determined by cost/benefit, logistical and practical aspects.

11. CCMs are responsible for ensuring that the audits are conducted by qualified operatives, such as officers currently authorised under CCM national fisheries legislation.

12. Audit reports will include measurements of ALC position accuracy, elapsed time between transmission and reception of data, and any physical anomalies (connections, power supply, evidence of tampering) noted by the inspectors.

13. The results of these audits will be provided to the Commission in the part 2 component of the annual report to the Commission by the CCMs and those results compiled by the Secretariat into a VMS Audit Report Document.

14. Furthermore, the Secretariat of the WCPFC, or its appointee will be, at the Secretariat's discretion and on *prima facie* grounds, entitled to audit ALCs from any CCM to independently verify conformity with standards. The execution of such examinations will be guided by an analysis of the on-going data files kept on each vessel. The resulting reports will be made available to the Commission through the Technical and Compliance Committee (TCC).

3. ALC inspection protocol

² If, and when, adopted by the Commission

1. At the time of a boarding and inspection of a vessel authorised to fish in the Convention Area, such inspections to be conducted in accordance with national laws, when undertaken inside a country's EEZ and, when on the high seas, in accordance with the CMM-2006-08.
2. On boarding, the vessel master must make available for inspection, where so directed by an authorised fisheries officer or inspector, its ALC unit, including antenna, connectors and antenna cable.
3. Should a vessel master refuse access to its ALC unit, antenna and connectors to an authorised fisheries officer or inspector, the inspecting party will immediately inform the relevant flag State CCM and the Secretariat. The flag State will order the vessel to immediately comply. Any vessels which refuse this order will be directed by the flag State, or the chartering State, to head directly to port where a full inspection of the equipment in question can be carried out.
4. Failure to carry out this order may result in the suspension or revocation of a vessel's authorisation to fish in the Convention Area by the flag State responsible. The responsibilities of a vessel master during boarding and inspection on the high seas are detailed in CMM 2006-08.
5. A report issued as a result of each inspection will confirm conformity of the ALC unit and installation with the specifications set out in Annex 1. A copy of this report will be given to the master of the vessel and forwarded to the vessel's responsible flag State.
6. In the case where the inspection reveals any anomaly with the specification, the inspector will inform the flag State CCM, the Secretariat and, if applicable, its chartering State. From that date, the vessel operator will have 30 days to rectify the problem and to submit to a new inspection to verify the installation. During that period, the vessel will be required to report its position at intervals of four (4) hours by an alternative communications means approved by the Secretariat.
7. A report of each inspection will be submitted to the CCM to which the vessel is flagged and to the Commission by the inspecting authority, as provided for in CMM-2006-08 and at Article 25 of the Convention.

4. Rules on polling and reporting of ALC units incapable of being polled

1. Any request by the WCPFC monitoring authority for a vessel's current position must receive a response within 90 minutes after its transmission, that response to include the vessel position in latitude and longitude, and date and time of message transmission.

2. For vessels carrying an ALC that uses the ARGOS system to report to the Commission VMS, the Commission VMS will use the ARGOS proprietary positioning system as a means of verifying the GPS calculated positions provided by the vessel's ALC.

5. Vessel reporting, including position reporting frequencies

1. In accordance with Annex 1, ALCs fitted to vessels subject to the Commission's VMS must be capable of transmitting data hourly. The Commission may vary these standards depending upon the fishery, applicable Conservation and Management Measures or for monitoring control and surveillance purposes.

2. The Secretariat will require written authorisation from the vessel operator to download a DNID or equivalent. Should a vessel operator withhold such an authorisation then the vessel's authorisation to fish may be made invalid by the relevant flag State CCM.

3. The Commission VMS shall include an automated alert to report when vessels enter or exit the high seas of the Convention Area. Vessels subject to the Commission's VMS must be reporting to the Commission VMS through automatic means upon entry into the high seas of the Convention Area and continue reporting until the high seas of the Convention Area is exited. In the case of ALC failure or malfunction, these reports shall be provided by the vessel on a manual basis. It is the responsibility of a vessel's flag State CCM to ensure compliance with this requirement.

See Attachment 1 for WCPFC9 & WCPFC11 decisions that replaces Section 5 paragraphs 4 and 5 from 1 March 2013 – 1 March 2017.

[4. In the event of non-reception of two consecutive, programmed high seas VMS positions, and where the Secretariat has exhausted all reasonable steps to re-establish normal automatic reception of VMS positions the Secretariat shall inform the vessel's flag State CCM and the vessel Master. From the time of transmission of this communication to the CCM, the vessel Master shall be required to take immediate steps to re-establish automatic reporting and in any event within [30 days or at its first port of call if less than 30 days]. During this period the vessel shall be required to report its position manually to the Secretariat every [8][4] hours. In cases where automatic reporting has not been re-established within [30] days the CCM shall order the vessel to cease fishing, stow all fishing gear and return to port. The vessel may recommence fishing on the high seas only when the ALC has been confirmed as operational by the Secretariat following the flag State CCM informing the Secretariat that the

vessel's automatic reporting complies with the regulations established in this SSP.]

[5. In exceptional circumstances, the flag State CCM may extend the period established in paragraph 4 for an additional consecutive [15] days during which time the vessel will continue to report its position manually every [4] hours to the Secretariat while on the high seas. When such permission is provided the flag State CCM shall provide a report to the Secretariat as to the nature of the exceptional circumstances and steps taken to re-establish automatic reporting. Such reports shall be included in the Secretariat's annual report on the operations of the Commission's VMS to the TCC as required under paragraph 7.3.9.]

6. The Secretariat shall maintain and make available to all CCMs a current list of those vessels subject to manual reporting and the duration of that reporting.

6. Measures to prevent tampering

1. Before being authorized for operation aboard vessels authorized to fish in the Convention Area, ALCs must be included on the WCPFC approved list of ALCs.

2. ALCs so designated during their type approval process, will be fitted with a physical security mechanism to prevent access to the processing unit.

3. It will be the responsibility of WCPFC to provide CCMs with requirements for the physical security, which will be chosen taking into account the cost, facility of fitting and security quality as well as relevant ISO standards.

4. Data routes from ALCs to the Commission VMS will use international data communications services provided by recognized telecommunications authorities whose systems and operations conform to current ISO guidelines for network data security, or to standards that may supersede these guidelines in the future or their equivalents.

5. The auditing processes described in Section 1 of this document will be used to assure that anti-tampering and, tamper-evident, standards for ALCs are being met.

6. Security of the Commission Secretariat's VMS data will reflect the Secretariat's role as the guardian of the confidential VMS data for the high seas in Convention Area.

7. All security standards, procedures and practices will be consistent with the Commission's Information Security Policy (ISP).

8. Access to the Secretariat's VMS data computer system will be in conformity with the Commission's ISP.

9. A set of Standard Operating Procedures, elaborated by the Secretariat, and subject to approval by the Commission on the recommendation of the TCC, will be developed to deal with all operational anomalies of the VMS, such as interruption of position reports, downloading of DNIDs and their equivalent and responding to reports providing incoherent data (e.g. vessel on land, excessive speed, etc.).

10. The integrity of the Secretariat's VMS data will be verified annually by qualified personnel, exterior to Commission Secretariat staff.

7. Obligations and roles of fishing vessels, CCMs, Service Level Provider(s) and the WCPFC Secretariat

7.1 Fishing vessel obligations

1. To register, carry and continually operate an ALC that meets the standards set out in Annex 1 as well as any additional standards, specifications and procedures agreed by the Commission.

2. To provide access to the ALC, associated connections and antennas, when directed by authorized fisheries officers, inspectors or other authorized persons or organizations, in accordance with relevant inspection provisions whilst on the high seas or in port.

3. To carry aboard and monitor at all times a two-way communication device that supports real-time communication between vessels and the Commission's VMS, with the assistance of the flag State, as necessary.

4. To ensure that a vessel's ALC is protected from any attempt to tamper with its operation, data transmission or integrity of data transmitted in conformity with Section 5 above.

7.2 CCMs

1. To ensure compliance by their vessels and operators with the provisions of Annex 1 and any other WCPFC standards, specifications and procedures, including those that may be established in relation to the management and use of VMS data in the high seas by application of the inspection protocol described in section 2 above.

2. To conduct and report results of ALC inspections in accordance to procedures established for that purpose, results to include data specified in Section 2 above.
3. To utilize the Commission VMS in accordance with the Commission's conservation and management measures and any of the standards, specifications and procedures agreed by the Commission.
4. To provide to the WCPFC Secretariat a list of all ALC inspections by flag and vessels type, including a summary of the results of each inspection.
5. To report, by e-mail, facsimile or data entry procedures established by the Commission to the Secretariat within a period of 5 days any registered ALC, including connections and antennas, associated vessels (by name and flag) and vessel masters that appear to not be in compliance with CMM-20014-02 (or its successor measure) and/or specifications and procedures agreed by the Commission as well as the details of the non-compliance. The Secretariat will issue an acknowledgement of reception of each report and, in the absence of this acknowledgement within 72 hours of transmission, the CCM is required to re-transmit any unacknowledged report.
6. To apply sanctions and penalties sufficient to deter violations of applicable VMS requirements and standards and to report action taken and sanctions applied to ensure compliance.

7.3 The WCPFC Secretariat

1. To ensure that data once received at the Commission VMS is not altered, accessed, manipulated, copied or interfered with in any way, or used by anyone other than those authorized to do so, as prescribed in the Commission's ISP and the associated rules and procedures developed by the AHTG [Data] adopted by the Commission.
2. To provide a stable, reliable, fully maintained and supported Commission VMS that conforms to the security standards set out in the Commission's ISP.
3. To develop and manage a service level agreement (SLA) with the FFA for provision of VMS services. An additional SLA may be required for the provision of VMS software, support and the possible provision of out sourced VMS services between the WCPFC secretariat and a software provider.
4. SLAs will include provisions for confidentiality and non-disclosure; SLA contract clauses; services provided under the SLA; service rates; target response times; help desk support; billing; possible provision of outsourced VMS services (e.g. front-line ALC management).

5. To enter into, and to maintain, direct contracts with mobile communications service providers for the provision of position (and other) data from the ALCs to the Commission VMS. A strategy of joining cooperating RFMOs, where possible, will be followed to achieve a goal of negotiating the best possible rates for these services.

6. To utilize the Commission VMS in a manner consistent with the Convention, the Commission's conservation and management measures, and any of the standards, specifications and procedures relating to the Commission's VMS adopted by the Commission. Unless explicitly requested by a coastal State in accordance with Article 24(8) of the Convention the Commission shall not have access to, interfere with, or use any VMS data owned by the coastal State.

7. To administer the list of ALCs approved for use in the Commission VMS.

8. To compile and circulate to all CCMs a list of registered ALCs by vessel and flag reported to the Commission in compliance or non-compliance with CMM-2014-02 (or its successor measure) and these standards, specifications and procedures, as agreed by the Commission.

9. To monitor and report annually to the TCC the performance of the Commission VMS and its application and, as necessary, make recommendations for improvements or modifications to the system, standards, specifications or procedures established to support it, in order to ensure the Commission VMS continues to function as a stable, secure, reliable, cost effective, efficient, fully maintained and supported system.

10. The Secretariat will include in its annual report (6.3.9) on the operations of the Commission's VMS to the Technical and Compliance Committee, all details for non-compliant ALCs detected in the previous 12 months. The TCC may recommend appropriate penalties or sanctions to the Commission as a means of deterring non-compliance.

Attachment 1: WCPFC9 adopted amendments to the VMS Standards Specification and Procedures (SSPs) which were extended at WCPFC11.

Section 5 of the Commission's VMS SSPs is to be modified as follows:

“4. In the event of non-reception of two consecutive, programmed high seas VMS positions, and where the Secretariat has exhausted all reasonable steps³ to re-establish normal automatic reception of VMS positions the Secretariat will notify the flag State CCM who shall then direct the vessel Master to begin manual reporting. During this period the vessel shall be required to report its position manually to the Secretariat every 6 hours. If automatic reporting to the Commission VMS has not been re-established within 30 days of the commencement of manual reporting the flag state CCM shall order the vessel to cease fishing, stow all fishing gear and return immediately to port. The vessel may recommence fishing on the high seas only when the ALC/MTU has been confirmed as operational by the Secretariat following the flag State CCM informing the Secretariat that the vessel's automatic reporting complies with the regulations established in this SSP.

4bis. The standards outlined in Paragraph 4 above will apply for the period 1 March 2013 to 1 March 2017 and will be reviewed for MCS effectiveness by TCC.

5 In exceptional circumstances⁴, the flag State CCM may extend the period established in paragraph 4 for an additional consecutive 15 days during which time the vessel will continue to report its position manually every 4 hours to the Secretariat while on the high seas. When such permission is provided the flag State CCM shall provide a report to the Secretariat as to the nature of the exceptional circumstances and steps taken to re-establish automatic reporting. Such reports shall be included in the Secretariat's annual report on the operations of the Commission's VMS to the TCC as required under paragraph 7.3.9.

WCPFC9 agreed a standard format for manual position reporting in the event of ALC/MTU Malfunction or Failure:

- 1 WIN
- 2 Vessel Name
- 3 Date: dd/mm/yy
- 4 Time: 24 hour format HH:MM (UTC)
- 5 Latitude – DD-MM-SS (N/S)
- 6 Longitude – DDD-MM-SS (E/W)
- 7 Activity (Fishing/Searching/Transit/Transshipping)

³ The flag State CCM, in coordination with the Secretariat and through communication with the vessel master as appropriate, will endeavour to re-establish normal automatic reception of VMS positions. If such efforts reveal that the vessel is successfully reporting to the flag State CCM's VMS or a sub-regional VMS (indicating that the vessel's VMS hardware is functional), the Secretariat, in coordination with the flag State CCM will take additional steps to re-establish automatic reporting to the Commission VMS.

⁴ Exceptional circumstances includes such events as satellite malfunction unrelated to MTU/ALC and mechanical failure of fishing vessel that reduces the ability of the fishing vessel to return to port within 30 days. ”



**COMMISSION
TWELFTH REGULAR SESSION
Bali, Indonesia
3 - 8 December 2015**

**CONSERVATION AND MANAGEMENT MEASURE FOR COMPLIANCE
MONITORING SCHEME**

Conservation and Management Measure 2015-07

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

In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention):

Recalling that the Commission has adopted a wide range of conservation and management measures to give effect to the objective of the Convention,

Noting that, in accordance with Article 25 of the Convention, Members of the Commission have undertaken to enforce the provisions of the Convention and any conservation and management measures issued by the Commission,

Noting also that, in accordance with international law, Members and Cooperating Non-Members of the Commission and Participating Territories have responsibilities to exercise effective control over their flagged vessels and with respect to their nationals,

Noting further that Article 23 of the Convention obliges Members of the Commission, to the greatest extent possible, to take measures to ensure that their nationals, and fishing vessels owned or controlled by their nationals, comply with the provisions of this Convention, and that Article 24 of the Convention obliges Members of the Commission to take the necessary measures to ensure that fishing vessels flying their flag comply with the provisions of the Convention and the conservation and management measures adopted pursuant thereto, as well as the obligations of chartering States with respect to chartered vessels operating as an integral part of their domestic fleets,

Noting that, in a responsible, open, transparent and non-discriminatory manner, the Commission should be made aware of any and all available information that may be relevant to the work of the Commission in identifying and holding accountable instances of non-compliance with management measures,

Recalling the recommendation of the second joint meeting of the tuna Regional Fisheries Management Organizations (RFMOs) that all RFMOs should introduce a robust compliance review mechanism by which the compliance record of each Party is examined in depth on a yearly basis,

Recognizing the need to provide such technical assistance and capacity building to developing State Members and Cooperating Non-Members, particularly small island

developing State (SIDS) Members and Participating Territories, as may be needed to assist them to meet their obligations and responsibilities, and

Recognizing further the responsibility of Members, Cooperating Non-Members and Participating Territories to fully and effectively implement the provisions of the Convention and the conservation and management measures adopted by the Commission, and the need to improve such implementation and ensure compliance with these commitments,

Adopts the following conservation and management measure in accordance with Article 10 of the Convention, establishing the WCPFC Compliance Monitoring Scheme:

Section I - Purpose

1. The purpose of the WCPFC Compliance Monitoring Scheme (CMS) is to ensure that Members, Cooperating Non-Members and Participating Territories (CCMs) implement and comply with obligations arising under the Convention and conservation and management measures (CMMs) adopted by the Commission. The CMS is designed to:

- (i) assess CCMs' compliance with their obligations;
- (ii) identify areas in which technical assistance or capacity building may be needed to assist CCMs to attain compliance;
- (iii) identify aspects of conservation and management measures which may require refinement or amendment for effective implementation;
- (iv) respond to non-compliance through remedial options that include a range of possible responses that take account of the reason for and degree of non-compliance, and include cooperative capacity-building initiatives and, in case of serious non-compliance, such penalties and other actions as may be necessary and appropriate to promote compliance with CMMs and other Commission obligations;¹ and
- (v) monitor and resolve outstanding instances of non-compliance.

Section II - Scope and application

2. The Commission, with the assistance of the Technical and Compliance Committee (TCC) shall evaluate CCMs' compliance with the obligations arising under the Convention and the CMMs adopted by the Commission and identify instances of non-compliance.

3. Subject to modification by paragraph 15, each year the Commission shall evaluate compliance by CCMs during the previous calendar year with the obligations in the Convention and CMMs adopted by the Commission notably with respect to:

- (i) catch and effort limits for target species;
- (ii) catch and effort reporting for target species;

¹ In accordance with the process for identifying responses to non-compliance adopted by the Commission to complement the Scheme, as provided for in paragraph 38 of this measure.

- (iii) reporting including with respect to implementation of measures for non-target species;
- (iv) spatial and temporal closures, and restrictions on the use of fish aggregating devices;
- (v) authorizations to fish and the Record of Fishing Vessels, observer, VMS coverage, transshipment and the High Seas Boarding and Inspection Scheme;
- (vi) provision of scientific data through the Part 1 Annual Report (and its addendum) and the Scientific Data to be provided to the Commission; and
- (vii) submission of the Part II Annual Report, including compliance with the obligations in paragraph 36, and compliance with other Commission reporting deadlines.

4. The Commission shall also evaluate compliance by CCMs during the previous calendar year with collective obligations arising from the Convention or CMMs related to fishing activities managed under the Convention.

Capacity Assistance Need

5. Notwithstanding paragraph 3, where a SIDS or Participating Territory, or Indonesia or the Philippines cannot meet a particular obligation that is being assessed, due to a lack of capacity², that CCM shall provide a Capacity Development Plan to the Secretariat with their draft Compliance Monitoring Report (dCMR), that:

- (i) clearly identifies and explains what is preventing that CCM from meeting that obligation;
- (ii) identifies the capacity building assistance needed to allow that CCM to meet that obligation;
- (iii) estimates the costs and/or technical resources associated with such assistance, including, if possible, funding and technical assistance sources where necessary;
- (iv) sets out an anticipated timeframe in which, if the identified assistance needs are provided, that CCM will be able to meet that obligation.

The CCM may work together with the Secretariat to draft the Capacity Development Plan. This plan shall be attached to that CCM's comments to the dCMR.

6. Where TCC recognizes that a capacity assistance need has been identified in a dCMR by a SIDS, Participating Territory, Indonesia or the Philippines, which has prevented that CCM from fulfilling a particular obligation, TCC shall assess that CCM as "Capacity Assistance Needed" for that obligation. TCC shall recommend to the Commission that it allow the Capacity Development Plan to run until the end of the anticipated timeframe and assistance delivery set out therein.

7. That CCM shall report its progress under the Capacity Development Plan every year

² Any CCM may identify a capacity assistance need through the CMS process; however, the application of paragraphs 5 - 7 is limited to those CCMs identified in the paragraph.

in its Annual Report Part II. That CCM will remain assessed as “Capacity Assistance Needed” against that particular obligation until the end of the anticipated timeframe in the plan.

Investigation Status Report

8. Where a CCM cannot complete an investigation prior to TCC, that CCM shall provide a Status Report to the Secretariat with the dCMR, that:

- (i) describes the steps that have been taken to commence the investigation;
- (ii) describes the process that CCM will take to complete the investigation, within their relevant national processes and laws;
- (iii) describes, to the extent possible, actions proposed to be taken in relation to the alleged violation;
- (iv) sets out an anticipated timeframe in the Status Report

The CCM may work together with the Secretariat to draft the Status Report. This report shall be attached to that CCM’s comments to the dCMR.

9. TCC will consider the Status Report submitted by the CCM, and may suggest changes. Where the CCM agrees the Status Plan may be revised to reflect those suggestions.

10. Where TCC recognizes that an investigation of an alleged violation has commenced and is ongoing, as identified in a dCMR by a CCM, TCC shall assess that CCM as “Flag State Investigation” for that obligation.

11. That CCM shall provide a report of the progress of the investigation, including any action taken or proposed to be taken in relation to the alleged violation under the Status Report every year in its Annual Report Part II. Until the end of the anticipated timeframe in the plan that CCM shall remain assessed as “Flag State Investigation” against that particular obligation for that year.

Conclusion of Capacity Development Plan or Status Report

12. Notwithstanding paragraphs 5 - 7 and 6 - 11, where TCC does not consider that progress has been made against a Capacity Development Plan or a Status Report that CCM shall be assessed for that obligation in accordance with Annex I.

13. If a CCM notifies the Commission that its capacity needs have been met, or an investigation has been completed and any required action taken, the Capacity Development Plan or Status Report for that obligation shall be deemed to have terminated early and the CCM’s compliance with that obligation shall then be assessed in accordance with Annex I.

14. Once the timeframe in the Capacity Development Plan or Status Report has passed, that CCM’s compliance with that obligation shall then be assessed in accordance with Annex I.

General provisions

15. Each year, the Commission shall consider, taking into consideration any recommendations from TCC, whether all of the obligations identified in paragraph 3 shall be evaluated in the following year and identify whether any additional obligations shall be evaluated. In making this determination, the Commission shall take into account:

- (i) the needs and priorities of the Commission, including those of its subsidiary bodies;
- (ii) evidence of high percentages of compliance or persistent non-compliance with specific obligations for multiple years; and
- (iii) the potential risks posed by non-compliance with particular obligations to achieving the objectives of the Convention or specific measures adopted thereunder.

16. Through the CMS, the Commission shall also consider and address:

- (i) compliance by CCMs with recommendations adopted pursuant to the Scheme the previous year, and
- (ii) responses by CCMs to alleged violations reported under Article 23(5) or 25(2) of the Convention.

17. The preparation, distribution and discussion of compliance information pursuant to the CMS shall be in accordance with all relevant rules and procedures relating to the protection and dissemination of, and access to, public and non-public domain data and information compiled by the Commission. In this regard, Draft and Provisional Compliance Monitoring Reports shall constitute non-public domain data, and the Final Compliance Monitoring Report shall constitute public domain data.

18. The CMS shall not prejudice the rights, jurisdiction and duties of any CCM to enforce its national laws or to take more stringent measures in accordance with its national laws, consistent with that CCM's international obligations.

19. A CCM shall not block its own compliance assessment if all other CCMs present have concurred with the assessment. If the assessed CCM disagrees with the assessment, its view will be reflected in the Provisional or Final CMR.

20. Where a CCM has missed a reporting deadline,³ but has submitted the required information, this obligation will be accepted by TCC, unless a CCM has a specific concern or if there are updates from the Secretariat based on new information received.

21. The Commission recognises the special requirements of developing State CCMs, particularly SIDS Members and Participating Territories, and shall seek to actively engage and cooperate with these CCMs and facilitate their effective participation in the implementation of the CMS including by:

- (i) ensuring that inter-governmental sub-regional agencies which provide advice and assistance to these CCMs are able to participate in the processes established under the CMS, including by attending any working groups as observers and participating in accordance with Rule 36 of the Commission's Rules of Procedure, and having access to all relevant documents, and

³ For the purposes of the Compliance Monitoring Scheme, all reporting deadlines will be based on Universal Time Code (UTC) time unless the CMM establishing the deadline specifies otherwise.

- (ii) providing appropriately targeted assistance to improve implementation of, and compliance with, obligations arising under the Convention and CMMs adopted by the Commission, including through consideration of the options for capacity building and technical assistance.

Section III - Draft Compliance Monitoring Report

22. Prior to the annual meeting of the TCC, the Executive Director shall prepare a Draft Compliance Monitoring Report (the Draft Report) that consists of individual draft Compliance Monitoring Reports (dCMRs) concerning each CCM and a section concerning collective obligations arising from the Convention or CMMs related to fishing activities managed under the Convention. Each dCMR shall reflect information relating to the relevant CCM's implementation of obligations as reflected in paragraph 3 or modified by paragraph 15, as well as any potential compliance issues, where appropriate. Such information shall be sourced from reports submitted by CCMs as required in CMMs and other Commission obligations, such as Parts 1 and 2 of the Annual Reports as well as information available to the Commission through other data collection programs, including but not limited to, high seas transshipment reports, regional observer program data and information, Vessel Monitoring System information, High Seas Boarding and Inspection Scheme reports, and charter notifications; and where appropriate, any additional suitably documented information regarding compliance during the previous calendar year. The Draft Report shall present all available information relating to each CCM's implementation of obligations for compliance review by TCC.

23. The Executive Director shall transmit to each CCM its dCMR at least 55 days prior to TCC each year.

24. Upon receipt of its dCMR, each CCM may, where appropriate, reply to the Executive Director no later than 28 days prior to TCC each year to:

- (i) provide additional information, clarifications, amendments or corrections to information contained in its dCMR;
- (ii) identify any particular difficulties with respect to implementation of any obligations; or
- (iii) identify technical assistance or capacity building needed to assist the CCM with implementation of any obligations.

25. To facilitate meeting obligations under paragraph 24, active cooperation and communication between a flag CCM and other relevant CCMs is encouraged.

26. At least fifteen days in advance of the TCC meeting, the Executive Director shall compile and circulate to all CCMs the full Draft Report that will include any potential compliance issues and requirements for further information to assess the relevant CCM's compliance status, in a form to be agreed to by the Commission, including all information that may be provided under paragraph 24 of this measure.

27. TCC shall review the Draft Report and identify any potential compliance issues for each CCM, based on information contained in the dCMRs, as well as any information provided by CCMs in accordance with paragraph 24 of this measure. CCMs may also provide additional information to TCC with respect to implementation of its obligations.

Section IV – Provisional Compliance Monitoring Report

28. Taking into account any Capacity Development Plans or Status Reports developed pursuant to paragraphs 5 – 7 and 6 – 11, any additional information provided by CCMs, and, where appropriate, any additional information provided by non-government organisations or other organisations concerned with matters relevant to the implementation of this Convention, TCC shall develop a Provisional Compliance Monitoring Report (the Provisional Report) that includes a compliance status with respect to all applicable individual obligations as well as recommendations for any corrective action(s) needed by the CCM or action(s) to be taken by the Commission, based on potential compliance issues it has identified in respect of that CCM and using the criteria and considerations for assessing Compliance Status set out in Annex I of this measure.

29. Subject to paragraph 19, a provisional assessment of each CCM's Compliance Status shall be decided by consensus. If every effort to achieve consensus regarding a particular CCM's compliance with an individual obligation has failed, the provisional CMR shall indicate the majority and minority views. A provisional assessment shall reflect the majority view and the minority view shall also be recorded.

30. The Provisional Report will also include an executive summary including recommendations or observations from TCC regarding:

- (i) identification of any CMMs or obligations that should be reviewed to address implementation or compliance difficulties experienced by CCMs, particularly when TCC has identified ambiguity in the interpretation of or difficulty in monitoring and implementing that measure or obligation, including any specific amendments or improvements that have been identified,
- (ii) capacity building assistance or other obstacles to implementation identified by CCMs, in particular SIDS and Participating Territories, and
- (iii) additional priority obligations that should be reviewed under the CMS the following year pursuant to paragraph 15 of this measure.

31. The Provisional Report shall be forwarded to the Commission for consideration at the annual meeting.

Section V - Compliance Monitoring Report

32. At each annual Commission meeting, the Commission shall consider the Provisional Report recommended by the TCC.

33. Up to 30 days prior to the Commission meeting, where a CCM is able to provide additional information or advice that clearly addresses implementation issues identified in the Provisional Report, the CCM may provide the Commission with that additional advice or information.

34. Taking into account any additional information provided by CCMs, the Commission shall adopt a final Compliance Monitoring Report.

35. The final Compliance Monitoring Report shall include a Compliance Status for each CCM against each obligation and any corrective action needed, and also contain an executive summary setting out any recommendations or observations from the Commission regarding the issues listed in paragraph 30 of this measure.

36. Each CCM shall include, in its Part II Annual Report, any actions it has taken to address non-compliance identified in the Compliance Monitoring Report from previous years.

Section VI – Responses to Non Compliance

37. The Commission shall take a graduated response to CCMs identified as having compliance issues, taking into account the type, severity, degree and cause of the non-compliance in question.

38. The Commission hereby establishes an intersessional working group to develop a process to complement the CMS that shall identify a range of responses to non-compliance that can be applied by the Commission through the implementation of the CMS, including cooperative capacity-building initiatives and, as appropriate, such penalties and other actions as may be necessary to promote compliance with Commission CMMs. The intersessional working group shall progress its work electronically to the greatest extent possible and will seek to ensure that all CCMs, particularly SIDS and Participating Territories, have an opportunity to participate. The intersessional working group shall endeavour to develop a process for consideration no later than TCC12 and adoption no later than WCPFC13.

39. Once the Commission adopts a process establishing the range of responses to non-compliance, the TCC shall include a recommendation on the response to non-compliance in its Provisional Compliance Monitoring Report for consideration by the Commission. The Commission shall identify a response to non-compliance in its Compliance Monitoring Report.

Application and review

40. This measure shall be reviewed in 2017, and the terms of that review will be determined by TCC12 in 2016.

41. This measure will be effective for 2016 and 2017 only.

Annex I - Compliance Status Table

Compliance Status⁴	Criteria	Response
<i>Compliant</i>	<p>A CCM will be deemed Compliant with an obligation arising under the Convention, CMMs, Rules or obligations adopted by the Commission if the following criteria have all been met, as applicable:</p> <ul style="list-style-type: none"> a. reporting or submission deadlines; b. implementation of obligation through national laws or regulations; c. any alleged violations have been investigated and resolved in accordance with relevant Articles of the Convention; and d. submission of all mandatory information or data required, in the agreed format as applicable. 	None
<i>Non-Compliant</i>	<p>A CCM shall be deemed Non-Compliant with an obligation if any of the following have occurred, as applicable:</p> <ul style="list-style-type: none"> a. a CCM has failed to comply with an obligation or category of obligations not specifically identified as Priority Non-Compliant status; b. where TCC does not consider that progress has been made on a Capacity Development Plan or an Status Report; c. information or data for the obligation has been submitted or reported in a way that is incomplete, incorrect, or wrongly formatted; or d. a CCM has failed to meet reporting or submission deadlines. 	<p>Each CCM shall include, in its Part II Annual Report, any actions it has taken to address non-compliance identified in the Compliance Monitoring Report.</p> <p>Actions may include, one or more of the following:</p> <ul style="list-style-type: none"> a.; A CCM must address the issue to gain compliance by the next compliance assessment; or b. A CCM shall provide a Status Report to the Secretariat; or c. Other response as determined by the Commission.

⁴ This annex applies to compliance statuses assigned for each individual obligation.

Compliance Status⁴	Criteria	Response
<i>Priority Non-Compliant</i>	A CCM will be deemed Priority Non-Compliant with an obligation if any of the following have occurred, as applicable: <ul style="list-style-type: none"> a. exceeded catch and effort limits established by the Commission; b. failure to submit an Annual Report; c. repeated non-compliance with an obligation for two or more consecutively assessed years; or d. any other non-compliance identified as Priority Non-Compliant by the Commission. 	Each CCM shall include, in its Part II Annual Report, any actions it has taken to address non-compliance identified in the Compliance Monitoring Report. Actions may include, one or more of the following: <ul style="list-style-type: none"> a. A CCM must address the issue to gain compliance by the next compliance assessment; b. Other response as determined by the Commission.
<i>Capacity Assistance Needed</i>	(i) When a SIDS or Participating Territory or Indonesia or the Philippines cannot meet an obligation that is being assessed due to a lack of capacity, that CCM shall provide a Capacity Development Plan to the Secretariat with the dCMR prior to TCC; and (ii) TCC accepts that a genuine capacity need exists.	(i) The CCM shall complete the steps of the Capacity Development Plan for that obligation in order to become compliant with the obligation, and (ii) report progress against that plan every year in its Annual Report Part II until the end of the timeframe specified in that Plan.
<i>Flag State Investigation</i>	(i) Where TCC recognizes that an investigation of an alleged violation has commenced and is ongoing, as identified in a dCMR by a CCM; and (ii) that CCM has provided a Status Report to the Secretariat with the dCMR	(i) The CCM must complete the steps in the Status Report for that obligation; and take appropriate action in accordance with the relevant articles of the Convention (ii) report an update against that plan every year in its Annual Report Part II until the end of the anticipated timeframe in the Status Report.
<i>CMM Review</i>	There is a lack of clarity on the requirements of an obligation.	The Commission shall review that obligation and clarify its requirements.

**European Union proposal for an
Amendment of the "Scientific data to be provided to the Commission"**

Explanatory Note addressing CMM 2013-06 criteria

- a. *Who is required to implement the proposal?*
This proposal is an amendment to the "Scientific data to be provided to the Commission" and therefore applies to all CCMs.
- b. *Which CCMs would this proposal impact and in what way(s) and what proportion?*
This proposal will affect all CCMs that provide scientific data to the Commission. It aims to clarify some of the requirements and will greatly facilitate the work of TCC in relation to the assessment of compliance with these obligations. Over the last years TCC has failed in assessing compliance with the provision of some of the Scientific data required for the Scientific work of the Commission because of the lack of clarity of some of its requirements. This proposal should remove ambiguities and streamline the assessment that TCC performs every year in relation to the provision of Scientific data by CCMs.
It will also ensure provision of essential scientific data to the Commission therefore having a positive impact in the management of stocks and subsequently beneficial repercussions for SIDS.
- c. *Are there linkages with other proposals or instruments in other regional fisheries management organizations or international organizations that reduce the burden of implementation?*
No.
- d. *Does the proposal affect development opportunities for SIDS?*
No.
- e. *Does the proposal affect SIDS domestic access to resources and development aspirations?*
No.
- f. *What resources, including financial and human capacity, are needed by SIDS to implement the proposal?*
No additional resources are required for SIDS to implement this CMM.
- g. *What mitigation measures are included in the proposal?*
Not applicable: no mitigation measures are required.
- h. *What assistance mechanisms and associated timeframe, including training and financial support, are included in the proposal to avoid a disproportionate burden on SIDS?*
None.

EUROPEAN UNION
PROPOSAL FOR AN AMENDMENT OF THE "SCIENTIFIC DATA TO BE
PROVIDED TO THE COMMISSION"



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, Mobula and Manta rays.

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

Longline catch estimates shall be for whole weight, rather than processed weight.

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

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.

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.

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

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.

Notwithstanding the legal constraints and difficulties mentioned above, all CCMs and CNMs shall provide the required operational catch and effort data listed in Annex I as of 1 April 2020.

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.

4. *Catch and effort data aggregated by time period and geographic area*³

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, with the understanding that these data are essential for the stock assessment of the species concerned.

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

³ (not required for CCMs and CNMs providing all key attributes in their operational catch and effort data with 100% coverage)

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 some of the scientific data to the Commission in a complete and timely manner also relies on the availability of relevant observers reports. It is also recognized that this ability may also 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, starting with the first year for which the data are available~~from the year in which the fleet began operating.~~

Operational catch and effort data, and size composition data, ~~should~~ shall 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~~ shall be provided by April 30 of the year following the calendar year (e.g. data covering calendar year “x” ~~should~~ shall 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~~ shall 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~~ shall 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~~ shall 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~~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~~shall 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~~shall be GMT/UTC. If no sets are made, the date and main activity ~~should~~shall be reported.

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

Number of hooks per set

Number of branch lines between floats. The number of branch lines between floats ~~should~~shall 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, 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, shouldshall 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, shouldshall 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 shouldshall 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 shouldshall be GMT/UTC.

Noon position: The noon position shouldshall 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, 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 shouldshall include “a set”; “a day searched, but no sets made”; “no fishing — in transit⁴”; “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 shouldshall be GMT/UTC. If no sets are made, the date and main activity shouldshall 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 shouldshall be reported in units of at least minutes of latitude and longitude.

⁴ 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~~shall be reported, while uncommon types of associations ~~should~~shall 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, 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~~shall 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~~shall be GMT/UTC.

Noon position: The noon position ~~should~~shall 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, 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~~shall 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~~shall 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~~shall 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~~shall be verified as follows:

- a) The amount of the retained catch ~~should~~shall 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~~shall be verified with information obtained from vessel monitoring systems.
- c) The species composition of the catch ~~should~~shall be verified with sampling conducted by observers during fishing operations or by port samplers during unloading.



**COMMISSION
TWELFTH REGULAR SESSION**

Legian, Bali, Indonesia

3 - 8 December 2015

**SUMMARY REPORT AND RECOMMENDATIONS OF THE NINTH SESSION OF
THE FINANCE AND ADMINISTRATION COMMITTEE (FAC9)**

**WCPFC12-2015-24
8 December 2015**

Introduction

1. The Finance and Administration Committee (FAC) was convened by Co-Chairs Joyce Samuelu Ah-Leong (Samoa) and Paul Callaghan (USA) for an initial session on 2 December 2015 and subsequent sessions on 5, 7 and 8 December 2015. Representatives of Australia, Canada, China, European Union, Federated States of Micronesia, Fiji, France, Japan, Kiribati, Korea, Marshal Islands, New Zealand, Palau, Papua New Guinea, Samoa, Solomon Islands, Chinese Taipei, Tokelau, Tonga, Tuvalu, United States of America and Vanuatu attended the meetings together with observers from the Pacific Islands Forum Fisheries Agency, the Secretariat of the Pacific Community, American Tunaboat Association, Conservation International, Greenpeace, Humane Society and International Seafood Sustainability Foundation. Meeting support was provided by the Commission Secretariat. The Committee agreed by consensus to present to the Commission the decisions and recommendations set out below.

AGENDA ITEM 1. OPENING OF MEETING

1.1 Adoption of agenda.

2. The agenda as set out in WCPFC12-2015-FAC9-01, WCPFC12-2015-FAC9-02 and WCPFC12-2015-FAC9-03 was adopted.

1.2 Meeting Arrangements

3. The meeting arrangements were noted.

4. WCPFC Executive Director (ED) Feleti Teo remarked that this meeting marks his first attendance at FAC, a subsidiary body whose work is central to the Commission's ability to function efficiently and effectively. Mr Teo highlighted two issues on the agenda for the FAC's consideration. First, he noted that the lack of cohesion between the Commission's work programme and budget and its strategic plan makes it difficult to explore options for a more sustainable basis for funding. Second, he would like the FAC to consider whether the Commission's budget should be changed to present voluntary (extra-budgetary) contributions, which are increasing over time and are currently presented in a separate annex, alongside the member-funded activities in a single, integrated format. Mr Teo noted these issues can be discussed under Agenda Items 3.4 and 7.

AGENDA ITEM 2. AUDITS

2.1 Auditor Report for 2014 and General Account Financial Statements for 2014

5. It was noted that the General Account Fund balance at the end of the year was 388,531 USD which was transferred to the Working Capital Fund in accordance with Financial Regulation 4.4.
6. **FAC9 recommends that the Commission accept the audited financial statements for 2014 as set out in paper WCPFC12-2015-FAC9-04.**

2.2 Appointment of an Auditor

7. The Secretariat noted that under Financial Regulation 12.1 an internationally recognized auditor should be appointed for a term of two years. Given that the existing auditor, Deloitte and Touche LLP, has performed well in the past and is the only auditor of international standing with an office in Pohnpei, FSM, FAC9 was asked to consider whether it should be reappointed.
8. Some CCMs considered that it would be good practice to investigate whether the market offers other options for auditors that would provide better value for money. It was noted that the search and appointment of a new auditor would have budget implications that should be reflected in the 2016 budget for FAC's consideration.
9. **FAC9 recommends a one-year appointment of Deloitte and Touche LLP as the Commission's auditor during which time the Secretariat will undertake a tender for an auditor to test the market and present the options to the FAC10.**

AGENDA ITEM 3. STATUS OF THE COMMISSION'S FUNDS

3.1 Report on General Account Fund for 2015 – Contributions and Other Income

10. The Secretariat noted that WCPFC12-2015-FAC9-05 states that as of 21 October 2015 the outstanding balance of members' contributions from 2015 was 530,014 USD. With the recent receipt an additional contribution the outstanding contribution from Members for 2015 has been reduced to approximately 481,000 USD. This situation is much improved when compared to the situation in 2014 as highlighted at FAC8.
11. With reference to the WCPFC Convention Article 18, para. 3 which imposes a restriction on participation for any member for whom the amount in arrears equals or exceeds the sum of the previous two years' assessed contributions, the Secretariat noted that this is not applicable to any members at this time.
12. **FAC9 accepted the report on the general account funds in WCPFC12-2015-FAC9-05.**

3.2 Report on the Status of Other Funds for 2015

13. Drawing the FAC's attention to WCPFC12-2015-FAC9-08, the Secretariat noted the following balances in the Special Requirements Fund and other funds established by the Executive Director as of 15 October 2015:
 - the Working Capital Fund (1,190,555 USD),
 - the Special Requirements Fund (2,554 USD);
 - the West Pacific East Asia Project Fund (2,202,021 USD);
 - US Funds for Supporting E-monitoring and E-reporting and ROP Fund (9,987 USD);
 - the Japanese Trust Fund (15,757 USD);
 - the Voluntary Contributions Fund (1,754,668 USD);
 - the CNM Contributions Fund (237,963 USD); and
 - the Global Environment Facility-Areas Beyond National Jurisdiction (GEF ABNJ) Project Fund (2,775,199 USD).
14. The Secretariat noted that it had attempted, unsuccessfully, during the course of the year to raise additional funds for the Special Requirements Fund.
15. **FAC9 noted the report on the status of other funds for 2015.**

3.3 Managing Voluntary Contributions

16. The Secretariat introduced WCPFC12-2015-FAC9-12 containing proposed criteria for when and how to accept voluntary contributions from members and other entities, noting that it is certainly not the intention of the Secretariat to discourage such contributions. The paper arises from the fact that there has been a substantial

increase in the number of these contributions in the past two years. Uncertainties regarding the timing of fund provision and project cost incursion, and whether the funding is adequate to cover all of the expected costs, have sometimes led to problems. This is particularly the case when the contributions are offered during the annual meeting and these commitments are used to offset the Commission's annual budget.

17. Some CCMs supported the intent of the paper in principle.
18. The EU noted potential difficulties in accepting the proposed criteria noting that in some cases disbursement by 1 May cannot be guaranteed if, for example, scopes of work require input from the Scientific Committee which does not meet until August.
19. RMI thanked those CCMs and NGOs which have contributed and asked if the contributions do not materialize whether the Commission's budget is used to compensate for the shortfall.
20. The Secretariat clarified that in most cases if the contributed funds do not arrive as promised the project to which they were allocated does not commence.
21. In response to a query about how contributions which do not meet the proposed criteria would be documented, the Secretariat clarified that the offers would be recorded but not included in the Commission's budget.
22. **FAC9 agreed to accept the criteria for managing voluntary contributions in WCPFC12-2015-FAC9-08 as general guidelines rather than firm rules.**

3.4 Review of Options for a Sustainable Commission Budget

23. The WCPFC Executive Director revisited the issue of assuring a sustainable Commission budget (see Agenda Item 1.2 and WCPFC12-2015-FAC9-13). He considered that a strategic plan which defines the core work of the Commission is a necessary precursor to identifying the required budget. Once a strategic plan has been formulated the next step would be to explore how to cover costs including such options as leveraging voluntary contributions, imposing project management fees (for example 12.5% fee on all voluntary contributions), exploring cost recovery options for Commission services, increasing returns from investments, and other approaches. The ED proposed that the Secretariat's work on this topic be paused until such time as longer-term strategic direction is in place.
24. Tokelau expressed concerns about the risks inherent in pursuing higher returns from investments.
25. Some CCMs considered that the imposition of project management fees would not be warranted when the Secretariat is simply passing the funds through to another organization, for example the Commission's Scientific Services Provider (SPC) which also charges a project management fee of 15% for work commissioned by the WCPFC.
26. Some CCMs recommended the Secretariat work with service providers to reduce management fees.

27. Some CCMs recommended that levying a participation fee on meeting observers be further explored as a means of recovering some of costs associated with holding meetings.
28. The EU and ISSF asked that the broader issues of observers' access to all Commission sessions and their contribution to the work of the Commission be considered alongside the issue of whether a participation fee should be levied.
29. RMI noted the linkage between these issues and their proposal that an annual contribution to the Special Requirements Fund in the amount of 10,000 USD be made mandatory for developed CCMs (WCPFC12-2015-DP-01). RMI asked that FAC lend its support to this proposal.
30. Some CCMs considered that a more extensive analysis of RMI's proposal would be needed before they could agree to support it.
31. Some CCMs supported RMI's proposal, referring to SIDS needs and the various ways in which the Commission is required to address them.
32. The FAC Co-Chair noted that RMI's proposal can be discussed in under Agenda Item 8 in the plenary agenda.
33. **FAC9 tasked the Secretariat to prepare a paper for FAC10 regarding options for charging a participation fee for observers to attend meetings of the Commission.**

3.5 Recommendation to Increase the limit on the Working Capital Fund

34. The Secretariat introduced WCPFC12-2015-FAC9-16 which contains a proposal to raise the target level of minimum funding in the Working Capital Fund (WCF). It was noted that the amount for the WCF was set at 500,000 USD when the Commission's budget was approximately 3M USD per annum. Now that the Commission's budget exceeds 7M USD per annum it is proposed to raise the amount in the WCF to 1M USD. Since there is currently 1.2 M USD in the WCF, raising the minimum target level to 1M USD would not have any implications for the current budget.
35. **FAC9 supports the proposal in WCPFC12-2015-FAC9-16 to raise the amount in the WCPFC's Working Capital Fund to 1M USD.**

4.1 Headquarters Matters

36. Under this standing agenda item, the Secretariat presented a report (WCPFC12-2015-FAC9-09) highlighting that the electrical supply situation on Pohnpei remains unstable and that recent severe weather events have damaged the Secretariat property and required repairs. In addition, travel to and from Pohnpei remains problematic due to flight cancellations and delays, despite the additional service recently provided by Air Nauru linking Pohnpei with destinations in the South Pacific.

37. FAC9 noted the Headquarters Matters report.

4.2 Proposed Revisions to Regulations

38. A proposal to modify the staff regulations regarding extra-duty pay arrangements was tabled by the Secretariat as WCPFC12-2015-FAC9-11. The intent of this proposal is to clarify the pay grade to which staff are entitled when they are asked to act for other absent staff for a period of 10 days or more. The current regulations state that the acting staff should receive the full salary of the absent individual. The proposal is to modify the regulations to specify that the salary to be received should be equal to the lowest point in the grade level salary band for the absent individual. The Secretariat stated that there would be no additional cost implications from this proposal since the salary payments would in most cases likely be a reduction rather than an increase.
39. Japan suggested minor changes to the proposed amendment in WCPFC12-2015-FAC9-11 to further clarify the situation.
40. The proposed language including the changes from Japan are as follows: “It is recommended that Staff Regulation 21. (b) be replaced with the following: “A staff member who is required by the Executive Director to carry out and does carry out the duties of a higher graded position for a continuous period of not less than ten (10) working days may be paid a higher duties allowance up to the lowest salary point of the of the higher graded position for the period. Where the lowest salary point of the higher graded position is lower than the salary of the staff member concerned, the higher duties allowance will be assessed up to the salary point of the higher graded position immediately above the salary point of the staff member taking on the higher duty for the period.”
41. **FAC9 agreed to the proposed changes to the staff regulations.**

4.3 Job Sizing for Secretariat Staff

42. The WCPFC Executive Director presented a report summarizing the results of a job sizing study recently conducted for the Secretariat at the request of FAC8 (WCPFC-2015-FAC9-10). He apologized for the late posting of this document due to the recent completion of the study. He noted that one of the key issues to keep in mind when reviewing the report is that the Secretariat had no experience with the SP-10 methodology used by the consultants for the study. As a result, the staff TORs and the information provided in response to the consultant’s surveys and interviews was not necessarily well-aligned with the SP-10 requirements. Four recommendations from the report were highlighted:
- a. Continue paying professional staff in SDRs;
 - b. Adopt the CROP banding system based on SP-10 points;
 - c. Replace stepped rates/increments with a range based on performance; and

d. Review the policy of fixed-term employment.

The ED asked FAC9 to take note of the study's recommendations but requested that the Secretariat be allowed more time to analyse the impact of the recommendations before taking any decisions.

43. FFA members noted that FFA and SPC use the SDR currency for salaries but are currently considering whether to continue with this system. Their deliberations should be monitored and taken into consideration by WCPFC. Although WCPFC is not a CROP agency, it shares some similarities with CROP agencies and thus the recent CROP Triennial Review should also be considered as relevant information.
44. Several CCMs noted the comprehensiveness of the report and the need to analyze its findings in detail. These CCMs also queried the Secretariat about what its response might be to some of the recommendations and how this might affect the Commission's budget.
45. The ED agreed to provide a full response to the study's recommendations in advance of TCC12 in order to allow an informal discussion in the margins of that meeting and to allow time for informed consideration at FAC10.
46. **FAC tasked the Secretariat with preparing a paper regarding the Job Sizing for Secretariat Staff and have it available for CCMs prior to TCC in order to allow CCMs enough time to review the paper.**

AGENDA ITEM 5. RECOMMENDED REQUIREMENTS FOR HOSTING MEETINGS

47. The Secretariat noted that this is a standing agenda item providing guidance to CCMs on the basic recommended requirements for hosting Scientific Committee and annual meetings, acknowledging that circumstances will vary.
48. **FAC9 noted the recommended requirements for hosting meetings contained in WCPFC12-2015-FAC9-07.**

AGENDA ITEM 6. ADDITIONAL TCC ITEMS THAT MAY HAVE BUDGET IMPLICATIONS

49. The Secretariat noted three areas where the Secretariat has identified TCC work items that may have budgetary implications. These included the catch documentation scheme work plan, consultancies arising from the IWG-FAD recommendations, and VMS costs. More information on these work items and budgets is provided under Agenda Item 7 below.

AGENDA ITEM 7. WORK PROGRAMME AND BUDGET FOR 2016 AND INDICATIVE WORK PROGRAMME AND BUDGET FOR 2017 AND 2018

50. The Secretariat presented the proposed Commission budget for 2016 and the indicative budgets for 2017 and 2018 (WCPFC12-2015-FAC9-15). The budget proposed to FAC9 for the General Fund for 2016 was 8,264,369 USD which represented an increase of 9-10% over the previous year's budget.
51. Through discussion at FAC9 the budget was adjusted and refined to the final version appended to this report. This final budget proposed for the General Fund for 2016 is 7,731,994 USD which represents an increase of 2.3% over the 2015 budget and 2.8% over the indicative budget for 2016.
52. **FAC9 recommended that the Secretariat rationalize information technology costs so that in the presentation of future budgets the relationship between various information technology costs is clarified.**

General Discussion

53. Some CCMs expressed their ongoing concern about the increase in the 2016 budget, noting both new costs and the fact that recurring costs appear to be increasing.
54. Several CCMs called for further detail in the Scientific Services, Scientific Research and Technical and Compliance Programme portion of the budget (Sub-Items 2.1, 2.2 and 2.3).
55. In response to the question about offsets (Annex V), the Secretariat explained that this relates to Financial Regulations 5.2.b.ii where any SIDS whose assessed contribution exceeds 0.05 USD per capita is eligible for an offset.
56. In response to a question about whether excess funds in the Working Capital Fund can be used to offset the coming year's budget shortfall, the Secretariat indicated that this is what is typically done.

Part 1 Budget for Administrative Expenses of the Secretariat

57. The Secretariat clarified that the increase in staff costs is due to a change in the number of staff dependents. Other increases in personnel costs (security guards, gardeners, cleaners) result from new statutory requirements in the Federated States of Micronesia regarding social security and income tax payments.
58. The Secretariat noted that meeting services costs are difficult to estimate: while holding meetings back-to-back might imply a cost savings it is not always the same person attending both meetings.
59. In response to a comment about how to evaluate the budget objectively in the absence of a strategic plan, the ED noted that this is why he is advocating for a strategic plan and a consolidated budget format.
60. In response to questions regarding the information technology components of Part 1 of the Commission's budget, the Secretariat clarified that these costs represent hardware and network maintenance and replacement costs, as well as licenses and expert input to system maintenance and upgrades.

61. In response to requests to further trim the 2016 budget, staff recruitment and repatriation costs were reduced by 20,000 USD on the basis that not all of the allocated costs are likely to be required. Media consultant costs were reduced by 10,000 USD in order to trim the budget without disrupting the core work of the Secretariat. Training costs (Section 1.4) were reduced by 5,000 USD. The line item for Website New Projects/Enhancements that would support re-design of the web site to reflect new branding was reduced to 8,000 USD with the remaining 12,000 USD deferred to the 2017 (indicative) budget.

Science Work Programme

62. The Secretariat offered to provide FAC with a breakdown of the Scientific Services Provider costs each year once the Scientific Services Agreement is finalized.
63. SPC explained that the “project management” costs shown in WCPFC12-2015-FAC9-15(rev 1), Annex IX represent SPC staff time spent on WCPFC contracted projects. Also, the “additional resourcing” line item represents costs relating to the implementation of the recommendations from the independent review of the bigeye tuna stock assessment, in particular ongoing enhancements to the stock assessment software.
64. Recognizing that SC has already set priorities for the SC Work Programme, FAC9 agreed to remove the low priority projects (priority = 1) from consideration.
65. SPC clarified that EU funding (160,000 USD (or 150,000 Euros)) for “Technical Support for the MOW4/HSW1” was not received from WCPFC until 1 November 2015. SPC also stated that MOW/HSW work has not been supported under the WCPFC Scientific Services Provider core budget. SPC also confirmed that this supporting work is necessary even if another MOW is not held in 2016.
66. FAC9 discussed Project 67 on skipjack range contraction in detail without reaching consensus. Despite the fact that SC11 did not consider this project as a high priority, a majority of CCMs supported retaining it within the budget. A minority of CCMs expressed concerns about the practicality of obtaining value from a 40,000 USD project on this topic, particularly when the details of the work remain unclear.
67. CCMs expressed support for Project 60 “Further paired sampling and unloading data comparisons” after confirming that the amount shown was sufficient to cover all necessary costs.
68. Regarding the unobligated (contingency) costs of 83,000 USD for high priority science projects, CCMs noted that these funds are rarely used and can be removed from the 2016 budget.
69. CCMs noted that in the SC Work Programme a high priority project on developing limit reference points for sharks requires a scope of work to progress. Acknowledging that SC is the most appropriate forum to decide the scope of work, FAC9 agreed to retain the 25,000 USD allocation in the 2016 budget so that SC12 can define the scope of work and the work can then progress in the latter half of 2016.

70. **FAC9 recommended that WCPFC12 task SC12 with developing a scope of work to progress development of limit reference points for sharks within the budget allocated for 2016.**
71. **FAC9 recommended that WCPFC12 task SC with carefully considering proposed scientific projects in the context of the indicative budget agreed for the coming year.**

EU Contributions for Specific Scientific Projects

72. Matching funds for EU projects (20%) need not be shown as line items in the budget but it is suggested that there should be a clear way of showing from where at least 10% of these matching funds derive in order to demonstrate the commitment and trigger the EU's allocation of funds.
73. FAC9 considered three options with regard to the co-funding of the EU projects:
 - a. Do not include the co-funding in the Commission's 2016 budget
 - b. Include co-funding in the Commission's 2017 budget and look for alternative sourcing of co-funding in 2016
 - c. Include co-funding in both the Commission's 2016 and 2017 budgets.

The Secretariat noted that five previous contributions have been received from the EU for specific projects and none of those have shown WCPFC co-funding as line items within the WCPFC budget because the discussion of these contributions did not take place within the context of the FAC or the WCPFC annual meeting.

74. The EU reiterated that the 20% co-funding must be itemized. If the EU contributions are shown in the Commission's budget, then the co-financing must also be shown, if not as a line item then as a footnote explaining that if the amount of co-funding is not provided the contribution will not be provided. The co-funding may be in-kind services or contributions from third parties.
75. FAC9 discussed that part of the co-funding may consist of SPC work under the WCPFC Scientific Services Agreement (or ABNJ Tuna Project work) as long as the project to be funded by the EU involves SPC (or ABNJ).
76. FAC9 agreed to remove the co-funding for the three EU scientific projects from the 2016 budget on the understanding that the Secretariat should endeavor to identify the necessary co-funding to allow the EU contributions to be made and the projects to go ahead in 2016.

Technical and Compliance Work Programme

77. The Secretariat noted that the cost increases in the Technical and Compliance Programme were mainly due to the ROP and VMS programs. In terms of the former, with the exception of the observer CMM booklet, costs reflect the true costs of running the program, i.e. data entry staff costs, transport of logbooks and overall system support. For VMS, the cost increase can be attributed to higher technology systems using larger data packets when transmitting, resulting in higher service fees. Other fees are fixed in the Service Level Agreement (SLA) with FFA.

78. FAC9 removed the line item for the IWG ROP meeting as the Commission has not confirmed the need for this meeting.
79. The Secretariat explained that the IWG-FADs would be held in conjunction with TCC but it is not yet clear whether the same national representatives would be attending both meetings. Therefore while the meeting costs are likely to be lower than the 100,000 USD budgeted for a stand-alone meeting, it is difficult to estimate how much lower. In addition, two consultancies are needed to support the IWG-FADs: a small consultancy on data fields to be collected and a larger consultancy involving FAD marking and monitoring covering a review of other t-RFMOs and consultation throughout the region.
80. The Secretariat indicated that a budget of 85,000 USD for the IWG-FADs is likely to be sufficient.
81. The US indicated a voluntary contribution of 35,000 USD will be allocated to support the IWG-FADs, therefore the Commission's contribution would be 50,000 USD.
82. **FAC9 recommends to WCPFC12 that meetings, such as the e-monitoring and e-reporting workshop, the IWG-FAD workshop and the CDS workshop, be held back-to-back with other Commission meeting as much as possible.**
83. **FAC9 recommends to WCPFC12 that the E-Monitoring and E-Reporting Workshop is held in conjunction with another meeting. If the meeting is held in conjunction with another meeting the budget will be 25,000 USD. If the meeting is held as a stand alone meeting the budget will be 100,000 USD and additional funding would need to be provided in the budget to support this option.**
84. In response to questions about the costs for the Commission's Information Management System (IMS), the Secretariat clarified that the recent costs represent ongoing, staged development plans, rather than budgeting for all of the development in one fiscal year.
85. In response to questions about the budget for ROP special projects, the Secretariat clarified that these funds are intended to support the recommendations of WCPFC12 regarding observer sea safety.

Outstanding Items resulting from WCPFC12's Considerations

86. The Secretariat provided more detail on the budget for the Commission's strategic plan development as follows: the overall budget is 69,500 USD with 30,000 USD to be used for consultancy, 19,000 USD for travel, and the remaining costs to support an extra two days of meeting during TCC12. He noted that perhaps 20,000 to 30,000 USD may be available as co-funding from NGOs, and therefore the budget may be reduced to 39,500 USD.
87. Tokelau suggested that the full 69,500 USD budget line item be retained with any co-funding used to support implementation of the strategic plan within the Commission's planning framework. The work should be conducted and budgeted over a two year period.

88. FAC9 agreed to split the allocation of 69,500 USD for the WCPFC (strategic) planning framework between the 2016 and 2017 (indicative) budgets, with initial work in 2016 focused on the strategic plan and subsequent work focused on the corporate plan.
89. **FAC9 agreed that an alternative budget format will be provided at FAC10 that will integrate voluntary (extra-budgetary) contributions alongside the member-funded activities.**
90. **FAC9 agreed to a 2016 budget of 7,731,994 USD pending any subsequent decision reached by WCPFC12 that will have an impact on the budget.**

AGENDA ITEM 8. OTHER MATTERS

4.1 Nomination of Chair(s)

91. **FAC9 nominated Paul Callaghan (USA) to continue in his role as Co-Chair of the FAC.**

AGENDA ITEM 9. ADOPTION OF REPORT

92. **FAC9 adopted this summary report which is tabled as WCPFC12-2015-26.**
93. **FAC9 invites WCPFC12 to consider this report and to endorse its recommendations.**

AGENDA ITEM 10. CLOSE OF MEETING

94. The Co-Chairs, Paul Callaghan and Joyce Samuelu Ah-Leong closed the final session of FAC9 at 11:35am on 8 December 2015.

ANNEX I

Western and Central Pacific Fisheries Commission- General Fund
Summary of budgetary requirements for the period from 1 January to 31 December 2015
& indicative budgets for 2016, 2017 & 2018 (United States dollars)

	Approved budget 2015	Estimated expenditure 2015	Indicative budget 2016	Proposed budget 2016	Indicative budget 2017	Indicative budget 2018
Part 1 - Administrative Expenses of the Secretariat						
Sub-Item 1.1 Staff Costs						
Professional Staff Salary	991,340	848,034	1,006,603	973,064	985,381	992,681
Professional Staff Benefits and Allowances	984,190	888,157	915,271	987,338	994,804	974,112
Professional Staff Insurance	134,590	99,771	135,410	125,560	129,122	132,826
Recruitment/Repatriation	51,130	45,441	25,565	56,695	51,130	51,130
Support Staff	364,269	360,959	381,156	370,253	378,046	384,783
Total, sub-item 1.1	2,525,519	2,242,362	2,464,004	2,512,909	2,538,483	2,535,531
Sub-Item 1.2 Other Personnel Costs						
Temporary Assistance/Overtime	10,000	10,560	10,000	10,000	10,000	10,000
Chairs Expenses	20,000	20,613	20,000	20,000	20,000	20,000
Consultants <i>see note 1</i>	148,000	144,759	145,000	138,000	148,000	148,000
Total, sub-item 1.2	178,000	175,932	175,000	168,000	178,000	178,000
Sub-item 1.3 Official Travel	210,000	189,427	210,000	210,000	210,000	210,000
Sub-item 1.4 General Operating Expenses						
Electricity, Water, Sanitation	72,000	67,925	73,000	70,000	72,800	72,800
Communications/Courier	64,000	66,968	65,920	67,000	67,898	69,935
Office Supplies & Fuel	45,500	42,221	46,000	45,500	46,500	46,500
Publications and Printing	1,000	650	1,000	1,000	1,000	1,000
Audit	7,500	7,000	7,500	7,500	7,500	7,500
Bank Charges	6,000	6,476	6,100	6,500	6,200	6,600
Official Hospitality	11,000	11,863	11,000	20,000	14,000	14,000
Community Outreach	5,000	5,000	5,000	8,000	8,000	8,000
Miscellaneous Services	5,000	6,256	5,000	5,000	5,000	5,000
Security	64,360	75,193	66,291	83,303	83,303	83,303
Training	30,000	12,398	30,000	25,000	30,000	30,000
Total, sub-item 1.4	311,360	301,950	316,811	338,803	342,201	344,638
Sub-item 1.5 Capital Expenditure						
Vehicles	0	0	30,000	20,000	0	0
Information Technology	58,678	59,494	58,678	58,678	58,678	58,678
Website New Projects/Enhancements <i>see note 2</i>	8,000	6,510	8,000	8,000	20,000	8,000
Furniture and Equipment <i>see note 3</i>	32,000	58,303	32,000	32,000	32,000	32,000
Total, sub-item 1.5	98,678	124,307	128,678	118,678	110,678	98,678
Sub-item 1.6 Maintenance						
Vehicles	5,800	5,244	5,800	5,800	5,800	5,800
Information and Communication Technology	78,500	102,669	78,500	78,500	78,500	78,500
Buildings & Grounds	55,000	58,672	56,500	56,500	56,500	56,500
Gardeners and Cleaners	64,836	68,946	66,781	77,074	77,074	77,074
Insurance	27,000	21,775	27,500	23,000	23,000	23,000
Total, sub-item 1.6	231,136	257,306	235,081	240,874	240,874	240,874
Sub-item 1.7 Meeting Services						
Annual Session <i>see note 4</i>	173,000	98,327	165,000	165,000	165,000	165,000
Scientific Committee	160,000	152,376	192,000	192,000	160,000	192,000
Northern Committee <i>see note 5</i>	18,000	10,175	18,000	18,000	18,000	18,000
Technical and Compliance Committee	159,800	157,040	159,800	159,800	159,800	159,800
IWG ROP	70,000	22,864	0	0	0	0
IWG FADs <i>see note 13</i>	100,000	39,312	0	50,000	0	0
WCPFC Planning Framework	0	0	0	39,500	30,000	0
Harvest Strategy Workshop	0	93,673	0	0	0	0
Total, sub-item 1.7	680,800	573,767	534,800	624,300	532,800	534,800
TOTAL, Section 1/Item 1	4,235,494	3,865,051	4,064,375	4,213,565	4,153,036	4,142,522

	Approved budget 2015	Estimated expenditure 2015	Indicative budget 2016	Proposed budget 2016	Indicative budget 2017	Indicative budget 2018
ANNEX I (continued)						
Part 2 - Science & Technical & Compliance Programme						
Section 2 (Item 2)						
Sub-item 2.1	Scientific Services (SPC)	871,200	871,200	1,031,200	871,200	871,200
Sub-item 2.2	Scientific Research					
	Additional Resourcing SPC <i>see note 14</i>	160,000	160,000	0	160,000	160,000
	Pacific Tuna Tagging Project	10,000	10,000	10,000	10,000	10,000
	Refinement of BET Biological Parameters	75,000	75,000	50,000	50,000	0
	Limit Reference Points	25,000	15,478	0	25,000	0
	WPEA Project Co-finance	25,000	25,000	25,000	25,000	25,000
	Mitigation Options for Longline Shark Bycatch	25,000	25,000	0	0	0
	High Priority Project(s) - to be allocated <i>see note 6</i>	0	0	83,000	0	83,000
	[Skipjack Impacts on Margins of Conv. Area]	40,000	40,000	0	40,000	40,000
	Paired Sampling and Unloading Data Comparisons	0	0	0	50,000	50,000
	Maintenance of WCPFC Tissue Bank	0	0	0	80,000	80,000
	Shark Length/Weight Factor Conversion Factor	0	0	0	0	0
	Shark Monte Carlo Mitigation Analysis	0	0	0	25,000	0
	Technical Support for the HSW <i>see note 7</i>	30,000	30,000	190,000	30,000	0
	Co-Financing - PS BET Mitigation Analysis <i>see note 12</i>	0	0	0	0	0
	Co-Financing - New Mitig. projects for BET/YFT PS	0	0	0	0	0
	Co-Financing - Post Release Shark and Rays PS/LL	0	0	0	0	0
Total, sub-item 2.2		390,000	380,478	358,000	495,000	448,000
Sub-item 2.3	Technical & Compliance Programme					
	ROP - Audit/Remediation	15,000	9,735	15,000	15,000	15,000
	ROP - Special Projects and Research Activities	15,000	0	30,000	30,000	30,000
	ROP - Training, Assistance & Development	30,000	10,129	30,000	20,000	30,000
	Observer CMM booklet	8,500	12,562	8,500	15,000	15,000
	ROP Data Management <i>see note 8</i>	923,904	923,904	923,904	923,904	923,904
	Vessel Monitoring System - Capital Costs	20,000	0	40,000	20,000	40,000
	Vessel Monitoring System - SLA Costs	405,000	412,546	405,000	450,000	265,000
	Vessel Monitoring System - Airtime	95,000	113,149	100,000	131,125	105,000
	Vessel Monitoring System - Security Audit	7,500	7,321	7,500	7,500	7,500
	CCM/Staff VMS Training	40,000	10,777	40,000	60,000	40,000
	VMS Redundancy Provision	18,700	8,350	18,700	18,700	18,700
	Information Management System	100,000	99,460	100,000	100,000	100,000
	Workshops/IATTC Cross Endor. Train.	25,000	20,185	25,000	28,000	25,000
	AR Part 2/CMS Online Host. and Pub.	18,000	17,680	18,000	18,000	18,000
	Targeted Capacity Building <i>see note 9</i>	13,000	10,889	50,000	50,000	50,000
	Catch Documentation Workshop	50,000	28,760	50,000	35,000	50,000
	E-Monitoring and E-Reporting Workshop	100,000	22,873	0	25,000	0
	PS Improvement of Catch Composition	10,000	0	0	0	0
	Port Coordinators <i>see note 10</i>	100,000	60,000	75,000	75,000	0
	Regional Capacity Building Workshops <i>see note 11</i>	65,000	65,000	130,000	130,000	130,000
Total, item 2.3		2,059,604	1,833,320	2,066,604	2,152,229	1,863,104
TOTAL, Section 2/Item 2		3,320,804	3,084,998	3,455,804	3,518,429	3,182,304
Total, Parts 1 & 2		7,556,298	6,950,049	7,520,179	7,731,994	7,184,826

Note 1: Consultancies proposed are:

Legal support services	\$55,000
ED Discretion	\$20,000
Media Consultant	\$15,000
Meetings' rapporteur	\$48,000
	<u>\$138,000</u>

Note 2: Website New Projects/Enhancements

Includes support for webpage redesign as outlined in the Secretariat Communication Strategy

Note 3: Information Technology

A new microphone system is being purchased to support annual meetings

Note 4: Annual Session

FAO funding to support travel costs for MOW and the Annual meeting. The offset is used to support the MOW

Note 5: Northern Committee

As per WPCFC9, an additional \$25,000 will be assessed from non-developing state members of the NC to fund attendance at the NC meeting by developing states and territories if needed.

Note 6: Unobligated Budget

For science-related projects requested by the Commission with no budget allocation

Note 7: Technical Support for the HSW

Technical support from the Scientific Service Provider provided by EU Funding at USD160,000	\$0
External experts to support the scientific process	\$30,000
	<hr/>
	\$30,000

Note 8: ROP Data Management (SPC)

The Regional Observer Programme data entry support proposed cost for 2014 included the withdraw of support from New Caledonia as of Jan 1, 2014 and the end of funding provided by New Zealand as of May 2014. At the current levels, the budget for 2015 and the proposed budget for 2016 and indicative budgets for 2017 and 2018 represent the full costs of ROP Data entry provided by SPC.

Note 9: Targeted Capacity Building

To be directed to specific areas identified in CMR process and annual report Part 2 assistance, and if funds permit to specific needs identified in the CMR process.

Note 10: Port Coordinators

WCPFC11 agreed to the trial port coordinators programme for 2015 and 2016. To date in 2015, FSM, PNG and Kiribati have submitted a claim for funding (Solomon Islands and RMI are yet to submit an invoice). WCPFC13 is to make a decision on the possible extension and expansion of this programme into 2017/18 and beyond.

Note 11: Regional Capacity Building Workshops

Funds will be provide for the Tuna Data Workshop, Stock Assessment Workshop, MCS Officers Foundation Course and the Regional Observer Coordinator Workshops.

Note 12: Co-Financing

In order for the EU to finance projects According to its financial regulation, there is a need for a 20% co-financing. The projects requiring co-financing in Annex I under section 2.2 will not be carried out unless matching contributions from WCPFC and third parties are found in 2016. The total contribution from the EU to these projects will be 900,000 euros.

Note 13: IWG FADs

USA voluntary contribution will provide an additional 35,000 for this workshop.

Note 14: Additional Resourcing SPC

Additional resourcing for harvest strategy evaluation, including stock assessments.

ANNEX II

Western & Central Pacific Fisheries Commission**General Account Fund****Proposed financing of the budgetary requirements for the financial period
01 January to 31 December 2016**

.....	
Proposed budget expenditure total	7,731,994
less	
Estimated interest and other income	(12,000)
Transfer from Working Capital Fund	(350,000)
CNM Contributions Fund	(50,000)
Total assessed contributions	<u>7,319,994</u>
(see detailed schedule at Annex V)	

**Proposed financing of the budgetary requirements for the financial period
01 January to 31 December 2017**

.....	
Proposed budget expenditure total	7,335,340
less	
Estimated interest and other income	(12,000)
Transfer from Working Capital Fund	(350,000)
CNM Contributions Fund	(50,000)
Total assessed contributions	<u>6,923,340</u>
(see detailed schedule at Annex V)	

**Proposed financing of the budgetary requirements for the financial period
01 January to 31 December 2018**

.....	
Proposed budget expenditure total	7,184,826
less	
Estimated interest and other income	(12,000)
Transfer from Working Capital Fund	(350,000)
CNM Contributions Fund	(50,000)
Total assessed contributions	<u>6,772,826</u>
(see detailed schedule at Annex V)	

ANNEX III

Western and Central Pacific Fisheries Commission

Proposed 2016 Contributions with Offset for Small Island Developing States and Additional 25,000 Assessed on Non-Developing States Members of NC if needed.

<i>2016 Contribution Table</i>								
<i>Member</i>	<i>Base fee component: uniform share 10% of budget</i>	<i>National wealth component: 20% of budget</i>	<i>Catch component: 70% of budget</i>	<i>Addition for Northern Committee</i>	<i>Total Contributions by Members</i>	<i>Percent of Budget by member</i>	<i>Offset for Small Island Developing States*</i>	<i>Total of components: 100% of budget</i>
Australia	28,154	118,165	9,802	0	156,121	2.16%	0	156,121
Canada	28,154	104,760	0	0	132,914	1.84%	0	132,914
China	28,154	128,882	274,101	0	431,137	5.96%	0	431,137
Cook Islands	28,154	955	3,850	0	32,959	0.46%	21,560	54,519
European Union	28,154	254,827	112,037	0	395,017	5.46%	0	395,017
Federated States of Micronesia	28,154	5,212	76,658	0	110,024	1.52%	0	110,024
Fiji	28,154	6,896	28,397	0	63,447	0.88%	0	63,447
France	28,154	90,689	9,020	0	127,863	1.77%	0	127,863
Indonesia	28,154	17,395	146,490	0	192,039	2.66%	0	192,039
Japan	28,154	147,833	1,006,500	0	1,182,487	16.35%	0	1,182,487
Kiribati	28,154	3,724	163,986	0	195,864	2.71%	0	195,864
Korea	28,154	56,264	750,965	0	835,383	11.55%	0	835,383
Marshall Islands	28,154	2,639	180,669	0	211,462	2.92%	3,939	215,400
Nauru	28,154	549	18	0	28,720	0.40%	18,195	46,916
New Zealand	28,154	59,480	66,962	0	154,595	2.14%	0	154,595
Niue	28,154	81	0	0	28,234	0.39%	18,700	46,934
Palau	28,154	1,055	0	0	29,209	0.40%	15,548	44,757
Papua New Guinea	28,154	3,213	330,875	0	362,242	5.01%	0	362,242
Philippines	28,154	8,699	336,409	0	373,261	5.16%	0	373,261
Samoa	28,154	5,570	2,007	0	35,731	0.49%	0	35,731
Solomon Islands	28,154	2,387	22,916	0	53,456	0.74%	0	53,456
Chinese Taipei	28,154	38,845	730,734	0	797,733	11.03%	0	797,733
Tonga	28,154	5,289	292	0	33,735	0.47%	1,479	35,213
Tuvalu	28,154	495	23,640	0	52,289	0.72%	9,142	61,431
United States of America	28,154	306,689	753,489	0	1,088,332	15.05%	0	1,088,332
Vanuatu	28,154	4,844	94,179	0	127,177	1.76%	0	127,177
Totals	731,999	1,375,436	5,123,996	0	7,231,432	100%	88,563	7,319,994

* To be offset by the CNM Contributions Fund.

ANNEX V (continued)**Offset for Small Island Developing States as per Financial Regulation 5.2(b) (ii)**

<i>Member</i>	<i>Population</i>	<i>Maximum Payable for wealth component</i>	<i>National wealth component</i>	<i>Offset for Small Island Developing States</i>
Cook Islands	19,100	955	22,515	21,560
Federated States of Micronesia	103,903	5,195	5,212	0
Fiji	887,027	44,351	6,896	0
Kiribati	103,942	5,197	3,724	0
Marshall Islands	52,772	2,639	6,577	3,939
Nauru	10,979	549	18,744	18,195
Niue	1,611	81	18,780	18,700
Palau	21,097	1,055	16,603	15,548
Papua New Guinea	7,476,108	373,805	3,213	0
Samoa	191,831	9,592	5,570	0
Solomon Islands	572,865	28,643	2,387	0
Tonga	105,782	5,289	6,768	1,479
Tuvalu	9,894	495	9,636	9,142
Vanuatu	258,301	12,915	4,844	0
Total				88,563

Additional Funding for Northern Committee as agreed in WCPFC9-2012-22 FAC 6 Summary Report 5.4 (25)

<i>Non-developing States Members of NC</i>	<i>Percent of total budget</i>	<i>Percent of NC fund</i>	<i>Additional cost</i>
Canada	1.82%	3.8%	0
China	5.89%	12.4%	0
Japan	2.62%	5.5%	0
Korea	11.41%	24.0%	0
Chinese Taipei	10.90%	22.9%	0
United States of America	14.87%	31.3%	0
Total	47.51%	100.00%	0

ANNEX V (continued)

Indicative schedule of contributions based on proposed 2016 budgets without with the Offset for Small Island Developing States and Additional funds Assessed on Non-Developing States Members of NC

Member	2016 Proposed					2017 Indicative		2018 Indicative	
	Base fee component: uniform share 10% of budget	National wealth component: 20% of budget	Catch component: 70% of budget	Total of components: 100% of budget	% of budget by member	Total of components: 100% of budget	% of budget by member	Total of components: 100% of budget	% of budget by member
Australia	28,154	118,165	9,802	156,121	2.13%	147,661	2.13%	144,451	2.13%
Canada	28,154	104,760	0	132,914	1.82%	125,712	1.82%	122,979	1.82%
China	28,154	128,882	274,101	431,137	5.89%	407,775	5.89%	398,910	5.89%
Cook Islands	28,154	22,515	3,850	54,519	0.74%	51,565	0.74%	50,444	0.74%
European Union	28,154	254,827	112,037	395,017	5.40%	373,612	5.40%	365,490	5.40%
Federated States of Micronesia	28,154	5,212	76,658	110,024	1.50%	104,062	1.50%	101,800	1.50%
Fiji	28,154	6,896	28,397	63,447	0.87%	60,009	0.87%	58,704	0.87%
France	28,154	90,689	9,020	127,863	1.75%	120,934	1.75%	118,305	1.75%
Indonesia	28,154	17,395	146,490	192,039	2.62%	181,633	2.62%	177,684	2.62%
Japan	28,154	147,833	1,006,500	1,182,487	16.15%	1,118,410	16.15%	1,094,096	16.15%
Kiribati	28,154	3,724	163,986	195,864	2.68%	185,251	2.68%	181,224	2.68%
Korea	28,154	56,264	750,965	835,383	11.41%	790,115	11.41%	772,938	11.41%
Marshall Islands	28,154	6,577	180,669	215,400	2.94%	203,728	2.94%	199,299	2.94%
Nauru	28,154	18,744	18	46,916	0.64%	44,374	0.64%	43,409	0.64%
New Zealand	28,154	59,480	66,962	154,595	2.11%	146,218	2.11%	143,039	2.11%
Niue	28,154	18,780	0	46,934	0.64%	44,391	0.64%	43,426	0.64%
Palau	28,154	16,603	0	44,757	0.61%	42,332	0.61%	41,411	0.61%
Papua New Guinea	28,154	3,213	330,875	362,242	4.95%	342,613	4.95%	335,165	4.95%
Philippines	28,154	8,699	336,409	373,261	5.10%	353,035	5.10%	345,360	5.10%
Samoa	28,154	5,570	2,007	35,731	0.49%	33,795	0.49%	33,060	0.49%
Solomon Islands	28,154	2,387	22,916	53,456	0.73%	50,559	0.73%	49,460	0.73%
Chinese Taipei	28,154	38,845	730,734	797,733	10.90%	754,505	10.90%	738,102	10.90%
Tonga	28,154	6,768	292	35,213	0.48%	33,305	0.48%	32,581	0.48%
Tuvalu	28,154	9,636	23,640	61,431	0.84%	58,102	0.84%	56,839	0.84%
United States of America	28,154	306,689	753,489	1,088,332	14.87%	1,029,358	14.87%	1,006,980	14.87%
Vanuatu	28,154	4,844	94,179	127,177	1.74%	120,286	1.74%	117,671	1.74%
Totals	731,999	1,463,999	5,123,996	7,319,994	100.00%	6,923,340	100.00%	6,772,826	100.00%



**NINTH SESSION OF THE FINANCE & COMMITTEE – (FAC9)
Bali, Indonesia
December 2, 2015
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ANNEX I

Western and Central Pacific Fisheries Commission- General Fund
Summary of budgetary requirements for the period from 1 January to 31 December 2015
& indicative budgets for 2016, 2017 & 2018 (United States dollars)

	Approved budget 2015	Estimated expenditure 2015	Indicative budget 2016	Approved budget 2016	Indicative budget 2017	Indicative budget 2018
Part 1 - Administrative Expenses of the Secretariat						
Sub-Item 1.1 Staff Costs						
Professional Staff Salary	991,340	848,034	1,006,603	973,064	985,381	992,681
Professional Staff Benefits and Allowances	984,190	888,157	915,271	987,338	994,804	974,112
Professional Staff Insurance	134,590	99,771	135,410	125,560	129,122	132,826
Recruitment/Repatriation	51,130	45,441	25,565	56,695	51,130	51,130
Support Staff	364,269	360,959	381,156	370,253	378,046	384,783
Total, sub-item 1.1	2,525,519	2,242,362	2,464,004	2,512,909	2,538,483	2,535,531
Sub-Item 1.2 Other Personnel Costs						
Temporary Assistance/Overtime	10,000	10,560	10,000	10,000	10,000	10,000
Chairs Expenses	20,000	20,613	20,000	20,000	20,000	20,000
Consultants <i>see note 1</i>	148,000	144,759	145,000	138,000	148,000	148,000
Total, sub-item 1.2	178,000	175,932	175,000	168,000	178,000	178,000
Sub-item 1.3 Official Travel						
Total, sub-item 1.3	210,000	189,427	210,000	210,000	210,000	210,000
Sub-item 1.4 General Operating Expenses						
Electricity, Water, Sanitation	72,000	67,925	73,000	70,000	72,800	72,800
Communications/Courier	64,000	66,968	65,920	67,000	67,898	69,935
Office Supplies & Fuel	45,500	42,221	46,000	45,500	46,500	46,500
Publications and Printing	1,000	650	1,000	1,000	1,000	1,000
Audit	7,500	7,000	7,500	7,500	7,500	7,500
Bank Charges	6,000	6,476	6,100	6,500	6,200	6,600
Official Hospitality	11,000	11,863	11,000	20,000	14,000	14,000
Community Outreach	5,000	5,000	5,000	8,000	8,000	8,000
Miscellaneous Services	5,000	6,256	5,000	5,000	5,000	5,000
Security	64,360	75,193	66,291	83,303	83,303	83,303
Training	30,000	12,398	30,000	25,000	30,000	30,000
Total, sub-item 1.4	311,360	301,950	316,811	338,803	342,201	344,638
Sub-item 1.5 Capital Expenditure						
Vehicles	0	0	30,000	20,000	0	0
Information Technology	58,678	59,494	58,678	58,678	58,678	58,678
Website New Projects/Enhancements <i>see note 2</i>	8,000	6,510	8,000	8,000	20,000	8,000
Furniture and Equipment <i>see note 3</i>	32,000	58,303	32,000	32,000	32,000	32,000
Total, sub-item 1.5	98,678	124,307	128,678	118,678	110,678	98,678
Sub-item 1.6 Maintenance						
Vehicles	5,800	5,244	5,800	5,800	5,800	5,800
Information and Communication Technology	78,500	102,669	78,500	78,500	78,500	78,500
Buildings & Grounds	55,000	58,672	56,500	56,500	56,500	56,500
Gardeners and Cleaners	64,836	68,946	66,781	77,074	77,074	77,074
Insurance	27,000	21,775	27,500	23,000	23,000	23,000
Total, sub-item 1.6	231,136	257,306	235,081	240,874	240,874	240,874
Sub-item 1.7 Meeting Services						
Annual Session <i>see note 4</i>	173,000	98,327	165,000	165,000	165,000	165,000
Scientific Committee	160,000	152,376	192,000	192,000	160,000	192,000
Northern Committee <i>see note 5</i>	18,000	10,175	18,000	18,000	18,000	18,000
Technical and Compliance Committee	159,800	157,040	159,800	159,800	159,800	159,800
IWG ROP	70,000	22,864	0	0	0	0
IWG FADs <i>see note 13</i>	100,000	39,312	0	50,000	0	0
WCPFC Planning Framework	0	0	0	39,500	30,000	0
Harvest Strategy Workshop	0	93,673	0	0	0	0
Total, sub-item 1.7	680,800	573,767	534,800	624,300	532,800	534,800
TOTAL, Section 1/Item 1	4,235,494	3,865,051	4,064,375	4,213,565	4,153,036	4,142,522

	Approved budget 2015	Estimated expenditure 2015	Indicative budget 2016	Approved budget 2016	Indicative budget 2017	Indicative budget 2018
ANNEX I (continued)						
Part 2 - Science & Technical & Compliance Programme						
Section 2 (Item 2)						
Sub-item 2.1	Scientific Services (SPC) 871,200 871,200 1,031,200 871,200 871,200 871,200					
Sub-item 2.2	<i>Scientific Research</i>					
Additional Resourcing SPC <i>see note 14</i>	160,000	160,000	0	160,000	160,000	160,000
Pacific Tuna Tagging Project	10,000	10,000	10,000	10,000	10,000	10,000
Refinement of BET Biological Parameters	75,000	75,000	50,000	50,000	0	0
Limit Reference Points	25,000	15,478	0	25,000	0	0
WPEA Project Co-finance	25,000	25,000	25,000	25,000	25,000	25,000
Mitigation Options for Longline Shark Bycatch	25,000	25,000	0	0	0	0
High Priority Project(s) - to be allocated <i>see note 6</i>	0	0	83,000	0	83,000	83,000
Skipjack Impacts on Margins of Conv. Area	40,000	40,000	0	40,000	40,000	0
Paired Sampling and Unloading Data Comparisons	0	0	0	50,000	50,000	0
Maintenance of WCPFC Tissue Bank	0	0	0	80,000	80,000	80,000
Shark Length/Weight Factor Conversion Factor	0	0	0	0	0	0
Shark Monte Carlo Mitigation Analysis	0	0	0	25,000	0	0
Technical Support for the HSW <i>see note 7</i>	30,000	30,000	190,000	30,000	0	0
Co-Financing - PS BET Mitigation Analysis <i>see note 12</i>	0	0	0	0	0	0
Co-Financing - New Mitig. projects for BET/YFT PS	0	0	0	0	0	0
Co-Financing - Post Release Shark and Rays PS/ LL	0	0	0	0	0	0
Total, sub-item 2.2	390,000	380,478	358,000	495,000	448,000	358,000
Sub-item 2.3	Technical & Compliance Programme					
ROP - Audit/Remediation	15,000	9,735	15,000	15,000	15,000	15,000
ROP - Special Projects and Research Activities	15,000	0	30,000	30,000	30,000	30,000
ROP - Training, Assistance & Development	30,000	10,129	30,000	20,000	30,000	30,000
Observer CMM booklet	8,500	12,562	8,500	15,000	15,000	15,000
ROP Data Management <i>see note 8</i>	923,904	923,904	923,904	923,904	923,904	923,904
Vessel Monitoring System - Capital Costs	20,000	0	40,000	20,000	40,000	40,000
Vessel Monitoring System - SLA Costs	405,000	412,546	405,000	450,000	265,000	265,000
Vessel Monitoring System - Airtime	95,000	113,149	100,000	131,125	105,000	105,000
Vessel Monitoring System - Security Audit	7,500	7,321	7,500	7,500	7,500	7,500
CCM/Staff VMS Training	40,000	10,777	40,000	60,000	40,000	40,000
VMS Redundancy Provision	18,700	8,350	18,700	18,700	18,700	18,700
Information Management System	100,000	99,460	100,000	100,000	100,000	100,000
Workshops/IATTC Cross Endor. Train.	25,000	20,185	25,000	28,000	25,000	25,000
AR Part 2/CMS Online Host. and Pub.	18,000	17,680	18,000	18,000	18,000	18,000
Targeted Capacity Building <i>see note 9</i>	13,000	10,889	50,000	50,000	50,000	50,000
Catch Documentation Workshop	50,000	28,760	50,000	35,000	50,000	0
E-Monitoring and E-Reporting Workshop	100,000	22,873	0	25,000	0	0
PS Improvement of Catch Composition	10,000	0	0	0	0	0
Port Coordinators <i>see note 10</i>	100,000	60,000	75,000	75,000	0	0
Regional Capacity Building Workshops <i>see note 11</i>	65,000	65,000	130,000	130,000	130,000	130,000
Total, item 2.3	2,059,604	1,833,320	2,066,604	2,152,229	1,863,104	1,813,104
TOTAL, Section 2/Item 2	3,320,804	3,084,998	3,455,804	3,518,429	3,182,304	3,042,304
Total, Parts 1 & 2	7,556,298	6,950,049	7,520,179	7,731,994	7,335,340	7,184,826

Note 1: Consultancies proposed are:

Legal support services	\$55,000
ED Discretion	\$20,000
Media Consultant	\$15,000
Meetings' rapporteur	\$48,000
	<u>\$138,000</u>

Note 2: Website New Projects/Enhancements

Includes support for webpage redesign as outlined in the Secretariat Communication Strategy

Note 3: Information Technology

A new microphone system is being purchased to support annual meetings

Note 4: Annual Session

FAO funding to support travel costs for MOW and the Annual meeting. The offset is used to support the MOW.

Note 5: Northern Committee

As per WPCFC9, an additional \$25,000 will be assessed from non-developing state members of the NC to fund attendance at the NC meeting by developing states and territories if needed.

Note 6: Unobligated Budget

For science-related projects requested by the Commission with no budget allocation

Note 7: Technical Support for the HSW

Technical support from the Scientific Service Provider provided by EU Funding at USD160,000	\$0
External experts to support the scientific process	\$30,000
	<hr/>
	\$30,000

Note 8: ROP Data Management (SPC)

The Regional Observer Programme data entry support proposed cost for 2014 included the withdraw of support from New Caledonia as of Jan 1, 2014 and the end of funding provided by New Zealand as of May 2014. At the current levels, the budget for 2015 and the proposed budget for 2016 and indicative budgets for 2017 and 2018 represent the full costs of ROP Data entry provided by SPC.

Note 9: Targeted Capacity Building

To be directed to specific areas identified in CMR process and annual report Part 2 assistance, and if funds permit to specific needs identified in the CMR process.

Note 10: Port Coordinators

WCPFC11 agreed to the trial port coordinators programme for 2015 and 2016. To date in 2015, FSM, PNG and Kiribati have submitted a claim for funding (Solomon Islands and RMI are yet to submit an invoice). WCPFC13 is to make a decision on the possible extension and expansion of this programme into 2017/18 and beyond.

Note 11: Regional Capacity Building Workshops

Funds will be provide for the Tuna Data Workshop, Stock Assessment Workshop, MCS Officers Foundation Course and the Regional Observer Coordinator Workshops.

Note 12: Co-Financing

In order for the EU to finance projects, According to its financial regulation, there is a need for a 20% co-financing. The projects requiring co-financing in Annex I under section 2.2 will not be carried out unless matching contributions from WCPFC and third parties are found in 2016. The total contribution from the EU to these projects will be 900,000 euros.

Note 13: IWG FADs

USA voluntary contribution will provide an additional 35,000 for this workshop.

Note 14: Additional Resourcing SPC

Additional resourcing for harvest strategy evaluation, including stock assessments.

ANNEX II

Western & Central Pacific Fisheries Commission**General Account Fund****Proposed financing of the budgetary requirements for the financial period
01 January to 31 December 2016**

Proposed budget expenditure total	7,731,994
less	
Estimated interest and other income	(12,000)
Transfer from Working Capital Fund	(350,000)
CNM Contributions Fund	(50,000)
Total assessed contributions	<u>7,319,994</u>
(see detailed schedule at Annex V)	

**Proposed financing of the budgetary requirements for the financial period
01 January to 31 December 2017**

Proposed budget expenditure total	7,335,340
less	
Estimated interest and other income	(12,000)
Transfer from Working Capital Fund	(350,000)
CNM Contributions Fund	(50,000)
Total assessed contributions	<u>6,923,340</u>
(see detailed schedule at Annex V)	

**Proposed financing of the budgetary requirements for the financial period
01 January to 31 December 2018**

Proposed budget expenditure total	7,184,826
less	
Estimated interest and other income	(12,000)
Transfer from Working Capital Fund	(350,000)
CNM Contributions Fund	(50,000)
Total assessed contributions	<u>6,772,826</u>
(see detailed schedule at Annex V)	

ANNEX III

Western and Central Pacific Fisheries Commission

Proposed 2016 Contributions with Offset for Small Island Developing States and Additional 25,000 Assessed on Non-Developing States Members of NC if needed.

<i>2016 Contribution Table</i>								
<i>Member</i>	<i>Base fee component: uniform share 10% of budget</i>	<i>National wealth component: 20% of budget</i>	<i>Catch component: 70% of budget</i>	<i>Addition for Northern Committee</i>	<i>Total Contributions by Members</i>	<i>Percent of Budget by member</i>	<i>Offset for Small Island Developing States*</i>	<i>Total of components: 100% of budget</i>
Australia	28,154	118,165	9,802	0	156,121	2.16%	0	156,121
Canada	28,154	104,760	0	0	132,914	1.84%	0	132,914
China	28,154	128,882	274,101	0	431,137	5.96%	0	431,137
Cook Islands	28,154	955	3,850	0	32,959	0.46%	21,560	54,519
European Union	28,154	254,827	112,037	0	395,017	5.46%	0	395,017
Federated States of Micronesia	28,154	5,212	76,658	0	110,024	1.52%	0	110,024
Fiji	28,154	6,896	28,397	0	63,447	0.88%	0	63,447
France	28,154	90,689	9,020	0	127,863	1.77%	0	127,863
Indonesia	28,154	17,395	146,490	0	192,039	2.66%	0	192,039
Japan	28,154	147,833	1,006,500	0	1,182,487	16.35%	0	1,182,487
Kiribati	28,154	3,724	163,986	0	195,864	2.71%	0	195,864
Korea	28,154	56,264	750,965	0	835,383	11.55%	0	835,383
Marshall Islands	28,154	2,639	180,669	0	211,462	2.92%	3,939	215,400
Nauru	28,154	549	18	0	28,720	0.40%	18,195	46,916
New Zealand	28,154	59,480	66,962	0	154,595	2.14%	0	154,595
Niue	28,154	81	0	0	28,234	0.39%	18,700	46,934
Palau	28,154	1,055	0	0	29,209	0.40%	15,548	44,757
Papua New Guinea	28,154	3,213	330,875	0	362,242	5.01%	0	362,242
Philippines	28,154	8,699	336,409	0	373,261	5.16%	0	373,261
Samoa	28,154	5,570	2,007	0	35,731	0.49%	0	35,731
Solomon Islands	28,154	2,387	22,916	0	53,456	0.74%	0	53,456
Chinese Taipei	28,154	38,845	730,734	0	797,733	11.03%	0	797,733
Tonga	28,154	5,289	292	0	33,735	0.47%	1,479	35,213
Tuvalu	28,154	495	23,640	0	52,289	0.72%	9,142	61,431
United States of America	28,154	306,689	753,489	0	1,088,332	15.05%	0	1,088,332
Vanuatu	28,154	4,844	94,179	0	127,177	1.76%	0	127,177
Totals	731,999	1,375,436	5,123,996	0	7,231,432	100%	88,563	7,319,994

* To be offset by the CNM Contributions Fund.

ANNEX III (continued)**Offset for Small Island Developing States as per Financial Regulation 5.2(b) (ii)**

<i>Member</i>	<i>Population</i>	<i>Maximum Payable for wealth component</i>	<i>National wealth component</i>	<i>Offset for Small Island Developing States</i>
Cook Islands	19,100	955	22,515	21,560
Federated States of Micronesia	103,903	5,195	5,212	0
Fiji	887,027	44,351	6,896	0
Kiribati	103,942	5,197	3,724	0
Marshall Islands	52,772	2,639	6,577	3,939
Nauru	10,979	549	18,744	18,195
Niue	1,611	81	18,780	18,700
Palau	21,097	1,055	16,603	15,548
Papua New Guinea	7,476,108	373,805	3,213	0
Samoa	191,831	9,592	5,570	0
Solomon Islands	572,865	28,643	2,387	0
Tonga	105,782	5,289	6,768	1,479
Tuvalu	9,894	495	9,636	9,142
Vanuatu	258,301	12,915	4,844	0
Total				88,563

Additional Funding for Northern Committee as agreed in WCPFC9-2012-22 FAC 6 Summary Report 5.4 (25)

<i>Non-developing States Members of NC</i>	<i>Percent of total budget</i>	<i>Percent of NC fund</i>	<i>Additional cost</i>
Canada	1.82%	3.8%	0
China	5.89%	12.4%	0
Japan	2.62%	5.5%	0
Korea	11.41%	24.0%	0
Chinese Taipei	10.90%	22.9%	0
United States of America	14.87%	31.3%	0
Total	47.51%	100.00%	0

ANNEX III (continued)**Indicative schedule of contributions based on proposed 2016 budgets without with the Offset for Small Island Developing States and Additional funds Assessed on Non-Developing States Members of NC**

<i>Member</i>	<i>2016 Proposed</i>					<i>2017 Indicative</i>		<i>2018 Indicative</i>	
	<i>Base fee component: uniform share 10% of budget</i>	<i>National wealth component: 20% of budget</i>	<i>Catch component: 70% of budget</i>	<i>Total of components: 100% of budget</i>	<i>% of budget by member</i>	<i>Total of components : 100% of budget</i>	<i>% of budget by member</i>	<i>Total of components: 100% of budget</i>	<i>% of budget by member</i>
Australia	28,154	118,165	9,802	156,121	2.13%	147,661	2.13%	144,451	2.13%
Canada	28,154	104,760	0	132,914	1.82%	125,712	1.82%	122,979	1.82%
China	28,154	128,882	274,101	431,137	5.89%	407,775	5.89%	398,910	5.89%
Cook Islands	28,154	22,515	3,850	54,519	0.74%	51,565	0.74%	50,444	0.74%
European Union	28,154	254,827	112,037	395,017	5.40%	373,612	5.40%	365,490	5.40%
Federated States of Micronesia	28,154	5,212	76,658	110,024	1.50%	104,062	1.50%	101,800	1.50%
Fiji	28,154	6,896	28,397	63,447	0.87%	60,009	0.87%	58,704	0.87%
France	28,154	90,689	9,020	127,863	1.75%	120,934	1.75%	118,305	1.75%
Indonesia	28,154	17,395	146,490	192,039	2.62%	181,633	2.62%	177,684	2.62%
Japan	28,154	147,833	1,006,500	1,182,487	16.15%	1,118,410	16.15%	1,094,096	16.15%
Kiribati	28,154	3,724	163,986	195,864	2.68%	185,251	2.68%	181,224	2.68%
Korea	28,154	56,264	750,965	835,383	11.41%	790,115	11.41%	772,938	11.41%
Marshall Islands	28,154	6,577	180,669	215,400	2.94%	203,728	2.94%	199,299	2.94%
Nauru	28,154	18,744	18	46,916	0.64%	44,374	0.64%	43,409	0.64%
New Zealand	28,154	59,480	66,962	154,595	2.11%	146,218	2.11%	143,039	2.11%
Niue	28,154	18,780	0	46,934	0.64%	44,391	0.64%	43,426	0.64%
Palau	28,154	16,603	0	44,757	0.61%	42,332	0.61%	41,411	0.61%
Papua New Guinea	28,154	3,213	330,875	362,242	4.95%	342,613	4.95%	335,165	4.95%
Philippines	28,154	8,699	336,409	373,261	5.10%	353,035	5.10%	345,360	5.10%
Samoa	28,154	5,570	2,007	35,731	0.49%	33,795	0.49%	33,060	0.49%
Solomon Islands	28,154	2,387	22,916	53,456	0.73%	50,559	0.73%	49,460	0.73%
Chinese Taipei	28,154	38,845	730,734	797,733	10.90%	754,505	10.90%	738,102	10.90%
Tonga	28,154	6,768	292	35,213	0.48%	33,305	0.48%	32,581	0.48%
Tuvalu	28,154	9,636	23,640	61,431	0.84%	58,102	0.84%	56,839	0.84%
United States of America	28,154	306,689	753,489	1,088,332	14.87%	1,029,358	14.87%	1,006,980	14.87%
Vanuatu	28,154	4,844	94,179	127,177	1.74%	120,286	1.74%	117,671	1.74%
Totals	731,999	1,463,999	5,123,996	7,319,994	100.00%	6,923,340	100.00%	6,772,826	100.00%

ANNEX IV

Western and Central Pacific Fisheries Commission
Schedule of 2016 Contributions for CNMs (formula agreed at WCPFC7)

Cooperating Non-Member	<i>Base fee component: uniform share 10% of budget</i>	<i>National wealth component: 20% of budget</i>	<i>Catch component: 70% of budget</i>	<i>Total of components: 100% of budget</i>	<i>50% of Contributions</i>
Ecuador	27,111	9,805	54,874	91,790	45,895
El Salvador	27,111	6,124	27,317	60,552	30,276
Liberia	27,111	618	0	27,729	13,865
Mexico	27,111	30,781	0	57,892	28,946
Panama	27,111	16,223	0	43,334	21,667
Thailand	27,111	12,953	0	40,064	20,032
Vietnam	27,111	4,749	0	31,860	15,930
Totals	189,778	81,254	82,191	353,223	176,611



**COMMISSION
TWELFTH REGULAR SESSION**
Bali, Indonesia
3-8 December 2015

**REVIEW OF THE PLANNING FRAMEWORK AND DEVELOPMENT OF PLANNING
DOCUMENTS FOR THE WCPFC AND THE SECRETARIAT**

TERMS OF REFERENCE

Introduction

These Terms of Reference are to guide the review of the Western and Central Pacific Fisheries Commission (WCPFC) planning framework and the development of a new Strategic Plan and a new Corporate Plan.

Background

The Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean entered into force in June 2004 creating one of the first regional fisheries management organizations to be established after the adoption in 1995 of the UN Fish Stocks Agreement. The objective of the Convention is to ensure, through effective management, the long-term conservation and sustainable use of highly migratory fish stocks in the western and central Pacific Ocean in accordance with the 1982 United Nations Convention on the Law of the Sea and the 1995 UN Fish Stocks Agreement. For this purpose, the Convention establishes a Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. The Commission Secretariat is based in Pohnpei, Federated States of Micronesia.

The WCPFC7 in December, 2010 adopted the Strategic Plan 2011 – 2013 as a living document that will incorporate the ongoing work of the Commission subsidiary bodies and the annual sessions. At the WCPFC10 in December, 2013 the Secretariat tabled an updated and proposed Strategic Plan for 2014 to 2016 that incorporated the work plans developed at the 9th Meetings of the Scientific Committee (SC) and the Technical and Compliance Committee (TCC). The views at WCPFC10 were mixed. Some CCMs viewed the plan as more of a short term business plan instead of providing a forward looking vision for the Commission's aspirations on the status of stocks and the flow of benefits from the fisheries. The Commission was unable to decide on the updated Strategic Plan with some CCMs requesting the Secretariat to consider the matter intersessionally and to report back to WCPFC11. The Secretariat re-tabled at WCPFC11 in December, 2014 the updated and proposed Strategic Plan for 2014 to 2016 but there was no discussion.

Guidelines

The WCPFC12, recognizing the opportunity of the new leadership at the Commission with the new Chair and Executive Director, supported the review of the planning framework to be guided by these guidelines:

- i) At the helm of the planning framework, there shall be a high level, long term, strategic vision setting document of, say, 10 to 15 years to be reviewed and updated as required (*Strategic Plan*);
- ii) The *Strategic Plan* is to be supported by a shorter term planning document of, say, 3 to 4 years to be reviewed and updated as required (*Corporate Plan*);
- iii) The *Corporate Plan* is operationalized annually through the Annual Work Programme whose structure will be closely aligned to that of the *Corporate Plan* and the *Strategic Plan*;
- iv) The Commission members will lead the review of the planning framework and the development of a new Strategic Plan and Corporate Plan. This will be facilitated by a Consultant / Facilitator and supported by the Secretariat;
- v) The new *Strategic Plan* and *Corporate Plan* will define clearly the respective and separate objectives, goals, roles, responsibilities, and outputs of the Commission, its subsidiary bodies and the Secretariat;
- vi) The process to review the planning framework and the development of the new *Strategic Plan* and *Corporate Plan* will be open and transparent and Commission observers will be encouraged to contribute;
- vii) CCMs will contribute to the cost of the review and development of planning document;
- viii) Other financial contributions will be encouraged; and
- ix) The Secretariat will report back to WCPFC13 on the review and present for consideration the new *Strategic Plan* and *Corporate Plan*.

Timeframes and key tasks

The timeframes and key tasks for the review of the WCPFC planning framework and the development of the new requisite planning document are as follow:

Timeframes	Key tasks
April, 2016	Engage Consultant
May, 2016	Consultant to undertake initial consultations with CCMs, Observers and the Secretariat through interviews and questionnaires etc.
June, 2016	Consultant will produce <i>Draft #1</i> of Strategic Plan and Corporate Plan and circulate them for review and comments by CCMs, Observers and the Secretariat.
July, 2016	Consultant will collate and consider comments by CCMs, observers and the Secretariat on Draft #1 Plans.

August, 2016	Consultant will produce <u>Draft #2</u> of Strategic Plan and Corporate Plan to be circulated to CCMs, Observers and the Secretariat in preparation for the Consultation Meeting. The Scientific Committee may be invited to provide comments on Draft #2 on matters within their scope.
September, 2016	Consultation meeting by CCMs and Observers based on Draft #2 of the new Strategic Plan and Corporate Plan. This will precede TCC12 in Pohnpei, FSM 1-2 September, 2016. The Northern Committee and Technical and Compliance Committee may be invited to provide comments on Draft # 2 on matters within their scope.
October, 2016	Consultant will produce <u>Draft #3</u> of the new Strategic Plan and Corporate Plan based on deliberations at the Consultation Meeting, and taking into account comments from the SC, NC and TCC.
November, 2016	The Secretariat will circulate review report and proposed new draft Strategic Plan and Corporate Plan.
December, 2016	WCPFC13 will consider review report and the proposed new Strategic Plan and Corporate Plan.
