



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

**Thirteenth Regular Session of the Commission  
Denarau Island, Fiji  
5-9 December 2016**

**SUMMARY REPORT**

**Issued: 2 March 2017**

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**SUMMARY REPORT**

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**AGENDA ITEM 1 — OPENING OF THE MEETING**

1. The Thirteenth Regular Session of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC13) took place from 5-9 December 2016 on Denarau Island, Fiji.
2. The following Members and Participating Territories attended WCPFC13: 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, French Polynesia, Guam, Indonesia, Japan, Kiribati, the Republic of Korea, the Republic of the Marshall Islands (RMI), Nauru, New Caledonia, New Zealand, Niue, Palau, Papua New Guinea (PNG), the Philippines, Samoa, the Solomon Islands, Chinese Taipei, Tokelau, Tonga, Tuvalu, the United States of America (USA), Vanuatu, and Wallis and Futuna.
3. The following non-party countries attended WCPFC13 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 WCPFC13: Agreement on the Conservation of Albatrosses and Petrels (ACAP), Inter-American Tropical Tuna Commission (IATTC), Pacific Islands Forum Fisheries Agency (FFA), the Parties to the Nauru Agreement (PNA), the Pacific Community (SPC), the Secretariat for the Pacific Regional Environment Programme (SPREP), the Food and Agriculture Organization of the United Nations (FAO), , and University of the South Pacific.
5. Observers from the following non-governmental organizations (NGOs) attended WCPFC13: American Tunaboat Association, Birdlife International, Conservation International, Environmental Defense Fund (EDF), Greenpeace, International Environmental Law Project (IELP), International Seafood Sustainability Foundation (ISSF), the Marine Stewardship Council (MSC), the Nature Conservancy, Organization for the Promotion of Responsible Tuna Fisheries (OPRT), Pacific Island Tuna Industry Association (PITIA), the Pew Charitable Trusts (PEW), Seafood Legacy, Sustainable Fisheries Partnership (SFP) Foundation, World Tuna Purse Seine Organization, and World Wide Fund for Nature (WWF).
6. A list of all participants is attached (**Attachment A**).

## 1.1 Welcome address

7. After a devotion by Reverend Kolinio Bulivakarua and a Fijian traditional ceremony of welcome, the Fijian Minister for Forests, the Hon. Osea Naiqamu, gave the opening address. Stressing the need for cooperation to meet objectives of the Convention and commitment to working together, the Minister noted that fisheries management was a vocation for many countries. The Minister noted that long term sustainability is necessary for Fiji's people and for future generations. The Minister's full speech is attached at **Attachment B**.
8. The Commission Chair, Ms Rhea Moss-Christian, made some opening remarks highlighting the importance of making progress through a step-wise, incremental approach, and the need for CCMs to avoid adopting an all-or-nothing mentality. The Chair's full speech is attached at **Attachment C**.
9. In the WCPFC Executive Director's opening remarks, Feleti Teo, OBE, noted that divergent interests within the Commission meant that negotiations were always difficult. The Executive Director stressed that the Commission's focus should be firmly on sustainability of stocks, and those issues that were most critical, including implementing the harvest strategy approach to fisheries management, where parties agree in advance what the Commission should do when a stock reaches a certain status. The Executive Director noted the remarkable job Fiji had done to host the meeting, given the damage to Fiji from 2016's Cyclone Winston. The Executive Director's full speech is attached at **Attachment D**.
10. The meeting opened at 10am on Monday 5 December 2016.

## 1.2 Adoption of agenda

11. In a brief discussion of the agenda (WCPFC13-2016-01\_rev1), it was agreed that Korea could raise its payback plan for Pacific bluefin tuna under agenda item 9.5.
12. The agenda was adopted without amendment (**Attachment E**).

## 1.3 Meeting arrangements

### 1.3.1 Establishment of small working groups (CNMs, CMS, Others)

13. The following small working groups (SWGs) were established to deal with issues in the margins of the meeting and to provide a report for consideration by plenary:
  - determination of interim acceptable levels of risk (led by Vice-Chair, Russell Smith)
  - observer safety (led by USA)
  - bigeye tuna rebuilding timelines (led by Australia)
  - finalisation of the CMR (led by TCC Chair, Alexa Cole (USA))
  - South Pacific albacore TRP (led by Samoa)
  - determination of the participatory rights for CNMs (led by Canada)
  - management objectives (led by Japan)
14. In addition, drafting groups were established to progress the bridging tropical tuna measure (led by the Chair) and the bridging South Pacific albacore measure (led by New Zealand), to consult on and draft negotiating texts for WCPFC13 to discuss and the Commission to progress through 2017. It was noted that FAC would continue to meet in the margins of WCPFC13.

### 1.3.2. Election of FAC co-chair

15. The Commission appointed Magele Etuati Ropeti (Samoa) to be FAC co-chair.

16. Ropeti's duties began immediately, to assist FAC10 to progress its work in the margins.

### AGENDA ITEM 2 — REPORT OF THE EXECUTIVE DIRECTOR

17. As required by Rule 13 of the Rules of Procedure of the Commission, the Executive Director presented his Annual Report for 2016 (WCPFC13-2016-05), highlighting the main work programmes and activities of the Commission and its Secretariat for 2016. The Executive Director noted that Pohnpei, FSM had hosted Pacific Islands Forum Leaders in September for their annual meeting, and the WCPFC Secretariat had hosted side meetings of leaders, and a dinner reception for Pacific leaders and representatives of development partners who are all members of the Commission. Continued outreach by the Commission Chair and Executive Director to assist in the preparation for WCPFC13 was noted. The work program was delivered on time with intended objectives and outputs accomplished. The Commission was supported by four subsidiary bodies, SC, TCC, NC and the FAC, as well as three intersessional working groups, CDS-IWG, ERandEMWG and FADMgmtOptions-IWG. The Executive Director thanked the Chairs and Co-Chairs who drove the work in these bodies. The work plans for the four subsidiary bodies to be considered by WCPFC13 formed the bulk of the 2017 Commission work program. Work would also continue on the Compliance Monitoring Scheme (CMS) and strategic planning. The Executive Director noted a two-day workshop in 2016 had provided an opportunity for frank exchanges on key strategic objectives and priorities for the Commission; the draft Strategic Plan would be tabled during WCPFC13 for consideration and further guidance by the Commission. The Executive Director reported that the Commission's financial affairs were in order, as tabled to FAC10. The Secretariat had added an IT officer to its staff. Contributions from USA for the special fund, Korea for tagging work, the Japan Trust Fund, and EU for supporting various scientific projects, were acknowledged, as was New Zealand's intention to contribute to the *Sustainable Management of Highly Migratory Fish Stocks in the West Pacific and East Asian Seas* (WPEA-SM) project. NGO contributions were also acknowledged, including ISSF funding for an MSE workshop and NORMA's continued funding for co-hosting Commission meetings in Pohnpei. The Executive Director recognised the work of the Commission's Scientific Services Provider and data manager the Pacific Community – Oceanic Fisheries Programme (SPC-OFP), FFA as the Commission's VMS provider and The International Scientific Committee for Tuna and Tuna-Like Species in the North Pacific Ocean (ISC) as the Scientific Services Provider for NC. The Executive Director noted the continued promotion of cooperation with other organisations, which is an obligation under the Convention. The Executive Director met with the heads of IOTC, IATTC, CCSBT and ICCAT while in Rome for FAO COFI meeting this year, and participated in the Regional Fishery Body Secretariats Network. It was noted that the Commission was successfully managing two major projects – the bycatch component of the ABNJ Common Oceans project, and the WPEA.

18. The Commission accepted the 2016 Annual Report of the Executive Director (WCPFC13-2016-05).

19. Fiji expressed appreciation for the Executive Director's efforts to revive quarterly reports and did not consider major meeting outcomes were required in these reports so much as information relating to intersessional issues and events. FFA members noted the large number of Commission-hosted meetings which continued to be demanding and costly. These CCMs suggested that the Commission revert to discussing substantive business in two meeting sessions, and hoped the Corporate Plan would help streamline and focus processes and Commission work.

20. The Executive Director noted that the Secretariat follows the tasking of the Commission, the work program for which was decided by the Commission.
21. Japan also noted the numerous RFMO meetings and suggested the Commission take care when considering scheduling more intersessional meetings.
22. EU noted its support for the Commission's science and research priorities in 2017 and its financial support for a number of activities. This CCM considered research on FADs to be a top priority for the Commission. It was noted that a research plan for FADs had not yet been adopted, but the FADMgmtOptions-IWG had identified research priorities.

### **AGENDA ITEM 3 — STATEMENTS FROM MEMBERS AND PARTICIPATING TERRITORIES**

23. Ambassador for Pacific Economic Development, HE Shane Jones (New Zealand) noted the high priority New Zealand attaches to the management and development of the region's fisheries, and noted the vital source of income and employment fisheries provide to the region. Effective management is critical to ensure sustainability into the future. The conservation and management measures (CMMs) adopted by the Commission go a long way towards supporting the objectives of Pacific Leaders. It was incumbent on Commission members to recognise the significance to SIDS of the region's tuna resource, and to act accordingly and fairly. It is the role of the Commission to ensure the costs of conserving the tuna resource are fairly distributed – a key consideration as CCMs work towards new management arrangements for tropical tunas. The challenge is to see beyond individual positions to reach agreement on measures that consider the impact on all players and provide for mutually beneficial solutions. New Zealand looked forward to the progress that will be made this week by members dedicated to stronger and more effective management of this region's valuable tuna resource.
24. The Hon. Alfred Alfred, Jr., Minister for Resources and Development (RMI) recalled that RMI led negotiations on CMM 2013-06 and CMM 2013-07, which are premised upon Article 30 of the Convention which safeguards the special requirements of SIDS. RMI continues to be concerned with proposals tabled by CCMs without direct consultations with SIDS, despite them being likely to have adverse impacts on the people and livelihoods of SIDS. At WCPFC13, RMI would highlight the importance of effectively operationalizing these two measures. RMI would also work to progress observer safety and operational data provision, to ensure that what has already been agreed is upheld and maintained with the highest standards of accountability and transparency. RMI would engage frankly and openly, taking into account the competing interests and polarizing positions that may potentially ensue over the course of the meeting.
25. The Minister for Fisheries, Semi Koroilavesau (Fiji) noted the need for engaging SIDS and avoiding disproportionate burden. Other issues important to Fiji to be discussed at WCPFC13 were mobula and manta rays bycatch reporting and control of vessels.
26. The Minister for Fisheries; Hon Mao Zeming (PNG) congratulated WCPFC for its bold and progressive management of the region's fisheries resources, efforts that have gained recognition at the global level with the United Nations General Assembly resolution to commemorate World Tuna Day. PNG acknowledged the support of the Commission, PNA, SPC and FFA on the support provided towards achieving this. World Tuna Day puts Pacific Islands on the global stage, with the largest tuna resource in the world. Several key issues are evident in the WCPFC13 agenda, principally strengthening regional cooperation, streamlining the Commission's focus on sustainable fisheries management and addressing the development aspirations of SIDS. A lack of prudent action on the

high seas and the disproportionate burden of conservation action hinder SIDS from maximizing their full potential in fisheries. PNG called on the Commission to ensure effective and appropriate mechanisms are developed to encourage members to comply with their obligations under measures adopted by the Commission, including the effective management of the high seas. Consistent with PNG's 2014 National Strategy for meeting the UN Sustainability Goals, PNG is embracing a systematic approach to sustainability in which the economic, socio-political and environmental systems are embedded. It is now a national priority of the PNG Government, whereby principles of responsible sustainable development mean fully gaining from PNG's natural resources and providing equal opportunities for future generations.

27. The Hon. Puakena Boreham, Minister for Natural Resources (Tuvalu) reminded the Commission of the critical importance of its decisions to a small island nation like Tuvalu. Tuvalu is possibly the most fishery-dependent nation on earth. Tuvalu holds deep concerns that the Commission develop fishery management arrangements that are effective and equitable. Tuvalu has been rigorously implementing the 4<sup>th</sup> month FAD closure, which has greatly reduced the profitability and attractiveness of fishing in Tuvalu waters, and compromised fishery revenues. But other WCPFC coastal states have failed to impose the FAD closure in their waters, and DWFN longliners did not deliver the bigeye catch reductions they committed to. Tuvalu remains committed to the goals of the Commission, but is also determined not to carry a disproportionate share of burden.
28. Solomon Islands believes the Commission needs to take strong action on the following critical issues: the Pacific bluefin tuna fishery; a measure to give greater protection to the health and safety of our observers; progress on the development of harvest strategies for all tuna species, especially skipjack tuna and South Pacific albacore; reform of the CMS, which is currently unfair to SIDS; progress on the bridging measures for tropical tunas and South Pacific albacore. Solomon Islands noted its commitment to constructively work with all members to achieve outcomes on these and other agenda items and re-affirmed its commitment to the Commission. Solomon Islands informed the Commission that it is implementing the longline VDS in its national waters from 1 January 2017, with key e-reporting and e-monitoring components. These developments will enhance compliance monitoring and data quality for science, and improve longline fisheries management as a whole. Solomon Islands looked forward to the day when the Commission implements compatible longline measures for the high seas.
29. American Samoa noted that its economy is highly dependent on sustainable fisheries in the Convention area, and is also vulnerable to the decisions of the Commission.
30. FSM wanted to see the adoption of the draft CMM on observer safety to ensure the protection of human lives, the Commission's eyes and ears at sea. FSM acknowledged the Chair's efforts on the bridging tropical tuna measure and was keen to see the harvest strategies work move forward. FSM noted the discussions regarding a review of the CMS, the objectives for which must be crafted in a way that clarifies that the CMS is positive and proactive. FSM wants to preserve the recognition of the chartering scheme in all measures where appropriate, while ensuring that the arrangement does not become a means for countries to evade their capacity limits. FSM considers there to be an urgent need for the Commission to ensure the sustainability of the Special Requirements Fund (SRF). Consideration of the SIDS' limited capacity to look after the interest of their industries should be noted. FSM noted that Pacific leaders have called for action to end IUU fishing, calling on flag states to exercise more diligent efforts in carrying out flag state responsibilities and control of nationals. Small countries in the Pacific own the vast majority of the resources that come from the ocean in the Convention area and have much at stake as it is their most important natural resource.



31. The Philippines noted its commitment to ensuring the long-term sustainability of straddling and highly migratory fish stocks in the Commission area, consistent with its rights and obligations under UNCLOS, the UN Fish Stocks Agreement, and the WCPF Convention. Nationally, the Philippines' Implementing Rules and Regulations of Republic Act 10654 or the Act to Deter, Eliminate, and Prevent Illegal, Unreported, and Unregulated Fishing became effective on October 2015. Philippines noted it was a developing state, facing many challenges. The Philippines' compliance with measures is a work in progress but with an enhanced policy framework in place, Philippines is confident it will overcome the initial transition period with the support of the Commission and cooperation with other CCMs. The Philippines expressed appreciation for the Commission's continued support through capacity building activities, progressively improving Philippines's compliance, as reflected in the CMR process each year. The Philippines was pleased to inform the Commission that it will host the next Commission meeting, WCPFC14, in 2017.

#### **AGENDA ITEM 4 — MEMBERSHIP AND OTHER APPLICATIONS**

##### **4.1 Status of the Convention**

32. No new information had been provided from the depositary of the WCPFC Convention, New Zealand. The status of the Convention is outlined in WCPFC13-2016-06.

33. The Commission noted the report on Status of Convention (WCPFC13-2016-06).

##### **4.2 Update on Observer status**

34. There was no discussion under this agenda item, however a lengthy exchange on observer participation took place under agenda item 15.2.

35. The Commission noted the updated list of observers to the Commission (WCPFC13-2016-07).

##### **4.3 Applications for Cooperating Non-Member status**

36. The Commission considered applications for Cooperating Non-Member (CNM) status for 2017 in accordance with CMM 2009-11 (WCPFC13-2016-08). There were seven applications for CNM status. The Chair noted that one application had been provided with all requisite information (El Salvador), with others requiring further information: for Ecuador, the application was complete after TCC12 so no further information was requested; Liberia had provided the information requested by TCC12; and Vietnam had provided the required information. TCC12 had requested further information from Thailand on its historical fishing activities. Thailand had since confirmed it had no historical fishing activity to report. Panama's Annual Report Part 1 was outstanding. Panama confirmed during discussions under this agenda item that an email from the Panamanian government had been sent on 2 December containing the required information, including the Annual Report Part 1. This was subsequently verified by the Secretariat during discussions. Mexico's contribution was outstanding. While Mexico was not present at the commencement of WCPFC13, this matter was taken up by the Commission.
37. FFA members expressed that they continued to support a WCPFC decision that CNMs are to provide a contribution to the Commission; and participants need to share the costs of conservation and management of the fish stocks under the Commission's purview. CNMs pay only 50% of the amount it would if it were a member. Mexico's contribution was again outstanding, a matter which had been the subject of extensive discussion at the last two Commission meetings. FFA members stated they

would not agree to CNM status for any applicant with an outstanding financial contribution or who is unable to commit to making the contribution for the next year.

38. The Chair noted that after a similar situation last year, Mexico was able to make a payment during the meeting. It was agreed that the informal small working group would consider the applications for CNM status that had been approved (Ecuador, El Salvador, Liberia, Panama, Thailand, and Vietnam), but not Mexico's, as it was not present.
39. USA took the view that contributions are voluntary and that CNM status should not turn on the matter of the payment or non-payment of the contribution.
40. The Executive Director noted that no delegates from Mexico were yet registered for WCPFC13. Some CCMs suggested that the agenda stay open to wait for a possible Mexico delegation.
41. The Commission turned its attention to requests for full membership received from Ecuador and El Salvador. Ecuador noted that it had sent a letter on 16 November 2016, subsequently circulated by Secretariat, outlining its application for full membership. Ecuador explained that it was fully committed to tuna stock conversation and has been a CNM for eight years. It had requested an invitation to become a full member for the last four years. Ecuador has been a member of IATTC for more than 50 years, is a member of SPRMO and party to UNCLOS and the UN Fish Stocks Agreement.
42. El Salvador noted that it has been a CNM since 2008 and has provided voluntary contributions to the Commission on time annually. El Salvador noted it is an IATTC member and is committed to not increasing fishing capacity in the Western and Central Pacific; its vessel numbers would remain unchanged. El Salvador commented that none of its vessels had been involved in IUU activities and it requires 100% observer coverage on its flagged vessels.
43. FFA members considered that the matter needed careful consideration, citing the uniqueness of the Commission. Unlike other RFMOs, the majority of WCPFC members are SIDS who are overwhelmingly dependent on fisheries resources. In addition, the majority of fishing takes place within SIDS' waters. These CCMs considered that when more of a level playing field for SIDS exists in the Commission, FFA members will be in a position to develop a process for considering inviting new members to join.
44. USA welcomed El Salvador's request, and explained that an obligation is created when an RFMO is established. The Commission had a responsibility to consider the international legal context within which an RFMO is granted rights to manage fish stocks – these include UNCLOS, UNFSA and other international law which provides these institutions authority. There was a responsibility to consider in a meaningful way the interest of other nations to become members. For USA, even the special nature of WCPFC did not obviate the need for the Commission to consider requests fairly. The Convention provides that new members can be admitted through an invitation arrived at through consensus. USA stated that there should be criteria for considering those applications, and it should be a fair, transparent and objective process. Criteria could include whether the prospective member state has the ability to manage its fleets and is willing to exercise that ability. USA considered that an invitation would not come with an automatic right to allocation, and an informal small working group could develop the criteria.
45. Other states supported this view, with EU considering that the inclusion of countries participating in IATTC into WCPFC would be beneficial to the organisation.

46. While WCPFC13 did not reach consensus on accepting the Ecuador and El Salvador applications for full membership of WCPFC, the Chair noted that this did not preclude a CCM starting a process to develop a draft set of criteria for considering requests for membership in 2017.
47. On 8 December the Commission was informed that a delegate from Mexico had arrived at WCPFC13.
48. Mexico made a lengthy statement relating to its CNM status, stating its case for CNM status and noting its commitment to collaborating in the implementation of Commission measures (WCPFC13-2016-08\_Att 5 MX).
49. USA thanked Mexico for its comprehensive explanation of both its application and the historical context. USA considered the continued participation of Mexico as a CNM to be important, especially in the context of the NC's work, and encouraged the Commission to accept Mexico as a CNM in 2017.
50. Japan also supported the application, noting that Mexico does not fish in the Convention area but contributes to the Commission as a member of IATTC on the management of Pacific bluefin tuna. Mexico had not made a voluntary contribution but was committed to making a financial contribution. Canada, China, Indonesia, Korea and Chinese Taipei also supported Mexico's application. It was noted that Mexico was a key member of IATTC.
51. Regarding the issue of whether contributions were voluntary or not, EU did not consider it was a condition according to the Convention. This CCM asked that the Commission provide legal certainty.
52. Canada considered that Mexico's payment schedule should meet the Commission's expectations regarding financial contributions.
53. Nauru noted that the Commission debates the issue each year. All participants contribute to the Commission through their participation and financial contributions. CNMs have a 50% discount on member contributions. This CCM noted that Mexico's explanation about its non-payment was new and some time was needed to consider it.
54. After discussions in an informal small working group, on 9 December, FFA members advised that they accepted Mexico's offer, conditional on the payment schedule it had offered. Mexico thanked the Commission for considering its application and reiterated it would stand by the offer made.
55. New Zealand suggested a specific date that the payment would be provided to the Secretariat would be useful.
56. The report of the informal small working group, which met three times during WCPFC13, was accepted by WCPFC13:
57. *For 2017, seven CNM requests were submitted to the Secretariat using the agreed electronic format within the required timeframe. Those requests were from: Ecuador, El Salvador, Liberia, Mexico, Panama, Thailand, and Vietnam.*

- |   |
|---|
| <ol style="list-style-type: none"><li>58. WCPFC13 approved CNM status to Ecuador, El Salvador, Liberia, Panama, Thailand, and Vietnam for 2017.</li><li>59. WCPFC13 also approved CNM status to Mexico for 2017, subject to the payment of Mexico's 2016 assessed financial contribution by June 30 2017 (payment in the first semester) and its 2017 assessed contribution by December 31 2017 (payment in the second semester).</li></ol> |
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60. *At the Chair's direction, a small working group (SWG) was established to assess associated participatory rights of each CNM applicant whose CNM status was approved at the plenary. Framework documents for the working group were CMM 2009-11 and Secretariat paper WCPFC13-2016-08. The group also referred to TCC12's recommendations in the CNM section of the TCC12 Summary Report.*
61. *The SWG noted with appreciation the attendance and participation of Ecuador, El Salvador, Liberia, Mexico, Panama, Thailand, and Vietnam in the Group's discussions.*
62. *In addition to the discussions regarding participatory rights, some of the attending CNMs also raised the question as to how the Commission invites a non-member to become a full member, noting that Ecuador, El Salvador, and Vietnam had expressed their interest in becoming a full member of the Commission in their CNM applications.*
63. *Participants supported the recommendation of TCC12 to include a column in the template where CNM applicants could indicate their interest in becoming a member of the commission but felt that further discussion was not warranted on the membership process as the issue was outside the mandate of the SWG.*
64. *It was confirmed that applications were complete and outstanding data addressed for the seven applicants.*

#### **4.3.1 Participatory rights of CNMs**

65. *The SWG agreed to recommend that the CNMs accepted by the WCPFC plenary (i.e. Ecuador, El Salvador, Liberia, Mexico, Panama, Thailand and Vietnam) have the same participatory rights in 2017 as they had in 2016.*

66. WCPFC13 agreed to the following limits to be applied to the participatory rights of CNMs (Convention / CMM 2009-11):
- 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 WCPFC 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 WCPFC Convention. CCMs shall identify any violations by vessels flagged to a CNM and report on any investigations of such violations to the Secretariat for attention by TCC.

## ***Participatory rights of each CNM in 2017***

### ***Ecuador***

67. The 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 2015-01 or its replacement measure.

### ***El Salvador***

68. 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 2015-01 or its replacement measure.

### ***Liberia***

69. 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***

70. It was noted that Mexico had participated in the work of the Northern Committee (NC) at NC 8, 9, 10, 11 and 12 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 2017. Any future introduction of purse seine fishing capacity is to be in accordance with paragraph 12 of CMM 2009-11 and CMM 2015-01 or its replacement measure.

### ***Panama***

71. The participatory rights of Panama in the WCPO are limited to the provision of carrier and bunker vessels. 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 SWG also noted that this does not result in any additional participatory rights in 2017 to the participatory rights granted to Panama in 2016.

### ***Thailand***

72. The participatory rights of Thailand in the WCPO are limited to the provision of carrier and bunker vessels only.

### ***Vietnam***

73. The participatory rights of Vietnam in the WCPO are limited to the provision of carrier and bunker vessels only.

### ***WCPFC/IATTC Overlap Area***

74. 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.
75. 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.
76. 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.

### ***Amendment to be made to the CNM request template***

77. WCPFC13 agreed, as originally recommended by TCC12, to include a column in the CNM application template where CNM applicants could indicate their interest in becoming a member of the Commission. The Secretariat was tasked with making the necessary amendment to the CNM request template.

## **AGENDA ITEM 5 — NEW PROPOSALS**

78. CCMs were asked to present their proposals to WCPFC13, noting that proposals addressing matters best covered under other agenda items would be presented there. Proposals requiring additional work before their adoption were given the benefit of informal discussion time throughout the meeting in small groups.

### ***Observer safety***

79. The USA proposal relating to observer safety (WCPFC13-2016-DP21) was worked on by a large number of CCMs and observers – over 100 – in an informal small working group which met four times in the margins of the meeting, including one session which went late into the night. On 8 December USA reported that the primary remaining sticking point was the legally binding nature of the agreement, and noted that Japan had received legal advice and provided input into the document.
80. China noted that observer safety was paramount, and recalled the clear decision made last year that the Commission would put time into crafting an agreement. China recognised the sticking points around the legal mechanism to be used for the agreement and asked the Commission to think laterally about the issue. While it was not ideal to have something that is not binding, China commented that there may be other ways to meet the paramount objective of ensuring the safety of observers.
81. USA brought the draft measure to plenary for adoption on 9 December for the Commission's consideration, noting that through much effort in the working group discussions the text no longer had any square brackets.

82. Japan thanked the informal small working group chair, Alexa Cole (USA) for her hard work but noted legal difficulties it had in implementing the provisions in the measure. This CCM expressed sincere thanks for the special consideration for Japan through the footnotes in the measure, giving it some exemptions from the obligation to implement the provisions. Japan noted the efforts it had made to obtain final approval from Tokyo on the language which had been formulated by the Japanese delegates at WCPFC13 but considered it highly unlikely that they would receive clear instructions before WCPFC13 closed. Japan apologised if this would undermine the Commission's efforts but there was no option but for Japan to oppose the adoption of the measure as they did not have instructions to support it.
83. Chinese Taipei recognised the importance of observers and supported the adoption of the measure, though noting that during discussions in the informal small working group it had expressed deep concern about definition of "harassment" and "harass". As it was agreed by the informal small working group that each CCM has the right to interpret the definition of the discussed words with applicable domestic laws, this CCM agreed to adopt this measure.
84. WWF decried the inability of the Commission to adopt the measure. Noting that this observer had hoped to be able to express admiration for the work of all involvement in getting it adopted, WWF regretted that it could not now do that. WWF stated that the Commission had abdicated its duty to the people that serve in its fisheries, gathering the critical data it uses to manage stocks. The Commission was responsible for these observers and if the Commission was really treating them as of paramount importance it should approve this measure. In six years, five observers had died doing their work. WWF had heard a lot during the informal small working group sessions about domestic legal constraints making a CCM unable to implement the measure. WWF stated that that there should be a burden of proof for this; information should be provided to the Commission as evidence of this constraint. In addition, the burden should be on CCMs to prove an observer complaint was untrue. WWF felt strongly that these issues were not esoteric; observers are human beings and the Commission owed them its protection.
85. PNG commented that it had the biggest observer programme in the region and it hurt when observers disappear. PNG sacrifices budget to ensure the families of those who have gone missing are taken care of. PNG expressed its gratitude to participants of the informal small working group but noted its disappointment that the measure did not have consensus as observers were human beings, not objects.
86. RMI supported the comments by PNG and WWF and noted that despite the push on this issue it had missed what it had hoped to achieve on observer safety. Legal constraints aside, this CCM noted that as an observer provider RMI will go out of its way to ensure observer safety.
87. Australia acknowledged the foregoing comments and the USA for the extraordinary effort it had put into crafting the measure. An observer safety measure would form part of the rights and responsibilities of vessel operators and captains outlined in CMM 2007-01, which already requires that ROP observers not be assaulted, obstructed, resisted, delayed, intimidated, interfered with, influenced bribed, or attempted to be bribed in the performance of their duties. The duty to render assistance and protect human life is required by UNCLOS. The International Convention on Maritime Search and Rescue outlines responsibilities of governments related to search and rescue. Australia noted that experience has shown that these are not enough, with five deaths in six years. Observers play a critical role in meeting the Commission's responsibilities for fisheries management and are essential to ensuring the integrity of management measures. Australia considered them to be like diplomats: they must be able to conduct their jobs unimpeded and in a safe environment, free of threats and intimidation. Their personal safety is paramount. In addition, this is about human life and safety; the seas are a dangerous place. People doing work on the Commission's behalf should be able to go to their jobs and come

home to their families at the end of a trip knowing that everything that can reasonably be done is being done to keep them safe. Preventative actions and education are important to ensuring observers remain safe –including providing observers with the right to refuse to board without recrimination or loss of pay if the vessel does not meet standard safety requirements; protecting them from intimidation, threats and assaults; entitling them to respect; providing access to medical care if sick or injured; immediate action and cooperation on search and rescue if an observer goes missing; prompt arrangements for the return of the body to the observer’s family in the unfortunate event an observer dies. Australia considered that flag states have a responsibility to ensure regular industry education on the importance of accurate data and providing a safe environment for observers under national laws. Observer training and adequate observer insurance are also important issues, but should not stop the Commission taking action on observer safety.

88. FSM noted that many observers from its own observer program are placed on WCPFC vessels. This CCM was not sure how it was going to be able to place its observers on vessels without this measure, commenting that FSM needs to make sure they come back to their families.
89. Vanuatu voiced its concern and requested observer providers to advise what the implications were if the Commission could not get the measure through. It asked if there would be penalties for not putting observers on vessels.
90. Nauru, one of the smallest observer providers, expressed disappointment. This CCM noted the long discussions in the informal small working group, including comments from some participants that observers were just like crew. However, Nauru stated that observers are not crew, and are not covered by the ILO Convention which is why CCMs fight for them within the Commission. This CCM also noted the insurance issue other CCMs had mentioned. If Nauru did not put observers on CCMs’ boats, there was an outstanding question of whether those boats could fish. From 1 January 2017, Nauru would be implementing this in its EEZ. This CCM questioned why Japan needed to talk with capital about the language in the measure, noting that all CCMs come to WCPFC with a mandate and brought credentials to this effect. Nauru suggested taking the matter of adopting the measure to a vote.
91. Kiribati noted that if safety of observers was not guaranteed, it could not put them on boats. This CCM supported the recommendation to put the matter to a vote.
92. EU noted its support for the measure and expressed disappointed that consensus could not be reached. While EU did not think there should be exemptions, it considered that the text had taken Japan’s concerns into account. This CCM preferred consensus, not a vote, and invited Japan to reconsider its position.
93. PNG noted WWF’s impassioned statement at WCPFC12 and how hard the Commission had worked to get the measure across the line at WCPFC13. This CCM noted that observers in the Pacific are a close knit group of people and, as an observer provider, PNG deals with them daily. PNG came to WCPFC13 with a mandate to agree this measure and asked how the Commission could value the lives of fish and not uphold the sanctity of human life.
94. Samoa expressed its disappointment in the delaying tactics it had observed. This CCM wished participants had seen how observers are sometimes treated on boats. These observers are from small island nations and go full-hearted to their work. Samoa noted there were other international obligations that need to be met by CCMs on observer safety.
95. Tuvalu expressed disappointment that one CCM was blocking the measure after receiving exemptions. This CCM stated that all reasonable attempts to reach consensus had been exhausted and it would not



accept deferral for another year. Supporting the proposal to put the matter to a vote, Tuvalu noted it had 80 observers in its program and considered the matter one of human life and death.

96. Also supporting the proposal to put the matter to a vote, New Zealand noted the many participants who worked every available hour on this measure and made passionate and emotional statements supporting the need to take action.
97. Fiji noted that it had come to WCPFC13 to adopt this issue. It saw no option but to support the suggestion to put it to a vote.
98. USA thanked the informal small working group chair, for her efforts in leading the informal small working group and to WWF for reminding participants of their humanity. This CCM recognised that until the Commission acted, they are just words.
99. The Cook Islands respected and recognised the views put forward. Its preference was for consensus but would support a vote if that was the path taken.
100. Korea recognised the importance of the safety of observers at sea, which no CCM questioned, including fishing nations. Korea had focused mainly on the drafting and noted that no elements of the original draft had been taken out through negotiations. Korea recognised the frustration but was uncomfortable putting the matter to a vote rather than adopting by consensus.
101. China thanked the informal small working group chair, for her efforts and noted the importance of the issue. China had no difficulties with the provisions of the draft measure and could implement it. China noted that search and rescue continuing for 72 hours was a common practice in its national jurisdiction. It also noted that when China's fishers went missing in Japanese waters, Japan does it too. China was uncomfortable going to a vote and hoped the measure could be adopted by consensus.
102. Tokelau considered all avenues to address this at TCC12, intersessionally, and at WCPFC13 were exhausted. FFA Ministers had stressed the importance of the work of observers in collecting data for compliance purposes. Tokelau noted that the Convention allows for a time for a vote to be fixed if it appeared "that all efforts to reach a decision by consensus have been exhausted".
103. RMI supported EU's request to hear from Japan before considering the options exhausted.
104. Japan explained that it had received the proposal intersessionally from USA and after analysing it in detail concluded that not all of the provisions could be implemented within Japan's current legal framework. Upon arriving in Fiji, the Japanese delegation started discussing these issues with other delegations and realized that these issues were much more serious than Japan had initially thought. Consequently, Japan began the process of consulting with Tokyo for further instructions. Japan noted having limited flexibility and unless a clear instruction was received from Tokyo, Japan could not support the document. Japan recognised the situation was far from satisfactory and offered a number of commitments in a personal capacity. First, Japan could support if the document becomes a non-binding resolution. Second, Japan suggested that footnote one be amended to oblige Members to explain to TCC and WCPFC the reason for any non-implementation of provisions even though it is non-binding. Third, Japan would submit a detailed legal analysis to TCC13 on why it could not implement the provisions. This CCM also noted that Japan would come to WCPFC14 with a better position. Japan did not want the matter to go to a vote and noted that if that course was taken Japan would have to oppose. Japan's head of delegation apologised to observers who have suffered and may suffer from the lack of a measure but stressed that this was the most he could offer.

105. The FFA Secretariat noted that as an observer provider, they knew they put individuals at risk each time they sent observers out to sea. If adopted, there would be an immediate improvement in observers' conditions. The FFA Secretariat noted the amount of time and effort that had been devoted to the draft measure both within and outside the WCPFC processes. A meeting of coordinators had taken place. The FFA Fisheries Ministers had discussed the matter. TCC had discussed the draft. The USA had put in vast intersessional work. This work had been put in because of the preference for consensus. The FFA Secretariat took the view that there was no other way forward – the discussions had taken place and the drafting had been done. The Commission was urged to pick up the suggestion to take the matter to a vote.
106. The Chair enquired whether the alternative offered by Japan would offer CCMs any comfort. While China noted that it could go along with Japan's suggestion, Tonga asked that a time be fixed for a vote. With the lack of possibility of reaching consensus on the draft measure for observer safety and the calls for a vote, the Chair fixed time for the vote to take place one hour later. However, just prior to the vote taking place, Japan advised that it had just received an instruction from Tokyo and could join the consensus to adopt the measure.

107. The Commission agreed to adopt CMM 2016-03 Conservation and Management Measure for the Protection of WCPFC Regional Observer Programme Observers ( <b>Attachment F</b> ).
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#### ***Amending Scientific Data to be Provided to the Commission***

108. EU's proposal to amend *Scientific Data to be Provided to the Commission* was considered by SC12 and TCC12. EU explained that the intention of the amendment (WCPFC13-2016-DP04) was to facilitate the work of TCC – several data provision paragraphs were unclear and had required lengthy discussions in TCC. In the end these were inconclusive and certain obligations were not able to be assessed. EU noted that significant progress had been made in agreeing several of the proposed amendments through the sub-committees. Two issues remained outstanding for further discussion by the Commission – the obligation to provide operational data and addressing situations where CCMs are assessed as non-compliant because information from observer providers has not been provided to SPC in a timely manner. Regarding the first issue, EU stated an intention to capture the obligation to provide data to the Commission rather than through bilateral agreements with SPC. EU noted there was no consensus on this point, or the second point.
109. China highlighted a difficulty it had with a proposed change from “should” to “shall” which changed the legal status of the document.
110. Japan noted that it had signed an MOU with SPC to provide operational data while complying with a domestic requirement for confidentiality. Japan stated that this was the only way it could currently provide operational data and thus did not support the proposed amendment to rules for operational data submission.
111. Indonesia understood the importance of the *Scientific Data to be Provided to the Commission*, noting that Indonesia was developing a harvest strategy in its archipelagic waters which will rely on good data. Indonesia's fisheries are complex, multi-species, multi-gear and small scale fisheries. The Indonesian fleet did not currently operate in the high seas and Indonesia was fully committed to providing the data but still faced difficulties complying with the CMM. Its intention was to try and comply. It was also noted that the proposed change from “should” to “shall” would impact Indonesia.

112. RMI made a general comment about proposals needing to engage with CMM 2013-06, which the EU proposal had done. RMI fully supported the intent of EU's proposal and looked forward to its agreement, noting data provision was an ongoing issue for the Commission.
113. USA looked forward to the proposal's adoption and had provided comments it hoped would be taken into account.
114. On the basis of comments received from FFA and consultations with those CCMs with concerns, EU submitted a revised version of the proposal on 9 December (WCPFC13-2016-DP04\_rev1).
115. USA and China noted that their comments had been taken on board and they could support the proposal.
116. CNMI sought to clarify the scientific name of striped marlin on page one of *Scientific Data to be Provided to the Commission (Kajikia audax)* and queried the correct scientific name for Pacific Bluefin tuna.
117. EU clarified that broader text would not be amended by the EU proposal, which was only concerned with the obligation to provide data. EU suggested that SC could be asked to look at an update to the nomenclature if necessary.
118. Indonesia commented that it would try its best to satisfy all the requirements to provide data but needed to strengthen its observer programs, starting next year. Indonesia was sure it would not be able to fulfil these obligations in 2017 and requested time to be able to do so. But it did not object to adoption of the proposal as it understood the role good data played in supporting the stock assessments.
119. EU clarified that it was not intending to create new obligations with the proposed amendments.
120. Japan noted that once the amendments were adopted they were mandatory and suggested Indonesia needed some arrangements so that this CCM will not be assessed as non-compliant on the new requirement until the capacity building program is completed.
121. The Chair noted that Indonesia may not be ready to meet the obligations until later in 2017 and adoption with a footnote providing additional time for Indonesia could be considered. The length of time would need to be discussed.
122. In response to Japan's request, the WCPFC Compliance Manager, Dr Lara Manarangi-Trott, clarified that decisions of the Commission become binding 60 days after end of commission meeting, unless there is a time delay built into a CMM or decision. When the obligations would be assessed for compliance purposes was a different matter.
123. With Japan and China offering helpful clarifying comments, the Chair confirmed that compliance against the revised measure would be assessed from 2018, not 2017 and asked if this could satisfy Indonesia on data collection.
124. Indonesia noted that its operational data will be available to the Commission from 2025 and EEZ data is gathered from its observer program. Based on its experience with port sampling data, Indonesia considered it could probably provide the data from those programs for 2018 but maybe not all required data, for example discard data and size data. Indonesia would train observers to do it correctly. It would not be easy for Indonesia to fulfil its obligations. Indonesia would try its best to submit the data in 2018 but could not guarantee it would meet the standard for SPC or the Commission.

125. The Chair suggested that the Commission could adopt the proposal, noting Indonesia's difficulties, or adopt the measure with a caveat outlining Indonesia's implementation schedule.

126. Japan proposed that the Commission adopt the proposal and offered to assist Indonesia draft some language to put to the Commission reflecting Indonesia's concerns on the submission of data.

127. The Commission agreed to adopt the revised "*Scientific Data to be Provided to the Commission*" decision (**Attachment G**).

128. The Commission agreed that the following text from Indonesia could be recorded as report language in relation to decision on WCPFC13-2016-DP04\_rev1 on Scientific Data to be provided amendment: "WCPFC13 agreed that there is a technical difficulty for Indonesia to fulfil new request such as provision of discard data until the capacity building program including the data collection system is completed."

### ***Proposed Terms for a review of the Compliance Monitoring Scheme***

129. Introducing WCPFC13-2016-24, the WCPFC Compliance Manager noted that TCC had tasked the Secretariat with preparing a revised TOR for the review of the CMS for the Commission's consideration (paragraph 139, TCC12 Summary Report). A number of comments had been received from CCMs, including WCPFC13-2016-DP12 which had been considered in the development of WCPFC13-2016-24 and more recently WCPFC13-2016-DP29 from FFA members. There were outstanding questions for the Commission about whether the review should take place in 2017 or 2018, and budgetary implications of the review which the FAC was awaiting guidance on. Regardless of whether the Commission decides the review should be undertaken in 2017 or 2018, a review panel will need to be appointed and a timeline drawn up. The input of members would be sought, a selection process outlined, and the Executive Director would appoint a panel. The WCPFC Compliance Manager noted this would ideally happen in April or May – it was proposed that the reviewers would travel to Pohnpei to meet with the Secretariat and FSM, as a representative of CCMs, for discussions to guide their work. The panel would attend TCC in September to observe the process. In December, the Chair of the review panel would attend the annual Commission meeting and provide a progress report which would be due in March the following year. This report would be sent to members for consideration through that next year. Depending on the outcome of the observer participation discussions, confidentiality arrangements for the review panel may need to be further considered, although it was noted that consultants are subject to contracts including confidentiality clauses which have been sufficient in the past. The WCPFC Compliance Manager noted that the Commission would need to consider an interim arrangement following the end of the current CMS measure, to cover the review period. Options in the terms of reference reflect that need. The working paper also contained an indicative budget.

130. Japan supported the basic concept of a review but noted its USD \$124,000 indicative budget. This CCM commented that several other proposals on the agenda had budgetary implications and something might have to be dropped. Japan reserved the right to come back to this. Japan also asked about the relationship between WCPFC13-2016-DP29 and WCPFC13-2016-DP12.

131. FFA members thanked the Secretariat for incorporating most of its suggestions in WCPFC13-2016-DP12 but one specific comment was not included, relating to whether the CMS process is procedurally fair, and produces fair and reasonable outcomes. For these CCMs, this was a critical part of this review and must be reflected into the terms of reference. The review should include all three principles outlined in WCPFC13-2016-DP12 – effectiveness, efficiency and fairness. FFA members did not support pushing the review out another year and supported the proposed schedule and adoption of a

clear process at WCPFC13. These CCMs supported a review panel with at least three consultants. It was noted that the terms of reference included consideration of mechanisms to respond to non-compliance. These CCMs were interested in experiences and practices elsewhere that would inform the future work of the Commission and reiterated their longstanding position that the CMS should provide the right balance between supporting CCMs, particularly in respect of developing States, and punitive or other remedial actions in response to specific forms of non-compliance.

132. China's concern centred on what constituted "independent", hoping that "Commission" expert could be used instead in the terms of reference. China commented that panel members should come from its part of the region, and noted this could make it more difficult to select people. China asked for confirmation whether or not the Commission made a decision to establish the panel, noting Japan's suggestion to hold the issue open.
133. In response to a query about the methodology around selection of the experts, the WCPFC Compliance Manager suggested that a WCPFC Circular would be prepared requesting nominations. Once a list of nominations was compiled, Commission members would assist the Secretariat to priority-rank them.
134. EU noted that FFA members' comments went well beyond what was agreed and what an independent panel reviewing a CMS should be tasked with. EU considered the review should focus on the efficiency of the process and whether adequate resources were allocated, whereas FFA's comments were more in line with a performance review, which would look at all aspects of the organisation.
135. USA agreed with FFA members that the review should encompass the whole CMS over the last 6 years, although USA wanted more time to consider other aspects of the FFA proposal. Regarding the timing of the review, revisions in the new measure were intended to directly address procedural and fairness issues; therefore, there would be benefit to allowing the current measure to run another year and in the review taking place in 2018 rather than 2017. The TCC Chair noted that TCC had experienced growing pains this year in working with the new measure, but expected improvement next year.
136. The Chair noted there were still drafting and conceptual issues to address. An informal small working group was formed to undertake further discussions, led by New Zealand. On 9 December, New Zealand advised that the informal small working group was close to resolution on the terms but needed more time for discussions.
137. EU did not object to looking at the CMS in detail, but preferred it be part of a wider exercise reviewing not just compliance but the whole functioning of WCPFC, including the challenges of resourcing the Commission faces. It considered that this was an appropriate time to have a performance review and the analysis of the CMS should be part of this. However, despite its hesitations, the EU did not oppose consensus.
138. Considering this a lower priority than other matters, Japan recalled earlier discussions about looking at the proposed audit as part of the whole budget. Japan was not willing to support the project at this point, and would raise its concerns in FAC.
139. New Zealand noted the good, constructive discussions in the working group and advised that the findings of the CMS audit will be considered in the next Commission performance review, indeed would assist to streamline it. New Zealand noted that the audit was a priority for SIDS.

140. Later on 9 December, the Chair noted that FAC was waiting for a decision on the review before it could finalising the allocation of funds for 2017 and clarified that funds were available for the audit.
141. With Japan commenting that it was still not convinced of the need to spend USD \$124,000 on the project, New Zealand and Japan worked together in the margins to come up with a final text. New Zealand advised that a number of compromises had been made in the margins relating to the timing of the review and the composition of the panel and the terms of reference could now be agreed. Japan was then able to join the consensus on the review. (WCPFC13-2016-24\_rev1)
142. The Commission approved the Terms for the Independent Review of the Compliance Monitoring Scheme which is to occur in 2017 (**Attachment H**).

***List of obligations to be assessed by the Compliance Monitoring Scheme***

143. USA introduced WCPFC13-2016-DP20, a list of obligations to be assessed by the CMS, noting an FFA suggestion had been the inclusion of an assessment against the provisions of paragraph 3 of CMM 2013-06, the CMM on criteria for the consideration of conservation and management proposals. USA noted that the Commission would need to give the Secretariat clear guidance about how to make such an assessment, since it is an obligation for the Commission as a whole, not for individual CCMs. USA noted that New Zealand recommended that all CMMs that are amended be automatically scheduled for review during the first TCC session that occurs after the amendment. The only such amended CMM relevant for review in 2016-2018 (i.e. those scheduled to be reviewed less often than every year) is the seabird measure, and USA shifted its review schedule in this proposal accordingly. USA highlighted New Zealand's broader proposal for the Commission to consider when it updates the assessment schedule for future years. USA also reported some discussions about overlap area notifications. USA advised that work was continuing in the margins and CCMs were still commenting on the list; a new version would be prepared.
144. On 9 December, USA referred the meeting to WCPFC13-2016-DP20\_rev1, noting that there were some outstanding comments to be discussed in plenary, including the suggestion from FFA members that paragraph 3 of CMM 2013-06, relating to evaluating the impact of proposals on SIDS and territories, should be included in the list. USA took the view that it was an obligation on the Commission as a whole, not individual CCMs. A second issue was a suggestion from Japan that the full utilisation of sharks (paragraph 6 of CMM 2010-07) be assessed every year rather than every second year. Thirdly, PNA suggested changes in assessing paragraph 20 of the tropical tuna measure relating to limits in-zone and paragraph 24 not being assessed in 2017. USA advised that it had not revised the measure to accommodate those suggestions.
145. Japan stated that the review of paragraph 6 of CMM 2010-07 should be conducted every year. Regarding CMM 2013-06, Japan considered that this should be reviewed when a CCM puts a proposal forward, rather than assessed at TCC and had difficulty accepting the inclusion of CMM 2013-06.
146. EU raised concerns about the deletion from the list of paragraph 6 of CMM 2010-07 being assessed annually. EU noted there even if there was an issue with provision of information it was nevertheless important to continue assessing this measure annually.
147. New Zealand made a general recommendation that any measures that are amended by the Commission should be assessed at the next TCC.
148. USA noted this would need to be the subsequent TCC so any amendment had a full year of being in effect before being assessed.

149. From RMI's point of view, CMM 2013-06 was a Commission measure that should be strictly adhered to. It includes a checklist which calls for a consultative process about needs and capacity building for SIDS to be able to adhere to any new proposal. RMI noted that the measure was the operationalisation of Article 30 of the Convention and if the Commission does not take SIDS' interests into account they may be cut off from full engagement and effective participation.
150. EU considered CMM 2013-06 to be a little different from other measures in terms of what the exact obligation is. For EU, each proposal needed to analyse whether it constitutes a disproportionate burden on SIDS, but it was not a compliance issue. When a proponent submits a new proposal, the Commission examines whether it satisfies the requirement and, if not, the measure would not be considered/adopted but it is not that the proponent would be considered non-compliant.
151. USA noted that these issues were reflected in the draft proposal except that relating to CMM 2013-06, which was reflected on page 14. USA also considered that CMM 2013-06 put obligations on the Commission. The provision did not place an obligation on specific CCMs, so it would be difficult for TCC to assess it and for the Secretariat to provide information for them to do so. The Commission could choose at some point to revise the measure.
152. Later on 9 December, USA advised it had consulted with interested CCMs and there was agreement. However, the draft had become so complicated with track changes that USA instead produced draft decision language regarding WCPFC13-2016-DP20\_rev1 in the form of a set of instructions for the Secretariat to prepare a revised document after the meeting.
153. The Commission also agreed to a request from Japan, supported by the EU, relating to paragraph 6 of CMM 2010-07 on sharks to amend the frequency of assessment changing from every two years to each year.
154. The instructions to amend DP20\_rev1 that were subsequently agreed by the Commission on-screen were:

Regarding CMM 2013-06:

*Page 7 (frequency of assessment): Delete bracketed row for CMM 2013-06*

*Page 14 (2017 review): Delete two bracketed rows for CMM 2013-06*

*Page 19 (2018 review): Delete two bracketed rows for CMM 2013-06*

Regarding CMM 2015-01:

*Page 15 (2017 review): For CMM 2015-01, para 20, change category from "i" to "collective"*

*Page 15 (2017 review): Add row for CMM 2015-01, para 24, with category "collective"*

*Page 20 (2018 review): For CMM 2015-01, para 20, change category from "i" to "collective"*

Regarding CMM 2010-07:

*Table 1 – increase CMM 2010-07 frequency from 2 years to every year*

*2017 review: for CMM 2010-07 include para 6*

*2018 review: for CMM 2010-07 include para 6*

155. Regarding the list of obligations to be assessed, the FFA members expressed concern over the lack of inclusion of paragraph 3 of CMM 2013-06, which relates to the impacts of new proposals on SIDS and territories. Other CCMs agreed that the provisions of that paragraph are very important, and that the Commission should assess its implementation. However, as currently worded, the obligation is placed on the Commission rather than on the proponents of new proposals, so it might be difficult for the TCC to review compliance in the context of the Compliance Monitoring Scheme (CMS).

156. The Commission agreed that as stated in the measure, it has an obligation to apply these questions in considering new proposals; and that it will continue to do so using the current practice of having this task undertaken by the specific proponents in order to inform the Commission's consideration.
157. The Commission also agreed that at its annual session in 2017, it would review paragraph 3 of CMM 2013-06 and consider possible amendments to facilitate assessment of its implementation in the CMS.
158. The Commission adopted the updated list of obligations to be assessed by the Compliance Monitoring Scheme (**Attachment I**).

### ***Proposal to amend Charter Notification Scheme (CMM 2015-05)***

159. On 9 December, Japan introduced its proposal to amend the charter notification scheme (WCPFC13-2016-DP25\_rev2). Japan had revised its first version after consultations with several members. The most significant revision was to paragraph 7, clarifying which party should report catch and effort to the Executive Director. CCMs wished to see the draft in writing. Japan advised shortly afterwards that the USA had proposed a paragraph to replace paragraph 7 in DP25\_rev2. It would give reporting obligations to chartering states. Some further drafting took place in plenary which was circulated to the meeting as DP25\_rev3 late on 9 December so that CCMs could see the draft in writing.
160. In response to a query from RMI about whether attribution related to catch and effort, USA confirmed that it had wanted a reference to reporting requirements under Commission decisions. This meant the attribution of catch and effort in the data submission and in Annual Reports Part 1 and 2.
161. Without consensus for USA's proposed amendment of paragraph 7, Japan suggested reverting to the previous version for adoption. Some further drafting took place in plenary and there were no objections to the changes made onscreen.

162. The Commission agreed to adopt CMM 2016-05 Conservation and Management Measure on the Charter Notification Scheme (**Attachment J**), which will replace CMM 2015-05.

### ***High Seas Special Management Areas***

163. FFA members introduced WCPFC13-2016-DP14, a proposed CMM for the special management of certain high seas areas. If adopted, the measure would prohibit transshipment in the Eastern High Seas Pocket (EHSP) Special Management Area that was created in CMM 2010-02, and extend the same conditions to five fully- or semi-enclosed areas of high seas adjacent to FFA member EEZs. It was noted that these areas are either difficult or impossible to access except by going through the surrounding EEZs. Currently, foreign fishing vessels and carriers are not obliged to report their entry or exit to most of these EEZs if they are not licenced to also fish in them, which complicates monitoring and increases the risk of IUU fishing in EEZ waters. FFA members reiterated their concern about longline vessels transshipping to carriers on the high seas and noted that the Commission had not been able to agree that high seas purse-seine transshipment should be prohibited, particularly in areas distant from port. These CCMs considered the high seas pockets to be a special case, with a unique status under the Convention which provides that "special attention" be paid to compatibility between CMMs and national measures established in EEZs for the same stocks. FFA members took the view that it is practicable to prohibit transshipment in these limited areas. For FFA members, coordinating the management of high seas fishing is one of WCPFC's priority responsibilities. They can cooperate



among themselves in the sustainable management and conservation of fish stocks in their EEZs, but only the Commission can deal effectively with high seas fishing.

164. Japan had some fundamental problems with the proposal. This CCM did not understand the logic of prohibiting high seas at-sea transshipment, noting that transshipment activity on the high seas is well monitored by observers. Japan advised it had difficulty accepting the prohibition and suggested there were other ways to monitor possible illegal transshipments. Japan felt there should be greater utilisation of FFA Surveillance Centre's state of the art VMS technology to detect illegal at-sea transshipment, noting that it had raised the same subject at TCC. A Japanese delegate had visited the Surveillance Centre and been impressed with the technology. This would show when two vessels were floating side by side and might be engaging in high seas transshipment. With communications between the Surveillance Centre and the Secretariat, flag states can be requested to check what the fishing vessels are doing. Japan thought the proposal would increase the workload of fishery managers tremendously, including Japan's, by introducing reporting obligations for entry and exit of these areas. As long as a VMS signal is available, Japan did not see the need for the measure.
165. Chinese Taipei could not support the proposal, noting there was a monitoring scheme to monitor high seas transshipment and carrier vessels have observers on board and coastal states can assess VMS data as per the Commission's data rules.
166. China thanked FFA for including the map in the proposal, highlighting the five pockets. China noted that all the high seas areas were surrounded by national jurisdiction. This CCM supported Japan's intervention that a transshipment ban in the many high seas pockets was not needed for the time being, with the exception of the EHSP. For China, a ban on transshipment in the EHSP could be supported as the EHSP had been a special area for six years.
167. EU supported the proposal, noting that each year it comments that the exception has become the norm regarding transshipment. EU wanted a ban on high seas transshipment. While it was not necessarily a source of IUU fishing, the practice has a high risk of being an occasion for irregular activities and as such should be avoided as much as possible. EU noted that its fleet does not transship on the high seas, despite the costs this imposed on the vessels.
168. Korea noted that its vessels do not transship in the high seas pockets but noted the fundamental concern of others. While recognising the FFA's concerns, Korea could not support further burden being placed on its longline fleet by requiring vessels to report their entry into and departure from high seas pockets, noting the Flick the Switch arrangement was already in place.
169. The FFA Secretariat noted that the WCPFC VMS data to which the FFA Surveillance Centre has access is limited. It is only in respect of FFA members that have allowed the data to be viewed. FFA cannot provide full surveillance of the high seas areas, though if high seas VMS data could be provided, member CCMs would certainly welcome it.
170. The Chair noted that the Commission had discussed the issue of high seas pocket transshipment in many forms. The Chair noted the willingness to move forward on the issue of the high seas pockets and transshipment, and expected the discussion to continue in the future.

### ***Port based initiatives***

171. FFA members introduced WCPFC13-2016-DP15, a proposal for port-based initiatives to prevent, deter and eliminate IUU fishing. FFA members thanked CCMs that had encouraged them to submit the proposal as the stepping stone towards the Commission developing port-based MCS arrangements

in the region. For FFA members, maintaining their sovereignty was fundamental in the development of such measures. The proposal was compatible with the FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and was a non-threatening foundation for the Commission to build MCS networks upon. The FFA proposal aimed to provide a mechanism for CCMs to volunteer their ports to be used for inspection purposes, and establish a cooperative means for CCMs to seek the assistance of port states in the WCPO to deal with vessels believed to have engaged in IUU fishing. It aimed to provide port states with the flexibility to determine whether they are able to assist other CCMs in requests for inspections, determining which port inspections might be undertaken, and assisting those port states that aspire to strengthen their port inspection regimes. FFA members were undertaking several initiatives towards strengthening port state arrangements and thanked WWF for its support developing the port inspector electronic reporting system. A port state measures gap analysis was underway, assisted by The Pew Charitable Trusts funding. FFA members thanked New Zealand for establishing a five-year programme to develop and enhance port state measures in FFA member countries, which will provide the resources and support to establish regulatory frameworks and operational tools to fight IUU fishing.

172. No discussions took place directly on this proposal, in light of there being two port state measures proposals submitted to WCPFC13. Subsequent discussions around the EU proposal on a WCPFC scheme for minimum standards for inspection in port (below) dealt with both proposals.

#### ***Port Inspection Minimum Standards***

173. EU introduced WCPFC13-2016-DP03, a proposal to implement port inspection minimum standards. EU considered it important for the Commission to equip itself with port state measures – an essential tool to fight IUU fishing. EU noted the FFA proposal did not have the same standards as the FAO Port State Measures Agreement, but it was a good first step. The Chair proposed discussing both proposals, then EU and FFA could work together to bring something back to plenary.
174. Chinese Taipei expressed its willingness to exert effort and fulfil responsibility as a port state and flag state, in support of the Port State Measures Agreement that came into force in June 5 this year. This CCM had technical amendments to discuss with both FFA and EU for the adoption of a WCPFC port state measure.
175. USA continued to support port state measures in WCPFC, noting adoption of one of the proposals was an important first step and did not have to be the only step taken.
176. China noted a provision in the FFA proposal where if a CCM does not designate a port where a CCM has the resources to undertake inspections the requirements in the measure would not apply. China said this would give it flexibility, as it will not be ready to conduct port inspections for a couple of years. Later, China can designate ports to do so. China hoped this aspect would be retained in any measure which comes back to plenary for adoption.
177. FFA members confirmed that the intention was to allow an opt-in mechanism, which would also help FFA members that are developing their capacities in this area.
178. On 9 December, FFA Secretariat advised that it had worked in the margins on a revised version, which had been made available for CCMs the previous night. It was noted that positive support had been received from many CCMs, including some with previous concerns. EU advised that it had worked constructively with FFA, despite FFA's proposal not being as ambitious, it was a welcome step in the right direction and for this reason it agreed that discussion should focus on FFA proposal which had integrated some of EU's concerns.

179. China confirmed that the paragraph 4 had accommodated its concern.
180. Japan could not support the document at WCPFC13 as it had not had enough time to analyse it. Japan noted that port measures have bigger, delicate issues that needed to be taken into account.
181. The Chair commented that there was no consensus to adopt port state measures at WCPFC13 but noted the discussions and the latest thinking which was contained in the FFA proposal in its revised form (WCPFC13-2016-DP15\_rev1).
182. New Zealand thanked China for its constructive engagement, and noted that the Commission had made significant progress on port state measures in the last few years. New Zealand noted that CCMs could opt-in to the measure.
183. Japan noted that it was conducting legal analysis of the FAO Port State Measures Agreement in considering the ratification and the timing was very delicate to be considering anything which deviates from that agreement's provisions. Japan hoped it would be able to come to the Commission meeting next year with a much better.

### ***Port Coordinators Program***

184. TCC12 (paragraphs 179-181) had recommended the continuation of the Port Coordinators Program and identification of a funding source. The trial programme commenced in 2015 following its establishment by WCPFC11 decision, and was in its second and final year, pending a decision on continuation by the Commission. The reference doc for this agenda item was WCPFC13-2016-26.
185. EU had welcomed the Port Coordinators initiative from the beginning as it helped build the necessary capacity for port inspection controls. However, EU expressed some concerns about the results of the trial, noting that of the three FFA members supported, only two succinct statements, without supporting data, were provided to the Commission. EU noted that SPC considered the program useful for data collection and asked for some additional information on this, including the situation before the trial and the additional data collected with the trial. EU still considered the initiative useful but wanted to better understand the program's contribution and impact before agreeing to make it permanent. EU could support continuing the program for another year, with better reporting to be provided.
186. PNG, one of the recipient CCMs, noted it had not provided a report. PNG had participated to gauge whether the program would assist with capacity constraints at the port level. It had identified gaps and recruited a coordinator, but noted that if reporting requirements were to become burdensome and the distinction between Commission business and national business became unclear, PNG may not continue to participate.
187. Japan supported the concept of Port Coordinators in principle, as they contributed to preventing or detecting IUU activities. This CCM wanted to see the impact on the budget before a decision was made to support the continuation. Japan supported obligations to report on the activities and the establishment of terms of reference and some kind of template for reporting the activities of the Port Coordinators.
188. The Chair queried whether, based on PNG and EU's comments, CCMs supported an additional year of the program, with budget discussions still to weigh up all the Commission's priorities.

189. FFA members thanked the Secretariat and SPC for providing support and technical assistance for the trial programme. These CCMs considered it to be an effective mechanism with tangible outputs – building the capacity of those who implement the scientific and MCS programmes that feed in to the work of the Commission. FFA members supported the proposal to continue the programme, and noted the changes to the proposed terms of reference that address some of the administrative issues experienced over the trial period. It was noted that some CCMs originally intended to be part of the trial programme had been able to fund Port Coordinator positions domestically and did not participate in the trial. This meant others could have and the ability for CCMs to indicate their interest in the programme was a good addition to the terms of reference. FFA members considered it imperative that the determination of the Port Coordinator’s tasks remain with the head of the respective national fisheries agency, to ensure the position supplements the needs of the individual national monitoring programme. These CCMs hoped other CCMs saw benefit in this initiative and the Commission would extend the programme.
190. USA was conditionally prepared to move forward with the extension and expansion of the program, noting it required resources and there were many demands on the Commission’s resources. USA noted that FAC needed to consider the budget and advise if the resources were available before it could make a firm decision. As other CCMs were, USA was concerned about the lack of documentation on the benefits of the program for recipient countries and the Commission.
191. FSM expressed its appreciation to the Commission and those CCMs that supported the project, reporting that it had worked closely with the Secretariat and SPC for two years. Like PNG, FSM joined the project as a means to augment data collection. It was originally intended that it would be beneficial for Port Coordinators to be in the busiest ports in the region. FSM noted that the Secretariat was looking at means to provide capacity assistance in ports that want to improve their data collection activities; this was part of the WCPFC budget. FSM had benefitted significantly from the programme, allowing it to maintain personnel to do the work and collect the data. FSM noted it was already overburdened with reporting but had submitted the necessary reports. FSM was reassessing the continuation of national level data collection efforts that serve FSM’s national purposes and requirements imposed through WCPFC measures. FSM supported the extension and would take a back seat while it did this.
192. Kiribati noted it had benefitted greatly from the programme and supported its extension.
193. Chinese Taipei supported an additional year, considering it a very important MCS component and assistance to SIDS. This CCM asked recipient countries to provide reporting which demonstrates the benefits and progress of the trial.
194. RMI noted that the Marshall Islands port is one of the busiest though RMI does not participate in the programme. PNG and EU had noted the lack of a standard developed for this work, noting that there was nothing to be assessed against. Provision of operational data remained an issue for RMI, and supported USA’s suggestion to develop a standard. An option was to develop the standards before committing the funding and rolling it over on a long term basis. RMI considered there to be more to do, and there were still some questions about the trial.
195. The Chair asked whether the question was only of funding or whether more fundamental work needed to be done.
196. In response, RMI preferred tasking TCC with reviewing a set of standards regarding the Port Coordinators’ work rather than asking FAC to look for funding yet. RMI suggested that the work of the last two years including the original TORs be the starting point. And Japan supported asking TCC

to develop standards, hoping the Commission would also request the Secretariat to develop a draft common format related to reporting, to also be discussed at TCC.

197. The Commission noted the report of the WCPFC Port Coordinators Programme Trial 2015–2016 (WCPFC13-2016-26) and tasked TCC13 to further consider the recommendations to extend the Port Coordinators Programme.

### ***Proposal to amend CMM 2010-02***

198. The Cook Islands introduced WCPFC13-2016-DP02\_rev1, a proposal to ban transshipment in the EHSP. Cook Islands noted that China had joined the proposal. It had been revised to include comments submitted by other distant water fishing states and a revised version was available. Cook Islands noted that in 2010 the EHSP was designated as an SMA. The EHSP is located in the middle of an albacore tuna fishery and is surrounded by Cook Islands, French Polynesia and Kiribati. Since the adoption of the EHSP SMA measure, Cook Islands played an active role in monitoring the area, with regular joint patrols with France and New Zealand, bilateral operations with Kiribati and trilateral operations with Samoa and Tonga. Cook Islands advised that vessels were still not adhering to the required reporting, allowing illegal activities to potentially take place. There was a two-year timeframe for adoption of the ban which gave operators time to prepare. Noting concerns raised at WCPFC13 about the encroachment of rights to high seas areas, Cook Islands clarified that its proposal only applied to the EHSP.

199. On 9 December, Korea and Japan advised that they could support the revised version, while stressing that its acceptance of the EHSP measure did not constitute a precedent. Chinese Taipei shared the views of previous speakers and also supported the proposal.

200. Cook Islands noted the significance of the measure in improving management on the high seas, and the co-sponsorship of China was a small step towards greater coordination and cooperation between coastal states and distant water fishing states in the WCPO.

201. The Commission agreed to adopt CMM 2016-02 Conservation and Management Measure for the Eastern High Seas Pocket (**Attachment K**), which will replace CMM 2010-02.

### ***Fisheries and Access Agreement Information***

202. EU introduced WCPFC13-2016-DP05, a proposal for a CMM relating to information on fisheries access agreements. Noting that each year it puts forward similar proposals, EU recalled that in 2016 the Review Conference on the UN Fish Stocks Agreement was attended by members of the Commission. The Conference adopted by consensus, so with the support of all WCPFC members, a resolution that encouraged greater transparency and strengthened the fight against IUU including by making fisheries access agreements publicly available, subject to confidentiality requirements. This was why EU had again submitted a proposal for transparency in fisheries access agreements. The proposal took into account the Conference-agreed requirement that all information provided shall be in line with domestic confidentiality requirements.

203. FFA members did not support the proposal. They explained that they did not fear transparency, which they provided in many ways including through the provision of operational data on all the tuna fishing that occurs within their EEZs and publicly available laws and Harmonized Minimum Terms and Conditions which set out access requirements. These CCMs considered the proposal to be anti-competitive, and noted the history of distant water fishing states using economic and political power to protect the commercial interests of their fleets and undermining the interests of SIDS. This proposal

would strengthen the position of distant water fleets in bidding for commercial access to FFA member waters, particularly for those FFA members with or developing competitive tender processes. This would not be consistent with the obligation to recognise the special requirements of developing states.

204. USA supported the proposal, noting that greater transparency was important to the successful management of fisheries in the WCPO. USA noted that if it could not be adopted, USA hoped there would be movement on increasing transparency through another mechanism.
205. EU noted that in the UN forum some FFA members agreed to transparency and making agreements publicly available, but in the Commission they could not.
206. The Chair noted the repetitive discussions around this issue over the years and the Commission was still not close to consensus. She asked that those with the most interest and those with the most difficulties craft an alternative to meet the objective everyone shares, taking on board the stated concerns.

#### **AGENDA ITEM 6 — WCPFC IUU VESSEL LIST**

207. WCPFC13-2016-10\_rev1 prepared by the Secretariat provides the relevant information, including recommendations from TCC12 related to the WCPFC IUU Vessel List.
208. Cook Islands reported that it had come to an amicable conclusion with Vanuatu about the vessel ESSIEN 108, which TCC12 had provisionally nominated for the WCPFC IUU Vessel List, and the vessel could be removed from the provisional list. With no new vessels to be listed, the Commission accepted the TCC12 recommendation that the three vessels on the current WCPFC IUU Vessel List remain on it. It was noted that these vessels had been on the list for some years.
209. FFA members considered it of grave concern that the three vessels had been on the WCPFC IUU Vessel List for several years, compounded by their appearance on other RFMOs' IUU lists. With it clear that the operators of these vessels are disregarding fisheries regulatory frameworks, FFA members thanked the Executive Director for writing to flag States and RFMOs to attempt to locate these vessels. With no further information about these vessels, FFA reiterated that the Commission needs to be more innovative and collect information on the operators of these rogue vessels. To this end, FFA members suggested at TCC that the name of the master be included alongside the vessels on the WCPFC IUU Vessel List and support the subsequent TCC12 recommendation as a key step towards locating the perpetrators.
210. Regarding YU FONG 168, FFA members noted that it has been on the WCPFC IUU Vessel List for seven years, and the flag state cannot locate the vessel. The last advice from the flag state Chinese Taipei was that through a notification by Thailand to IOTC this vessel was last known to have landed catch in Thailand in 2013. The vessel was listed on the IOTC IUU List in May 2015. RMI noted Chinese Taipei's previous advice that the vessel's licence was revoked in 2009 and the owner of the vessel has been penalised through repeated monetary punishment for violating the rules of not returning to port. FFA members asked for further information from the flag state about additional steps that may have been taken to locate and prosecute the operator. FFA members did not want vessels 'parked' in the WCPFC IUU Vessel List and advocated effort from all angles. These CCMs supported the Executive Director continuing to reach out to RFMOs for any more information on these vessels and owners.

211. Chinese Taipei noted that the YU FONG 168 had absconded in 2008 without coming to port and confirmed it was placed on the WCPFC IUU Vessel List in 2009. Acting alone, Chinese Taipei could not resolve the issue. This CCM noted that WCPFC was a platform for international cooperation and, as the vessel may be being protected by another country, a system for all CCMs to act was needed. Chinese Taipei reported that in 2016 it had adopted new deep sea fisheries legislation, which allowed for stronger measures to be taken against vessel owners.
212. FFA members noted that the Commission RFV includes the nationality of the master and requested that the master's nationality be included alongside the master's name on the WCPFC IUU Vessel List. For vessels not on the RFV, FFA members requested that the flag state bear the responsibility of providing the name and nationality of the master by TCC13, for inclusion on the WCPFC IUU Vessel List. FFA members flagged that they are looking into Persons of Interest, which will link unique identification details, such as passport details, to each master's name and nationality. In doing so, FFA members would not just target vessels involved in IUU activities but the operator, and bring them to justice.
213. FFA members noted their concern about the number of recent incidents involving Vietnamese small scale boats conducting unauthorised fishing in FFA member waters, targeting beche de mer and other coastal species not directly under the purview of the Commission. These CCMs noted that these IUU activities significantly impacted the marine environment of coastal states and can affect the livelihoods of small island communities. Other impacts included additional costs imposed on states in taking action against these vessels. FFA members called on Vietnam to fulfil its flag state responsibilities in controlling these vessels and in cooperating directly when they are detected and apprehended.
214. FSM noted that in the past two years it has arrested nine illegal blue fishing boats, with approximately 135 fishermen. FSM has now categorized combating IUU fishing as a national priority, but noted the costs are high. FSM spent USD \$200,000 on fuel alone this year. Other costs include salaries for maritime officers, prosecution costs and costs of detention. None of the blue boats were registered to fish in FSM's waters, had transponders or were detectable on VMS. FSM government officials had met with Vietnamese officials but in FSM's view Vietnam has not demonstrated concrete measures to address the issue. FSM asked Vietnam what action it had taken as a flag state against vessels violating its laws noting that some of the vessels had returned to FSM waters two or three times despite being arrested. FSM noted that IUU fishing in the Pacific undermines the rights of coastal states to regulate marine resources, resulting in the loss of national revenue and employment opportunities and impacting Pacific Islanders who depend on the oceans as a source of nutrition. It is a risk to the marine environment, threatens fish stocks, devalues fisheries and disadvantages those who abide by regional and national rules. FSM sought the Commission's assistance in responding and called on flag states to combat IUU fishing.
215. Vietnam recognised it was a very important issue, but emphasised that the Vietnamese IUU vessels were not tuna vessels and were not targeting tuna. In 2015 Vietnam sent an official to FSM for high level meetings and set up a hotline to the FSM government. Vietnam was in the process of revising its laws to ensure nationals paid a high penalty for IUU activities.
216. PNG noted that despite being on the list for some years, no one had reported finding YU FONG 168. PNG asked whether the WCPFC Record of Fishing Vessels is cross-referenced with state vessel registries and whether it could be used to facilitate inclusion of the registered owner's name on the list.
217. China was able to go along with PNG's proposal to add master's name and nationality to the WCPFC IUU Vessel List.

218. USA associated itself with FFA members about the importance of addressing IUU fishing and asked for PNG to provide a proposal. PNG undertook to consult with USA in the margins and asked if the Secretariat cross-checked details from the vessel register with the Chinese Taipei vessel registry.
219. The Chair clarified for other CCMs that the TCC12 recommendation was to include the vessel master's name in the list, and PNG's new request was to include the vessel master's nationality.
220. The Executive Director clarified that the Secretariat writes to the flag states of vessels that are on the WCPFC IUU Vessel List, as tasked by TCC. The Secretariat receives information from the flag state but has not conducted direct checks with the Chinese Taipei vessel registry. The Secretariat relies on flag states to provide them with that information.
221. RMI thanked Chinese Taipei for its earlier update about the vessel, and encouraged the Commission's further work on the issue. This CCM queried the effectiveness of the WCPFC IUU Vessel List, if vessels can recur at different times in different oceans without being caught. RMI suggested it would be useful for TCC to look at the issues and come up with options.
222. On 9 December, PNG provided proposed language for plenary discussions regarding the inclusion of nationality of the master of the vessel to further help identify the vessel. PNG explained that vessel names are often duplicative across multiple registries. After a request for clarification, PNG explained that vessel master's nationality is already included in the RFV data fields. The Commission would only be agreeing to include on the final WCPFC IUU Vessel List the vessel master's nationality alongside the vessel master's name which had already been agreed.
223. Kiribati supported the proposed language on the basis that it is masters that operate the vessels and conduct the IUU fishing activities.

224. The Commission adopted the 2017 WCPFC IUU Vessel List (**Attachment L**).
225. The Commission tasked the Secretariat with including the names of the vessel masters, if available, into the WCPFC IUU Vessel List.
226. The Commission tasked TCC with investigating options to address the circumstances of vessels remaining on the WCPFC IUU Vessel List for many years.
227. The Commission agreed that: the master's nationality is included alongside the master's name into the WCPFC IUU Vessel List; and where the vessel is not listed on the Record of Fishing Vessels and the master's name and nationality are not known, the flag State is responsible for providing the name and nationality of the master, so that these details can be included into the WCPFC IUU Vessel List.

## **AGENDA ITEM 7 — SPECIAL REQUIREMENTS OF DEVELOPING STATES**

228. This is a standing agenda item for the Commission under Rule 2 (h) of the Rules of Procedures.

### **7.1 Updated checklist evaluation of SIDS' special requirements**

229. At WCPFC11, FFA members tabled a checklist that set out SIDS' specific needs to assist in prioritising the assistance received from the Commission and other CCMs. WCPFC11 agreed to consider the checklist as a "guide to assist developed CCMs to assess the status of assistance to SIDS". An updated checklist has since provided. In WCPFC13-2016-DP16, FFA members laid out some



views on their approach to the checklist to make it an effective and efficient tool. The checklist will continue to set out SIDS' needs, especially as arising out of the CMR discussions. It will be based on the capacity needs identified in the Final CMR and updated accordingly after WCPFC13. FFA members requested that these are treated as immediate areas for priority assistance from developed CCMs and noted that the checklist could track progress or delivery of assistance for these specific needs.

## **7.2 CCM reports on the implementation of Article 30**

230. WCPFC13 took as read the report on EU's implementation of Article 30 of the Convention and Resolution 2008-01 (WCPFC13-2016-DP27). The paper detailed assistance provided and proposed in future years. EU noted that capacity building assistance can also come from other kinds of assistance available in the region, not just through WCPFC. EU considered the checklist in CMM 2013-06 to be a valuable guide and noted that EU's support was given to FFA to implement, so EU expected FFA would comply with the checklist when determining its priorities for the funding. EU commented that reporting from FFA on how it uses the assistance would be useful.
231. FFA members thanked those CCMs that provided reports of their assistance or responded through their Annual Reports Part 2. It was noted that many of the reports did not provide sufficient information on targeted assistance under the categories in CMM 2013-07 or the SIDS Checklist. This made it difficult to properly review the implementation of the measure. FFA members requested that developed CCMs prioritise assistance to addressing specific areas identified for the SIDS Checklist to enable thorough analysis of the reports and linkages to the SIDS Checklist and implementation of CMM 2013-07.
232. Japan noted that it provided assistance in various forms for WCPFC assistance. Japan assists SIDS through its official development assistance, including Overseas Fisheries Cooperative Foundation (OFCF), enabling the construction of infrastructure and capacity building for artisanal fisheries, data collection and fisheries management. Since 2008 Japan has been assisting SIDS for capacity building in respect of statistics, and fisheries management and enforcement through the WCPFC Japan Trust Fund. Japan had pledged to provide no less than 55 billion Yen (around USD \$5,000,000) in the next 3 years during the Seventh Pacific Leaders Meeting (PALM7) held in 2015. Japan also contributes to the Japan Promotion Fund agreement with the Forum Fisheries Agency. Japan sends fisheries experts to SIDS from JICA and OFCF and receives trainees from SIDS.
233. FFA members noted that several WCPFC13 proposals do not include a CMM 2013-06 SIDS' impacts assessment or only cursorily attempted to complete the assessment. FFA members reminded proponents to fulfil this obligation, as it was a critical step to informing and reassuring SIDS that impacts on them have been taken into account when formulating proposals. CCMs should discuss proposals and their impacts with SIDS early. FFA members strongly took the view that not conducting this assessment or not doing it in a timely or complete manner was a breach of CMM 2013-06. FFA members proposed that new proposals which do have no assessment or an incomplete assessment not provided in advance of the Commission meeting not be considered by the meeting and the proponent be considered non-compliant.
234. Chinese Taipei noted that each year this issue is discussed but it was not clear how to establish criteria or a mechanism for CCMs to follow. Chinese Taipei proposed that the issue of the sustainability of the Special Requirements Fund (SRF) be discussed by FAC before consideration by WCPFC. This CCM noted the continuous demands on the fund and noted the Chinese Taipei Trust Fund to strengthen capacity building in WCPFC developing countries was USD\$2 million beginning this year. Chinese Taipei encouraged SIDS to apply.

235. FSM supported other FFA members' statements and thanked developed states for their assistance. This CCM noted that Article 30 requires that capacity assistance be provided so SIDS can fully execute their obligations and participate in the work of the Commission. Part of the Commission's work is to adopt CMMs, so when a proponent puts forward a measure which has implications for SIDS, if special assistance is required the proponents should outline how that assistance will be provided. FSM acknowledged resources including the SRF, the Japan Trust Fund and others, but emphasised that the issue at hand was the use of a checklist for proponents to outline the assistance they will provide so SIDS can implement their obligations and manage the resources. In the absence of that, FFA members would not be in a position to adopt the measure.
236. FFA members submitted WCPFC13-2016-DP17, a proposal to ensure the sustainability of the SRF, with a specific focus on participation at meetings. It was noted that the fund was near-exhausted for most of 2016. The dominant use of the fund has been to support SIDS' travel to participate in WCPFC meetings. As the work of the Commission grows more complex and broad it is practically impossible for a single person to be across all issues, so meetings are meeting attended by at least two SIDS nationals per CCM. FFA members proposed that a compulsory amount be placed annually into the SRF. WCPFC13-2016-DP17 contains the specific financial formula. It was explained that the SRF would be drawn down as per current practice for an additional representative of a developing state member or for other needs such as internships or a national project. FFA members noted that meeting participation was the primary focus of the proposal, SIDS also need assistance to implement and comply with Commission measures.
237. Japan recognised the importance of assisting developing countries to participate in WCPFC meetings and supported a fund, but felt it should be voluntary not mandatory. Under its national system, Japan could not make mandatory contributions to the fund but it hoped other countries could do so. Another option would be to allocate from the regular budget to replenish the fund; FAC should explore the options.
238. The Chair asked if CCMs agreed to the concept of making the voluntary fund mandatory.
239. Korea thanked those CCMs, including USA, which had made voluntary contributions to the fund, and recognised the need to replenish it. This CCM agreed that making it mandatory was an option, but it needed consideration. Noting the increase in the number of meetings which required in-person presence, this CCM suggested other ways, such as streamlining the number and efficiency of meetings.
240. The Chair noted that a lack of consensus that the fund should become mandatory.
241. China suggested that a percentage allocation from the regular budget could be an option.
242. Japan suggested looking first at voluntary contributions and if this is not possible the Commission could consider allocating money from the regular budget. The funding to be allocated would depend on the total budget, which was under discussion at FAC. Japan agreed that streamlining the number of meetings would help, noting that some meetings that have been held may not have been needed.
243. RMI noted that some of the proposals to WCPFC13 had not gone through the checklist, but stressed that this was not a stand-alone agenda item, it was about SIDS and their effective participation in Commission processes. This CCM noted that the balance of the SRF was USD \$36,000, but the measures and obligations which require SIDS' attention continue to increase. RMI emphasised that CMM 2013-06 and CMM 2013-07 were linked.

244. EU considered the checklist and the SRF were linked but separate. Internal EU rules precluded it from contributing to the SRF fund. But EU could support earmarking a certain percentage of the Commission budget for the SRF for attending meetings, similarly the case for IATTC. EU also noted that other sources of financing existed through other agencies in the region.
245. Australia noted this was a core concern for SIDS and the FAC should consider these ideas. This CCM suggested that the 'Travel' line item in the core budget could be examined.
246. The Chair noted that a number of options had been raised for consideration by FAC during WCPFC13.

### **7.3 Review of implementation of CMM 2013-07 (Paragraph 20)**

247. In accordance with paragraph 20 of CMM 2013-07, the Commission reviews implementation progress of the Convention and CMM 2013-07 annually.
248. FFA Secretariat noted the valuable assistance CCMs provide and recognised that, taken together, it constitutes a huge body of support. Unless the questions in the CMM 2013-06 checklist are taken seriously, it is difficult for FFA members to discern if they have the capacity to take on an obligation. It was noted that CMM 2013-07 links to CMM 2013-06 and related to WCPFC measures and SIDS' ability to participate in the work of the Commission. For example, one of the key priorities under the last EU-funded project in the Pacific was assisting countries to meet sanitary requirements to export to Europe – a very important project for SIDS but it did not enable SIDS to fill out the Annual Report Part 2 on time or conduct a minimum number of port inspections.
249. RMI expressed the view that the Commission is not in compliance with the Convention, with the responsibility for compliance resting on the Commission in the first instance then on each CCM. A number of proposals put to WCPFC13 did not address CMM 2013-06. This CCM suggested that proposed measures which have not been through a consultative process should not be on the agenda for discussion. The Commission and Secretariat should comply with the measure when reviewing proposals for the agenda. It was important for the Commission to understand that measures have impacts on SIDS, including in budgetary and technical capacity terms.
250. FSM explained that the checklist identifies what might be required to assist SIDS. A process may be needed to allow for CCMs who are developing a proposal that funding could be attributed so it is clearly identified who is contributing and who is receiving assistance as a result of the measure.
251. EU sought clarification from FSM if this meant proponents would be expected to put up financial assistance in order to present a proposal, noting such a process does not exist in other RFMOs.
252. The Chair noted that this standing agenda item gives the Commission a chance to consider how measures affect its most vulnerable members. The Chair commented that SIDS' issues flow throughout the whole meeting agenda and this item was an opportunity to discuss if proponents providing evaluations against CMM 2013-06 are meeting expectations regarding SIDS. It was clear work was still required. The Chair encouraged CCMs to continue discussions through the week with SIDS' and capacity-related issues in mind. In addition, the FAC would discuss the sustainability of the SRF and report back.

## AGENDA ITEM 8 — HARVEST STRATEGY

253. Discussions under this agenda item focused on those elements of the agreed Work Plan for the Adoption of Harvest Strategies under CMM 2014-06 specifically earmarked for decision in 2016 (see: WCPFC12 Summary Report, Attachment Y and WCPFC13-2016-IP02).

### 8.1 Management objectives (all species)

254. The Work Plan requires the Commission to record the management objectives for the four species it covers. The Chair distributed draft management objectives in Circular No. 2016/34, which originate from Management Objectives Workshops (MOW) outcomes and were accepted by WCPFC11 (WCPFC13-2016-11b). These were circulated in July to give CCMs time to reconsider the draft management objectives as a starting point for discussions. The Chair noted that the USA had also proposed management objectives for one of the three fisheries that were discussed in the context of the MOWs.

255. USA explained that it had developed its proposal WCPFC13-2016-DP22 due to its reluctance to adopt a long list of candidate management objectives. USA agreed strongly with one aspect of the ‘strawman’ document and the Chair’s proposal: that the management objectives, and the harvest strategies as a whole, should be structured around fisheries not stocks. The USA proposal was limited to the tropical purse-seine fishery. It could serve as an example; if a set of objectives such as that contained in the proposal were acceptable, similar sets could be developed for the tropical longline fishery and the southern albacore fishery. Another important aspect of the ‘strawman’ document is its documenting of the connections among the fisheries, including competition and upstream-downstream links, and that aspect is incorporated in the USA proposal.

256. The Chair noted that the question for discussion was whether or not the Commission supported the U.S. approach relating to the tropical purse-seine fishery or the MOW approach as contained in Circular No. 2016/34.

257. FFA members supported the Chair’s approach in Circular 2016/34 based on the MOWs. While the objectives do not exactly mirror the objectives of FFA members, they came from a process that involved independent experts and included all CCMs over a period of two or more years. They were a reasonable compromise and provided greater clarity than having no management objectives at all. FFA members considered the objectives be simply “recorded” rather than agreed, and that they be used to guide the development of further elements of the harvest strategy. The objectives would not be considered prescriptive and there is no expectation that every objective would be monitored and reported against as the Commission develops harvest strategies. FFA members did not support USA’s approach.

258. Japan noted that harvest strategies are comprised of several elements, with management objectives just one of the parts. Until all the components were assembled, Japan could not agree any of the components without knowing the consequences, so its position on them would remain tentative until the finalisation of the whole. Japan raised a number of issues: the Harvest Strategy Work Plan required management objectives for skipjack, bigeye and yellowfin tuna, so Japan felt that it was more natural to look at each species rather than each fishery catching those species. For this reason the concept behind the U.S. paper was more difficult to understand. Japan asked for clarification around what it meant for the Commission to “record” management objectives. The Commission could add many management objectives, but some may be in contradiction to others, with a reconciliation process then needed. This CCM considered the discussion to be valuable but clarity around the future prospects of the work was needed, especially what happens after making the list.

259. EU noted there were merits to both approaches: USA's was in line with the Convention language, notably as it refers to MSY; the Chair's approach reflected discussions WCPFC13 had engaged in previously. EU had favoured continuing the MOW work and considered further work was needed on the approach in the Circular to refine the objectives as, like Japan had raised, there could be difficulties reconciling them. EU thought further discussions about what the Commission was trying to achieve was needed before recording or noting any management objectives.
260. Australia supported the Chair's approach to recording management objectives, commenting that a key aspect was not the objectives themselves but how they are used to progress the harvest strategy approach. Australia noted that the Work Plan explicitly tasked the Commission to 'record' rather than 'agree' the management objectives, and commented that some of the objectives will conflict and some will require trade-offs. The objectives provide guidance for the Scientific Services Provider to develop the MSE framework and performance indicators. The MSE will allow the Commission to assess the performance of candidate harvest control rules and to objectively consider the trade-offs, which is similar to the approach taken in NC.
261. PNG supported the Chair's approach and the precautionary approach to improving decision making, and did not favour starting from scratch.
262. Chinese Taipei suggested that the Commission needed more time to discuss priorities and management objectives, noting too many objectives were outlined in the Circular, with possible conflicts. This CCM hoped that the management objectives would generally follow the Convention text.
263. China considered that harvest strategies were a means of achieving the objectives of the Convention, which was the sustainable utilisation of tuna resources, so the reference points should be based on MSY. This CCM considered that discussing harvest strategies was premature until a common understanding was reached on this. China understood that all the reference points are linked with TAC –once MSY is established three reference points are used to reduce the level of TAC. China pointed out that we do not know the relationship between reference points with the VDS. It was noted that the VDS was an input control tool and reference points linked with TAC which is an output control tool. China was concerned that the reference point will only be applied to high seas fisheries, not those in areas of national jurisdiction. Two years ago the Commission adopted a TRP for skipjack tuna, but China noted that this TRP has not yet translated into management action. China wished to see the final product of the TRP in the bridging tropical tuna CMM, noting that fishermen need to know how much fish they can catch. Until then, China was unable to consider TRPs for other tuna species.
264. Japan acknowledged the time CCMs had spent on the MOW discussions, but noted that the workshops were to help CCMs learn about harvest strategies and the MSE process, and encourage frank discussions about them; the outcomes were not binding and the management objectives in the document did not represent the agreement of the working group. This CCM favoured developing a list of two or three management objectives, adding that they were used to evaluate different harvest strategies so should not be overly complicated. Japan suggested looking at the issue by species, with sustainability of the stock the guiding principle. Japan noted that both papers looked at certain types of fisheries, and queried what would happen to fisheries not covered, for example the skipjack fishery.
265. Canada supported continuing the discussions in a small working group. This CCM considered the management objectives outlined were an indicative and useful list, but agreed with Japan that it should not be considered an agreed, select list; there should be further refinement specific to the development of individual harvest strategies. Canada noted NC's approach, which held technical meetings including

scientists, managers and industry. This CCM underscored importance of the objectives being quantifiable.

266. RMI commented that further work was needed to refine the objectives, and noted the information provided by SPC in WCPFC13-2016-14. RMI supported recording management objectives as the Chair had circulated.
267. PNA members were pleased to see this work being undertaken at WCPFC13. These CCMs supported the work on harvest strategies and the application of the precautionary approach as a way of improving decision-making on management and conservation of key stocks and saw the potential benefits of having pre-agreed rules for how fishing will be adjusted as status of stocks change, and better taking account of uncertainty. These CCMs commented that harvest strategies were not a way of reshaping arrangements and approaches already agreed, except where necessary to ensure sustainability. On this basis, PNA would continue to strongly support harvest strategy outcomes that strengthen and do not undermine the rights of resource-owning CCMs to manage resources and fisheries in their waters compatibly with measures applied in other areas within the Convention area.
268. The Pew Charitable Trusts made a statement on behalf of PEW, WWF, Greenpeace, Conservation International, and SFP, noting these NGOs were pleased to witness WCPFC's commitment to the Harvest Strategy Work Plan. It was noted that the aim for WCPFC13 is to 'record' some management objectives, not adopt them – they are not unchangeable. Harvest strategies are a package of elements, as noted by Japan, that are then ideally tested by MSE and modified if needed based on those analyses. These NGOs noted that it would be regrettable and a step backward if the Commission could not record a list of management objectives for consideration. It was noted that PEW and ISSF have produced explanatory materials as a contribution to this process, including case studies of harvest strategies in practice.
269. The Chair noted that the Commission had committed to developing harvest strategies going forward. The term 'record' stresses that the immediate goal was not a binding agreement, and followed the logic that everything is interim until everything is final. The purpose of circulating the 'strawman' document was to remind CCMs that they had already done a lot of work, discussions had been held with stakeholders and the Commission had received and accepted a report which discussed management objectives. The Chair appreciated the desire of some CCMs not to reinvent the wheel. It was also noted that this was the first year the Commission had taken a comprehensive look at the Harvest Strategy Work Plan. Though the MOW process had been discontinued, the compromise was to ensure management-level discussions took place at the Commission. The goal was not to find agreement but to find a basis for future work, perhaps an acknowledgement that these objectives could be used for the harvest strategies work. The Chair noted that WCPFC13-2016-14 reflects the other elements of the 'strawman' proposal – the indicators and the monitoring strategies. It may be that general acceptance of those indicators could point towards some implicit acceptance of the objectives they were developed against.
270. USA noted that two possible options were to start with a long list of possible management objectives and trim it, or start with a small list and expand it. Either way, the likelihood would be that with further discussions, the end point would be different to the start point.
271. Japan (Shuya Nakatsuka) offered to lead the small working group and, on 7 December, reported on its progress. Using the list within Circular No. 2016/34 and USA's proposal, the group had tried to come up with a list of interim management objectives to be used solely for the purpose of MSE and the application of harvest control rules. They could be modified in the future. Japan noted that not all were agreed but the group was making progress. On 8 December, Japan reported that the group had

finished discussions on a list of indicators for evaluating harvest control rules for tropical purse-seine fisheries though several significant issues had emerged.

272. On 9 December, Japan advised that the informal small working group had developed a list of useful indicators, without agreeing or disagreeing to them, noting that different management objectives had different levels of importance to different CCMs. A question was whether the work should be conducted for primarily skipjack tuna (though the group also touched on bigeye tuna and yellowfin tuna) MSE only or for multiple species MSE.
273. The Chair noted that this work was in the context of the harvest strategies framework which was set out by species, not by fisheries. The Chair noted the cross linkages and emphasised that the Commission was not attempting to agree to a set of objectives at this stage but would note the work done by the informal small working group and the direction its output provided, primarily for skipjack tuna.
274. Australia noted that, for 2016, the Harvest Strategy Work Plan requires the Commission to record management objectives for all four species – skipjack, yellowfin, bigeye tuna and South Pacific albacore. Australia was pleased that the Commission had engaged in discussions around the management objectives and hoped these discussions continued at future Commission meetings. For 2016, the Commission was also scheduled to agree a monitoring strategy, including performance indicators, for skipjack tuna and South Pacific albacore. Australia acknowledged the good progress made on skipjack tuna and thanked the Chair of the informal small working group for his leadership. Australia proposed that the Commission task SPC with developing a relevant set of performance indicators for South Pacific albacore, proposing that SPC make reference to interim performance indicators for skipjack and South Pacific albacore tuna. This will allow the research provider to progress the development of harvest strategy-related work but also allow for further consideration and refinement by SC and WCPFC as necessary.
275. EU considered that the outcome fell short of the task WCPFC13 had for this meeting. WCPFC13 was supposed to have progressed further, across more species, and adopt management objectives. EU supported Australia's comments, recognising that Australia had been the lead on the Harvest Strategy Work Plan's development.
276. Japan noted that while also not necessarily satisfied with outcome, the exercise indicated how difficult it will be to agree management objectives. In the meantime, participants had learned about the process and come to understand that the Commission should not be so optimistic about formulating harvest strategies. The current management objectives mainly consider skipjack tuna caught in the tropical purse-seine fisheries and, from the outset, a consequential question was whether to look at species/stock, rather than fisheries. However, this CCM noted that positive and negative impacts of tropical purse-seine skipjack tuna fishing on other fisheries catching the same species and other stocks affected by those fisheries also needed to be taken into account. Japan welcomed the management objectives discussions, however if the outcome did not address the impacts of the fishery on other stocks Japan could not support it. Until there was a final product, Japan considered everything tentative.
277. Shuya Nakatsuka, in his capacity as Chair of the informal small working group, noted that for some of the indicators for other fisheries, SPC can provide information. But from a scientific point of view, he considered it premature to attempt fully fledged multi-species MSE and suggested asking SPC to conduct MSE based on the indicators, with as much information as possible for other fisheries, then consider how to approach multi-species MSE, which, it was noted, had been done nowhere else in the world.

278. The Chair expressed optimism about the output which had been developed by the informal small working group – it had shown just how complex harvest strategies were. The Commission had understood in 2015 that its goals for the work were highly ambitious and aspirational. What the group had accomplished was realistic and reasonable considering how early in the process the Commission was in implementing harvest strategies. The Chair expressed the view that the Commission could task SPC to work on the management objectives which had been developed by the informal small working group.
279. Korea commented that member cooperation in the informal small working group had resulted in some meaningful outcomes and noted its preference for a stock-based approach. From next year Korea wanted to work on management objectives and other relevant indicators for longline.
280. Fiji supported Australia's comments, commenting that what was applied for skipjack tuna should also be applied for South Pacific albacore.
281. PNA members supported the group's approach as set out in its report. The indicators provide a good basis for work towards MSE on skipjack and the purse-seine fishery, and for the development of indicators for other stocks and fisheries, especially albacore and the southern longline fishery. PNA members supported Australia's proposal for further work on management objectives and performance indicators for south Pacific albacore and would work with SPC to progress this.
282. Tonga supported Fiji and PNG's interventions.
283. USA considered the outcomes to be a step forward, and noted that there were options about how to structure harvest strategies. USA wanted to approach the work from a fisheries perspective, not stocks, recalling that the harvest strategies framework intentionally leaves open both of those approaches. USA clarified that the outcomes of the working group were not for skipjack tuna, they were for the tropical purse-seine fishery. However, in USA's view each identified indicator was very clear so it did not matter what it was called. USA supported accepting the outcomes from the working group. This CCM noted that some indicators were straightforward and could be monitored at no additional cost; others could bring substantial costs, so there was a need to proceed cautiously. Acceptance of the identified indicators did not necessarily mean the Commission adopts or commits to implement the strategies necessary to monitor the indicators. Such decisions would be made on a project-by-project basis, informed by SC advice and the expected costs of monitoring.
284. A short discussion took place about Australia's proposal for SPC to work on similar indicators for South Pacific albacore. Tonga and New Zealand supported Australia's comment, noting it was already scheduled in the Work Plan and highlighting the importance of South Pacific albacore for SIDS. China considered tasking SPC to do this work was premature. Australia clarified that it was suggesting work already required for 2016 under the Harvest Strategy Work Plan. While not set in stone, Australia felt SPC should go forward and do some of the work. China suggested further discussion among CCMs. Noting the ongoing work required to develop the specific objectives and indicators for south Pacific albacore, members acknowledged the benefit of SPC adapting the list of indicators developed for tropical purse seine fisheries to further similar work for south Pacific albacore.
285. The Chair characterised the work as preliminary and aligned it with the work being undertaken on the bridging tropical tuna measure, adding that to the extent possible the Commission should try to follow the Work Plan.



286. The Commission accepted the suggested initial list of performance indicators for tropical purse-seine fisheries as developed by the Small Working Group on Management Objectives at WCPFC13 for the purpose of the evaluation of harvest control rules (This list is attached at **Attachment M**).

## **8.2 Acceptable levels of risk (all species)**

287. The Commission is required to agree acceptable levels of risk for the four species covered by the Harvest Strategy Work Plan. Discussions on this began in plenary session, with brief introductions of the two proposals – FFA’s, which used interim risk levels of 5% for skipjack and South Pacific albacore with 10% for yellowfin tuna; and USA’s which used a risk level of 20% for South Pacific albacore.

288. FFA members introduced their proposal WCPFC13-2016-DP10 and expressed that they have advocated an interim risk level of 5% for skipjack and South Pacific albacore for some time, and 10% for yellowfin, considering risk levels to be consistent with the requirement to adopt risk levels that are very low, and that the social, economic and biological consequences of the risk levels are acceptable. These CCMs noted that the additional level of precaution captured in the risk levels for albacore and skipjack, reflects the relative importance and severity of the consequences of low levels of those two stocks. FFA members considered it premature to adopt a risk level for bigeye tuna as the first priority for this stock is to allow it to recover to the LRP. When that recovery is underway, the Commission can identify a suitable level of risk as a buffer above the LRP, and eventually implement a TRP. FFA members did not support the USA proposal of risk levels of 20% for all four key tuna species, disagreeing with the rationale for these higher levels of risk. The LRPs are biologically “precautionary” as required by the Convention, and FFA members did not consider them overly conservative. The Commission should take care not to introduce acceptable risk levels that erode the capacity of the LRP to provide strong protection. FFA members had issues with USA’s use of the interim IATTC limit reference point for skipjack, yellowfin and bigeye tuna of 7% as evidence that the 20% WCPFC limits are overly conservative. These CCMs recognised that both proposals acknowledged that risk is not only about probability but also about biological, social and economic consequences. Economic and social impacts increase as biomass declines towards the limit and the ability to recover quickly is reduced once recruitment is affected, with costs associated with lengthy recovery periods, particularly for those communities that rely on fisheries most.

289. USA introduced its proposal WCPFC13-2016-DP23, a proposal for interim risk levels of 20% for all four stocks under CMM 2014-06. USA explained that the proposal is based in large part on the outcomes of SC12, which recommended “that WCPFC13 notes that levels of risk for breaching LRP should be considered coupled with the corresponding conservative or liberal nature of the LRP”. The SC concluded that “the bigeye tuna LRP is viewed as conservative and could have associated higher levels of risk for breaching the LRP”. The proposal is not based on the IATTC’s adopted interim risk levels. USA did not propose changing the limits WCPFC has adopted. FFA members’ proposed levels of risk are different for different stocks because of the relative importance FFA members place on the stocks – based on the social and economic consequences of breaching the limits. USA considered that the risk levels, which are tied to the limit reference points, should be based solely on biological considerations, drawing from the Convention and Annex 2 of the UN Fish Stocks Agreement, which states that LRPs are intended to constrain harvesting within safe biological limits and TRPs are intended to meet management objectives. Unlike the USA proposal, the FFA members’ proposal does not include an acceptable level of risk for bigeye tuna, which could help inform what a reasonable rebuilding timeline would be for the stock.

290. An informal small working group was formed to discuss the proposals, led by Vice-Chair Russell Smith. On 7 December, the Vice Chair reported that participants had discussed their objectives and

concerns about breaching the LRP for South Pacific albacore, skipjack and yellowfin tuna. With this input, SPC has a better understanding of what participants are trying to achieve. There was agreement on how to move forward on these three stocks but not for bigeye tuna and the group would return to the question today. The informal small working group also talked about the interim nature of the numbers and the iterative process towards full harvest control rules for these stocks.

291. On 8 December, the Vice Chair recalled that the task of the group was to consider for the four stocks the risk levels that would be applied in evaluating various harvest control rules and other instruments regarding whether there would be a breach of the LRP. There were robust discussions in the group and a text was largely agreed except for one set of issues requiring further discussion. The text provided that in reviewing the expected performance of harvest control rules or CMMs for these four stocks the Commission would consider any outcome that had a risk level of more than 20% of breaching the LRP as being inconsistent with the Convention. The text also addressed how to deal with stocks currently below the LRP. For those stocks there was an attempt to clarify that the Commission would look to specific rebuilding strategies to include a schedule and probabilities. There was some discussion in the informal small working group about how this decision would apply to CMMs.
292. On 9 December the Vice-Chair reported that a text had been developed to help guide work as the Commission continues developing harvest strategies and applying MSE. The Chair noted that the discussions were conducted in the context of the further evaluations SPC would be doing. In thinking about how the results would be found by those looking to utilise them, the Vice-Chair suggested an Annex to the Harvest Strategy Work Plan would make them more accessible and allow the Secretariat to more easily capture them and put them on the dedicated section of the website.
293. Following these discussions on acceptable risk levels of breaching a LRP, EU shared its views about the LRP adopted by WCPFC for skipjack, bigeye, yellowfin tuna and South Pacific albacore in the broader context of the harvest strategies framework. CMM 2014-06 (Annex 1) defines LRPs as references “intended to constrain harvesting within safe biological limits”. EU’s interpretation of this is that LRPs should be founded purely on biological considerations, and should therefore be defined on a stock by stock basis. In addition, LRPs have to be associated with level of risks commensurate with the degree of precaution considered when defining the level or value of the LRPs. Based on the most recent information available, EU noted that for some of the stocks, the SSB depletion level corresponding to MSY are just above or even below the general LRP of 20% SSBf=0 adopted by the Commission. EU was uncomfortable with the idea that one of the principles of the Convention “to maintain or restore stocks at levels capable of producing maximum sustainable yield” would be framed as “outside safe biological limits” for these species. EU proposed the Commission request SC13 to review the adopted LRP and proposed: i) stock specific LRPs that “constrain harvesting within safe biological limits”, updating accordingly CMM 2014-06, and ii) acceptable risk levels of breaching these LRPs that take into account their liberal or conservative nature.
294. Australia did not support EU’s proposal, considering this review work to have been done from Australia’s point of view, the WCPFC limit reference points are not overly conservative. The LRPs are biologically “precautionary” and therefore in line with the requirements of the Convention. The LRPs recognise the uncertainty associated with “steepness” (how much recruitment will occur at low stock sizes) and other aspects of tuna biology. This uncertainty makes quantities such as MSY extremely difficult to estimate without fishing the stock well below the point. This issue was explored extensively by SC7 in 2011 and ultimately resulted in the Commission adopting the current B20% limits which are precautionary with respect to the uncertainty. Australia noted that the Commission accepted the LRP to protect the biological productivity of the stocks, recognising uncertainty. The Commission should take care not to erode the capacity of the LRP to provide that protection.

295. EU presented text late in the meeting for the Commission's consideration but it was not agreed. New Zealand noted that a large body of work now existed and they were consistent with approaches taken by other national and international jurisdictions.

296. After discussion of the proposals of the FFA members and the USA, and based on the recommendation of the working group, the Commission agreed to:

i) not specify, at this time, acceptable levels of risk of breaching the limit reference point for each stock;

ii) consider any risk level greater than 20 percent to be inconsistent with the LRP related principle in UNFSA (as referenced in Article 6 of the Convention) including that the risk of breaching limit reference points be very low; and

iii) determine the acceptability of potential HCRs where the estimated risk of breaching the limit reference point is between 0 and 20%.

### 8.3 Rebuilding timelines for bigeye tuna

297. The Commission is required under the Harvest Strategy Work Plan to agree timelines to rebuild the bigeye stock to the LRP. Discussions began in plenary session and were continued in an informal small working group led by Australia. On 7 December, Australia noted that there had been useful discussions and strong engagement in the group about the time period for recovering bigeye tuna to the LRP. The participants agreed that progress was being made. It was clear that a number of timeframes were available to get to the LRP and many participants considered it achievable. The group looked at different timeframes and impacts on fishing activity, and also considered what the timeframes meant when built into overall harvest strategies; all are interim measures while the models are run. It was noted that bigeye does recover in reasonable periods of a time, though there may be a range of years rather than a fixed point in time.

298. On 8 December, Australia reported that the group had canvassed options around the timeframe for bigeye tuna rebuilding. Issues included the risk of achieving the LRP, the measures required to get there and impacts, although participants recognised that impacts were a matter for the bridging tropical tuna measure. There was a general view that the Commission could agree a 10-year timeframe to reach the LRP, then provide that timeframe to SPC to run the models and scenarios. Those model runs may throw up some alternative ways of getting there. Draft language would be circulated reflecting these discussions.

299. On 9 December, the draft text was discussed in plenary. Australia reported that the group's recommendation was that an interim rebuilding period of 10 years could be applied in the development of measures (such as the tropical tuna measure) to rebuild bigeye tuna to the LRP. This rebuilding period would be referred to by science services provider in modelling the likely outcomes of rebuilding measures.

300. China thanked Australia for its hard work in leading the group. Before the 10-year rebuilding period was agreed, China wanted to know the implications, including by what percentage fishing had to be cut down. China did not object to the timeframe but hoped it was not compulsory.

301. Japan also stressed the interim nature of the 10 year timeframe. If the Commission sets parameters that are too harsh, it could reduce the timeline or reduce the probability.

302. Australia explained that there were a number of scenarios and 10 years would be the target provided to SPC as an interim timeline. SPC would do the analysis to show how that could be achieved then report back to the Commission. 10 years was not a target, it was a number for SPC to use.

303. The Chair emphasised that the timeframes were interim and were to inform ongoing processes.

304. In accordance with the Work Plan for the adoption of harvest strategies under CMM 2014-05, the Commission is scheduled to agree a timeframe for rebuilding bigeye tuna to [or above] its LRP.

305. The Commission agreed to an interim timeframe of up to ten years for rebuilding the bigeye tuna stock to the agreed Limit Reference Point of  $0.2SB_{F=0}$ .

306. The Commission shall use this timeframe in its development and evaluation of strategies and conservation and management measures relevant to the rebuilding of bigeye tuna. Amongst other matters, the Commission will consider the probability of the bigeye stock being at or above the limit reference point at the end of the rebuilding timeframe.

#### **8.4 Target reference point (South Pacific albacore)**

307. The Commission is required under the Harvest Strategy Work Plan to consider a TRP for South Pacific albacore. FFA presented WCPFC13-2016-DP09, noting it was not a new proposal. The text in WCPFC13-2016-DP09 emerged from a working group at WCPFC12 after consultations. It had not been possible to finalise the South Pacific albacore TRP proposal at that meeting, but FFA members hoped to gain agreement at WCPFC13. These CCMs noted why FFA felt it could be adopted as an interim TRP this year: the Commission has already set a precedent for agreement of an interim TRP that has bioeconomic dimensions in the skipjack TRP last year; FFA has engaged in further consultations with interested CCMs, and there is a better understanding of each others' goals and constraints, and how all can benefit from a TRP that would allow different harvest control rule scenarios to be tested for the South Pacific albacore stock, including the potential for acquiring or maintaining MSC certification; and the agreed Harvest Strategy Work Plan timeframe for agreeing this TRP is one year overdue and no other proposals have been tabled. FFA expressed that they hoped to move forward with a cooperative mechanism to manage catches of South Pacific albacore within their EEZs, but recognised it was difficult without an effective limit on the high seas component of the fishery. The interim TRP would provide the foundation parties can work within. FFA members do not have the capacity to use all the South Pacific albacore fishing opportunities within their EEZs and many will continue to rely on partnerships with distant water fishing fleets. Improving the profitability of individual vessels can only be achieved by maintaining catch rates. These CCMs noted that a TRP is essential for the development of a harvest strategy and looked forward to identifying a mutually acceptable one. Discussions began in plenary session and were continued in an informal small working group led by Samoa. Late on 9 December, a draft text was discussed in plenary.

308. *An informal small working group led by Samoa met on 6 and 8 December to discuss the proposal in WCPFC13-2016-DP09 for a Conservation and Management Measure to define an interim Target Reference Point for the South Pacific Albacore stock.*

309. *The SWG noted from the report of SC12 that the stock was not overfished relative to the 20%  $SB/SB_{F=0}$  LRP and that overfishing was not occurring relative to  $F/F_{MSY}$ , but that stock is not in equilibrium. Biomass and CPUE continues to decline and that if current levels of longline effort continue there is a 19% probability of the stock breaching its Limit Reference Point within 20 years. The SWG noted the SC12 Management Advice 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.”*

310. *The SWG considered the implications of different options for restoring the stock to the proposed Target Reference Point over a period of up to 20 years, ranging from a large immediate cut in effort to a series of small cuts, informed by a bioeconomic projection analysis presented by SPC and FFA.*

311. *A majority of CCMs in the informal small working group indicated their interest in negotiating an interim TRP for the stock against the starting point proposed by FFA members of 45%SB/SB<sub>F=0</sub>, but China was not yet in a position to enter such a negotiation until the implications of different TRP levels were better understood in terms of the catch or effort changes that would be required to restore and maintain the stock at the TRP and noting that China is still observing how the skipjack TRP is functioning.*

312. *The SWG was thus unable to recommend that WCPFC13 adopt the interim TRP proposal in WCPFC13-2016-DP09. The following three decisions were agreed to be included in the WCPFC13 record:*

313. *WCPFC13 requested that existing analyses of the implications of different TRP levels – in terms of total catch and effort changes required – should be re-circulated to CCMs by FFA before the end of December 2016, and that the Scientific Services Provider assist CCMs in understanding the economic implications of different TRPs for their vessels before SC13.*

314. *WCPFC13 agreed to defer the possible adoption of an interim Target Reference Point for the South Pacific Albacore stock, which had originally been agreed to take place in 2015 under the Harvest Strategy Work Plan, until December 2017 at the latest.*

315. *The Commission directed that further discussion of the TRP should take place over the course of 2017 as part of the ongoing consultative process for the development of a Bridging Measure for the Conservation and Management of the South Pacific Albacore stock, and should include a report on progress by the Convenor of that process to the 13th WCPFC Scientific Committee.*

316. *FFA members noted that the interim Target Reference Point for this stock agreed by the Participants to the Tokelau Arrangement remains in effect, and that this interim TRP would continue to guide their management measures and actions in areas under their national jurisdiction until superseded by a substantive TRP. Tokelau Arrangement Participants or the Parties to the South Pacific Albacore Catch Management Agreement will provide annually to the Commission the Total Allowable Catch of south Pacific albacore in waters under their national jurisdiction guided by this interim TRP. They drew the attention of other CCMs to the requirements of Article 8 of the Convention, particularly paragraphs 2b.i, 2c and 2d.*

317. *Australia noted with disappointment that despite the willingness of most CCMs, the Commission was unable to reach agreement on a TRP for South Pacific albacore. Australia strongly encouraged any CCM that does not recognise the urgency for the development of a TRP and ultimately a harvest strategy for this stock, or does not fully understand the benefits of these, to consult the substantial existing work on this matter and engage with the Scientific Services provider to clarify any issues, refer to the wide range of harvest strategies that have been implemented across the world, including by CCSBT and CCAMLR, engage constructively in discussions with CCMs on this matter over the next 12 months, and come to WCPFC14 with a fresh outlook and a willingness to contribute to a*

decision on the TRP level that will be of benefit to all countries interested in maintaining South Pacific albacore as a sustainable fishery that continues to provide economic benefits.

#### **8.5 Harvest control rules (South Pacific albacore and skipjack)**

318. The Chair noted that the key outcome was that the Commission was moving forward with harvest control rules, on the understanding that SPC will do further work and report back to WCPFC14.
319. Japan noted that the management strategies work would be interim until a whole package is available. Japan supported SPC doing the work, though expressed some concerns about the budget.
320. EU acknowledged the budget was a challenge and announced that EU would provide €100,000 to underpin the work advancing harvest strategies in the Commission. EU was thanked for this contribution.

#### **8.6 Management strategy evaluation (South Pacific albacore and skipjack)**

321. There was no discussion under this agenda item.

#### **8.7 Monitoring Strategy (South Pacific albacore and skipjack)**

322. There was no discussion under this agenda item.

#### **8.8 Review of Work Plan**

323. The Chair emphasised that while a number of aspects of the Harvest Strategy Work Plan are aspirational, it was incumbent on the Commission to keep the harvest strategy elements going forward. It was noted that 2016 was the first year the Commission had focused on work under the Harvest Strategy Work Plan, and the Commission may not be able to progress everything it hoped to each year. At the request of the Chair, Australia led work in the margins to review the Harvest Strategy Work Plan, which is required of the Commission annually. After meetings in the margins, an updated Work Plan was presented to the Commission for adoption which incorporated consultation discussions and took into account SPC's capacity to do the work.
324. China advised that it could support the revised Work Plan, noting it was a "strawman" which could be changed, especially as regards South Pacific albacore.
325. PNG expressed some concern about one of the decision points by 2019, noting it referred to specific work PNA was progressing. PNG wanted to review how it fit with PNA's planned work. This point was removed from the updated plan.

<p>326. The Commission adopted the Updated Harvest Strategy Work Plan (<b>Attachment N</b>). The Secretariat was tasked with documenting progress achieved under the Harvest Strategies agenda item in the form of an annex to the Harvest Strategy Work Plan to serve as a reference document to track progress against the agreed work plan.</p>
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## AGENDA ITEM 9 — WCPO TUNA STOCKS

### 9.1 General overview of stock status (bigeye, Pacific bluefin tuna, skipjack, North Pacific albacore, South Pacific albacore and yellowfin)

327. Dr John Hampton (SPC-OFP) presented a summary of the status of tropical tuna fisheries and stocks, noting that the presentation summarises fishery information provided in WCPFC-SC12-2016/GN-WP-01 and stock status information contained in the various assessment reports presented to SC in recent years. Total estimated catches in 2015 were similar to the levels of 2012 and 2013, but was nearly 200,000 mt below the previous record catch in 2014 (2,882,511 mt). In the purse seine fishery, effort by the international large vessel fleet declined by about 20% in 2015 compared to 2014. This occurred because many vessels opted to not fish for parts of 2015 because of difficult economic conditions in the fishery. As a result the catch of skipjack, yellowfin and particularly bigeye tuna declined in 2015. CPUE has remained relatively stable at a high level since mid-2013, with some reductions during the FAD closures. VMS trip-length data indicate that high CPUE continued in 2016, including the first half of the FAD closure period. ENSO has a large effect on the purse seine fishery, with the El Nino conditions experienced in 2015 and early 2016 pushing the fishery to the east. The ENSO index has now moved back into the neutral range and is expected to remain so through at least mid-2017. In the tropical longline fishery, effort has increased over the past two decades, but has levelled off to some extent in the recent few years. There were reported declines in effort and catch in 2015, however these estimates may be under-reported and subject to later revision. Both yellowfin and bigeye CPUE in the fishery have declined over the long-term, but there has been a recent spike in the CPUE for both species. Effort and catch have also increased strongly in the southern longline fishery, but have levelled out in the most recent years. CPUE for albacore has declined over a long period of time. The stock status of the main tuna species was summarised as follows:

- Skipjack – spawning biomass is close to the target reference point of 0.5 of the unfished level and fishing mortality is below the MSY level. The stock is therefore not overfished and is not experiencing overfishing.
- Yellowfin – spawning biomass has been reduced to approximately 40% of the unfished level and fishing mortality is below the MSY level. The stock is therefore not overfished and is not experiencing overfishing. However the fishery is unlikely to be able to sustain any further increases in catch.
- Bigeye – spawning biomass has been reduced to around 16% of the unfished level, less than the limit reference point of 20%, and fishing mortality remains above the MSY level. The stock is therefore in an overfished state and is experiencing overfishing.
- South Pacific albacore – spawning biomass has been reduced to approximately 40% of the unfished level and fishing mortality is below the MSY level. The stock is therefore not overfished and is not experiencing overfishing. However the biomass available to the longline fishery has been depleted to the point where profitable fishing operations are threatened. Continued exploitation at current levels will further reduce the stock and result in approximately a 20% risk of breaching the limit reference point.

328. EU considered that a presentation about ‘key tuna stocks’ should include Pacific bluefin tuna, not just the tropical tuna stocks. Without Pacific bluefin tuna, the SPC presentation could perhaps be called ‘South Pacific albacore and tropical tunas’.

329. In response to a query from EU about the MSY level for different species, Dr John Hampton explained that MSY varies by species due to subtle dynamics of the different stocks, with the overall selectivity of the fishery (for example, longline fleets catch mostly larger adult fish) the most important factor. For skipjack tuna, the spawning biomass at MSY is around 25% of unfished levels, for yellowfin tuna around 30% of unfished levels, for bigeye tuna just over 20% of unfished levels and for albacore tuna around 15% of unfished levels. Where fishing takes place on the older part of the stock the level of spawning biomass depletion corresponding to MSY conditions tends to be lower, but where there is more balanced exploitation over the size structure, a higher stock size is required to support MSY.
330. Japan queried the stock assessment models used, noting that it was scientifically not possible to select a base case from various sensitivity runs because of the lack of likelihood profile and clear explanation for the selection of the value of over dispersion in tagging information in the reference case. In response to SPC's additional analysis provided in response to some CCMs' concerns at SC12, including Japan's concerns, this CCM stated that there remains concern about the over-weighting of tagging data and thus would like to continue to discuss with SPC.
331. Dr John Hampton responded that SPC had undertaken follow-up analyses of skipjack tuna after SC12 which addresses all of the queries which had been raised by some CCMs at SC12. In particular, SPC re-ran the models with a different spatial stratification which resulted in a slightly more optimistic picture than was presented at SC12. The models included more diagnostics and different hypotheses regarding natural mortality.
332. FFA members thanked SPC for the additional work to test the robustness of the 2016 skipjack stock assessment (WCPFC-SC12-SA-WP04a). These CCMs requested the following statement be placed in the WCPFC13 record: "FFA member CCMs commended the WCPFC Scientific Services provider for the world-class assessment of the skipjack stock that had been provided to the Commission in 2016. FFA members recognized that the relatively large amount of data, both operational data from fisheries and independent data from tagging and biological studies, had contributed to the quality of this assessment, but they also recognized the value of the primary modelling tool – MULTIFAN-CL – and its ability to provide a more spatially-explicit assessment than other models, allowing the assessment to be broken down into subregions. This spatially-explicit model, coupled with extensive tagging data, has given the Commission a much better appreciation of the connectivity and potential extent of interaction between the skipjack in different subregions than has been possible in other RFMOs."
333. In response to a request for clarification from Tonga regarding yellowfin tuna which, although not overfished, had a declining CPUE, Dr John Hampton noted that yellowfin tuna catches have been fairly stable for a long period of time, despite increasing effort. This indicates that it is not likely that fleets will be able to catch more yellowfin tuna than they currently do, which is in line with the SC12 recommendation that yellowfin tuna catches should not increase.
334. Japan noted the differing views on the stocks status of skipjack tuna at SC12, where Japan, China and Chinese Taipei did not agree to the results of the stock assessment provided by SPC, concerned that more data was needed for a more certain stock assessment result. Japan noted it was making efforts to collect more data.
335. Dr John Hampton noted that points of uncertainty existed with any stock assessment. For this reason, SPC scientists undertake a range of alternative model runs and try and characterise the uncertainty in the key results. While the range of models provides a range of outcomes in terms of spawning biomass depletion, the stock status conclusions remain consistent across the full range of the models explored. In particular, none of the models indicate that current levels of exploitation pose



any significant risk of causing overfishing or of the stock approaching the limit reference point. SPC therefore has a high degree of confidence in the conclusions of the assessment.

336. PNA members supported FFA's statement for the record and expressed their disappointment at any efforts to manipulate the outcomes of the scientific assessment of skipjack at SC12, which was particularly regrettable because it is related to the work on a harvest strategy for skipjack and it undermines the application of a harvest strategy approach and the precautionary approach to skipjack. PNA members could not accept this kind of approach with a stock of huge socio-economic importance to the people of the PNA states.
337. Japan recalled that SPC provided several scenarios and had explained that each scenario was equally plausible. In Japan's view, if each scenario were equally plausible there should be a range of scenarios, rather than one chosen scenario. Japan agreed that there is always uncertainty, but hoped the quantum of uncertainty would be minimised in the future. Japan appreciated the additional assessment which was conducted and thanked SPC for its efforts. Japan's main concern was the weight of the tagging data; Japan could not accept using the reference case provided by the base case. Japan agreed that the skipjack stock status was not of concern, so SC was able to reach consensus around the conservation advice, but emphasised that in its view there was no scientific case to choose one specific base case. Japan agreed to provide operational data to SPC to help measure stocks, while maintaining data confidentiality.
338. EU considered the skipjack tuna stock assessment undertaken by SPC to be robust and expressed surprise in the lack of confidence in the assessment result. Several models were run and all came to similar conclusions. EU commented that having ranges instead of picking one scenario has implications stocks beyond skipjack, and hoped Japan could go along with the 2016 skipjack stock assessment.
339. New Zealand supported the comments of EU and FFA members, considering the skipjack tuna stock assessment to be of a very high standard. This CCM recognised Japan's comments about providing operational data and noted this would contribute positively to future stock assessments.

## **9.2 Review of CMM 2015-01 (bigeye, skipjack, yellowfin)**

### **9.2.1 Review paragraphs 18, 25, 26, 28, 40, 43, and 61**

340. Paras. 18, 25, 26, 28, 43, and 61 contain those aspects of CMM 2015-01 that required the Commission's consideration for the measure's continued operation in 2017. The Secretariat prepared a reference paper (WCPFC13-2016-16\_rev1)
341. Dr Graham Pilling (SPC-OFP) presented a review of CMM 2015-01 for bigeye tuna (WCPFC13-2016-15). Both the performance of the fishery components (purse seine and longline) against the measure as written for 2015, 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 respectively 'on track' and '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 Dr Graham Pilling noted that there is no certainty any of them will be correct. The scenarios were: ‘pessimistic’; ‘2016 choices’; and ‘optimistic’. Only under the ‘optimistic’ scenario were CMM objectives achieved by 2032, with  $F$  less than  $F_{MSY}$  and no risk of the spawning biomass being below the LRP. Examining the trajectory of  $F/F_{MSY}$  assuming the optimistic scenario conditions remained in place after 2017, CMM 2015-01 objectives would be achieved on average 7 years after the end of the measure, i.e. in 2024. As WCPFC stock assessments generally report fishing mortality conditions three years in the past, this would imply that only in 2027 would stock assessments identify whether the CMM had been successful. However, Dr Graham 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

342. The Chair noted the importance of this information as WCPFC13 considers the bridging measure, to inform discussions in the informal small working group, especially regarding the rebuilding timelines for bigeye tuna.
343. Japan noted that whereas when the current measure was agreed it was expected that  $F_{MSY}$  for bigeye tuna would be reached by 2017, under the optimistic scenario it would take seven years to get to  $F_{MSY}$ , and asked whether this was correct. Secondly, Japan commented that the optimistic scenario indicated a chance to revert from  $F$  to  $F_{MSY}$  only, but asked how realistic this was. Regarding recruitment, the assumption was that recent good recruitment would continue to 2032, but Japan believed this was too optimistic. Fourthly, Japan commented that converting  $F$  to  $F_{MSY}$  would probably not be possible because there were too many exemptions, for example some CCMs had greatly reduced their longline bigeye catch but at the same time bigeye catch increased because of increasing the number of longline vessels without limitation. Without exemptions, a brighter picture could be assumed than currently.
344. Regarding the timeframes for rebuilding or reducing fishing mortality, Dr Graham Pilling observed that as SPC had noted in the paper, the language in paragraph 3 of the CMM was open to interpretation, but the discussions taking place at WCPFC13 about bigeye tuna rebuilding timeframes would help to clarify it. On whether further reductions might be required, 2015 levels of purse seine effort and longline catch sat somewhere between ‘2016 choices’ and the ‘optimistic’ scenario, but the question was whether 2015 conditions and positive recruitments would continue for the next seven or eight years. Thirdly, SPC noted that there was the possibility of some bias in the estimates of early recruitment in the bigeye tuna stock assessment, which was reduced when information on numbers of small fish provided by purse seine fishery data entered the assessment. As a result, SC6 had agreed that the more positive recent recruitment assumption be used within bigeye projections. SPC captures uncertainty in the projections by sampling future recruitments, but had also run projections under a less positive future recruitment assumption, and that was presented within the paper. Regarding exemptions, SPC has not been able to evaluate the consequences of all the exemptions in the CMM, as some were very difficult to evaluate within the approach. If there were no exemptions, it would be easier to analyse the CMM and generally the results would likely be more optimistic.
345. In response to a series of questions from China about fleet effort, U.S. territory 2000 mt bigeye catch limits, and the consequences of 4th month FAD closure on the rebuilding time, Dr Graham Pilling noted that the majority of the longline catch is by fleets with CMM catch limits, but the smaller catch of non-limited fleets has increased. Regarding the 2000 mt territory limit, Dr Graham Pilling noted that the U.S. CMM limit plus the 2000 mt limit for each of its three territories was assumed under the pessimistic scenario. Dr Graham Pilling also noted that if there was no 4th month FAD closure the results would be more pessimistic.
346. Korea provided some information to the Commission about the Korean fishing fleet’s longline catch in 2015. Due to domestic reporting data changes with the introduction of its e-monitoring system,

Korea assumes around 3000 mt is missing from the data. While the reconciliation is yet to be finalised, Korea noted this may affect the scenarios.

347. Dr Graham Pilling noted that an increase of 3000 mt would increase the multipliers used in the scenarios. It might, for example, lead to an increase in the longline catch scalar of around 5% in the optimistic scenario.
348. PNA was concerned about the effect of under-reporting of bigeye catches in the longline fishery and asked SPC how the results of this evaluation would be affected by such under-reporting, and non-reporting.
349. Dr Graham Pilling noted that uncertainty in catches would affect the analysis in two ways. Firstly, identifying unreported catches would lead to increases in the multipliers SPC uses for the projections, and reduce the evaluated effectiveness of the measure. Secondly, as the projections are based on the bigeye stock assessment, changes in historical catch levels would increase uncertainty in the assessed current status of the stock; this would increase uncertainty in the evaluations performed.
350. Japan noted that para 3. of the measure provides that ‘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’ and expressed the view that there was no ambiguity. Japan’s interpretation of this provision is that removal of overfishing of bigeye tuna will be achieved in 2017. Secondly, Japan understood that two elements make evaluation of the CMM difficult: the many exemptions; and the ability for members to choose between one measure and another, and suggested this be considered when developing the new measure. Thirdly, Japan stated that the current CMM cannot accomplish the objective to remove overfishing of bigeye tuna by 2017. Fourthly, Japan pointed out that 2010 FAD set levels was an important discussion point in development of current measure and requested SPC to provide advice on FAD set levels that could remove overfishing of bigeye tuna for the development of the new measure.
351. Dr Graham Pilling noted that 2010 FAD set levels was identified as one element of the fishing conditions that could remove bigeye overfishing within previous projection analyses, and that SPC has generally identified different combinations of purse-seine FAD set levels and longline catch limits that could achieve this aim. This could be done for the successor CMM.
352. PNA members considered that the 2017 stock assessment should take under-reporting of longline bigeye tuna catches into account, including the resulting uncertainty. In addition, uncertainty from the missing 3,000 mt of bigeye tuna in Korea’s longline catch data emphasised the value of accelerating e-reporting adoption and e-monitoring evaluation in the Commission.
353. Dr Graham Pilling noted that including uncertainty in the bigeye tuna longline catch within the 2017 stock assessment was possible to do, but that SPC would appreciate some guidance on how to frame those scenarios for that assessment.

<p>354. In reference to CMM 2015-01 paragraph 61, the Commission noted that the SPC evaluation (WCPFC13-2016-15) had reviewed CMM 2015-01.</p>
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### **Para. 18**

355. Para. 18 of CMM 2015-01 the provision (paragraph 18) prevents CCMs other than Kiribati from fishing on FADs in the high seas in 2017. Para. 18’s footnote 5 allows other fleets to join Kiribati in being permitted to fish on FADs in the high seas during 2017 based on them achieving a certain

reduction over past years. The footnote reads in part: “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.” As SC12 and TCC12 had discussed at length, the existing footnote was not clearly worded and EU had undertaken to clarify that the obligation extended to 2017 as well. EU proposed an amendment to the footnote for the Commission’s consideration (WCPFC13-2016-DP01).

356. FFA members supported the amendment of footnote 5 to require CCMs intending to use the exemption from the high seas FAD closure in 2017 to maintain a ‘verifiable reduction’ in bigeye catches below the 55% catch level of the reference period 2010-2012. These CCMs considered that discussion about how the reduction is ‘verified’ would be useful, and how to ensure appropriate and independent monitoring mechanisms were in place. FFA members noted that in the longer term the Commission needed advice from SC for any new measure given that catch and effort of most DWFN fleets is in decline in the purse-seine fishery.
357. The Chair noted the request for clarification about how the verifiable reduction would be monitored for those who claim the exemption, noting that TCC had recommended that the provisions of footnote 5 applies for eight purse-seine fleets – Ecuador, El Salvador, EU, RMI, New Zealand, Solomon Islands, Tuvalu and Vanuatu – in 2017.
358. SC12 noted that the present CMM is unclear about how footnote 5 should be applied so Korea agreed with EU that the 55% reduction should be retained in 2017, and agreed a verification system was needed. Korea considered that the footnote was only applicable in 2017.
359. USA noted the current footnote called for SC to provide advice but SC has not been able to do that, so from USA’s point of view the prerequisites for using the footnote had not been fulfilled. In addition, USA noted ambiguities in the footnote. The EU amendment would fix one of the ambiguities by requiring – for any CCM that achieves the reduction and opts not to prohibit FAD setting on the high seas in 2017 – that the reduction be maintained in 2017, which USA considered appropriate, but USA thought it would be useful to clarify whether the reduction is “of 55%” or “to 55%”. USA considered it should be “of 55%”. This CCM agreed there was an issue of the reductions being verifiable, especially as some of the figures have been updated since TCC.
360. The Chair noted the widespread agreement to the EU proposal to amend the footnote. The Chair asked CCMs if they agreed that CCMs besides EU are able to come under the footnote. The Chair noted that a way to verify and monitor was required whether one or a number of CCMs claimed the exemption – the Commission had to find a way to ensure that a CCM applying the footnote adheres to the limits. Another issue to discuss was how to interpret the footnote – a strict reading suggests a decision on who should apply it should be advised by SC.
361. Chinese Taipei and Japan considered the questions were linked – the decisions of which CCMs could claim the exemption could not be made independently because it may depend on what the monitoring system was. And as SC12 was not able to give guidance, CCMs did not know how to verify it and make a decision.
362. EU clarified that it was suggesting an extension, noting that the footnote already applies for 2017. The main concern was how to verify, in 2017, that a CCM had the level of reduction. EU suggested it was possible for a fleet to estimate whether or not it was going to respect the condition or not but it could only be verified at the end of the year.

363. China noted that Attachment D of CMM 2015-01 indicated high seas purse-seine effort. Aside from the EU, the other CCMs listed had no high seas fishing days.
364. Japan recognised that the EU reduction well exceeded 55% so it had a chance of achieving the exemption; the question was the other fleets which had not yet applied the exemption. This CCM considered they should have a plan to achieve the reduction and asked for explanation on the plan. Japan requested clarification from SPC about whether 45% or 55% was the correct figure; was it a 55% reduction from the current level. The correct figure would enable the Commission to understand if a CCM had sufficiently reduced to be able to claim the exemption.
365. Based on the language of the CMM, SPC replied that it would be “to 55%” from current levels, noting that a reduction “to 45%” was a reduction “of 55%”.
366. USA agreed with Japan and EU’s recollection regarding the intention of the footnote – which was a reduction “by 55%”. This CCM confirmed that the list compiled by TCC12 was based on CCM reporting data, not verified data. In addition, the footnote contained no dates for when the reductions were to occur. USA commented that based on the footnote CCMs that reduced “by 55%” in 2016 should be able to take advantage of the exemption in 2017, and if that is the decision, the Commission needs to devise a way for that mechanism to work.
367. The Chair noted that the Commission had more work to do on the interpretation of the footnote, and SPC would investigate the data. A small group discussed the issue in the margins then came back to plenary with a recommended paragraph. It included a date (2015) in which the reduction was to have taken place and the verifiable reduction of purse seine catches would be 45% from 2010-2012 levels.
368. USA was concerned about the addition of the date (“2015”) to the informal small working group text – noting it was a limitation that was not included in the original footnote. Removing the date would treat all CCMs in the same way, which USA preferred rather than different fleets being treated in different ways. USA stressed that in the bridging tropical tuna measure and other future measures the Commission should limit or eliminate exemptions.
369. A lengthy discussion took place about the history of the footnote. The small group had proposed reduced by 45% to a level of 55% and CCMs had divergent views about this.
370. Japan noted the lack of official record on this point and offered its own remembrance which was that Japan had proposed to reduce by 60%, EU could not accept 60% but could accept 50%, FFA proposed 55% and that is what the Commission settled on. Consequently Japan believed the reduction to be 55% not 45%. Japan expressed surprise that PNA CCMs had supported a 45% reduction. EU agreed with this interpretation.
371. The PNA Office noted that a range of views were expressed according to its records of the discussion, and commented that the rationale for the figure at the time was that other fleets would be observing a fourth month and maybe a fifth month high seas FAD closure, which was equivalent to a 45% reduction. A reduction by 45% reducing to 55% was therefore proposed and it had been taken up.
372. Considering debating recollections to be unconstructive, the Chair noted that SPC had advised that the difference between the two interpretations is that one of the members which thought it had qualified for the exemption would not. The Chair noted that the original footnote envisioned a role for SC – SC should have considered who could apply this particular provision. The footnote related to one of the

Commission's most important measures, whose paragraph 18 was scheduled to come into effect in 2017.

373. EU recognised that its addition to the footnote ("in 2015") had provoked unproductive discussions and considered that the footnote was clear, requiring a verifiable reduction and SC to review the process. EU recalled an agreement to a 55% reduction, but recognised that the rationale had not been discussed in plenary. Consequently, staying with what was written into the footnote was the best way forward. Regardless of the level of the reduction chosen, EU qualified for the exemption.
374. Tuvalu considered that the official record of the discussion was the footnote itself as adopted by the Commission.
375. The Chair noted that if the Commission was not able to adopt the reduction by 45% to 55% proposed by the Chair the Commission would need to revert to the original language then agree to which CCMs the exemption applied.
376. RMI advised that it would be applying the footnote, and was confident it would get through the assessment.
377. USA proposed eliminating the 2015 date but retaining the SC review. This CCM suggested that when SC reviews the 2016 data, it could complete the process. USA acknowledged that there could be no decision on 2016 data until SPC did its work in 2017, but noted with concern there would be a period of fishing in the meantime.
378. EU considered that the reverse would also apply: those fleets that did not respect the reduction should stop fishing, which would reopen the whole matter. This CCM considered that the footnote was clear and the only choice was to look at 2015 data.
379. Japan could go along with either level of reduction if the exemption was not applied before the SC review of the data in August 2017.
380. The Chair noted SPC's clarification that it could consider 2016 data in early 2017, so SC13 would have the data to make the determination.
381. Pointing out that subsidiary bodies make recommendations not decisions, China had difficulties with the reference year. If SC did the review of which CCMs qualified based on 2016, the *decision* on that would not be made until the Commission met at the end of the year. In the meantime, FAD use on the high seas could continue.
382. Without agreement on new language that the Chair had provided in WCPFC13-2016-38, the Commission accepted WCPFC13-2016-DP01, which maintained the existing language and added some clarifying language. It was suggested that the footnote not be assessed for compliance purposes and the future tropical tuna measure would take up the issues raised by the ambiguities in the original footnote.
383. Japan noted that this was a one-year measure and acknowledged the Chair's reassurances. Noting that the Commission was fully reviewing the tropical tuna measure, including this provision, and would try to avoid ambiguity, Japan did not at this stage insist on a reduction of 55%.
384. In response to a query from USA about the suggested new element of not being subject to a compliance review, the Chair suggested that TCC would only have the same difficulties in determining

what the requirement was and who could apply the exemption. The Chair took the view that the Commission should not push the currently irresolvable discussion to TCC.

385. Although there might be differences in interpretation, EU thought it would be useful if the information was presented to TCC. TCC could decide not to assess a compliance status, but for the sake of transparency TCC should have the data presented to it.

386. The Chair suggested that information could be provided to TCC outside the CMS process. However, the issue was left to those setting the TCC agenda to decide the best approach. No decision was reached on the compliance aspect.

387. Without agreement on new language that the Chair had provided in WCPFC13-2016-38, the Commission accepted WCPFC13-2016-DP01, which maintained the existing language and added some clarifying language. The Commission agreed that footnote 5 of Paragraph 18 of CMM 2016-01 is replaced by the following text:

“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. A CCM that has qualified for the above mentioned exemption shall maintain a verifiable reduction in bigeye catches by its purse seine vessels to 55% from the reference levels (2010-2012) also in the course of 2017.”

#### ***Paras. 25 and 26***

388. Paragraphs 25 and 26 of CMM 2015-01 relate to high seas purse-seine effort limits, which under the measure are required to be reviewed in 2016 and a decision taken on the limits to apply after 2016.

389. American Samoa noted it is a developing Participating Territory which faces unique economic issues and has its own fisheries aspirations. It has a small and vulnerable economy that is highly dependent on tuna fisheries. American Samoa’s tuna canneries support thousands of direct and indirect jobs and longline and purse-seine fisheries that supply its canneries. American Samoa’s purse seiners have their own MSC certification and the canneries are dependent on them for supply of raw material. This purse-seine fishery is integral to American Samoa’s economy and should be recognized accordingly. The high seas have long been the most important and traditional fishing grounds for American Samoa’s purse seine fisheries. As such, this CCM emphasised that appropriately managed access must be maintained.

390. The Chair enquired whether CCMs wanted to roll the paragraphs over for application in 2017 or make changes.

391. USA needed more time to consider the proposal, noting that American Samoa had highlighted the importance of the high seas for its economy.

392. When plenary came back to the issue, USA made the point that circumstances had changed significantly since paragraphs 25 and 26 of CMM 2015-01 were adopted and USA agreed to a significant reduction in high seas effort by its purse-seine fleet. The limit was well below its fleet’s history and needs and had a negative impact on the American Samoa economy whose coastal processing industry relies on the USA fleet accessing fisheries in close proximity, includes the high seas. USA stated that these constraints on coastal processing impacted canneries and support industries, and the provision of territory government services. USA noted Resolution 2008-01 and

paragraph 14 of CMM 2013-07 – “CCMs shall ensure, consistent with national laws and regulations, that actions are not taken to constrain coastal processing and use of transshipment facilities and associated vessels of SIDS and territories, or undermine legitimate investment in SIDS and territories in the Convention Area.” USA noted SIDS fleets including charter vessels have no high seas limits and requested the deletion of paragraph 26 and revision of Attachment D to address the significant constraints on American Samoa.

393. EU considered this proposal was outside the deadlines.

394. The Chair confirmed that proposals should be provided 30 days in advance of the Commission meeting was not a rule but a practice to which the Commission has aimed to adhere. However, proposals arise on the floor occasionally and the Chair noted that the Commission has discussed them to the extent agreement can be reached.

395. PNA members considered the high seas purse-seine effort limits to be a critical aspect of CMM 2015-01 for the management of bigeye and skipjack and did not support any changes to the limits in Attachment D, particularly increasing the limits.

396. RMI associated itself with PNA members’ comments. While the USA proposal referenced Resolution 2008-01, it did not apply the provisions of CMM 2013-06 which, henceforth, would be considered a critical measure to apply for all proposals submitted.

397. China also made a proposal across the floor on another paragraph in the measure relating to amending Attachment F, to change the catch limits for longliners in 2017.

398. EU considered it very difficult to be able to assess the implications when receiving proposals so late in a meeting. The Commission did not have the benefit of SPC analysis to judge the extent of such proposals’ impact in terms of stocks.

399. FSM supported EU’s views and there was no agreement on either USA or China’s proposals.

400. In reference to CMM 2015-01 paragraph 25 and 26, the Commission agreed that the provisions for 2016 would apply in 2017.

401. In reference to CMM 2015-01 paragraph 40, the Commission agreed that the limits in Attachment F for 2017 would apply in 2017.

***Paras. 28 and 43***

402. The Commission has agreed to review the issue of yellowfin tuna purse-seine catch and longline limits on recommendations from SC. SC had made no recommendations on this and the Chair suggested that if the Commission again chooses to not adopt yellowfin tuna limits in either the purse-seine or longline fishery, WCPFC13 should, by way of drafting some language for the report, ensure there is no misunderstanding in the revised measure to apply in 2017. It was further noted that the bridging tropical tuna measure could examine limits which might apply.

403. EU commented that it would like catch limits to be applied for this species in the future.

404. In reference to CMM 2015-01 paragraph 28 and 43, the Commission agreed that no limits for yellowfin tuna would apply in 2017 for purse seine and longline fisheries. The Secretariat was tasked with including a clarifying note to this effect in the update of CMM 2015-01.



405. The Commission agreed to adopt CMM 2016-01 Conservation and Management Measure for Bigeye, Yellowfin and Skipjack tuna in the Western and Central Pacific Ocean (**Attachment O**), which will replace CMM 2015-01.

### **9.2.2 New proposals**

#### **Japan – capacity management**

406. Japan introduced WCPFC13-2016-DP26, a proposal to manage capacity in the purse-seine fishing fleet, expressing the view that fishing grounds for bigeye tuna around Japan have disappeared and skipjack tuna has been reducing around Japan's coasts, with small scale fishers who depend on those fisheries, and the economy and culture of small scale fishing villages, were suffering. In Japan's view there were too many exemptions, and purse-seine capacity was increasing, while Japan has maintained its number of purse-seine vessels at 35 for years. Japan had submitted proposals on capacity for two years and this one, while slightly different, had the same purpose. It takes a step by step approach: first, freezing the total number of vessels larger than 24 metres with freezing capacity in the Convention area; second, reduce the number of vessels to December 2012 levels by the end of 2017; third, jointly develop a scheme to further reduce capacity to December 2012 levels; fourth, consideration of capacity transfer to SIDS, capacity scrapping, and capacity transfer to other oceans. Japan noted that in the short term it could be difficult for SIDS to develop their industries but in the medium to long term it could improve stock status bring benefit SIDS.
407. PNA members stated that capacity management provisions have been ineffective, have no conservation effect, and are designed to protect existing fleets from competition; they have also obstructed the domestic development of SIDS fleets and encouraged some Commission Members to misreport their fleet sizes which undermines the Commission fleet data. PNA shared FFA members' view that the best way to manage capacity is as the VDS does, to set limits for catches and effort, and apply them in such a way that excess capacity is removed through market processes. Referencing WCPFC13-2016-DP28, PNA members noted that the effectiveness of the VDS is demonstrated by the stable purse seine fleet level, catch and effort in the tropical purse seine fishery since the purse seine fishery hard limits were established in 2012. PNA flagged that it will propose the deletion of the capacity paragraphs in the bridging tropical tuna measure.
408. Kiribati supported PNA's position, noting difficulties with the capacity limits proposed by Japan. PNG commented that the proposal's application of the SIDS CMM 2013-06 checklist was a little cursory.
409. Chinese Taipei noted that the Commission was discussing harvest strategies for rebuilding stocks, especially bigeye tuna, but controlling capacity was also important. This CCM noted that the proposal puts forward as a first step a freeze on capacity. Noting that the proposal allows for future transfers of capacity to SIDS, Chinese Taipei encouraged WCPFC13 to consider the proposal's approach. It was noted that Chinese Taipei has maintained its fleet at 34 purse-seine vessels for years.
410. USA generally supported capacity limitation as a way to manage fleets, and commented that excess capacity can lead to, among other things, IUU fishing. With WCPFC not having capacity limits, the area is an easy place for excess capacity to be introduced. USA noted that effectively managing capacity required a better understanding of current capacity levels, but consensus had not been reached to do so. USA noted that the proposal would change the baseline, but stated its preference to not change the baseline; it should remain at 2012 as it is in the current measure.

411. EU noted that managing capacity was a priority for it in all the RFMOs to which it is a member and considered that doing so should be an objective of WCPFC. EU conceded it was not easy to strike a balance in WCPFC – over-capacity creates pressure on fish stocks, but at the same time aspirations for SIDS development had to be respected. While WCPFC had controls on effort, TACs and limits, EU considered that additional measures were needed to manage fleet capacity.
412. Japan stated that capacity management is effective as a measure against IUU fishing. Japan noted that it was in communication with the Scientific Services Provider about the applicable figure to freeze capacity to, though this wasn't yet resolved, and whether it would apply to 'active capacity' or vessels 'authorised to fish' (paragraph 1 of the proposal) could be further discussed.
413. PNG supported Solomon Islands' statement, noting that very effective zone-based capacity management in place in the WCPFC.
414. WTPO commented that the capacity issue was very important to WTPO boat owners. This observer expressed the view that high risk factors should be eliminated and there should be a freeze on capacity without any exemptions. WTPO noted the need to develop ways to transfer non-SIDS capacity to the SIDS fleet.
415. While there was no consensus on the proposal, the Chair noted that future discussions would pick the issues up.
416. After discussions with several members and continuing differences of opinion, Japan acknowledged the lack of agreement on its proposal and made a statement on capacity management:

“It is very regrettable that WCPFC13 did not agree on management of purse seine fishing capacity proposed by Japan. We believe that the primary cause of the bigeye tuna stock decline is the increase of purse seine fishing capacity both in the number of vessels and capacity per one vessel. We also cannot ignore the possibility of negative effects by effort creep. Three years ago, at WCPFC 10, the Commission has agreed to develop a joint reduction plan for purse seine fishing capacity. Based on this agreement, Japan has been submitting a concrete proposal every year but has not got sufficient support again this year. Japan has been implementing all the tropical tuna measures faithfully. Its longline catch of bigeye tuna had decreased from 29,248 mt in 2004 to 17,825 mt in 2015, a reduction of 39%. The number of FAD sets was reduced from 3,162 in 2004 to 665 in 2015, a reduction of 79%. In the meantime, the total number of FADs used in the entire WCPO increased from 10,768 in 2010 to 13,932 in 2015, an increase of 29 %. Hence the current CMM has not achieved the objective of fishing mortality reduction, and the bigeye stock has not recovered as expected. As a result, many Japanese coastal fishing communities have experienced serious adverse impacts on their livelihoods, and coastal fishing grounds for bigeye have almost disappeared and catch of bigeye has declined drastically. As for skipjack, their migration to Japanese coastal waters has continued to stay in a very low level recently. In particular, migration to the western part of Japan has almost disappeared. This phenomenon negatively affects not only catches of coastal small-scale fishermen, but also cultural activities in such a way that traditional festivals to celebrate seasonal catches of skipjack are frequently cancelled. According to paragraph 7 of CMM 2015-06 for skipjack, the Commission shall consider and pay particular attention to any future recommendations of the Scientific Committee regarding potential spatial impacts of fishing on the skipjack stock, including possible local depletion or range contraction. Japan believes that there is a strong relationship between poor catches of skipjack in coastal areas and overcapacity of purse seine fishing vessels in the tropical areas. We hope that more evidence will be provided to the Scientific Committee to demonstrate this. In order for all members concerned including Japan to receive sufficient conservation benefit from tropical tunas as well as sustain small-scale

fishermen in coastal areas, Japan believes that reduction of fishing mortality as well as efforts by purse seiners is essential. Japan will continue to work with other CCMs toward this goal.”

### **9.3 Review of CMM 2015-02 (South Pacific albacore)**

#### **9.3.1 New proposals**

417. CCMs wanting to raise issues relating to CMM 2015-02 or with any proposals to refine and amend CMM 2015-02 were asked to raise them under this agenda item. The Chair noted that SC12 did not provide any additional management advice, maintaining SC11’s advice (WCPFC13-2016-17).

#### ***FFA proposal to establish a limit for South Pacific Albacore***

418. FFA introduced WCPFC13-2016-DP13, a proposal to establish a limit for South Pacific albacore. These CCMs thanked the Chair for including South Pacific albacore in the consultative draft of the bridging tropical tuna CMM, however they consider it a better approach for the tropical tuna CMM focused on bigeye, yellowfin and skipjack tuna. FFA members proposed a parallel process for the consultative development of a South Pacific albacore bridging CMM to replace the current measure, to be developed over the course of 2017 for potential adoption at WCPFC14. It is intended to be a transitional measure to keep the fishery stable during the shift from the current piecemeal approach to the Harvest Strategy approach. South Pacific albacore management reform is among FFA members’ highest priorities. They flagged continuing to develop harmonised EEZ area-based management mechanisms and look to the Commission to ensure that fishing on the high seas does not undermine their in-zone measures. FFA’s consultative draft proposed a framework for supporting progressively improved management of the South Pacific albacore stock and provides a starting point for implementing harvest control rules as they are agreed. The bridging measure will progressively incorporate elements on the harvest strategy approach as they are agreed, but will initially be based on a limit on the catch of albacore in the Convention area south of the equator. The bridging measure would establish proportional EEZ and high seas shares in the fishery and members will cooperatively manage fisheries in each respective zone and on the high seas. The bridging measure would establish an interim total catch limit until the TRP is adopted, to provide a starting point to work towards the new limit (from the TRP) using HCRs when adopted. FFA members looked forward to discuss the bridging measure in the margins, with the aim of returning to plenary a text that broadly describes the elements that will need to be discussed over the course of 2017.
419. In response to two questions from China, New Zealand clarified that the proposal represented a potential successor to the current measure, and sought to incorporate the current measure. SPC confirmed that it assesses the South Pacific albacore stock as one stock, regardless of whether it is caught inside or outside EEZs.
420. American Samoa noted that its longline fishery is almost entirely dependent on the South Pacific albacore stock. It was a fishery that had gone through great changes in the last decade. In the early to mid-2000s, the fishery was profitable. In 2014, the economics of the fishery became so bad that it was better to tie up vessels than go fishing. Over the same time period American Samoa lost its small scale artisanal longline fleet due to the poor returns from longline fishing. American Samoa was interested in measures that result in increased albacore catch rates and improved economic conditions for its domestic fleets, and a return to levels previously experienced. American Samoa continues to aspire to develop its domestic fleets, in a sustainable and responsible manner. American Samoa recognised the rate at which economic circumstances can outpace management initiatives. In this regard, American Samoa supported an interim TRP that ultimately achieves increased catch rates.

421. USA noted the importance of this stock, the need for a new CMM to manage it and the use of HCRs in the New Zealand proposal. USA supported American Samoa's comments and suggested the measure should limit itself to longline fleets, as other fleets have a negligible impact on the stock.
422. The Chair asked that interested delegations provide drafting suggestions to New Zealand through the week to assist its coordination of a bridging measure on South Pacific albacore. A working group was not established.
423. On 9 December New Zealand reported that consultations had not produced enough substantive comment to produce a revised draft, but the discussions had been encouraging. FFA members wanted to see a draft developed alongside the bridging tropical tuna measure through 2017, and one CCM confirmed it was willing to work intersessionally to advance such a proposal.
424. Environmental Defense Fund made a statement on South Pacific albacore on behalf of Environmental Defense Fund, Greenpeace, SFP, Pew Charitable Trusts, and WWF, noting that their comments were also relevant to agenda item 8.4 (South Pacific albacore TRP). These observers hoped the Commission would be able to make more progress on issues related to South Pacific albacore during this meeting. For a variety of reasons, the South Pacific albacore measure has not been able to control or limit the effects of increased fishing capacity on this stock. American Samoa has said they have had to tie up vessels due to economic conditions in the fishery; a number of countries are in a similar position. These problems will only worsen unless we are able to collectively agree to manage this stock throughout its range. This should be a top priority for the next Commission meeting. While the South Pacific albacore fishery is not overfished, SPC has said if we continue to maintain the status quo the stock will be at risk. The fishery is not economically sustainable and fishery participants are being lost. These observers supported an intersessional consultative process that includes discussions to both develop a revised South Pacific albacore measure as well as a TRP and urged CCMs to work together and progress these issues for action at the next Commission meeting.

<p>425. WCPFC13 agreed to task New Zealand, on behalf of FFA, with advising members early in 2017 of the proposed process for progressing the Bridging CMM on South Pacific albacore.</p>
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#### **9.4 Review of CMM 2005-03 (North Pacific albacore)**

426. Shuya Nakatsuka, Vice-Chair of the ISC Pacific bluefin tuna working group, noted that no assessment on North Pacific albacore was conducted in 2016 so with no new information, current management advice from ISC, reviewed at SC12, was maintained. The Vice-Chair of the ISC Pacific bluefin tuna working group referred delegates to WCPFC13-2016-18, a reference paper for the review of CMM 2005-03 (North Pacific albacore) for further information. It was noted that an assessment is planned for 2017.
427. Later in the meeting, the NC Chair, Masanori Miyahara reported on North Pacific albacore. No substantial discussion had taken place at NC12. The Scientific Services Provider, ISC, was recognised for its ongoing work developing MSE for the stock. Next year the third MSE workshop will be held. Also in 2017, a new stock assessment for North Pacific albacore will be undertaken, and the CMM for North Pacific albacore will be reviewed in accordance with the results of the stock assessment.
428. Canada noted that the NP Albacore MSE process was making progress, and had reached agreement on six interim management objectives this year. Canada will host the 3rd MSE workshop in Vancouver in 2017, with the goal to reach agreement on acceptable levels of risk and candidate HCRs. Once these inputs are finalised, the operating model will be developed and simulations will begin to evaluate the

possible management strategies. This CCM looked forward to ongoing progress of this work, and stressed the importance of MSE as a component of harvest strategies for WCPFC stocks and fisheries.

429. One CCM asked what use is made of the six-monthly reporting of North Pacific albacore catch data required under paragraph 3 of CMM 2005-03, noting that a number of CCMs had been assessed as non-compliant for submitting the report after the deadline.
430. The Executive Director noted that the data are collected by the Commission Secretariat and made available to the NC and ISC for monitoring catch levels for the North Pacific albacore stock and for stock assessment purposes. This reporting is a specific requirement under the said CMM, though it was noted that there is more value in the data provided annually.

## **9.5 Review of CMM 2015-04 (Pacific bluefin tuna)**

### ***2016 Pacific bluefin tuna stock assessment***

431. The reference paper for WCPFC13's review of CMM 2015-04 (Pacific bluefin tuna) was WCPFC13-2016-19.
432. Shuya Nakatsuka, Vice-Chair of the ISC Pacific bluefin tuna working group, presented the 2016 Pacific Bluefin tuna stock assessment. Three meetings were held – in April and November 2015 and February/March 2016 – and included scientists from USA, Mexico, Korea, Chinese Taipei, Japan and IATTC. The assessment was completed over two weeks in March. The stock assessment was reviewed by the ISC plenary and SC12. The data used for the assessment was up to June 2015, at which time the stricter CMM had only been in place since January 2015. The assessment also used size information from various fisheries and CPUE indexes for the Chinese Taipei and Japanese longline fisheries for adults, and a juvenile index from Japanese troll fisheries; there were good data fits to the model and the assessment has improved. The current status is 2.6% of  $SSB_{F=0}$  – much lower than LRP of tropical tunas but the Pacific bluefin tuna stock has been below that level for most of the assessment period. The rebuilding target is currently around 7% of  $SSB_{F=0}$ . Recruitment has fluctuated without indicating a trend, and fishing mortality has decreased slightly in recent years. The effect of the new measure is not incorporated; it is hoped that the new measure will reduce fishing mortality further. Overfishing is occurring and the stock is overfished. If  $F_{med}$  is considered to be the threshold, the current  $F$  is at the threshold level. Future projections used 11 harvesting scenarios and three recruitment scenarios. Under all examined scenarios, the initial WCPFC rebuilding target would be achieved, and the probability of achieving the initial WCPFC rebuilding target would increase if more conservative measures were implemented. A reduction in catch limit for small fish would have a larger effect on recovery than a reduction for large fish. The stock assessment model was updated for the 2016 benchmark assessment, and the base-case model is substantially improved from the previous assessment. The results were similar to the previous assessment – the stock is still at a near-historic low level and current fishing mortality is above all reference points except  $F_{loss}$  and  $F_{med}$ . The initial rebuilding target of WCPFC would be achieved by higher probability than the level prescribed in the WCPFC CMM and the probability will improve with additional measures the next major assessment will be conducted in 2020 but an update will be undertaken in 2018, and in the years between ISC will monitor the indices. The stock assessment will be presented to a Pacific bluefin tuna stakeholder meeting in April/May 2017.
433. EU expressed extreme disappointment with the lack of progress and postponements of urgent decisions, and considered the minor progress as totally insufficient given the gravity of the situation. This CCM recalled the drastic measures ICCAT adopted, which have shown good results – and Atlantic bluefin tuna was depleted to 7% when it decided to act, not 2.6% like the Pacific bluefin tuna.

This CCM commented that the current depletion level and the expected interim rebuilding plan depletion level were 2.6% and 6.7% – well below the 20%, LRP for tropical tunas – and short of that needed to correct the status of the stock. EU considered that even a 6.7% depletion ratio estimated for 2024 represents a management failure for the Commission. EU expressed the view that WCPFC and IATTC are responsible for jointly taking more significant measures. The IATTC performance review contained a recommendation supported by EU for both Commissions to jointly develop a formal arrangement for shared management for recovery of Pacific bluefin tuna. EU made a number of comments about the role of ISC, and considered that responsibility for the Pacific bluefin tuna stock lies with WCPFC not ISC and scientific assessments should be the purview of WCPFC and IATTC, not the ISC. This CCM noted that the SC12 recommendation (paragraph 71) to take “urgent coordinated actions between WCPFC and IATTC in reviewing the current rebuilding plan, establishing the emergency rule as well as considering and developing reference points and HCRs for the long term management of Pacific bluefin tuna” has not been complied with. EU did not question the robustness of the ISC assessment, but preferred a different process, noting that the management advice from ISC was different from that of IATTC based on the same stock assessment. IATTC recommended that WCPFC adopt additional measure to reduce the catch of adults, which was not reflected in the ISC advice.

434. The Vice-Chair of the ISC Pacific bluefin tuna working group took up the scientific points in EU’s intervention, stressing that the organisational structure does not undermine the scientific results. It was noted that a 20% depletion level or LRP is not universal; among tuna RFMOs different levels are used. It was noted that a main concern would be continuous recruitment failure. While current stock status is low for Pacific bluefin tuna, the recruitment is not failing, according to new information. The Vice-Chair of the ISC Pacific bluefin tuna working group further noted that if the Commission wished, it could agree a higher target and a shorter rebuilding period, but commented that the current assessment is that the interim target will be achieved under current management measures.
435. New Zealand and Australia expressed concern about the status of and management arrangements for Pacific bluefin tuna.
436. In response to a query about the recruitment estimate and how it would affect the timeframe to get to the rebuilding target, the Vice-Chair of the ISC Pacific bluefin tuna working group explained that the current target is based on the recruitment level of the historical average, with the assessment currently prescribing a timeframe of 2024. The steepness review would take place as one aspect of the next major assessment, in 2020. ISC’s conclusion is that the current base case represents a basis for assessment.

### ***Pacific bluefin tuna – NC12***

437. Later in the meeting, the NC Chair, Masanori Miyahara, reported that there had been good progress this year including a joint meeting with IATTC to discuss the overall framework for Pacific bluefin tuna management. The joint working group meeting included NC members, some IATTC members (EU and Mexico) and scientific staff and observers, and discussed the rebuilding strategy, precautionary management framework, catch documentation scheme and the emergency rule and reviewed current management measures in IATTC and WCPFC. NC12 endorsed the conclusions of the joint working group and recommended a draft Pacific bluefin tuna measure, the main points were:
- General Provision
    - Add the conclusions of the joint working group meeting on rebuilding strategy
      - Participants supported the following as part of an ocean-wide rebuilding strategy for Pacific bluefin tuna: “Recognizing that the management objectives of

WCPFC and IATTC are to maintain or restore fish stocks at levels capable of producing MSY, to rebuild the Pacific bluefin tuna stock by adopting and achieving step-wise rebuilding targets”

- To help formulate the Pacific bluefin tuna rebuilding strategy, participants supported a request to the ISC to evaluate the performance of various harvest scenarios
- Participants supported a plan for the WCPFC and IATTC to agree in 2017 on a second rebuilding target, to be reached in 2030, and to revisit their management measures as needed
- Participants supported the ISC’s intent to hold a Pacific bluefin tuna stakeholders’ meeting (April/May 2017).
  - Increased frequency of review from three years to two years
- Management of large fish
  - Revise to the same language of management of small fish, and
  - add special rules on usage of the catch limit for small fish to catch large fish.
- Management of Farming (new)
  - Take measures necessary to strengthen monitoring and data collecting system for Pacific bluefin tuna farming.

438. In response to a request from New Zealand for elaboration on the emergency rule discussions, the NC Chair noted that Japan had proposed an emergency rule at such time as the recruitment level is unusually low. Japan proposed a 50% reduction in catch as emergency actions to be taken in its proposal. However, agreement could not be reached – some parties thought it was too generous, and some thought it was too strict. The discussion was deferred to next year.

439. In response to a query from Indonesia about ‘large fish’ and ‘small fish’, the NC Chair explained that for small fish the catch allowance was cut by half; decided in 2014 and implemented from 2015. For large fish – over 30kg – efforts were made to maintain the catch at the 2002-2004 level; this provision is clarified to be mandatory this year. Restricting small fish catch will have a significant impact on recovery. The NC Chair commented that the stock started to recover even before the current measure started, and if small fish catch is reduced further, that reduction would contribute to the recovery of large fish numbers. It was noted that Korea was willing to make a voluntary payback from next year, as its fishers unexpectedly caught a significant amount of large fish this year.

440. EU noted that it participated in the joint meeting as an IATTC member, and in NC as an observer. This CCM expressed frustration, stating that NC appears to consistently postpone progress. Stating that the first rebuilding plan target has fallen short of what is needed to recover the stock and should be reviewed, this CCM recalled that bigeye tuna stock was considered a concern at 16% of depletion ration, but Pacific bluefin tuna is now 2.6%. SC considered that urgent action was needed in reviewing the current rebuilding plan, establishing the emergency rule and developing reference points for Pacific bluefin tuna, but these things were not done. In EU’s point of view the emergency rule proposed by Japan was not scientifically-based, and for that reason the EU did not support the proposal; it was not the appropriate action that was needed to address the situation. EU recognised that discussions on these issues are difficult, but stated that NC had failed for some years to adopt measures to better manage Pacific bluefin tuna.

441. FFA members expressed great concern that the 2016 stock assessment for Pacific bluefin tuna confirmed a continued decline, with the spawning stock biomass now at 2.6% of unfished levels, which in their view was nothing short of a management failure. These CCMs stated that NC had failed to develop meaningful management recommendations and, as a Commission, CCMs have failed to hold NC to the same standards adopted for the other stocks. For any stock that is so depleted, targeted

commercial fishing must cease. These CCMs recalled that the current Pacific bluefin measure includes a requirement to develop emergency rules in the event of a recruitment failure, which NC has failed to do so. The forward projections NC appears to have relied upon do not include any scenarios where recruitment continues at current historically low levels or declines. The most pessimistic recruitment scenario presented assumes that recruitment will be higher than the most recent level assessed, which these CCMs did not consider plausible. These CCMs called on the Commission to act decisively, and propose that the Commission implement emergency rules at this session and close the fishery to all targeted commercial fishing.

442. USA shared concerns that the NC has not gone far or fast enough in taking steps to conserve Pacific bluefin. USA has engaged through NC to push for robust science-based management measures and rebuilding plans and will continue to do so, with support in that effort of other Commission members. USA was very unhappy about the level of ambition reflected in the Pacific bluefin tuna measure NC has recommended the Commission adopt, but it believed that blocking NC's recommendation will undermine efforts to rebuild the Pacific bluefin stock. The U.S. has offered proposals in recent years to rebuild the stock and establish a precautionary harvest strategy to maintain the population at MSY levels. Specifically, the U.S. has proposed a rebuilding target of  $20\%SSB_{current_{F=0}}$ , to be reached by 2030 and a LRP for the stock size of  $15\%SSB_{current_{F=0}}$  over the long term. Working in the NC with those members with fisheries targeting this stock, USA has not been fully satisfied but has agreed to a series of incremental measures towards a robust rebuilding framework. NC has recommended making some changes to the measure including to clarify that the large fish catch limit is binding on CCMs and to commit to adopting a second higher rebuilding target in 2017. USA recognized the implementation of the NC recommendation to allow transfer between large and small fish will require careful oversight and would hold members to strict compliance. With the choice between no progress and small but important forward progress, this was consistent with the Chair's request during the opening ceremony to make progress wherever possible, even if it falls short of our full need. USA noted that not every step is a positive step. USA was one of the delegations that objected to adoption of the proposed emergency rule proposed by New Zealand because it was of the view that it would put in place a provision that was not robust enough to warrant adoption. USA was encouraged by the Joint IATTC-WCPFC NC working group meeting on the management of Pacific bluefin tuna, the first meeting of its type, which lay the ground work for a mutual plan for rebuilding and the long-term conservation and management of this stock throughout its range. The working group discussed six key management topics and agreed to request that the ISC assess 10 scenarios with a variety of restrictions on fishing mortality in both the WCPO and EPO, under low and average recruitment assumptions – a significant step in analyzing how to best manage those fisheries having the highest impact on the stock. The group's other recommendations are being acted on by both NC and IATTC, some of which are reflected in the amendments to the measure under consideration. USA looked forward to continuing work in this joint working group to advance proposals in 2017 that ensure both commissions achieve their mandates to rebuild and maintain this species at sustainable levels.

443. Australia shared other CCMs' concerns about the status of Pacific bluefin tuna, noting that the Commission runs a risk that its integrity and standing in the international community is compromised by continuing to fail to put effective management of the Pacific bluefin stock in place. The Commission has new scientific advice that confirms current management measures are failing to halt declines in the Pacific bluefin stock and that fishing mortality is too high. The Commission needs to continue work in this area as USA and New Zealand indicated, and needs to look to the NC to improve the trajectory of Pacific Bluefin tuna.

444. Japan recognised the concerns expressed by CCMs about the status of Pacific bluefin tuna. This CCM noted that NC members have been working to improve the stock situation for several years, but understands they should do more. Japan noted that the objective of the recovery plan was recovery to



the historical median by 2024 with 60% probability. It should be recognised that the latest stock assessment results by ISC clearly indicated that this objective would be achieved. Japan explained that many kinds of fisheries exist in Japan – there were over 20,000 small scale troll fishers, 1,800 coastal trap fishers, plus purse-seine and longline fishers. In 2015 Japan held many stakeholder meetings across Japan explaining to fishers the need to reduce small fish catch in accordance with the decision by the Commission in 2014. Japan stated that it has been containing its catch in accordance with the agreement endorsed by the Commission two years ago, and it was difficult to ask fishers to make further reductions if they are on the right track, namely the objective agreed by the Commission would be achieved under the current measure. Japan noted that although the emergency rule was not adopted NC it would continue to discuss it with other Members. Japan further noted that a stock assessment update of indices will now be conducted every 2 years, which will allow for closer monitoring of the stock, reducing the need for emergency rules. In addition, Japan has a recruitment monitoring system, with information reported four times a year that will be incorporated into the stock assessment. Monitoring indicates that recruitment in 2015 was better than in 2014, and in 2016 the preliminary estimate is that recruitment was better than 2015, which also indicates less necessity of emergency rules. It was noted that unless the structure of Japan’s fisheries changes, they will not achieve 20% B0 because almost 97% of the Japanese catch is of juvenile Pacific bluefin tuna. For this reason, the NC-IATTC joint meeting asked ISC to conduct several scenarios, which will be discussed in the stakeholder meeting in 2017 along with the next rebuilding target. Responding to the concerns of members, Japan intended, on a voluntary basis, to consider taking advantage of the new rule converting catch limits for small fish to be used to catch large fish, noting that reducing the catch of juveniles will have a bigger impact than a reduction in larger fish catch. Japan also intended to make utmost efforts to not fully utilise its catch quota for small fish. If this proved successful it would make further contributions.

445. Korea also recognised the serious concerns expressed by many CCMs about the state of Pacific bluefin tuna and aligned itself with USA, considering that baby steps were better than no steps at all and could lead to a giant leap forward in the future. Korea noted the stakeholder meeting which NC planned to hold in 2017.
446. EU noted the importance of this issue to EU member states, and highlighted that measures had been taken in ICCAT. EU said that baby steps do not always lead to big steps; in this CCMs opinion, NC and the Commission have taken “crab steps”, going backwards or sideways instead of forward. This CCM was pleased that the discussions on Pacific bluefin tuna at WCPFC13 were fulsome, but picked up on Japan’s point that the “Commission endorsed” the measure in 2014, noting that the Commission has no real choice – it receives a recommendation from NC and can either reject or accept it. This CCM suggested that the Commission consider revising the way it works, and the relationship the Commission has with the NC. Noting that Pacific bluefin tuna management is the responsibility of the Commission, not the NC, this CCM considered that there was no real improvement and in comparison with what was done in ICCAT, this was a failure. Noting Japan’s concerns for its fishing communities, EU recalled the situation of fishers in the Mediterranean – these were small communities, extremely reliant on bluefin tuna, who made great sacrifices after the imposition of necessarily drastic measures to recover the Atlantic bluefin population. EU noted that Japan supported these measures in ICCAT, and had asked Mediterranean fishing communities to make sacrifices.
447. Chinese Taipei shared the concerns of other CCMs, noting that its fishing vessels target large bigeye tuna. This CCM noted the efforts which had been made but expressed the view that they were not enough. Chinese Taipei encouraged cooperation with IATTC and NC to adopt more ambitious measures to address the concerns of members.

448. Tonga thanked EU for its interventions on Pacific bluefin tuna and hoped EU would similarly lead discussions on tropical tuna, especially South Pacific albacore tuna which was of such concern to FFA members.
449. In response to EU's intervention, Japan noted that while in the Atlantic Ocean the majority of catch is taken by purse-seiners, there are small operators and Japan supported exemptions to those small vessels in the Adriatic Sea and the Bay of Biscay; the fishing communities around Japan are like those in the Bay of Biscay. Japan said it would continue to try and come up with a better solution and would continue to communicate with its fishermen, whose representatives were also in attendance at WCPFC13.
450. The Pew Charitable Trusts noted that even though the assessment period does not capture the full history of the fishery, the population was above 20% of the historic population size for several years (1959-1962) during the period. Independent projections using the ISC models show there are several management options that would lead to a population of 20% of historic size by 2034 or earlier. For example, reducing catch limits by 30% from current levels would produce a 78% probability of reaching the target by 2034. A reduction of 40% would lead to an over 90% chance of reaching the level by 2029. Overall catch totals could remain the same and still have a nearly 100% chance of reaching the 20% target by 2029 if catch was restricted to fish 30kg or greater. This observer stated that current management measures for Pacific bluefin are not sufficient to reach the goals set by the Convention or the CMM, which sets an initial biomass rebuilding goal of 42,592 mt by 2024 with at least 60% probability. Projections by ISC show that current measures, if perfectly implemented, will only lead to a 56.1% chance of reaching 43,000 mt by 2024. This observer stated that WCPFC should immediately support a rebuilding target of at least 20% of unfished size, and propose management measures that would lead the bluefin tuna population to rebuild to that target by 2030.
451. WWF, Pew Charitable Trusts, Greenpeace and SFP expressed their continuing serious concern about the lack of progress towards long-term effective conservation measures for Pacific bluefin tuna and reiterated the urgency expressed by the EU on the stock status report. These observers noted that in September, NC took a positive step and agreed that the rebuilding plan for Pacific bluefin and long-term management framework should be harmonized across the Pacific and should be designed to return the population to a TRP that remains to be agreed. But very little progress was made at IATTC and NC. These observers believed that due to the lack of progress by the responsible bodies, the Pacific bluefin stock will continue to teeter on the edge of collapse. ISC confirmed that overfishing is continuing, and the stock remains heavily overfished, with a spawning stock biomass at 2.6% of its unfished level – clear indicators that the stock can no longer support industrial fisheries. These observers considered that the management measures taken across the Pacific have proven insufficient to conserve the biological integrity of this stock and the rebuilding scenarios are far too optimistic – both a higher target and shorter rebuilding time frame are needed. These observers expressed concerns about USA's acceptance of incremental improvements, noting WCPFC must independently and immediately take action to address the conservation of this stock. If the WCPFC fails to do so, the NGO community would call for a complete moratorium on the commercial fishery catching this stock to ensure its recovery and rebuilding.
452. Vice-Chair of the ISC Pacific bluefin tuna working group stated that the ISC assessment results did confirm that the current measures will achieve the initial rebuilding target of WCPFC, which is calculated as the historical median of SSB under the new assessment.
453. FFA members noted that little evidence was presented by CCMs to support continuing Pacific bluefin tuna catch at current levels, just overly optimistic assumptions about recruitment increasing. Given the uncertainty around measuring recruitment, FFA members considered that catch reductions

were necessary to safeguard against further declines in spawning stock and could be implemented in a similar form to that proposed by Japan in their draft emergency rule. It would require a percentage catch reduction of small and large fish; with such grave concerns for this stock, these CCMs considered small steps not sufficient.

454. Japan stressed that stock was not declining. This CCM noted that Vice-Chair of the ISC Pacific bluefin tuna working group indicated that based on the latest stock assessment, the spawning stock biomass started increasing in 2010 and was continuously increasing up to 2014, which was the latest year that the stock assessment could detect. The current measure started in 2015, with a 50% reduction in juvenile catches. Even before that, the stock was increasing for four consecutive years.
455. Chair noted that this was a necessary discussion due to the condition of Pacific bluefin tuna and thanked CCMs for their strong contributions. WCPFC13's task was to accept the NC recommendations or not accept them and to consider what the Commission wanted to ask the NC to do in its future meeting.
456. EU noted how little room there is for the Commission to manoeuvre. The Commission has had to endorse measures that not all CCMs were happy with. This CCM suggested the Commission needed more time to consult with others before accepting the recommendations.
457. FSM noted that it was the Commission's role to provide guidance when it felt a subsidiary body's recommendations were not satisfactory. FSM suggested the NC convene a meeting in the margins of WCPFC13, as has taken place in the past, to discuss more meaningful reductions.
458. The NC Chair commented that without Mexico present it would be difficult to revisit the recommendations; NC should instead reconvene next year.
459. EU noted that Mexico was a big fisher of Pacific bluefin tuna but was not a member of the NC or WCPFC. From this CCM's point of view, the presence of Mexico was not essential for revisiting the recommendations.
460. The Chair noted the lack of consensus to adopt the NC recommendations and held the discussions open for CCMs to hold consultations.
461. On 9 December the NC Chair reported on the extraordinary meeting of NC which had been held on 8 December at WCPFC13 (**Attachment P**). The extraordinary meeting had discussed the possibility of taking additional measures to expedite the rebuilding of the Pacific bluefin tuna stock. The NC Chair noted there was limited time, and the outcomes were also limited as many NC members did not have a mandate to go further.
462. The NC Chair noted that NC had discussed with Mexico the possibility of it also taking extra measures, but the Mexico delegation had no mandate to proceed. And USA had proposed to send additional scenarios to be analysed by ISC.
463. The Chair thanked NC and the Chair of NC for its additional work and measures.
464. EU welcomed the additional steps but considered them not sufficient in light of the gravity of the stock's situation. EU felt that fundamental questions remained unsolved. Regarding the voluntary measures taken by Japan and Korea's catch transfers, EU felt it was difficult to understand the conservation impact of the measures and the Commission should give a clear mandate to do more when establishing the rebuilding target required under CMM 2015-04. EU requested that in order to

adopt the NC report Attachment E, Para. 1(c) should be amended to ‘*rebuild to 20% b0 by 2030 with at least 60% probability*,’ which would be a clear mandate for what to achieve next year. EU also made a recommendation relating to the emergency rule, noting it was paramount to adopt an emergency rule this year.

465. FFA members could accept the NC12 report and the extraordinary meeting of NC advice as long as there was a stronger commitment to develop the rebuilding strategy and the agreed decision language from WCPFC13 included the following additional text:

- “The NC will deliver a properly developed and resourced rebuilding strategy by WCPFC14. The strategy will include specified actions and timeframes to rebuild to the 20% spawning biomass reference point by 2030 and be based on triggering of the emergency rule.”

466. Chinese Taipei considered the request to amend the rebuilding strategy at WCPFC13 rather than through the NC report was problematic. In addition, the stock was not the only consideration: the Commission should also be concerned with socio-economic impacts. It was noted that the stock was shared with IATTC. Chinese Taipei suggested the Commission could instruct NC13 in 2017 to do its best to develop additional measures.

467. Japan noted the concerns expressed by EU and FFA members and commented that the conditional nature of their request meant that if the conditions are not agreed, the NC report would not be adopted, including recommendations which will contribute to the recovery of the Pacific bluefin tuna, an outcome contrary to the objective. Japan needed to undertake internal consultations to further consider the EU and FFA conditions, noting it was a drastic change from what NC had agreed in a step by step approach. Japan further noted that the next rebuilding target may not be the final rebuilding target. Japan hoped if EU and FFA could agree to *B0 20% by 2034 rather than 2030 with more than 60% probability*, it could help with internal consultations and that next year’s NC could agree an emergency rule.

468. EU explained that 2030 date was chosen for second rebuilding target was because it is two generations. EU could agree 2034 at the limit but preferred 2030. EU would like an emergency rule establish in 2017 with advice from ISC defining hard limits that should not be broken or they would trigger the emergency rule.

469. Regarding the 2030 date, Japan noted the current rebuilding timeline is 7% by 2024 and 2024 to 2030 is only six years. Japan stated that it had wanted to come up with a reference point trigger as EU had suggested but ISC had said it was not possible. Japan would approach ISC again on this.

470. FFA advised that it would be comfortable with either 2030 or 2034.

471. The Chair noted that under the rules of procedure the Commission cannot change the recommendations; it can only reject or accept them. However, the Commission could accept the formulation of an additional recommendation.

472. USA hoped to see the proposal from the FFA in writing as it appeared to be based on a proposal USA had put to the NC which had included a meaningful emergency rule. USA considered it unfortunate that NC had not been able to come up with recommendations that made more progress to rebuild Pacific bluefin tuna more rapidly. But there are explicit rules about how the Commission and NC are to interact and the extent to which the Commission can influence NC decisions and while the Commission has a significant role, USA considered the current discussions to be outside of the rules.

It would at least take a reconvening of NC to make the changes that were under discussion and given the detail of the proposals were beyond what the rules allowed. USA hoped the Commission could find a way forward that was consistent with the rules but also makes incremental progress.

473. The Legal Advisor, Dr Penny Ridings, explained the rules dealing with NC (Article 11(7) of the Convention and Annex 1 of the Rules of Procedure). NC adopts recommendations on conservation and management for Northern stocks. Commission decisions on those stocks are to be based on recommendations of NC. The Commission may return recommendations to the NC for more work. The Commission cannot take a measure on Northern stocks without NC but it may request NC to formulate and send back a recommendation on a CMM. The Rules of Procedure are not specific about how specific that request may be but in general it is in the hands of the Commission as to how it wishes to formulate its request to NC.
474. Japan noted that the Commission may ‘request’ NC to formulate a CMM, under the rules, and supported USA’s interpretation. EU agreed with the Legal Advisor’s interpretation. With it not defined how specific the Commission can be in its request, EU considered there to be no legal obstacle to the Commission formulating a specific request for NC.
475. The NC Chair confirmed NC would accept a request from the Commission and consider it at NC13. In addition, the NC Chair invited all FFA members to NC and advised that EU would participate in the joint meeting with IATTC in 2017. Through these processes, NC would be able to take account of their particular views.
476. USA advocated making it clear that the Commission accepted NC12’s recommendations, as well as formulating a specific request relating to its future work. USA expressed some concern about the specificity of the EU/FFA request, considering that the Commission formulates such things as rebuilding plans, limits and emergency rules through scientific advice required and deep deliberations among members. USA agreed that the Commission has a responsibility and should be making demands of the NC, but it also needs to respect the role of coastal states and engage them in formulating what ultimately comes back for the Commission’s consideration.
477. EU observed that there was no procedural obstacle to the Commission being very specific in its request, and noted it was not in a position to accept generic language.
478. The Chair asked interested parties to craft a request to NC on Pacific bluefin tuna and late in the meeting FFA and EU presented draft language related to the adoption of the NC12 Summary Report, and this was considered under agenda item 11.2.

479. The Commission accepted the report of the extraordinary meeting of NC at WCPFC13 (**Attachment P**).
480. The Commission agreed to adopt CMM 2016-04 Conservation and Management Measure to establish a multi-annual rebuilding plan for Pacific Bluefin tuna (**Attachment Q**), which will replace CMM 2015-04.

## 9.6 Bridging Tropical Tuna CMM

481. The Chair presented a revised bridging Tropical Tuna CMM for discussion and consultation purposes (WCPFC13-2016-20\_rev2), intended to be the successor measure for the current CMM 2015-01 which will lapse at end of 2017. It was noted that the Commission will agree on a process for progressing the bridging measure for adoption WCPFC14.

482. Japan noted its statement regarding fishing capacity, given under agenda item 9.2.2.
483. RMI flagged that the bridging measure should engage with the issues around ‘impracticality’ regarding transshipment, and signalled it hoped to work with others on this.
484. The Chair noted the development of the current measure included a preliminary discussion in Tokyo over five days, with members focused exclusively on the tropical tuna measure.
485. USA noted the Commission had a tremendous amount of work to be done to draft and agree a new tropical tuna measure, noting that the Chair had started the work. USA was concerned that the Commission would not be able to resolve the myriad issues in one or two meetings (intersessionally plus WCPFC14) in order to agree a measure. The new measure would be looking at the use of harvest control rules and MSE for these stocks, new ideas for how to manage them (for example, spatial management as a way to better focus efforts to reducing longline bigeye tuna mortality). USA understood that working electronically was difficult for some members so was not an ideal way to progress, but this method could be used over an extended period of time to at least advance the structure of the text, identify the issues to be addressed, perhaps work on some of the paragraphs and language that would not be dependent on scientific advice. This would ideally be done well in advance of an intersessional meeting in order to better incorporate scientific advice. Intersessional meetings could be held between SC and TCC and in October. USA stated its willingness to investigate the possibility of supporting a meeting.
486. Australia saw the bridging measure as very important and that all relevant parties be able to participate. Australia would also explore options around hosting or contributing.
487. The Chair reminded delegations that neither the CDS-IWG, FADMgmtOptions-IWG nor ERandEM WG would be meeting in 2017. It was noted that electronic communication was a way forward so long as no parties felt excluded. The Chair noted the tentative timing suggested by USA and the generous offers of possible assistance from USA and Australia.
488. Japan agreed that there would need to be intersessional work through electronic or preparatory meetings; the next annual meeting would not be enough to resolve all the issues. This CCM noted, however, that October was the busiest month of the year for international meetings and while supporting the concept was reluctant to support a meeting between TCC and the Commission meeting.
489. While noting the difficulties of limited administrative capacities, FFA members noted the priority of the bridging measure work and agreed to the preparatory work. Meeting electronically was appropriate to allow all parties to engage. It was noted that FFA and PNA would also be scheduling sub-regional meetings on these issues.
490. EU suggested that an intersessional meeting would need to take place after SC so the results of the stock assessment could be taken into account. EU had no specific preference whether meetings should be back to back with already-scheduled meetings such as TCC and SC, or separate. One option was also back to back with NC in Korea. EU noted that last time after the workshop in Tokyo the discussion was supposed to continue at TCC, however participants at TCC were compliance managers not fisheries managers so the discussion was not fruitful.
491. The Chair noted the general agreement to hold at least one intersessional meeting and there was no perfect time to hold it. It was agreed that the Chair and the Secretariat explore options and circulate them early in the new year, after discussions with Australia and USA regarding assistance. The Chair

also noted the parallel process for the South Pacific albacore bridging measure. It was suggested this be progressed electronically then, if it makes sense, a meeting could be held.

492. WCPFC13 noted the following issues would also be progressed as part of or alongside the development of the bridging measure: purse seine capacity management and high seas transshipment controls.

493. WCPFC13 agreed on the following process for tropical bridging measure:

a. commence work on bridging measure electronically in the early part of 2017, focussing on the structure of the measure and provisions that are not dependent on scientific advice (noting the intention to move MCS measures into existing MCS measures as needed). Best efforts will be made to make this electronic process as inclusive as possible.

b. agree to task the Secretariat with exploring options and potential funding for hosting a WCPFC meeting following SC13, to further progress the bridging measure on tropical tuna.

## **AGENDA ITEM 10 — BYCATCH MITIGATION**

### **10.1 Sharks**

#### ***10.1.1 Review of CMM 2010-07 and CMM 2014-05***

#### ***10.1.2 New proposals***

494. CCMs with proposals to refine and amend CMM 2010-07 and CMM 2014-05 outlined them under this agenda item.

#### ***EU proposal on sharks***

495. EU introduced WCPFC13-2016-DP07, a proposal to prohibit the removal of shark fins at sea, the retention on board, transshipment and landing of shark fins, and implementation of a Commission fins naturally attached policy as the way to monitor the prohibition of shark finning. EU stated that SC has said for some time that the only way to enforce the WCPFC ban on finning is by implementing a fins naturally attached policy, and recalled long discussions at TCC that demonstrated the difficulty of monitoring, evaluating and assessing the ratio. EU noted observer reports and high seas boarding inspections which identified that finning occurs in the Convention area. EU noted that NEAFC and NAFO have adopted fins naturally attached policies.

496. Japan's position on a fins naturally attached policy remained the same as during past discussions. Japan considered there were operational difficulties for longline vessels, especially the frozen type. Japan also expressed concern about the number of observations of shark finning and the retention of prohibited species. Before WCPFC brings in new measures for sharks, Japan wanted the Commission to focus on the full utilisation of sharks since prohibition of finning practices is aimed at achieving this objective. Japan recalled it had proposed at TCC that all available information on how each CCM implements paragraph 6 of CMM 2010-07 should be reviewed as a first step towards ensuring compliance with the full utilization requirement. Japan sought a review of compliance on full utilisation requirement every year beginning in 2017.

497. Australia thanked the EU for putting the proposal forward and noted it was concerned about shark management. Australia had domestic measures in place that would enable it to support the prohibition on shark finning. Australia noted the divergent views but noted the issue was very high on other international agendas. WCPFC was under scrutiny and needed to come to a consensus position on the sustainable management of bycatch.
498. USA supported sharks being landed with their fins naturally attached as USA does in its domestic fisheries. This CCM considered it operationally feasible without degrading the quality of the fins, endangering the crew or over-burdening the vessels. USA considered it necessary that the prohibition on finning be upheld; it would also improve the data on which SC based its scientific advice. USA expressed some concern with implementation of the EU proposal's prohibition on selling.
499. China thanked EU for its efforts but agreed with Japan's comment. China did not think paragraph 3 of the proposal, prohibiting the sale or purchase of shark fins taken in contravention of the proposed measure, was practical or feasible. China asked what the mechanism was to monitor it and whether a catch document would need to be attached to each product. Without a system in place it would be very difficult for market countries to implement the prohibition. China would continue working with others to find a solution.
500. PNG was disappointed that there was no mention in the proposal of domestic policies, noting that PNG had been working for some time to get measures together domestically. PNG had wanted to see paragraph 11 retained containing exceptions for artisanal fisheries.
501. Canada supported the principle of the proposal and noted the review Canada had undertaken domestically and would be moving away from the 5% ratio methodology to a fins naturally attached policy in its domestic fisheries and positions internationally. Canada expressed a willingness to work with others to look at the proposed approaches including the issues China had raised.
502. FFA members noted their concerns over a long period of time about the 5% fin to carcass ratio including SC12 advice that the application of the rule is ineffective. FFA preferred that finning be prohibited. The EU proposal called for fins naturally attached but also allows for fins to be cut, to allow them to be folded back. FFA members supported this for all high seas fishing and for members who cannot demonstrate that a species-specific weight ratio is enforceable. FFA members did not support the inclusion of additional reporting requirements in the measure (paragraphs 7 and 8), considering it more appropriate to include these requirements in *Scientific Data to be Provided to the Commission* decision.
503. EU expressed disappointment in the lack of consensus. EU offered to remove paragraph 3 on selling and explained that the proposal did not have an additional data burden – a lot of data is already required under current data provision obligations. EU considered ratios to be unviable from a monitoring point of view and trying to determine species specific fin to carcass ratios was problematic. EU noted its fleet fishes for sharks and demonstrated that the fin to carcass ratio was operationally feasible. Regarding retaining paragraph 11 on artisanal fisheries, EU did not favour exceptions for any purposes as exceptions create loopholes.
504. China noted that its problem with paragraph 1 (prohibiting the removal of shark fins at sea and the retention on board, transshipment and landing of shark fins) related to how to achieve implementation. Sharks at their first landing may have fins naturally attached, but then they go to market countries at which point a certificate from the port state might be necessary, which represents a burden for SIDS and another obligation for the flag state.



505. The Chair noted the lack of consensus on the EU proposal but also support to keep strengthening CMM 2010-07. The Chair noted Japan's reference to a requirement to include information in CCMs' Annual Reports Part 2 demonstrating how full utilisation was being implemented and why it was impracticable to implement a fins naturally attached policy. And TCC had asked to strengthen the measure for compliance purposes as it has not been able to assessment the ratio. So the issue was circular. The Chair sought a way forward that commits the Commission to looking at the issue in alternative ways, for example doing a comprehensive review of the shark measures or tasking SC and TCC to do more specific work.

506. EU volunteered to draft some text for a way forward. After EU's consultations in the margins and extensive discussion in plenary on 9 December, the following language was agreed:

507. WCPFC13 requested that SC13 and TCC13, with support from the Secretariat, work towards the development of a comprehensive approach to shark and ray conservation and management with a view to adopting a new CMM at the Commission's annual meeting in 2018. The new CMM should seek to i) unify the WCPFC's existing shark CMMs; ii) take account of relevant national and international policies and measures; and iii) provide a framework for adopting new components as needs and datasets evolve. Elements that could be considered for the new CMM include:

- policies on full utilization/prohibition on finning;
- no retention policies;
- safe release and handling practices;
- gear mitigation, size limits or closures;
- management plans/catch limits;
- key species and their assessment schedules;
- species-specific limit reference points; and
- any data reporting requirements beyond those contained in "*Scientific Data to be Provided to the Commission.*"

#### ***CMM 2014-05***

508. The Chair noted recommendations from SC12 and TCC12 regarding shark management plans. The reference paper for this discussion was WCPFC13-2016-21.

509. Japan noted that SC and TCC had developed some recommendations on shark management plans. Japan supported the SC and TCC recommendations noting Japan had submitted its shark management plan of offshore longline fleets based on Kesenuma fishing port in accordance with paragraph 2 of CMM 2014-05 and implementation had begun on 1 January this year, including on prohibition of the use of shark lines and a landing limit for blue and mako sharks. Japan stated that it implements this plan to contribute to the conservation and management of sharks. Japan asked members who had not developed the plans according to new procedures agreed at the Commission to do so.

510. FFA members noted their previous supported for a ban on both shark lines and wire trace. While this was not achieved in 2014, it was a start and these CCMs continued to take the view that a ban on

both is necessary to effectively conserve sharks. These practical mitigation measures are key to reducing the capture and mortality of shark species, including high priority stocks that are covered by their own CMMs. Regarding the development of future management plans, these CCMs supported using the template developed in Annex E of WCPFC-TCC12-2016-19. However, FFA members did not feel it was necessary to spend more time trying to define targeted shark fisheries. These CCMs preferred to focus efforts on banning wire trace and shark lines for any fishery that does not have a management plan.

511. EU supported the recommendations and the shark management plan template but disagreed with the recommendations regarding the longline fishery targeting sharks. EU considered that the plan should cover all fisheries that catch sharks not just those that ‘target’ sharks. Work needed to continue towards a common definition of what a ‘targeted fishery’ was, though EU was concerned about the prospect of another circular discussion without any progress; so it preferred a pragmatic approach.
512. The Chair commented on how difficult it has been for WCPFC to agree a definition of “targeted” shark fishing and noted the excellent work Dr Shelley Clarke (Secretariat) did at SC trying to take the Commission forward on this, though agreement had not been reached. The Chair reiterated the need for the Commission to find an alternative way of dealing with the issue.

## **10.2 Seabirds**

### ***10.2.1 Review of CMM 2012-07***

513. The Chair noted the reference paper for this agenda item was WCPFC13-2016-21. There was no discussion under this item.

### ***10.2.2 New proposals***

#### ***10.2.2 FFA members’ proposal to amend CMM 2015-03 on seabirds***

514. FFA members introduced their proposal (WCPFC13-2016-DP19), to provide greater protection to a number of seabird species of conservation concern at high or very high bycatch risk. SC agreed that the main area of at-risk seabird distribution was south of 25°S and that there was sufficient evidence to move the boundary of the southern seabird measure further north, though did not specify where. FFA members proposed a boundary at 26.3°S, following discussion at SC and TCC – a pragmatic balance between achieving a high level of conservation benefit and minimising compliance burden. Even low numbers of birds caught as bycatch in the areas between the current boundary of 30°S and the proposed 26.3°S represent a high or very high risk for already vulnerable bird populations. These CCMs acknowledged the propose would require French Polynesia to implement the seabird mitigation for the first time, and noted French Polynesia’s efforts this year to seek funding to trial seabird mitigation in their fleet. FFA members consider the proposal was the most practical option to addressing the high to very high risk of bycatch of vulnerable seabirds in this southern part of the WCPFC. It could be implemented immediately by a small handful of nations already familiar with seabird mitigation techniques.
515. China noted that the issue had been discussed at TCC, with one CCM discussing the difficulty of implementation. China had not conducted consultations with its industry so could not agree to the proposal right away, but hoped to come back on this during the meeting.
516. As a DWFN already implementing seabird mitigation measures, Korea did not have a specific problem with the proposal, but wanted to see language that encouraged coastal states to make their

best efforts to mitigate interactions taking place in their waters. Korea noted CCBST, to which Korea is a party, had adopted a similar arrangement.

517. Australia noted it strongly supports improved mitigation measures for seabirds and is concerned about threatened species. Australia supported the FFA proposal, and applies – and will continue to apply – measures south of 25°S. Australia added that from its experience, these measures work, and fishing can continue.
518. EU and USA supported the extension of protections to these additional areas.
519. French Polynesia was concerned about protection of seabirds and marine species. It has established a marine mammal sanctuary in its EEZ since 2002, implemented a ban on shark fishing operations and trade since 2006, and classified birds as endangered species in the French Polynesia EEZ, seabirds and some species of petrel. Establishing the whole EEZ as a marine managed area, “Tainui atea” enabled French Polynesia to implement binding measures in specific areas and for species wherever necessary. French Polynesia’s fleet has very few accidental catches of seabirds. This CCM considered it important to implement the same rules across the whole EEZ. French Polynesia could not support the implementation of the measure on its domestic longline fleet until mitigation trials have been conducted in its EEZ, and evidence of catch of concerned species has been demonstrated. It was noted that French Polynesia’s fleet does not fish in the area between 25°S and 30°S and queried why it needed to implement mitigation measures in areas its fleet did not operate. However, French Polynesia acknowledged the potential for fishery development in this area, and noted that the implementation of mitigation measures without evidence of interactions between seabirds and fishing operations would burden small domestic longliners. French Polynesia remained open to discussions to build a common and constructive proposal.
520. Japan noted that its position since SC had not changed, and the proposal to shift the southern boundary northwards was too definitive. Japan noted that all species reported were not ranked by IUCN as threatened, and there was no bycatch of Antipodean albatross and Campbell albatross recorded from 1992-2010 according to Japan’s observers’ and training vessels’ records. This CCM thought the 26.3°S boundary was artificial, without strong scientific justification. However, Japan was happy to continue discussions about mitigation at SC.
521. Indonesia advised that with the help of Birdlife International, Indonesia had developed its first National Plan of Action for seabird mitigation. While implementation remained a challenge for Indonesia, this CCM supported efforts to conserve seabirds. Indonesia noted that it is not in the range of the operation of the seabird mitigation requirements in FFA’s proposal.
522. Chinese Taipei commented that it was not difficult for it to implement the proposed measure but could not accept the proposal as the boundary was not based on scientific advice and had not been discussed at SC or TCC. In addition, the proposal would need to apply equally to all CCMs before Chinese Taipei could support it.
523. New Caledonia supported the proposal, noting that when creating marine parks it enforces alternative measures to sustainably develop its fisheries and protect seabirds and other bycatch.
524. Birdlife International commented that seabirds are difficult to identify, including those in the Wandering albatross group. Antipodean albatrosses occur between 25°S and 30°S. This NGO noted that Japan’s national report indicated that its fleet catches species in the Wandering albatross group; Birdlife International thought they would be Antipodean albatrosses and while Japan indicated its fleet did not catch Antipodean albatrosses, they have not always been able to identify them to species level.

Based on the known distribution of the different species, the caught bird in Japan's 2015 national report was identified as "Wandering albatross group" would be an Antipodean albatross; it is the species most likely in the region. Moving the boundary where seabird mitigation is required to be used by fleets further north towards 25°S would provide an urgently required greater level of protection for highly threatened seabirds known to be in these latitudes. BirdLife International noted that the Antipodean albatross, which breeds in New Zealand's sub-antarctic islands, was in big trouble because of adult mortality caused by fishing. It is considered critically endangered by New Zealand's scientists. The new IUCN classification proposal would see it upgraded from vulnerable to critically endangered, based on recent data on population decline of 97.6% over 3 generations. Since 2004, males have declined by 5.3% and females by 8.1% annually, creating a serious sex imbalance in the population exacerbating the species' troubles. Un-partnered males have been seen performing courtship rituals with other un-partnered males in the breeding colony. If the factors contributing to the species' decline continue at this rate, BirdLife International stated that these birds are heading towards extinction within 2-3 generations, with the lack of management in WCPFC directly contributing to this outcome. This NGO considered it deeply concerning that CCMs seem unable to make such a minor concession – for vessels already using mitigation south of 30°S to also use it further north where there is high fishing effort and corresponding seabird mortality.

525. FFA members responded to comments from CCMs including in relation to the boundary proposed. They welcomed Japan's recognition of SC12's advice that these vulnerable seabirds are mostly distributed south of 25°S, and noted that the ideal boundary would be 17°S. The significance of a banded bird being recovered, as reported by a Japanese vessel, was noted. In response to Chinese Taipei's concern, FFA members noted that discussions at the last Commission meeting centred on a 25°S boundary. This was dropped in the proposal to 26.3°S, in a practical bid to get a new boundary in place. It was noted that several nations would need to implement mitigation measures for the first time, and those CCMs with mitigation measures already in place were aware that it can take a couple of years, working with industry, to do so. FFA members considered 26.3°S was do-able immediately.
526. ACAP strongly supported the FFA proposal to amend CMM 2015-03, emphasizing that there is a range of species globally threatened with extinction that would benefit from amendment of the area of application, many of them listed under ACAP Annex 1. This list not only includes species like the Black petrel, the Antipodean albatross and the Campbell albatross, but also the Wandering, Indian yellow-nosed, White-capped and Shy albatrosses, among others. These seabird species have very small population numbers and are experiencing alarming declines in their populations. ACAP considered that urgent action was required to increase their level of protection, both through the effective implementation of CMM 2015-03 and the expansion of the area of application.
527. The Chair noted that WCPFC13 did not have a consensus to adopt the proposal but encouraged CCMs wanting to move the forward to develop some report language as the basis for future discussions.
528. On 9 December, New Zealand noted SC12's advice that "within the southern hemisphere part of the WCPO the main area of distribution for New Zealand's vulnerable seabirds, especially the Antipodean albatross and the black petrel, is south of 25°S." However, after discussions in the margins and in plenary, New Zealand reported that consensus was not reached on where the boundary should be. FFA and colleagues at ACAP and Birdlife International looked forward to progressing this issue in the future.

## 10.3 Others

### 10.3 EU proposal on mobula and manta rays

529. EU presented a proposal (WCPFC13-2016-DP06) which aimed to introduce a retention ban on mobula and manta rays in the Convention area and handling and live release guidance for specimens accidentally caught. EU noted that a similar measure was adopted in IATTC with the support of many members present at WCPFC13. The live release guidance was based on IATTC and WCPFC scientific recommendations and was discussed by SC. There were some data collection elements in the proposal and EU noted that in early consultations some concerns had been expressed about additional data requirements. However, EU noted that these data would be collected by observers and should not cause additional burden. EU considered that mobula and manta rays should be considered key shark species and therefore included in the shark research plan. At SC12 an informal small working group assessed the relevance of designating manta rays, mobulas and pelagic stingrays as WCPFC key shark species for data provision and/or assessment (developed at SC8). The informal small working group endorsed the conclusions of SC12-EB-WP-08 in terms of: presence in the Convention area, impact by WCPFC fisheries, ecological concerns and data availability. It was concluded that there are not enough data to undertake an assessment of the species. It was not agreed to designate these species as key shark species for data provision and/or assessment and SC12 recommended that the process for designation of key shark species be clarified. TCC12 confirmed that the process for designating key shark species allows for a species to be designated for assessment purposes only, to enable an assessment of the conservation status of these species. EU commented that key elements of its proposal, like the designation of manta rays and mobulas as key shark species and the adoption of guidelines for safe release of these species are a logical follow up from the progress achieved in SC12 and TCC12.
530. Noting that mobula and manta rays have been included in Appendix II by CITES, Korea advised that it is investigating implementing arrangements and data collection to fill data gaps. Korea expressed concern about the enforcement feasibility of the proposed setting ban for the two species. Korea could not accept the retention ban but would work constructively on finding solutions to the implementation problems.
531. PNA and FFA members could support the EU proposal if amendments were made to the data reporting requirements. At paragraph 4 there is a requirement to collect data on catch, discards and life status of manta rays and report in the Annual Report Part 1. While the data was important, FFA members supported including it in the required in *Scientific Data Provided to the Commission*, not in the proposed measure. These CCMs flagged that in future they would seek all reporting obligations to be reported in *Scientific Data Provided to the Commission* rather than housed in measures. FFA members noted that the move towards e-reporting was an opportunity to remind fishers of their obligations to report catch and discards for all species in their logbooks. This was especially relevant in longline fisheries where fishers have complained in the past of being limited by the number of rows on the paper forms.
532. The USA largely supported the proposal but had some concerns about the prohibition on circling and retention. At SC12 the USA had volunteered to update the safe handling and release guidelines, which should provide assistance; this CCM would work with EU on these issues.
533. Chinese Taipei expressed similar concerns, noting that there is unintentional catch, particularly in purse seine operations. It was noted that a domestic law had been enforced this year on the submission of manta ray catch notification. This CCM commented that unintentional catch could be a compliance

issue and hoped this can be taken into account in the wording. It was noted that IATTC has a similar resolution on the exemption of purse-seine operations.

534. China recalled that a year ago IATTC agreed Resolution C-15-04 on the conservation of mobulid rays caught in association with fisheries in the IATTC Convention Area. Para. 2 of the Resolution provides that “in the case of Mobulid rays that are unintentionally caught and frozen as part of a purse-seine vessel’s operation, the vessel must surrender the whole Mobulid ray to the responsible governmental authorities at the point of landing” which is similar to the EU’s proposal. However, China noted there was no mechanism to monitor the prohibition on sale so preferred the reference be deleted. China committed to talk with EU in the margins about this.
535. Japan commented that the Commission needed some clear guidance and/or advice from SC on mobula and manta rays issues. While SC had discussed the species, no recommendation had been provided. Japan suggested passing the issue to SC for scientific consideration before discussing any management measure proposal on these species.
536. Indonesia expressed concern for the protection of mobula and manta, in particular to the two species such Manta birostris and Manta alfredi that since 2014 were fully protected in Indonesia, with penalties for catching, retaining or selling them. Indonesia informed that catch of these species were reported in the Indian Ocean and in Indonesia’s archipelagic waters, and were therefore not reported to WCPFC but they were discussed in CITES. Indonesia proposed further discussions on this issue at SC13.
537. WWF thanked EU for bringing the proposal forward, and recalled that Fiji was the lead proponent of the successful Mobula listing proposal put forward at CITES this year. WWF also noted that Japan made a statement at the CITES meeting that RFMOs were a more appropriate forum to manage species such as these.
538. Japan requested Dr Shelley Clarke to advise whether the data held on these species are adequate to support a detailed assessment, noting that if data are adequate to support assessment, those species are able to be designated for assessment only in accordance with WCPFC Process for Designating Key Shark Species for Data Provision and Assessment as agreed at TCC12. Japan recalled that TCC12 confirmed designation of key shark species for assessment only does not involve new reporting requirements.
539. Dr Shelley Clarke (Secretariat) replied that the process of designating a key shark species refers whether there are data to support detailed assessment – not a stock assessment. She noted there are several species already on WCPFC’s key shark species list that do not have sufficient detail to support a stock assessment but do have sufficient data to support an indicator assessment or other analyses. In her opinion there are sufficient data to support a detailed assessment of mobula and manta rays.
540. Later in the meeting EU, after consulting with CCMs that had expressed concerns, advised the Commission that most, if not all, the concerns could be accommodated. A revised version would be submitted. If no agreement was reached, EU would prepare some language for the report. On 9 December, EU brought a rev2 back to plenary for discussion. The retention ban had been deleted but the requirement for vessels to release the specimens caught by using the guidelines on safe release contained in Annex 1 was retained. EU noted the collection of data did not create additional burden.
541. Japan could not support the revised draft, relating to paragraph 1’s requirement to release specimens unharmed. Japan stated there had been no recommendation from SC to request the Commission to protect this species. Japan recognised that these species were important for some members for reasons other than fisheries, and Japan did not object to those members taking stricter action than required by

the Commission. However, that value was not necessarily shared by others, including Japan, so the question was only about whether or not there was a scientific justification for their protection. Japan hoped for a clear recommendation from SC so it could seriously consider supporting this proposal. Japan supported these species as key shark species, and collecting more data without imposing additional data burden, especially on developing countries.

542. USA noted that by listing them in Appendix II of CITES, the international community recognised mobula and manta rays were species deserving protection and additional management attention. This listing highlights that the Commission should look at how its fisheries interact with other species. USA was looking to work with EU on the proposal.
543. The Chair suggested there would not be agreement on the proposal at this meeting. EU would provide some agreed language to, among other things, ensure data could be collected in order to do the work the Commission needs for the future.
544. Japan clarified that its only problem with the proposal was the prompt release provision, and could support the other aspects. Chinese Taipei had the same concern and would join discussions with EU and Japan in the margins.
545. After those discussions had taken place and the matter was brought back to plenary, EU explained that with retention ban removed all that was left of substance was reporting and designation as a key shark species, which was not really enough for a CMM. In response to a query from PNG about the ROP elements, when the coverage rate problem is well known, EU explained that these species are mostly caught by purse-seiners.
546. Indonesia commented that it had mantas in its waters, and noted that there are many mobula species. Looking at the shark research plan, Indonesia asked if there were enough resources to conduct specific studies on these species.
547. The Chair noted that any CCM could put these issues on the subsidiary bodies' agendas.
548. Australia supported the language but noted that, regarding the language about observers, Australia had moved to an e-monitoring program for tuna fisheries in its EEZ.
549. Fiji supported the language but sought clarification that USA will be working on updating the safe release guidelines at SC13. USA confirmed that it would be.

550. WCPFC13 adopted the following:

1. CCMs shall record where possible, through observer programs, the number of discards and releases of Manta and Mobula rays with indication of species (to the best extent possible), length, sex, status (dead or alive) and location caught
2. Manta and Mobula rays shall be considered WCPFC key shark species for assessment and thus listed under the Shark Research Plan, noting that data gaps may preclude a traditional stock assessment approach.
3. SC13 shall review, as appropriate, a revision of the ROP minimum standards data fields and develop safe release guidelines for Manta and Mobula rays, with a view to their adoption by WCPFC14.

### *NC recommendation on blue sharks*

551. NC12 recommended that WCPFC13 decide if North Pacific blue shark should be designated as a northern stock, based on the available information from ISC, SPC and SC. The Chair noted that there was no recommendation from SC on this question. Consequently EU was hesitant to designate it as a northern stock. Japan noted that in 2016 a North Pacific blue shark stock assessment would be undertaken, which would give SC more information and allow it to consider the designation of the species as a northern stock.
552. SPREP made a statement about its strong commitment to sustainable development, including sustainable fisheries. Its interest in the marine realm is mainly bycatch of threatened and migratory species as well as marine debris. SPREP acknowledged Fiji's role in shark and ray protection through CMS and CITES in particular and EU and USA supported Pacific Island Countries on silky sharks, thresher sharks and mobulas – all listed on CITES Appendix II. SPREP supported the EU proposal on mobula rays, which it saw as an opportunity for the Commission to support decisions taken by CITES, an international organization to which many WCPFC members also belong. This would be a clear signal of the Commission's commitment to the sustainable use of wildlife. SPREP considered passing the issue to SC was no reason to defer discussion. The status of mobula rays had been discussed by the FAO Expert Panel and CITES and there was no need to reinvent the wheel. Regarding bycatch mitigation, SPREP recognised the role of SC and ROP reports, and Dr Shelley Clarke and the ABNJ project on turtle mitigation. SPREP noted comments at WCPFC13 about the low level of observer coverage and was encouraged by the rapid development of e-monitoring. SPREP hoped it would be actively consulted regarding mitigation of threatened species bycatch. Due to EU's financial support, SPREP expected to be able to provide a substantive contribution. SPREP noted that one third of trip reports this year mentioned fishing vessels flouting MARPOL by dumping non-degradable waste at sea. SPREP was on the front line of climate change and ocean acidification and noted the impacts of changing seawater on yellowfin tuna larvae. Given the changing chemistry of the oceans, SPREP hoped to see a conservative approach to the exploitation of fish stocks.

### **AGENDA ITEM 11 — ADOPTION OF REPORTS FROM SUBSIDIARY BODIES, INTERSESSIONAL WORKING GROUPS AND OTHER WORKSHOPS**

553. Taking the reports of the subsidiary bodies and intersessional working groups as read, the Commission considered recommendations coming from these bodies that had not been addressed under other agenda items. The Chair emphasised that adopting the reports also implied an adoption of the work plans within them. As they may have budgetary implications, FAC would also discuss them while completing its work in the margins of WCPFC13.

#### **11.1 SC12**

554. FFA members noted the number of small working groups that were established in the margins of SC12. While highly effective in progressing matters by allowing for more focussed engagement, these CCMs considered that managing twelve working groups was a significant feat, particularly for small delegations. FFA members did not seek to limit the informal small working group practice, they sought some appropriate rationalisation so all CCMs can participate in and monitor the outcomes from the groups. In addition, FFA members commented on the volume of papers and issues to consider each year was increasing, and called on the SC Chair and theme convenors to ensure appropriate restraints are placed on the submission of papers to ensure that they are prioritised and aligned with the work



tasked by the Commission. FFA members thanked the SC Chair, Ms. Berry Muller, for stepping in to fill the critical role of Chair at SC12 and nominated Dr. V. Chan (USA) as Data and Statistics Theme Convenor.

555. The Commission adopted the SC12 Summary Report (WCPFC13-2016-SC12), noting the recommendations with budgetary implications would be considered by FAC.

## 11.2 NC12

556. Extensive discussions on the NC12 report took place during discussions on Pacific bluefin tuna, at agenda item 9.5.

557. At the request of the Chair, late in the meeting FFA and EU presented draft language related to a request to the NC regarding Pacific bluefin tuna.

558. After discussions with capital, Japan was able to support the amended text. Chinese Taipei also supported it. While EU preferred there to have been a clear recommendation in the language, it accepted the text.

559. The NC Chair requested that the NC12 report include the outcomes of the extraordinary meeting and an insertion at the end of paragraph 26 that “At WCPFC13, Japan attached the Position Paper at Attachment G.”

560. WCPFC13 adopted the NC12 Summary Report (WCPFC13-2016-NC12).

561. However, in adopting the report, WCPFC13 requested the Northern Committee to take due account of the following suggestions in accordance with Annex 1 of the Rules of Procedure:

- a. That NC13 develop conservation and management measures for adoption at WCPFC14 to rebuild the stock to 20%  $SB_{F=0}$  levels at the latest by 2034;
- b. That NC13 develop an emergency rule to be adopted at WCPFC14 which stipulates specific rules all CCMs shall comply with when drastic drops in recruitment are detected. For this purpose, the ISC is requested to define a drastic recruitment drop and associated risks.

## 11.3 TCC12

562. Noting the reference paper listing the recommendations (WCPFC13-2016-23\_rev1), the Commission considered the TCC12 report, work plan and recommendations, aside from those related to the CDS-IWG and the ERandEM WG which were considered separately in the agenda.

563. USA noted that TCC12 made two recommendations relating to transshipment (paragraphs 273 and 274 of the TCC12 Summary Report) and supported the recommendations. However, USA considered that the transshipment aspect of the ROP should be further developed, taking what IATTC has done as a model. USA considered it an appropriate task for the IWG-ROP to consider.

564. The Chair noted that this would require the IWG-ROP to reconvene in 2017, and if the Commission agreed to do that, CCMs should consider whether that would be a physical meeting or an electronic meeting.

565. In response to a query about the proposed guidelines on circumstances where it is impracticable for certain vessels to tranship in port or in waters under national jurisdiction (paragraph 37 of CMM 2009-06) prepared by the Secretariat, the Chair confirmed that TCC12 did not put forward any recommendations related to those draft guidelines. However, the Chair emphasised that a lack of a decision from a subsidiary body does not preclude the Commission from taking one. It was noted that the request for the Secretariat to prepare draft guidelines had been completed.

566. RMI was asked to present a way forward if it could, and it was noted that the Commission had not taken decision on the USA proposal to reconvene the IWG-ROP to consider the recommendation related to transshipment and ROP program. This was subsequently taken up in the discussions at agenda item 9.6 and high seas transshipment controls is identified as an issue to be progressed as part of or alongside the Bridging measures.

567. In respect of TCC12 recommendation paragraph 201, the updated Standards, Specifications and Procedures for the Commission VMS were approved (**Attachment R**).

568. In respect of TCC12 recommendation paragraphs 275 and 448, the updated TCC Workplan 2016-2018 was approved (**Attachment S**).

569. The Commission adopted the TCC12 Summary Report (WCPFC13-2016-TCC12).

### 11.3.1 CDS-IWG

570. In the last two years work has accelerated on a WCPFC CDS, with agreement on objectives and much of the scope for a WCPFC CDS. Work on draft standards was one of two streams of work identified for 2015/2016, which was also the focus of the third meeting of the CDS-IWG which met on 16-17 September 2016 in Pohnpei. There were a number of recommendations in the CDS-IWG report (WCPFC-TCC12-2016-24\_rev1), including recommendation that FFA Secretariat lead the continued further development of CDS data standards..

571. EU did not object to the report, but flagged the difficulties it had with the process underway in the Commission: CCMs were creating their own IT traceability systems which could be extremely burdensome for CCMs as national IT environments will have to respond to WCPFC CDS requirements. This was a burdensome pathway, complicating trade flows. EU stated that because of the “phase in” described in the draft standards there was a risk that there will not, in the end, be a WCPFC CDS (because only CMMs meeting standards could use it) but a selective legal certificate possibly leading to two streams of product – certified and uncertified. This would lead to price differentiation, rather than achieving concrete results in combating IUU for a specific stock. EU noted it is both a market state and a fishing and processing party, and considered the standards would be difficult to comply with. The WCPFC CDS exercise was different to CDSs in other t-RFMOs. Unless it leads to an e-CDS platform like CCAMLR or ICCAT had developed, it would be difficult for the EU to commit to it in the future.

572. The Chair noted that WCPFC13-2016-29 prepared by the FFA Secretariat refers to the draft CDS standards and presented a way forward. The Commission agreed that the CDS-IWG would not meet in 2017.

573. The Commission adopted the Summary Report of CDS-IWG03 (WCPFC-TCC12-2016-24\_rev1), and noted the update from the FFA Secretariat on progressing the development of draft CDS standards (WCPFC13-2016-29).

574. The Commission noted that FAC had not allocated budget for a meeting of the CDS-IWG in 2017.

### 11.3.2 ERandEM WG

#### 11.3.2 *Proposal for ER data standards*

575. The updated proposal for e-reporting standards and the recommendations of the ERandEM WG were contained in WCPFC13-2016-28, specifically in Annex A. It was noted that there were two supporting documents that should be considered with WCPFC13-2016-28: WCPFC13-2016-28 Annex A Attachment 1\_rev1 provides the Electronic Reporting standards for Operational catch and effort data and WCPFC13-2016-28 Annex A Attachment 2 provides the Electronic Reporting standards for observer data.
576. EU could not support adopting the recommendations until its delegation had had discussions with SPC and the ERandEM WG Chair, Kerry Smith (Australia), about the documents presented. EU was confident its issues could be resolved with the addition of a reference to UN/CEFACT FLUX standards.
577. FFA members thanked the ERandEM WG Chair for her leadership and Peter Williams (SPC) for his efforts in accommodating late-submitted proposed changes to Annex A Attachment 1 and Annex A Attachment 2. These CCMs supported the adoption of the proposed e-reporting standards and noted that many members have, or are implementing, e-reporting. Regional standards were needed to ensure consistency and data quality.
578. In reference to Annex A Attachment 2 of the draft standards, Japan noted that it was starting to submit observer data electronically with its own standard and formats. If a new standard was agreed Japan would take time for changes to its system. This CCM asked for clarification that paragraph 3 of draft Electronic Reporting SSPs (WCPFC13-2016-28 Annex A) covers such concerns of members using their own format and standards. The ERandEM WG Chair acknowledged that countries would need some time to comply with the standards.
579. The ERandEM WG Chair noted that a range of countries are looking at e-reporting to support their decision making and meeting their obligations to Commission, and the data standards represent a first step. It was noted that the standards do not make e-reporting mandatory, they are not set in stone and the SSPs will be updated as matters progress. Paragraph 3 of the draft e-reporting standards acknowledges that countries will be working to e-reporting implementation using these standards and other forms of electronically reported data and, as appropriate, hard copy formats, will continue to be acceptable forms of reporting until decided otherwise by the Commission.
580. The ERandEM WG Chair was thanked for moving this important work forward.
581. On 9 December, the discussion resumed with Japan joining the consensus and EU noting its support for adoption on the trust that it will be modified with the inclusion of the language on international standards. The Commission adopted the draft e-reporting standards consisting of Annex A and Annex A, Attachment 1\_rev1 E-reporting Standard Data Fields Operational Logsheet Data. Annex A, Attachment 2 on E-reporting observer data standards was not agreed.
582. While the ERandEM WG report included a recommendation that another meeting of the group be held in 2017, CCMs were not of the view that the ERandEM WG needed to reconvene in 2017. The Chair noted that one option was to ask the Secretariat to progress the issue with those members (Japan

and Chinese Taipei) who expressed some concern with Attachment 2 of the draft standards and report to TCC13.

583. The Commission adopted the Summary Report of the ERandEM Working Group second meeting (WCPFC-TCC12-2016-17) and noted the update on progressing the development of draft standards, specifications and procedures for Electronic Reporting (WCPFC13-2016-28).
584. The Commission adopted the standards, specifications and procedures for Electronic Reporting, which presently include E-reporting standards for operational catch and effort data (**Attachment T**).
585. The draft E-reporting standards for observer data, high seas pocket reporting and reporting in the event of VMS malfunction should continue to be revised based on comments provided by CCMs in 2017.
586. The Commission supported TCC12 recommendation (TCC12 paragraph 330) that the ERandEMWG continue its work under the same terms of reference for another two years.
587. The Commission noted that FAC had allocated a budget for a meeting of the ERandEMWG in 2017, but agreed that a budget for a formal meeting of the ERandEMWG in 2017 was not necessary.

#### **11.4 FADMgmtOptions–IWG**

588. The Commission considered the recommendations of the FADMgmtOptions-IWG in reference paper WCPFC13-2016-32, including a recommendation that a formal meeting of the FADMgmtOptions-IWG is not envisaged in during 2017. The full report is provided as WCPFC13-2016- FADMgmentOptions-IWG-02\_rev2.
589. EU considered the work of the group to be important and thanked the FADMgmtOptions-IWG Chair, Brian Kumasi (PNG) for his work moving the issues forward. EU expressed disappointment that the working group was not proposed to reconvene in 2017 but hoped that the work would continue, including on data collection, FAD marking and management options. This CCM considered it important to coordinate with other t-RFMOs, and noted that the IATTC ad hoc Working Group on FADs recently invited other t-RFMOs to convene a joint meeting which EU hoped WCPFC would attend. EU had some concerns with the research plan: the meeting in Pohnpei in September 2016 had identified five main areas of research. FAD design had been one of the research areas but it was not supported as high priority, which EU had favoured because it would have looked at biodegradable and non-entangling designs to reduce bycatch and impacts on the ecosystem, pollution and marine debris. Organisations in other fora were also conducting similar research, for example on acoustic FADs, and there would be advantages in coordinating. EU wanted this kind of research included in the research supported by the Commission.
590. The FADMgmtOptions-IWG Chair thanked the CCMs which met for the working group at the end of TCC, noting that not all interested parties were present so some recommendations were not to the liking of some CCMs. The Consultant’s Report on marking and monitoring, and cost implications, were the focus of discussions on research priorities. Noting that six out of the seven terms of reference were completed, the FADMgmtOptions-IWG Chair observed that FAD-related work could continue through the subcommittees, for example data collection through the TCC work program and research through the SC work program.
591. Japan expressed its desire to continue to work with other members on what was for Japan the most concerning area of FAD management – reducing bycatch of juvenile fish, especially bigeye tuna. In

relation to this topic Japan sought TCC's consideration of a practical implementation of definition of FADs noting several vessels were alleged to violate prohibition of setting on FADs due to possible strict implementation of the definition.

592. FFA member CCMs did not support the proposal for a joint t-RFMO FAD working group. The FADMgmtOptions-IWG has already achieved most of what it was designed to stimulate, with research activities ongoing. 85% of the FAD sets reported in this region take place in the national jurisdictions of FFA members, and trials of a range of FAD management measures are ongoing under the PNA umbrella. In 2017 FFA members wanted to focus on developing the bridging CMMs for the major tuna stocks without distractions. These CCMs advised that when trials and research activities have results to disseminate, they will do so.
593. EU could not understand the rationale for not wanting WCPFC to attend a meeting of all the t-RFMOs to discuss FADs and considered there was a lot to gain by hearing other experiences, different management methods, other research, and bringing forward best practices. EU did not see that there was any negative effect of attending such a meeting and marked its strong support for attending.
594. USA and Japan agreed, noting that it was a useful way to collaborate at a small cost and the majority of global FAD operations took place in the WCPO.
595. Korea also supported WCPFC's participation in the t-RFMO meeting and aligned itself with EU, USA and Japan, considering there may be much to gain from such a workshop. Korea noted that FFA members may think it did not gain much from the Kobe process, but each time a stock assessment is presented, the plot which is used to describe the data is gained from the Kobe process.
596. FFA members wanted to develop high standards of FAD management in the tropical WCPO area, and suspected that a global dialogue would result in lower standards that will assist FAD-dependent distant-water fishing fleets to maintain a competitive advantage at the expense of bigeye and bycatch stocks. FFA members considered that the Kobe process did not work in the interests of FFA members and were loathe to engage in it further. It started as a collaborative process to share experiences and lift standards and went to a process of lowest common denominators, providing a forum for countries to push measures that had been rejected in WCPFC.
597. On behalf of The Pew Charitable Trusts, SFP, American Tunaboat Association, ISSF, Greenpeace, WWF, PEW urged the Commission to establish mechanisms that assure timely and updated reporting of data on FADs, including on the activities of purse seine support vessels. The FADMgmtOptions-IWG's terms of reference specified recommending a way forward on management options for FADs. These observers believed this work is incomplete. If the FADMgmtOptions-IWG is not to meet in 2017, it was important for the Commission to establish a clear process to ensure a continued focus in 2017 on improving management of the FAD fishery including substantive outcomes such as developing options that directly manage bigeye tuna in the FAD fishery. These observers stated that developing a more comprehensive approach to managing FADs should be a clear priority of the Commission. They also encouraged WCPFC to attend the joint RFMO working group on FAD management.
598. The Chair suggested the Commission adopt the report on the understanding that work will continue in the subsidiary bodies.
599. EU noted that the research plan was settled but regretted FAD design was not supported in it. EU did not agree to the priorities as they were formulated.

600. The FADMgmtOptions-IWG Chair noted that the research activities were shared with SPC as part of the discussions about research priorities, to determine whether they were practical. SPC also looked at cost. It was noted that the subcommittees would continue to discuss the issue then WCPFC14 can decide how to progress.

601. The Commission adopted the Report of the second meeting of the FADMgmtOptions-IWG (WCPFC13-2016-FADMgmtOptions-IWG02\_rev2), and agreed that the outcomes therein should be further considered at SC13 and TCC13.

602. The Commission could not reach consensus on WCPFC attendance at the t-RFMOs meeting on FADs coordinated by ICCAT in 2016. Consequently the WCPFC Executive Director would not participate in that discussion.

603. The Commission noted the invitation from ICCAT related to the 2017 FAD-IWG Joint tuna RFMO meeting (WCPFC13-2016-35). The Secretariat was tasked to convey WCPFC's regrets to the ICCAT Secretariat.

## **AGENDA ITEM 12 — ADOPTION OF FINAL COMPLIANCE MONITORING REPORT**

604. The reference paper summarising the additional information submitted by CCMs as a reply to TCC12 provisional CMR was WCPFC13-2016-30.

605. On 9<sup>th</sup> December, the TCC Chair, Alexa Cole (USA) reported that the CMR informal small working group had completed its work on the final CMR after a number of sessions during WCPFC13. The group had been able to complete assessment on almost all of the obligations. There were seven obligations where this was not possible and these were noted in the report. The TCC Chair recommended that further discussion would not progress the assessments and they should remain not assessed. Significant concerns were expressed by the working group with how the final CMR review was conducted at WCPFC13, noting the large number of working groups which were progressing Commission work in the margins, some of which were concurrent. It also difficult to conduct the review in such a piecemeal fashion. The working group put forward a recommendation that the work to review and evaluate the CMR be done in a standalone session and that the work be chaired by whoever is the TCC Chair at the time, and that the WCPFC Compliance Manager and Assistant Compliance Manager also attend, with assistance of the Scientific Service Provider.

606. The Chair agreed that the current process for finalising the CMR was not ideal and further consideration was needed. Options included adding an additional day, ahead of the Commission meeting, taking the view that the Commission would benefit from the compliance assessments being completed before the fishery managers met. The Chair noted that the measure clearly states who is responsible for preparing the final CMR – the Commission, not TCC – so an amendment or at least explicit acknowledgement was needed to implement the TCC Chair's recommendation.

607. EU proposed a dedicated day for the working group to do this complex and lengthy work.

608. A long discussion ensued as to how to constitute the working group ahead of the Commission meeting, given the Rules of Procedure. Under one option, the first day of the Commission meeting would be dedicated to analysis of the CMR; it would formally be a Commission meeting to be in compliance with the measure but in practice it would be run by the TCC Chair.

609. USA and Australia supported the proposal, with Australia agreeing that the number and concurrence of informal small working groups was unfortunate. Dealing with the additional compliance information early and finalising the CMR would free delegations up to focus on the rest of the Commission agenda.
610. The Executive Director noted that Commission meetings have formal openings before going into the scheduled agenda. Under this proposal, the Commission would work on the provisional CMR straight after the formal opening.
611. Queries about whether the Commission meeting could formally open but without the ceremonies, to ensure the Commission was officially constituted and whether the Commission could make the CMR working group meeting a special session of TCC were put to the Legal Advisor, who explained that the session of the Commission commences at the opening of that session; it can't commence prior to the formal opening but the formal opening could be delayed by a day. The Commission would then convene as a session that looks at the CMR, after which the official opening would take place. The Legal Advisor suggested this might be preferable to trying to have a special session. In addition, it would have to be a special session of WCPFC13 not WCPFC14.
612. Another option put by the Chair was that the FAC and the HOD could convene on the Saturday, opening the Commission. On Sunday the CMR review could commence. On Monday the formalities could be undertaken.
613. RMI could not agree to amend the measure to have a meeting if it complicates the Commission meeting. This CCM preferred the status quo, noting the other arrangements suggested were messy and not provided for in the CMS measure.
614. Seeking a pragmatic solution, EU suggested that there simply be no concurrent meetings while the CMR work is undertaken.
615. No agreement was reached and the Chair noted that the discussion could not profitably go further and closed the agenda item.

616. The Commission accepted the Final Compliance Monitoring Report ( <b>Attachment U</b> ).
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### ***Consideration of new deadlines for Annual Report Part 1 and Annual Report Part 2***

617. A discussion took place on the issue of deadlines for the Annual Reports Part 1 and 2 required by the Commission. Currently the Annual Report Part 1 is due 30 days prior to the annual SC meeting and the Annual Report Part 2 is due on 1 July each year. Moving the dates forward would positively affect the Secretariat's development of the draft CMR. 16 June for both annual reports was the date recommended by the TCC Chair.
618. Indonesia stated that it would have difficulties meeting an earlier deadline, noting that its catch estimates are only become available in mid-June, after which Indonesia begins the development of the Annual Report Part 1. Indonesia proposed 6 July.
619. Japan supported Annual Report Part 1 being moved to 1 July with the Annual Report Part 2, but suggested that for Indonesia a footnote exemption could give it an extended deadline of 7 July.
620. Vietnam noted it had the same difficulty as Indonesia and asked to be similarly considered.

621. New Zealand noted that an extended date does not help the Secretariat and suggested retaining the status quo if an earlier date could not be agreed.
622. Australia recalled discussions last year about the amount of processing time the Secretariat needed to prepare the draft CMR, and noted the need to give the Secretariat as much time as possible. This CCM was reluctant to support exemptions and extensions as this would not help in the long run.
623. The Chair considered footnotes to be problematic and suggested continuing with the current deadlines.
624. In respect of TCC12 recommendation paragraph 27, WCPFC13 discussed and agreed to maintain the due dates for Annual Report Part 1 and Annual Report Part 2 in 2017.

### AGENDA ITEM 13 — ADOPTION OF WCPFC IUU VESSEL LIST

625. Adoption of the 2017 WCPFC IUU Vessel List took place under agenda item 6. The 2017 WCPFC IUU Vessel List is attached at **Attachment L**.

### AGENDA ITEM 14 — REPORT OF THE TENTH FINANCE AND ADMINISTRATION COMMITTEE

#### 14.1 Report of the Tenth Finance and Administration Committee (FAC10)

626. The Commission considered the report of FAC10 (WCPFC13-2016-FAC10). The FAC Co-Chair Paul Callaghan (USA) thanked those CCMs that participated in the FAC sessions on 4, 7, 8 and 9 December 2016, some of which went late into the night, and Secretariat staff for their strong support of those sessions. Main recommendations included: the transfer of \$100,000 from the Cooperating Non-Members Fund to the SRF to support the SRF for 2017 and the establishment of a virtual intersessional working group to review the current guidelines for the SRF; the conduct of a performance-based salary review for the Executive Director; a 2% increase for professional staff including the Executive Director; and interim support for establishing an E-reporting and E-monitoring technical coordinator position.
627. Japan noted that FAC10 did not reach consensus on funding for “Skipjack impacts on the margins of the Convention Area” with only one CCM strongly supporting its inclusion in the budget – Japan. Japan reported that it would implement the project itself in 2017 and so was able to join the consensus to remove the budget of the project from the Commission’s budget. Japan would report back to the Commission, perhaps at SC13.
628. EU suggested that there might be areas where economies can be realised rather than spending hours in budget meetings trying square the circle of growing demands and limited resources. This CCM suggested a performance review could be beneficial.

629. The Commission adopted the Report of the Tenth Session of the FAC (WCPFC13-2016-FAC10) (**Attachment V**), including the eventual 2017 budget of USD \$7,774,392 and indicative budgets for 2018 and 2019 of USD 8,174,205 and USD 8,201,857 respectively (**Attachment W**).



## AGENDA ITEM 15 — ADMINISTRATIVE MATTERS

### 15.1 Strategic Plan

630. The Commission considered the draft Strategic Plan for the Commission and Commission Secretariat. The Executive Director introduced it and offered some context around it. In 2010, six years after coming into existence, the Commission adopted a strategic plan. It was a three-year planning document, to 2013. WCPFC10 did not adopt the successor put forward by the Secretariat. The Commission considered that the lapsing Strategic Plan had not provided strategic guidance to the Commission, being more like a short term business plan and a consolidation of the SC and TCC work plans. There was a concern that it was a Secretariat-driven plan, with members lacking ownership and stakeholders not really contributing to its development. The Executive Director then made the Strategic Plan a priority and put a paper to WCPFC12 for a process to develop a more appropriate draft. That process was approved and is attached to WCPFC13-2016-31. The process was open and participatory, an independent facilitator helped develop the new draft plan and a workshop for members was held. The Executive Director explained that the Convention would remain the foundational document of the Commission. The Strategic Plan would set strategic directions over 10 years, prioritize priorities, guide the allocation of Commission resources and leverage the sourcing of additional resources. It would be supported by a shorter term Corporate Plan, to operationalise the Strategic Plan. The work plans of the SC and TCC and other subsidiary bodies would be required to strongly align with the Strategic Plan. From the Secretariat's perspective, such a corporate document would help them pursue additional resources from the many funding sources available.
631. With agreement to engage an independent facilitator, the Secretariat had tendered a consultancy. The Consensus Building Institute won the consultancy and collated the initial data and material. The high level strategic goals outlined in the draft Strategic Plan prepared by the consultancy were:
- Adopt and implement harvest strategies and other tools to conserve and sustainably utilize fish stocks and manage interactions with the environment
  - Enhance compliance with conservation and management measures
  - Implement ecosystem-based management
  - Strengthen capacity of developing states, in particular small island developing states and territories, to manage and develop their tuna fisheries, and
  - Enhance Commission operations by deploying best available data and science and by enhancing transparency of Commission governance and operations.
632. EU welcomed the exercise, but noted that the difficult issues for the Commission are not addressed in the Strategic Plan. While all the goals were in line with the Convention, and noting the common goal of sustainable management of Western and Central Pacific fisheries, EU considered that it was not drafted in a way which was going to solve the Commission's problems – with alternative managing measures adopted by subregional organisations and no real dialogue.
633. Japan also considered it a good exercise, but stressed that in future work on the Strategic Plan, anything beyond the Convention text would not be supported by Japan. This CCM suggested that plan was a living document.

634. FFA members outlined their views on the Strategic Plan in WCPFC13-2016-DP18: the process did not cater well to SIDS interests; the Strategic Plan must identify the highest priority elements of the Convention and help implement them; the current draft did not represent a viable way forward due to major policy differences that cannot be reconciled within a consensus set of priorities in the short term. FFA members were committed to working on a Strategic Plan and a Corporate Plan to guide and prioritise the work and resources of the Secretariat. These CCMs suggested instead of trying to agree on the current draft, WCPFC13 should identify a small number of agreeable strategic priorities that would comprise a Corporate Plan. The high priority strategic issues that FFA members wanted the Commission to focus on over the 10 years are: the protection of SIDS' rights and interests, including through levelling the playing field through more effective implementation of Article 8; putting Harvest Strategies in place for all key tuna stocks or fisheries, which would help solve some of the Commission's decision-making problems; improve the efficiency of CCM participation in WCPFC, including improving the ability of CCMs to comply with Commission obligations; the continual improvement in scientific advice based on enhanced fisheries-dependent data and fisheries independent research.
635. The Chair noted that the Commission was not in agreement to adopt the draft Strategic Plan, and the Commission discussed what decisions or process should flow from WCPFC13. As it was a living document, one CCM observed that it did not need to be adopted.
636. Australia agreed the plan needed more work, and indicated its support for whatever process was established. This CCM considered the FFA high priority strategic issues to be worthwhile. Australia reminded the Commission that the world is changing and the context in which fisheries management takes place needs to be taken into account – this included work in other fora which was important in planning the work of WCPFC.
637. The draft was not as detailed as USA had hoped for, and was missing issues USA had raised in its comments, such as capacity management. While not supportive of adoption of the presented version, USA acknowledged the importance of trying to develop a Strategic Plan for the Commission, to give members and the Secretariat clear guidance. USA recommended that work to further develop the Strategic Plan should be done by CCMs, not consultants, and was willing to contribute significantly to try and progress it over the next year with CCMs and the Secretariat.
638. The Chair and the Executive Director noted the partial acceptance by the Commission of the work done so far and that it should be done by CCMs and the Secretariat going forward. It was confirmed that no resources were presently dedicated to this work for forward years. The Commission decided to move ahead mostly electronically and if a more advanced product came of it, WCPFC14 could consider it.

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| <p>639. The Commission noted the draft Strategic Plan prepared by Consensus Building Institute (WCPFC13-2016-31).</p> <p>640. The Commission acknowledged progress on the draft Strategic Plan and tasked the Secretariat to work with interested CCMs and Observers to further refine the draft Strategic Plan and to initiate development of the Corporate Plan.</p> |
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## 15.2 Participation of Observers

641. The Commission Legal Advisor (Dr Penny Ridings) presented a discussion paper on the participation of observers in meetings and activities of the Commission (WCPFC13-2016-33), as requested by WCPFC12. The paper outlined the increase in the number of WCPFC observers and the

numbers of attendees at WCPFC meetings. In comparison with other t-RFMOs with a comparable number of observers, there was significantly higher number of NGO participants attending WCPFC Commission meetings. The Legal Advisor noted that while it would not be consistent with the Convention's promotion of transparency to restrict the accreditation of observers or limit further their participation at WCPFC, concerns had been expressed about the number of attendees at meetings, due to the additional costs on the Secretariat and hosts of Commission meetings. Both IATTC and ICCAT set a fee for observer participation, and IOTC can under its Rules of Procedure. There are different methods for determining the level of any observer participation fee but the Secretariat suggested that if the Commission decides to establish a participation fee for Commission meetings, the approach in other tuna RFMOs should be adopted whereby the Executive Director sets a reasonable fee for observers participation. The Secretariat invited the Commission to consider whether any fee should be applied to NGO observers, but not to intergovernmental or non-parties including CNMs. WCPFC12 and TCC12 requested that the paper consider the issue of transparency, in particular access to meeting information and non-public domain data. The Legal Advisor noted that consideration of the draft CMR occurs in a closed working group session at TCC, based on the WCPFC's data confidentiality rules and the fact that some CCMs had not agreed to have non-public domain data presented in open session. It was suggested that the Commission could consider the participation in closed sessions of IGO and NGO representatives subject to their meeting the WCPFC's data protection rules, including maintaining the confidentiality of the discussions, not using the information provided for any other purpose, and not commenting publicly on any information obtained through access to the meetings. Sanctions for non-compliance with the requirements could be imposed. Para. 59 of the paper, sub-points A-F, set out guidelines that could be adopted along these lines.

642. EU noted that it has long supported the inclusion of observers in all aspects of the Commission's work as they are valuable to the discussions, stating that WCPFC is the only t-RFMO that excludes observers from its compliance process. This CCM took the position that observers should be allowed to participate in the process, and transparency should not be conditional on fees being paid. However, EU acknowledged observers represent a cost to the Commission in requiring bigger venues and other costs so they should contribute.
643. Japan also supported the idea of observers paying a fee to participate, noting that other RFMOs have started the practice and currently the Commission picks up these extra costs. The fee should not be high but should cover the costs. Japan and USA felt the Executive Director could come up with an appropriate figure, taking into account the fees set by other organisations. USA also noted the importance of observer participation to transparency and their contribution to the successful work of RFMOs.
644. The Chair noted that the issue of NGO participation in the draft CMR sessions at TCC had been under discussion for some years and TCC spends time each year trying to determine whether they should be included. There were mixed views this year, and the fourth recommendation in WCPFC13-2016-33 sought to address this particular issue in the hope that it could be resolved.
645. Japan considered it useful for NGOs to attend the compliance session and, based on experiences at other RFMOs, noted that NGOs can provide information on possible non-compliance of members. Japan works with them on these issues. The proposed guidelines in paragraph 59 addressed confidentiality of information and Japan supported their development to address members' concerns while allowing access to the CMR session for NGOs.
646. The Chair noted that the *Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission* (the data rules) already include confidentiality arrangements. If

agreement could be reached at WCPFC13, the Secretariat would develop the guidelines intersessionally.

647. USA took the view that a general presumption of access and transparency was the best policy, including for TCC, noting that this presumption applies in other organisations and has worked well. This CCM noted that there are circumstances in which confidential information needs to be discussed. Guidelines would allow the Chair to decide to discuss issues in closed session; they should not focus strictly on the TCC draft CMR discussions.
648. EU agreed with all the points in paragraph 59 and suggested formalising them, noting that observers would also have to agree with the guidelines. EU hoped it would not take another year to adopt them and suggested for the process to be finalised intersessionally, so that observers could be allowed to participate to next meetings.
649. Australia was concerned that any new guidelines do not get confused with the existing provisions under paragraph 30 of the data rules about non-public domain data. Those procedures should be taken into account when preparing the guidelines. Australia commented that guidelines enabling broader observer participation should not need to wait for WCPFC14 to adopt them.
650. International Environmental Law Project (IELP) made an intervention on behalf of the IELP, American Tuna Boat Owners Association, BirdLife, Conservation International, Greenpeace, International Seafood Sustainability Foundation, PEW, SFP, and WWF. It was noted that observers provide substantial on-the-ground support through technical workshops and purchase of equipment, and technical expertise to CCMs. As such they are integral to the implementation of the Commission's mandate. These observers did not object to reasonable fees for participation in annual Commission meetings (not TCC or SC, as NGO participation in these meetings is low) but wanted to ensure that NGOs from Pacific Island developing states are not disproportionately burdened. It was suggested that the first two representatives from any observer organization participate without paying a fee, with each additional representative charged a reasonable fee based on the incremental cost of observer participation. These observers did not believe that additional fees are warranted for participation in meetings of the Technical and Compliance Committee and the Scientific Committee. Consistent with Article 21 of the Convention, these observers took the view that NGOs should be allowed to participate fully in TCC meetings, including the CMR sessions; other RFMOs and multilateral environmental agreements allow NGO observers to do so. It would be best practice. To participate meaningfully in CMS discussions observers would need access to material including the draft CMR and other non-public domain information. These observers were not convinced of the need for a non-disclosure agreement, as the data rules cover confidentiality of CMR-related information but would do so if needed to gain the trust of CCMs and access to TCC discussions. If the Commission contemplates sanctions against observers for violations of the confidentiality rules, these observers felt the Commission should then establish a process for evaluating alleged breaches, to ensure fairness and transparency.
651. Noting that the Commission data rules are more limiting than those what is laid out in paragraph 59, USA noted that the definition of 'documentation' in sub-point c was unclear – in receiving the draft CMR, members are subject to the terms of the data rules. USA would be concerned if it were that material that is referred to in sub-point c.
652. The Legal Advisor responded that the suggested guidelines in paragraph 59 were intended to be consistent with the data rules and the Secretariat would ensure the guidelines met the data rules. The Legal Advisor noted that the decision to open a meeting would be an acceptance that the data provided would be able to be seen by others in that meeting.

653. Fiji supported moving things forward, recognising that the Commission benefited from NGOs. Fiji wondered why no requests by observers for non-public domain data had been made and whether it was due to the difficulty of the process. If so, Fiji would not support having open sessions. This CCM asked what else needed to be in place before observers were allowed into closed sessions and what implications would accrue to observers if they that divulge information after signing the non-disclosure agreement. This CCM reminded delegates that draft CMR closed sessions handle information in its raw form, some of which are not cleared until the subsequent Commission meeting, and noted that if this information is released, damage to a member's reputation could be irreversible.
654. USA offered to work with interested parties intersessionally, using WCPFC13-2016-33 as a basis. Australia and Fiji indicated they would work with USA on the guidelines. Fiji also suggested an additional paragraph that participants would need to be invited, and they would qualify for this invitation by having helped CCMs, as this signalled genuine interest. However, this was not taken up by the Commission.

655. The Commission recognized Article 21 of the WCPFC Convention, which provides for the Commission to promote transparency in its decision-making processes and other activities.
656. The Commission agreed that observers from non-governmental organizations will be required to pay a reasonable fee for participation at meetings of the Commission to contribute to the additional expenses generated by their participation, as determined annually by the Executive Director taking into account international practice.
657. The Commission agreed that the fee would be charged on registration and would be charged only for participation at Commission meetings, unless otherwise decided by the Commission.
658. The Commission agreed to develop and adopt intersessionally in time for use at TCC13 guidelines to enable the participation of NGO observers at closed meetings of the Commission and its subsidiary bodies under conditions which would ensure the confidentiality and non-disclosure of any information learned as a result of that participation, and sanctions for failure to comply with the rules and procedures relating to participation.

### **15.3 Memoranda of Cooperation with CCSBT**

659. The Commission considered two proposed draft Memoranda of Cooperation (MoC) with the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), on: exchange and release of data; and endorsement of WCPFC ROP observers for observing transshipments of southern bluefin tuna on the high seas of the WCPFC Convention Area. The WCPFC Compliance Manager noted that both MoC had been endorsed by CCSBT and were tabled at TCC12, which supported them being forwarded to the Commission for consideration.
660. Japan requested that the square brackets around “at least” be removed from the draft conditions for the exchange of data. Subsequently, Japan, Korea and Chinese Taipei supported the adoption of the MoC between the two RFMOs, citing their participation in CCSBT. Korea observed that the MoC could be mutually beneficial for both organisations as CCSBT moves towards quantifying all sources of mortality and as WCPFC moves towards harvest control rules.
661. FFA members supported the proposed MoC with CCSBT to exchange and release data, with the key requirement that WCPFC data is handled in accordance with the Commission's data rules.

662. Regarding the MoC on endorsement of WCPFC ROP observers, FFA members noted that WCPFC ROP observers to be CCSBT-endorsed would need training on CCSBT data and information requirements and sought clarification about the related costs, and who would provide and pay for the training. FFA members and PNG, as an observer provider, which operates a cost recovery model, noted that with additional skills and responsibilities, remuneration for ROP observers would need to increase.

663. The WCPFC Compliance Manager responded that there was no formal arrangement within the MoC for how training would occur and referred the Commission to paragraph 7 of the MoC. This provides for the Secretariats to assist in training WCPFC ROP observers to meet requirements for endorsement by the CCSBT. It was explained that if ROP observer providers wanted their observers to be endorsed they could signal that training assistance and/or support for other related costs was needed prior to opting in – CCSBT-endorsement was not intended to be mandatory for all ROP observers involved in WCPFC transshipments and might be done on a needs basis.

664. The Commission agreed that the Memorandum of Cooperation on the Exchange and Release of Data with CCSBT should be signed (**Attachment X**).

665. The Commission agreed that the Memorandum of Cooperation on the Endorsement of WCPFC ROP Observers for Observing Transshipments of Southern Bluefin Tuna on the High Seas of the WCPFC Convention Area with CCSBT should be signed (**Attachment Y**).

## 15.4 Research projects

### 15.4.1 ABNJ Project

666. A report prepared by the Food and Agriculture Organization of the United Nations (FAO) is available at WCPFC13-2016-37 and provided an update to the Commission on progress of the project *Sustainable management of tuna fisheries and biodiversity conservation in the ABNJ*.

### 15.4.2 WPEA Project

667. A report prepared by Indonesia, Philippines and Vietnam and the Secretariat is available at WCPFC13-2016-36 and provided an update on the project *Sustainable Management of Highly Migratory Fish Stocks in the West Pacific and East Asian Seas* (WPEA project).

668. The Commission noted the updates on the ABNJ project (WCPFC13-2016-37) and WPEA project (WCPFC13-2016-36).

## 15.5 Election of officers

669. The Commission made a number of appointments to Commission positions:

- a. Rhea Moss-Christian (RMI) was appointed to continue as Commission Chair;
- b. Jung-re Kim (Korea) was appointed as the new Commission Vice-Chair;
- c. Berry Muller (RMI) was appointed to continue as SC Chair, and was thanked for taking on the role intersessionally and for chairing SC12;

- d. Masanori Miyahara (Japan) was appointed to continue as NC Chair;
- e. Michael Tosatto (USA) was appointed to continue as NC Vice-Chair;
- f. Alexa Cole (USA) was appointed to continue as TCC Chair;
- g. Monte Depaune (Nauru) was appointed as the new TCC Vice-Chair;
- h. Magele Eteuati Ropeti (Samoa) was appointed the new FAC Co-Chair on the first day of WCPFC13 to ensure the continuation of the co-chairing arrangement and the efficient progression of FAC work in the margins of the meeting.

## 15.6 Future meetings

670. The Commission agreed that:

- SC13 would be held from 9-17 August 2017 in Rarotonga, Cook Islands;
- NC13 would be held from 28 August – 1 September 2017 in Korea, with the venue to be confirmed;
- TCC13 would be held from 27 September – 3 October 2017 in Pohnpei, FSM;
- WCPFC14 would be held from 4-8 December 2017 in the Philippines, with the venue to be confirmed;
- FAC11 would be held immediately prior to WCPFC14.

### AGENDA ITEM 16 — OTHER MATTERS

671. On 8 December, the Chair announced that UNGA had announced that 2 May is World Tuna Day and noted PNA efforts to have this established.

672. RMI flagged that it would be raising the issue of marine debris and pollution at future meetings, with a draft measure to be submitted to WCPFC14 through SC13 and TCC13. EU thanked RMI for continuing to push marine debris and pollution work. This CCM considered these issues to be central components of ocean governance to be addressed as a priority.

673. The Commission noted RMIs intention to progress a proposal for a WCPFC response related to addressing the issue of marine debris.

### AGENDA ITEM 17 — SUMMARY REPORT OF THE WCPFC13

674. The Secretariat advised that a final draft of the WCPFC13 Outcomes Document (WCPFC13-2016-outcomes) containing the decisions taken at WCPFC13 would be available on the Commission website within two weeks. The Commission would clear the meeting Summary Report intersessionally, as per past practice.

## **AGENDA ITEM 18 — CLOSE OF MEETING**

675. The Chair thanked the government of the Republic of Fiji for the meeting arrangements and thanked the Fijian Minister for Fisheries for his indulgence and hospitality for delaying the closing dinner to enable the Commission to finish its work. The Chair observed that it had been a successful meeting. The level of commitment was very high. This was especially evident in the drafting and working groups, some of which went late into the night. The Chair recalled that she had asked delegations to consider the value of incremental steps – these small steps remain critical to achieving the Commission’s objectives. The Chair thanked members and delegates for their cooperation, noting that through the outcomes of WCPFC13 the Commission had tasked itself with future work to continue strengthening WCPFC’s systems and Conservation and Management Measures. The Chair thanked the excellent job the Secretariat staff had done during an intense and high pressure meeting, and the rapporteur, Dr Jane Broweleit, for preparing the meeting reports that were the Commission’s ‘memory’.
676. The meeting closed at 8:30 pm on Friday 9 December 2016.



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**Western and  
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Fisheries  
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**Thirteenth Regular Session of the Commission (WCPFC13)  
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The Commission for the Conservation and Management of Highly Migratory Fish  
Stocks in the Western and Central Pacific Ocean  
13<sup>th</sup> Regular Session

05 – 09 December, 2016  
Sheraton Fiji Resort, Denarau  
Nadi, Fiji

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Welcome Address

by

Hon. Osea Naiqamu  
Minister for Forests  
Government of Fiji

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The Chairlady of the Western and Central Pacific Fisheries Commission, Mrs Rhea Moss-Christian; The Executive Director, Mr. Feleti Teo; The Honourable Ministers; Your Excellencies; Distinguished delegates; Ladies and Gentlemen.

*Bula vinaka, **Talofa, Mauri, Namaste, Mālō 'etau lava, and** Noa'ia.*

It is with great honour and pleasure that I warmly welcome each of you on behalf of the Government of Fiji and its people to the 13<sup>th</sup> Regular Session of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. It is with both our sincerest delight and gratitude that Fiji hosts this premier meeting at the Sheraton Denarau.

We extend a warm welcome to everyone – those from within the Pacific as well as those who have travelled far to come to our sunlit shores: the distinguished delegates, support staff, the Secretariats, non-Governmental organisations, Civil Society Organisations, Inter-governmental Organisations, Media, Academia, and Observers.

For a number of you, Fiji is familiar shores. As for those who are here for the first time, we hope that you find that Fiji is a home away from home and that our God-kissed nation embraces you wholly.

We recognise and appreciate the primacy of this Commission and its renowned stature, made so by the strong-willed and erudite philosophies and performances of its membership, that has grown over the years as one of **the world's leading** Regional Fisheries Management Organisations, if not the most. Fiji has been, and will continue to be committed to and involved in the activities and processes of this Commission.

We will have before us this week, a number of very important issues to deliberate on, and so, I am inclined to remind us of the need for strengthened cooperation in order to meet the various objectives set out in the Convention that binds us all.



We come from our various homelands representing our own people and I respect the need for members to uphold, or strengthen their respective national interests. With this said, I acknowledge the fact that this will present us with certain tests this week. But I view this as a 'positive **test of strength**' and with the firm belief that each member and distinguished representative is truly committed to working together to apply prudence and care to each of the important issues.

This ever-evolving modern world has gifted us with more tools that assist us in better understanding our work under the Convention and through this Commission. Technological, biological, economical, and sociological dimensions have evolved considerably in such ways that can help us better understand the surface as well as deeper aspects of the oceans and fisheries resources under our care. I urge you all to take this into account especially with how it relates and applies in the plural, and mindful of the disparities.

I am confident in saying that, despite its distinction, there is still a need for strengthening the Commission and its activities, and I am sure there is mutuality across the floor in this respect. We are the Commission: for a number of us, this is a national vocation.

Fiji is committed to the discussions and we are willing to work with you all in our efforts to yield positive outcomes. We are here with our different standpoints regarding how we envision the outcomes from this week. However, I urge that our mutual understandings and cooperation over the years transcend to other matters that require our unison so that key fish species and fisheries can enjoy the long-term sustainability that is very much necessary for us, our people, our families, and our future generations. With the ever-increasing impacts of climate change on our oceans and its fisheries resources, compounded by the pressures of Illegal, Unreported and Unregulated fishing activities, it is our collective duty more so now than ever to ensure that the Commission, begotten by us and for us, elevates the oceans and its species under our care to a state of sanctity once again, so that nothing of value may perish from the sea.

I do not intend to lengthen this address as I note the dearness of time. Therefore, I end here by saying that it is my hope that these lands and its aura may provide charm **to this week's** process.

It is also my sincere hope that you enjoy your stay here in Nadi. Please take time from your **busy schedules to partake in Fiji's culture and hospitality**. May you find our Fiji enjoyable and pleasant and I once again Welcome You All.

Vinaka Vakalevu, Thank You.

**COMMISSION  
THIRTEENTH REGULAR SESSION**

Denarau Island, Fiji  
5 – 9 December, 2016

**Opening Statement by the WCPFC Chair, Ms Rhea Moss-Christian**

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- Your Excellencies;
- The Minister for Forests, the honorable Osea Naiqamu;
- Our generous host, the Minister for Fisheries, the honorable Semi Koroilavesau – thank you for having us;
- Other honorable ministers;
- Executive Director of the Commission, Mr Feleti Teo;
- Heads of member delegations;
- Diplomats;
- Heads of international and regional organizations;
- Observers to the Commission;
- Distinguished guests, ladies and gentlemen.

Welcome to Fiji and to the 13<sup>th</sup> annual regular session of the Western and Central Pacific Fisheries Commission.

I want to open today by talking about small steps.

Specifically, the power of small steps.

You all know what is at stake here; you all know what needs to be done; you all know how challenging the next few days will be.

This challenge stems partly from a tendency amongst stakeholders to stay tied to strongly held views and to hold out for progress in giant leaps. Anything less is sometimes couched in terms of failure.

But such rigidity has not always served the Commission well.

By its very nature, agreement in a multilateral environment is tough to achieve. And the stakes get higher each year if positions remain entrenched.

I understand how past disagreement on critical management action may have left some of you feeling discouraged.

But a willingness to be more flexible and to find ways to move forward should be our mantra.

In this context, I am asking you to commit to taking – at the very least – some small steps this year on the issues before us.

Big leaps forward would obviously be great. But that's a stretch in this forum. So let's not diminish the value of incremental progress as a platform for reaching our goals.

Some will hear this and say 'We need a greater sense of urgency. We don't have time for small steps'.

To this I say, we certainly don't have time to make no progress at all – and that's what we risk when members adopt an 'all or nothing' mentality.

We've already seen this risk play out in some previous sessions.

And I want to remind you of some of the times when your small steps have accumulated real progress for this Commission.

Firstly, the Multilateral High Level Negotiating Conferences, or the MHLC's, required regular and ongoing commitment to dialogue to develop a Convention text.

You made agreements, step-by-step, over a sustained period of time and achieved the adoption of our Convention.

Secondly, the series of Preparatory Conferences that followed, took place over several years where you agreed, step-by-step, to the mechanisms that support how we operate in the Commission.

You didn't set up the Commission overnight. Likewise, the tough decisions facing us now won't be solved overnight.

This week, we will consider elements of a Harvest Strategy Framework. There is nothing more incremental than this work.

You have committed to the process and, with a spirit of cooperation, we can take steps that will contribute to the future development of the Framework.

We will also be reviewing conservation and management measures for tuna stocks to apply beyond 2017. We already know from experience how complex this exercise is and how valuable even the smallest gains are. Your discussions this week are designed to move you forward in any way, as a foundation for continued efforts throughout next year.

Last year, you agreed that the protection and safety of our fisheries observers was a Commission priority and you adopted some measures to that end.

You also committed to build on those agreements and this year you will be finalizing a draft measure to that effect. A stepwise approach can facilitate careful consideration and a preparedness to move forward when it matters most.

The development of measures to conserve and manage non-target, associated and dependent species has occurred over time and we have in place today a number of measures for different species.

All of this has formed the basis for progressing our efforts, particularly in relation to sharks. A commitment today to further action on this issue would be powerful in itself.

I am as optimistic today as I was when you first granted me the opportunity to take this role.

And although I'm well aware of the challenges in trying to reach agreement, I want to support you to keep moving forward.

So, I ask that you focus this week on the value of incremental progress toward meeting Commission objectives.

Let me take this opportunity to thank our Executive Director and his Secretariat team for the fine work they do each year to put the annual session together. I again acknowledge the generosity of Fiji and its ministers who have joined us today.

I want to close my remarks this morning by remembering three people who passed away this year:

- Robert Matau was a journalist from Fiji and worked with the Parties to the Nauru Agreement;
- Nannette Dilyaur Malsol was a Senior Fisheries Official from Palau who headed her delegation to many Commission meetings;
- Minister Elisala Pita was the Tuvalu Minister for Fisheries who, in recent years, was a vocal advocate for his small island nation's interests in this Commission.

These people were known to most, if not all, of you as colleagues and friends, each devoted to their work in their own way.

Their contributions to the Commission can be seen in various ways and I know we will be thinking of them as we move through our discussions this week.

With that, I wish you all much success over the coming days and I look forward to working with you.

Thank you.

ENDS

**COMMISSION  
THIRTEENTH REGULAR SESSION**

Denarau Island, Fiji  
5 – 9 December, 2016

**Opening Remarks by WCPFC Executive Director; Mr Feleti P Teo**

- Your Excellencies;
- Our Chief Guest; the Minister for Forests, Hon Osea Naiqamu;
- Our Gracious Host; Minister for Fisheries, Hon Semi Koroilavesau
- Madam Chair of the WCPFC; Rhea Moss-Christian;
- Honorable Ministers;
- Members of the Diplomatic Corps;
- Heads of member delegations;
- Heads of international and regional organizations;
- Observers to the Commission; both intergovernmental and non-government organizations;
- Distinguished guests;
- Ladies and gentlemen.

Yadra vinaka and nisa bula vinaka to all of you.

Let me join the Commission Chair in extending to you all a warm welcome to Fiji for the 13<sup>th</sup> annual regular session of the Western and Central Pacific Fisheries Commission (more commonly known as the Pacific Tuna Commission).

To our Chief Guest, Minister Naiqamu; vinaka vakalevu and thank you for gracing us with your presence this morning and for taking time out of your busy schedule to address the Commission and share your perspectives on its critical work.

I am personally glad, Minister Naiqamu, that you are here this morning.

I can recall clearly a conversation I had with you in May last year in your office in Suva, when I paid a courtesy call on you as the then Minister responsible for Fisheries. In that conversation, you indicated your preparedness to host the Commission meeting this year. And here we are.

Minister Naiqamu, I understand your Ministry of Fisheries had to work extremely hard to honor the commitment it made to host this meeting.

Because of the extensive damage and costs inflicted by cyclone Winston earlier in the year, your Government had to re-prioritize its allocation of resources.

Thankfully for us, your Ministry of Fisheries was able to retain its allocation of resources to be able to host this meeting.

Therefore, on behalf of all of us present, and the Secretariat, I express our sincere collective gratitude for Fiji's continued support of the Commission's work.

Thank you also for your renowned Fijian welcome and hospitality.

May I also add my appreciation to your officials for their cooperation and liaison with my staff at the Secretariat on the logistical arrangements for this meeting.

Although this is the first time Fiji has hosted the annual session of the Tuna Commission, it isn't the first time Fiji has hosted a Commission-related meeting.

As some of you would recall, when the Convention that established the Commission was adopted on 4 September, 2000, a resolution was also adopted for a preparatory conference. Fiji subsequently hosted the 4<sup>th</sup> session of that conference at the Tanoa Hotel in Nadi in May 2003.

Ministers, distinguished delegates:

The Commission has certainly moved on from 2003. The annual meeting is attended by ever larger delegations, it is a more logistically challenging event and the issues before it have only increased in complexity.

This Commission has an overarching responsibility to ensure — through effective management — the long-term conservation and sustainable use of highly migratory fish stocks within the Western and Central Pacific Ocean.

The scorecard in terms of how the Commission is discharging that responsibility is a mixed one.

Two of the key commercial tuna stocks, namely bigeye tuna and Pacific Bluefin tuna, are assessed by our own scientists to be in an overfished state and recovery management plans are urgently needed to restore those stocks to sustainable levels.

I hope the Commission can find a way forward this week to lay the foundation for those recovery plans.

I have now been in this role for almost two years and I have come to appreciate the intricacies and sensitivities of a multilateral and diverse fisheries management regime like this Commission.

Admittedly, the work of the Commission was always going to be difficult because of its multilateral character.

There is an extreme divergence of Member interests, exacerbated by interest groups with entrenched and jealously guarded positions.

On top of this, the Commission is charged with managing a fishery that is multi-stock, multi-species, multi-fisheries, multi-gear and multi-zones.

In this environment, meaningful negotiations are very difficult.

In some cases, there is an emphasis on short-term financial costs, instead of on conservation and sustainability of the stocks, which would ultimately provide longer term financial benefits too.

As your Executive Director, I respectfully submit that our dialogue should be reframed first and foremost around sustainability of the stocks. What members should contribute to that sustainability follows in a secondary capacity.

In this way, the Commission will remain focused on what is most critical.

Ministers and distinguished delegates:

In adopting a work plan on harvest strategy management, I believe the Commission is re-directing the conversation in the right direction.

Though there is much work ahead, a harvest strategy approach to fisheries management represents — in my respectful view — an important way forward.

In basic terms, the proposal is for the Commission to agree in advance what management measures (harvest control rules) will automatically come into force when a certain level in the status of a stock is reached.

For instance, if a stock has gone below its limit reference point (that is, its biologically sustainable level), a suite of pre-agreed management measures would kick in.

Currently, negotiations become bogged down as members seek to protect their existing interests, instead of safeguarding the sustainability of the stocks.

The different elements of a harvest strategy, and the work plan guiding the work of the Commission on this matter, will also be on the agenda this week.

Ministers and distinguished delegates:

I will present my annual report shortly and will update you on the work of the Commission's subsidiary bodies and its Secretariat over the last 12 months.

But I wish to highlight one corporate matter that will also feature in the agenda of the Commission for this week and that is the matter of a Strategic Plan.

The Commission has been without a Strategic Plan since 2014, so when I took on the role of Executive Director in 2015, I made it my priority to develop one and I am grateful that the Commission has sanctioned a process to do so.

I know there have been mixed reactions to the inclusiveness of the process. Some members have expressed discomfort that their priorities are absent from the draft Plan.

However, I ask members to engage on the Plan this week with open minds. Our goal must be to set priorities that can be realistically achieved in the lifetime of the Plan, not load it up with all conceivable priorities.

From where I sit, it is unacceptable to operate an organization without clear strategic directions. A strategic plan will give us those directions and I hope members will be able to provide the necessary guidance this week.

Thanks once again for the opportunity to share these remarks at this opening session.

I wish the Commission successful deliberations. Your Secretariat team stands ready to support your meeting.

Let me close by drawing on the words of former Fijian President, the late Josefa Iloilo:

“Let us make a pledge now to make it through this very important next stage...by promising to be patient, calm and tolerant and by respecting the views of others, even if we disagree with them.”

Vinaka.

ENDS



**COMMISSION  
THIRTEENTH REGULAR SESSION**  
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5 – 9 December, 2016

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**ADOPTED AGENDA**

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**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)
  - 1.3.2 Election of FAC co-chair

**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 5. NEW PROPOSALS**

**AGENDA ITEM 6. INTRODUCTION OF THE IUU VESSEL LIST RECOMMENDATIONS**

**AGENDA ITEM 7. SPECIAL REQUIREMENTS OF DEVELOPING STATES**

- 7.1 Updated checklist evaluation of SIDS special requirements (FFA)
- 7.2 CCM reports on the implementation of Article 30
- 7.3 Review of implementation of CMM 2013-07 (Paragraph 20)

**AGENDA ITEM 8. HARVEST STRATEGY**

*Discussion will focus on elements of the Agreed Work Plan for the Adoption of Harvest Strategies under CMM 2014-06 earmarked for progressing in 2016.*

- 8.1 Management objectives (all species)
- 8.2 Acceptable levels of risk (all species)
- 8.3 Rebuilding timelines (bigeye)
- 8.4 Target reference point (SP albacore)
- 8.5 Harvest control rules (SP albacore and skipjack)
- 8.6 Management strategy evaluation (SP albacore and skipjack)
- 8.7 Monitoring Strategy (SP Albacore and skipjack)
- 8.8 Review of Work Plan

## **AGENDA ITEM 9. WCPO TUNA STOCKS**

*Relevant outcomes from subsidiary bodies, intersessional working groups and other relevant information to this agenda item and sub-items will be presented with a view to facilitating their discussions.*

- 9.1 General overview of stock status (bigeye, Pacific bluefin tuna, skipjack, NP Albacore, SP albacore and yellowfin)
- 9.2 Review of CMM 2015-01 (Bigeye, skipjack, yellowfin)
  - 9.2.1 Review paragraphs 18, 25, 26, 28, 40, 43, and 61
  - 9.2.2 New proposals
- 9.3 Review of CMM 2015-02 (SP albacore)
  - 9.3.1 New proposals
- 9.4 Review of CMM 2005-03 (NP albacore)
- 9.5 Review of CMM 2015-04 (Pacific bluefin tuna)
- 9.6 Bridging Tropical Tuna CMM

## **AGENDA ITEM 10. BYCATCH MITIGATION**

*Relevant outcomes from subsidiary bodies, intersessional working groups and other relevant information to this agenda and sub-items will be presented with a view to facilitating their discussions.*

- 10.1 Sharks
  - 10.1.1 Review of CMM 2010-07 and CMM 2014-05
  - 10.1.2 New proposals
- 10.2 Seabirds
  - 10.2.1 Review of CMM 2012-07
  - 10.2.2 New proposals
- 10.3 Others

## **AGENDA ITEM 11. ADOPTION OF REPORTS FROM SUBSIDIARY BODIES, INTERSESSIONAL WORKING GROUPS AND OTHER WORKSHOPS**

*The reports of the subsidiary bodies and intersessional working groups and workshop will be taken as read and will not be presented. A consolidation of the relevant recommendations of each report for the Commission's consideration will be provided for formal decision.*

- 11.1 SC12
- 11.2 NC12
- 11.3 TCC12
  - 11.3.1 CDS - IWG
  - 11.3.2 ER/EM - IWG
- 11.4 FAD Management Options - IWG

## **AGENDA ITEM 12. ADOPTION OF FINAL COMPLIANCE MONITORING REPORT**

## **AGENDA ITEM 13. ADOPTION OF 2017 IUU VESSEL LIST**

## **AGENDA ITEM 14. REPORT OF THE TENTH FINANCE AND ADMINISTRATION COMMITTEE**

- 14.1 Report of the Tenth Finance and Administration Committee
- 14.2 Budget approval for 2017 and Indicative Budgets for 2018 and 2019



**AGENDA ITEM 15. ADMINISTRATIVE MATTERS**

- 15.1 Strategic Plan
- 15.2 Participation of Observers
- 15.3 Memorandum of Cooperation with CCSBT
- 15.4 Research projects
  - 15.4.1 ABNJ Project
  - 15.4.2 WPEA Project
- 15.5 Election of officers
- 15.6 Future meetings

**AGENDA ITEM 16. OTHER MATTERS**

**AGENDA ITEM 17. SUMMARY REPORT OF THE WCPFC13**

**AGENDA ITEM 18. CLOSE OF MEETING**

**---END---**



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**CONSERVATION AND MANAGEMENT MEASURE FOR THE PROTECTION OF WCPFC  
REGIONAL OBSERVER PROGRAMME OBSERVERS**

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**Conservation and Management Measure 2016-03**

*The Western and Central Pacific Fisheries Commission (WCPFC):*

*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** Article 28(7) of the WCPF Convention, which requires the Commission to develop procedures and guidelines for the operation of the Regional Observer Programme (ROP);

**Further recalling** that Annex III, article 3 of the Convention expressly requires that the vessel operator and each member of the crew shall allow and assist any person identified as an observer under the ROP to carry out all duties safely and that the operator or any crew member shall not assault, obstruct, resist, delay, refuse boarding to, intimidate or interfere with observers in the performance of their duties;

**Committing to** the implementation of conservation and management measure (CMM) 2007-01, which clearly states the rights of observers shall include, *inter alia*, the freedom to carry out their duties without being assaulted, obstructed, resisted, delayed, intimidated or interfered with in the performance of their duties;

**Recognizing** that observers play a critical role in supporting effective management outcomes and therefore it is critical that measures are in place to ensure their safety while undertaking their duties;

**Noting** that CMM 2007-01 specifies that the responsibilities of vessel operators and captains shall include, *inter alia*, ensuring that ROP observers are not assaulted, obstructed, resisted, delayed, intimidated, interfered with, influenced, bribed or attempted to be bribed in the performance of their duties;

**Further Recognizing** the commitments in Articles 98 and 146 of the United Nations Convention on the Law of the Sea (UNCLOS), to render assistance and protect human life, and the

## WCPFC13 Summary Report Attachment F

International Convention on Maritime Search and Rescue, as amended and overseen by the International Maritime Organization, which outlines the responsibilities of governments related to search procedures including the organization and coordination of actions, cooperation between States, and operating procedures for vessel operators and crew;

**Further Noting** the commitment in Article 94(7) of UNCLOS, regarding the duty of a flag State to cause an inquiry to be held into any loss of life or serious injury to nationals of another State which has been caused by a marine casualty or incident of navigation and involved a ship flying its flag;

*Adopts the following conservation and management measure in accordance with the Article 10 of the Convention:*

1. This CMM applies to WCPFC ROP observers on fishing trips operating under the WCPFC ROP<sup>1</sup>.
2. Nothing in this measure shall prejudice the rights of relevant CCMs to enforce their laws with respect to the safety of observers consistent with international law.
3. In the event that a WCPFC ROP observer dies, is missing or presumed fallen overboard, the CCM to which the fishing vessel is flagged shall ensure that the fishing vessel:
  - a. immediately ceases all fishing operations;
  - b. immediately commences search and rescue if the observer is missing or presumed fallen overboard, and searches for at least 72 hours, unless the observer is found sooner, or unless instructed by the flag CCM to continue searching<sup>2</sup>;
  - c. immediately notifies the flag CCM;
  - d. immediately alerts other vessels in the vicinity by using all available means of communication;
  - e. cooperates fully in any search and rescue operation
  - f. whether or not the search is successful, return the vessels for further investigation to the nearest port, as agreed by the flag CCM and the observer provider;
  - g. provides the report to the observer provider and appropriate authorities on the incident; and

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<sup>1</sup> It is recognized that Japan is subject to domestic legal constraints, such that it is not able to meet all of the obligations contained in this CMM until such constraints are overcome. Until such constraints are overcome, Japan shall make utmost effort to implement all the provisions. If Japan has not implemented a provision contained in this CMM, such non-implementation shall not constitute non-compliance with this provision. However, Japan is obliged to explain at TCC which specific obligations are not being implemented and explain to TCC and WCPFC the reason for such non-implementation, as well as steps being taken to overcome these constraints. Notwithstanding these constraints Japan considers the issue of observer safety to be of paramount importance and will work to prevent incidents affecting observer safety.

<sup>2</sup> In the event of force majeure, flag CCMs may allow their vessels to cease search and rescue operations before 72 hours have elapsed.



## WCPFC13 Summary Report Attachment F

- a. takes action to preserve the safety of the observer and mitigate and resolve the situation on board as soon as possible;
  - b. notifies the flag CCM and the observer provider of the situation as soon as possible; and
  - c. cooperates fully in all official investigations into the incident.
9. If any of the events in paragraphs 3 – 7 occur, port CCMs, shall facilitate entry of the fishing vessel to allow disembarkation of the WCPFC ROP observer and, to the extent possible, assist in any investigations if so requested by the flag CCM.
10. In the event that, after disembarkation from a fishing vessel of a WCPFC ROP observer, an observer provider identifies—such as during the course of debriefing the observer—a possible violation involving assault or harassment of the observer while on board the fishing vessel, the observer provider shall notify, in writing, the flag CCM and the Secretariat, and the flag CCM shall:
- a. investigate the event based on the information provided by the observer provider and take any appropriate action in response to the results of the investigation;
  - b. cooperate fully in any investigation conducted by the observer provider, including providing the report to the observer provider and appropriate authorities of the incident; and
  - c. notify the observer provider and the Secretariat of the results of its investigation and any actions taken.
11. CCMs shall ensure that their national observer providers:
- a. immediately notify the flag CCM in the event that a WCPFC ROP observer dies, is missing or presumed fallen overboard in the course of observer duties;
  - b. cooperate fully in any search and rescue operation;
  - c. cooperate fully in any and all official investigations into any incident involving an WCPFC ROP observer;
  - d. facilitate the disembarkation and replacement of a WCPFC ROP observer in a situation involving the serious illness or injury of that observer as soon as possible;
  - e. facilitate the disembarkation of a WCPFC ROP observer in any situation involving the assault, intimidation, threats to, or harassment of that observer to such an extent that the observer wishes to be removed from the vessel, as soon as possible; and
  - f. provide the flag CCM with a copy of the observer report on alleged violations involving that provider's observer upon request, pursuant to the WCPFC Rules and Procedures for Protection, Access to, and Dissemination of Data Compiled by the Commission and Rules and Procedures for the Protection, Access to, and Dissemination of High Seas Non-Public Domain Data and Information Compiled by the Commission for the Purpose of Monitoring, Control or Surveillance (MCS) Activities and the Access to and Dissemination of High Seas VMS Data for Scientific Purposes.

## WCPFC13 Summary Report Attachment F

12. Notwithstanding paragraph 1 CCMs shall ensure that any authorized High Seas Boarding and Inspection vessels flying their flag cooperate, to the greatest extent possible, in any search and rescue operation involving an observer. CCMs shall also encourage any other vessels flying their flag to participate, to the greatest extent possible, in any search and rescue operations involving a WCPFC ROP observer.

13. Where requested relevant observer providers, and CCMs shall cooperate in each other's investigations including providing their incident reports for any incidents indicated in paragraphs 3 through 8 to facilitate any investigations as appropriate.

14. The Technical and Compliance Committee and the Commission will review this conservation and management measure no later than 2019 and periodically thereafter. Notwithstanding this provision CCMs may submit a proposal to amend this CMM at any time.

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## SCIENTIFIC DATA TO BE PROVIDED TO THE COMMISSION<sup>1</sup>

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### 1. *Estimates of annual catches*

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

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

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

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

Estimates of discards/releases shall also be provided for each species listed above.<sup>2</sup>

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

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

The statistical methods used to estimate the annual and seasonal catches shall be reported to the Commission, with reference to the coverage rates for each type of data (e.g. operational catch and effort data, records of unloadings, species composition sampling data) that is used to estimate the

<sup>1</sup> As refined and adopted at the Thirteenth Regular Session of the Commission, Denarau, Fiji 5-9 December 2016.

<sup>2</sup> It is also recognized that certain members and cooperating non-members of the Commission may have practical difficulties in compiling discards/releases data for fleets comprised of small vessels, such as certain sectors of the fisheries of Indonesia, the Philippines and small island developing states.

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 active<sup>3</sup> in the WCPFC Statistical Area during each calendar year shall be provided to the Commission for each gear type.

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

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

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

## **3. *Operational level catch and effort data***

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

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

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

<sup>3</sup> A vessel is considered to be “active” if it fished (targeting highly migratory fish stocks) at least one day during the year.



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***

If the coverage rate of the operational catch and effort data that are provided to the Commission is less than 100%, then catch and effort data aggregated by time period and geographic area that have been raised to represent the total catch and effort shall be provided. Longline catch and effort data shall be aggregated by periods of month and areas of 5° longitude and 5° latitude. Purse-seine and ringnet catch and effort data shall be aggregated by periods of month, areas of 1° longitude and 1° latitude, and type of school association. Catch and effort data for other surface fisheries targeting tuna shall be aggregated by periods of month and areas of 1° longitude and 1° latitude.

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

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

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

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

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

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

#### **5. *Size composition data***

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

The length size class intervals are defined as follows:

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

The weight size class intervals are defined as follows:

- Tuna and Billfish species - 1kg

CCMs shall indicate whether lengths and/or weights are rounded up or rounded down to the unit specified.

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

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

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

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

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

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

For all gear types, except trollers targeting albacore in the Pacific Ocean south of the Equator, estimates of annual catches, the number of vessels active, catch and effort data, and size composition data, covering a calendar year shall be provided by April 30 of the year following the calendar year (e.g. data covering calendar year “x” 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) 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” 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 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 or place of departure, date of departure, port or place of unloading, date of arrival in port: 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 shall be reported for each set and should be reported for days on which no sets were made, from the start of the trip to the end of the trip. Activities should include “a set”; “no fishing — in transit”; “no fishing — gear breakdown”; “no fishing — bad weather”; and “no fishing — in port”.

Date of start of set and time of start of set: The date and start of set time should be GMT/UTC. If no sets are made, the date and main activity should be reported. CCMs shall provide information on how their vessels report time zone/format.

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

Number of hooks per set

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

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

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

Date: The date should be GMT/UTC.

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

Weight of fish caught per day, for the following species: albacore, bigeye, skipjack, yellowfin, blue shark, silky shark, oceanic whitetip shark, mako sharks, thresher sharks, porbeagle shark (south of 20°S, until biological data shows this or another geographic limit to be appropriate), hammerhead sharks (winghead, scalloped, great, and smooth), whale shark, and other species as determined by the Commission.

#### 1.5 Information on operations by purse seiners and related gear types

Activity: This item shall be reported for each set and for days on which no sets were made, from the start of the trip to the end of the trip. Activities should include “a set”; “a day searched, but no sets made”; “no fishing — in transit<sup>4</sup>”; “no fishing — gear breakdown”; “no fishing — bad weather”; and “no fishing — in port”.

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

<sup>4</sup> 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.

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

School association: All common types of school association shall be reported, while uncommon types of associations shall be reported as “other”, including other explanation as appropriate. 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 include “a day fished”; “no fishing — in transit”; “no fishing — gear breakdown”; “no fishing — bad weather”; and “no fishing — in port”.

Date: The date should be GMT/UTC.

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

Number of fish caught per day, for the following species: albacore, bigeye, skipjack, yellowfin, blue shark, silky shark, oceanic whitetip shark, mako sharks, thresher sharks, porbeagle shark (south of 20°S, until biological data shows this or another geographic limit to be appropriate), hammerhead sharks (winghead, scalloped, great, and smooth), whale shark, 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, 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 be estimated and the estimates reported. The total weight or average weight shall refer to whole weights, rather than processed weights.

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

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

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

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

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

Operational catch and effort data should be verified as follows:

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

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**APPROVED TERMS FOR A REVIEW OF THE  
COMPLIANCE MONITORING SCHEME IN 2017**

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**Background**

The Compliance Monitoring Scheme (the CMS Scheme) was established by Conservation and Management Measure for Compliance Monitoring Scheme (CMM 2010-03). Implementation of the CMS Scheme in 2011 – 2015 was through CMMs that had a duration of one-year and were intended to operate the CMS Scheme as an “initial trial”. Over the initial trial periods, refinements were made to the CMS Scheme through adjustments to the applicable CMM, the obligations to be assessed were rationalized and TCC and CCMs developed experience that improved the efficiency and consistency of the processes to review the draft Compliance Monitoring Report (CMR) and to develop the recommended provisional CMR report. In addition commencing in 2012, the Secretariat was provided resources to develop the online reporting and associated Information Management system to support the CMS: including CCMs submission of Annual Report Part 2, the development of the draft CMR by the Secretariat, the assessment by TCC of the provisional CMR, collation of CCM responses to the draft and provisional CMR and recording of the decision by the Commission of the final CMR. In 2016, a further revised Conservation and Management Measure for Compliance Monitoring Scheme CMM 2015-07 was agreed which among other things added new compliance categories. This CMM is to be implemented during 2016 and 2017.

The overall purpose of the CMS Scheme has been unchanged since the adoption of CMM 2010-03 and has been described in the five subparagraphs of paragraph 1 of the applicable CMM:

- (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; and
- (v) monitor and resolve outstanding instances of non-compliance.<sup>1</sup>

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<sup>1</sup> These five subparagraphs are unchanged from the original measure with the sole exception of the insertion of the words “and other Commission obligations” added to the end of subparagraph (iv) to capture obligations that stem from the Convention or scientific data provision obligations.



In addition, references reflecting the basis of the CMS Scheme in the Convention, particularly Article 23, 24 and 25, have been included in the preamble of the applicable CMM since CMM 2010-03.<sup>2</sup>

In 2015 (WCPFC11), the Commission discussed a proposal that a review or audit of the CMS Scheme should be conducted (WCPFC11-2014-DP10). In adopting CMM 2015-07 the Commission agreed to a two-year duration for the CMS Scheme, i.e. it is to be effective for 2016 and 2017.<sup>3</sup> The Commission has also agreed that the Scheme will be reviewed at the end of 2017 by an independent panel selected by the Executive Director in consultation with Members.<sup>4</sup>

### Scope of the Review

The Review will assess the processes and procedures used in the CMS process to evaluate the effectiveness of the CMS in meeting the purpose of the CMS and the Convention. The objective of the review is to assist CCMs to improve compliance with the Convention and CMMs and to this end the review will be forward looking and provide clear recommendations on how best to implement the CMS. The review will consider the entire period of the CMS Scheme development and implementation (since 2011), and ideally include the complete 2017 year (final year of implementation) of CMM 2015-07. This period is expected to ensure due consideration is given by the Review to the background of operation of the CMS Scheme, including the refinements that have been made to the CMS Scheme over time.

The Review will consider the framework and annual timelines within which the CMS Scheme operates, that commences with submission by CCMs of the Annual Report Part 1 and Part 2, referred to by the Secretariat in its development of the draft CMR for an individual CCMs review. Within the current CMS procedures, the draft CMR is the basis for TCCs development of the provisional CMR and the adoption of final CMR by the Commission. The review of the complete CMS Scheme structure, processes and procedures is expected to provide findings around the continued efficacy of such a structure and where improvements could be made. The findings of the Review shall be considered in the Commission's next performance review noting the importance of compliance to the wider operation of the Commission.

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<sup>2</sup> The preamble to CMM 2015-07 includes: 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 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,

<sup>3</sup> Paragraphs 40 and 41 of CMM 2015-07 provide: "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."

<sup>4</sup> The specific WCPFC12 decision was "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." (WCPFC12 Summary Report paragraph 696)

**Specific questions to be addressed in the Review of the CMS**

In line with the purpose and scope of the Review, there are a number of specific questions that the Review should address as follows:

*Substantive question*

- a. In what ways has the CMS contributed to the work of the TCC and WCPFC?
- b. What impact has the CMS had on levels of compliance by CCMs with their obligations under the Convention and CCMs? In what ways, and to what extent, have CCMs improved in meeting their obligations over time and since this CMS has been in place? What are the obstacles to effective implementation of CMMs, for example, to what extent are the obligations within CMMs clear and able to be implemented?
- c. What refinements should be made to the CMS to improve its efficiency, effectiveness and fairness? How can the CMS take into account the root causes that lead to non-compliance? How can the CMS assist members to achieve compliance? What are the most appropriate methods for ensuring compliance including potential use of sanctions as a deterrent? What are the recommended ways to manage frequent or serious non-compliance in a manner that aims to improve overall compliance? What is the most effective process for encouraging and recognizing improvements in compliance by CCMs?

*Procedural questions*

- d. Are the CMS procedures fair, effective, and efficient? Can elements of the CMS procedures be improved to be more fair, effective and efficient, and if so, which ones and how?
- e. Which elements of the TCC and Commission review procedures including the timeframes for submission and review of information, and the transparency of the CMR consideration, are effective, and why? How can they be improved? f. In what ways have the CMS online reporting systems contributed to the efficiency of the CMS Scheme procedures? Are there elements of the CMS online reporting systems that are not user-friendly? How could the CMS online reporting systems be refined to better support the CMS procedures?
- g. In what ways have the CMS procedures ensured the effective participation of all CCMs throughout all stages of the CMS process, and ensured that consistent standards are applied amongst obligations and amongst CCMs and a consistent level of scrutiny applied to CCMs? Are there elements of the CMS procedures where this has not been achieved, why and how can they be improved?
- h. What is the most appropriate method for determining compliance status? How effective have the CMS procedures been in identifying CMMs that require modification to improve implementation with their objectives, or require clarification? How could these CMS procedures be improved?
- i. How effective have the CMS procedures been in identifying areas in which technical assistance or capacity building may be needed to assist CCMs to attain compliance? How could they be improved?

j. What aspects of other RFMOs CMS procedures or experiences could strengthen the WCPFC CMS and why<sup>5</sup>?

*Administrative*

k. What are the budgetary and resource implications of the CMS procedures, both within the Secretariat and across the Commission?

l. Should a regular review process of the CMS be considered, and if so what aspects of the CMS should be reviewed and how frequently? What do you recommend as a suitable duration for this type of measure?

### **Methodology**

The Review Panel will evaluate the CMS in light of the questions set out in the Terms of Reference and prepare a report which makes recommendations to the Commission for consideration by Members. In conducting the Review, the Panel will seek the views of the Secretariat and CCMs and in particular will:

- engage with the Secretariat on its processes and procedures for the CMS;
- undertake a documentary review of the CMS process since its inception;
- consider the compliance processes and procedures of other tuna RFMOs, as appropriate;
- consider examples of other adjudication-type processes in international arrangements outside of fisheries, as may be appropriate;
- consult with CCMs and other stakeholders in the CMS process;
- observe the TCC processes; and
- conduct an in-country consultation to obtain the views of a CCM.

### **Scheduling**

The commencement date for the Review will depend on the approval by the Commission of a suitable budgetary allocation and the successful completion of the Review Panel selection and appointment process.

If the Review takes place in 2017, it will take place during the second year of implementation of CMM 2015-07. A one-year extension of CMM 2015-07 should be considered to cover the implementation of the CMS Scheme in 2018, while Members consider the report of the Review in 2018. The process to select and appoint the Review Panel will need to be expedited.

If the Review takes place in 2018, it will have the benefit of two complete years of implementation of the CMM 2015-07 and there will be more time for the successful completion of the Review Panel selection and appointment process. A two-year extension of CMM 2015-07 should be considered to cover the implementation of the CMS Scheme in 2018 and 2019, while Members consider the report of the Review in 2019.

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<sup>5</sup> To be conducted by way of desktop study.

The Review Panel is expected:

1. Before April-May: to be selected and appointed.
2. In June-July: at least one member of the panel will travel to Pohnpei first to meet with the Secretariat and the Federated States of Micronesia as a CCM representative.  
*The timing of this visit as part of the Review must minimize interference with or burden to the work of the Secretariat, recognizing that the preparation of the dCMR is already a very large burden on the Secretariat.*
3. In September: the Panel will travel to Pohnpei to observe the TCC process CMS procedures. During TCC the Panel should also meet with as many CCMs as is practicable.  
*This will require suitable confidentiality arrangements to be finalised to address the WCPFC data confidentiality rules and any concern of Members over access to meetings.*
4. In December: to ideally, be provided an opportunity observe and consider the Annual Commission meeting CMS process in December. A substantive progress report should be submitted by the Panel to that WCPFC session.
5. By March of the following year: to submit the final report of Review for consideration by Members.

### **Composition of Review Panel**

The Review Panel should comprise three (3) independent experts with no recognized affiliation with TCC that have significant experience in Compliance Monitoring Schemes in RFMOs, one of whom will be assigned the role of Chair. The Review Panel should be comprised of individuals that together would provide a balance of experiences which would be relevant to the membership of the Commission. At least one (1) expert should have a sound knowledge and understanding of the strengths and weaknesses of SIDs. The Review Panel should be determined by nomination and ranking by Members. The Executive Director would finalize the list of participants on the Independent Panel for the Review, taking into account the rankings, the availability of the candidates, a balance of experiences which would be relevant to the membership of the Commission and include, in so far as possible, experts from a reasonable geographical selection.

In the event that it is not possible for a suitable arrangements to be made to form a Review Panel that can complete the Review based on the proposed schedule, the Executive Director should inform Members and seek their views on alternative running of the Review Process, for example through a consultancy arrangement.

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**COMMISSION  
THIRTEENTH REGULAR SESSION**  
Denarau Island, Fiji  
5 – 9 December, 2016

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**UPDATES AND MODIFICATIONS TO THE WCPFC12 AGREED LIST OF OBLIGATIONS TO  
BE ASSESSED IN 2016 -2018 AND FREQUENCY OF ASSESSMENT FOR FORWARD YEARS**

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Table 1: FREQUENCY OF ASSESSMENT OF CMMs FOR 2016 AND BEYOND<sup>1</sup>

CMM/Obligation	Title	Assessment/Review Frequency (years)	
<i>Sci Data</i>	<i>1-3 &amp; 5 (catch est, active vessels, op data, size data)</i>	1	
<i>Art. 23.2 (b) &amp; (c)</i>	<i>Annual Report Part 1 and Part 2</i>	1	
<i>Art. 25(2) &amp; Art. 23(5)</i>	<i>Alleged FV violations &amp; Control of Nationals – investigations and reports</i>	1	
<i>Art. 24(3)</i>	<i>Flag State duties</i>	1	
<i>Report of WCPFC9</i>	<i>Areas of Overlap</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 &amp; 2015-02</i>	<i>SP Albacore</i>	1	
<i>2010-06 22</i>	<i>List of Vessels: Illegal, Unreported, and Unregulated Fishing</i>	1	
<i>2010-07</i>	<i>Sharks</i>	1	
<i>2013-05</i>	<i>Catch and Effort Reporting</i>	1	
<i>2013-03 02</i>	<i>Regional Observer Program: Fresh Fish North of 20°N</i>	1	
<i>2013-07</i>	<i>Special Requirements of SIDS</i>	1	
<i>2013-10 &amp; 2014-03</i>	<i>RFV &amp; RFV SSPs</i>	1	
<i>2014-01 &amp; 2015-01</i>	<i>Tropical Tuna</i>	1	
<i>2014-02</i>	<i>VMS</i>	1	
<i>2014-04 &amp; 2015-04</i>	<i>Pacific Bluefin (rebuilding plan)</i>	1	
<i>2015-07</i>	<i>Compliance Monitoring Scheme</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>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 &amp; 2015-05</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

<sup>1</sup> **Notes:** Some CMMs or other decisions were omitted: SciData 4 – because of recommendation from TCC11; CMM 2013-06 – Art. 30 Criteria - redundant (included in para 2 of 2013-07); CMM 2009-11 – CNMSs – redundant (we already review annually in small working group); CMM 2013-04 – UVI – redundant (included in para 6(s) of 2013-10); CMM 2012-03 – ROP N20N- redundant – CMM 2007-01; CMM 2009-02 – FAD Closure – redundant – covered in CMM 2014-01. Others were combined to remove redundancies: Art. 23(5) – Control of Nationals – combined with Art. 25(2); and CMM 2014-03 – RFV SSPs – combined with CMM 2013-10.

<b>Table 2: AGREED LIST OF CMMs TO BE REVIEWED IN COMPLIANCE MONITORING REPORTS PREPARED IN 2016 – COVERING 2015 ACTIVITIES.</b> With Secretariat notes on the individual obligations within a CMM which will be included in draft CMR and the relevant draft CMR section number <sup>2</sup>		
<b>Sci Data</b>	<b>1-3 &amp; 5 (catch est, active vessels, op data, size data)</b>	
	SciData 01	vi
	SciData 01	vii
	SciData 02	vi
	SciData 02	vii
	SciData 03	vi
	SciData 03	vii
	SciData 05	vi
	SciData 05	vii
<b>Art. 23.2 (b) &amp; (c)</b>	<b>Annual Report Part 1 and Part 2<sup>3</sup></b>	
	Convention Article 23 2 (b)	vii
	Convention Article 23 2 (c)	vii
<b>Art. 25(2) &amp; Art. 23(5)</b>	<b>Alleged FV violations &amp; Control of Nationals – investigations and reports</b>	
	Convention Article 23 (5)	vii
	Convention Article 25 (2)	vii
<b>2005-03</b>	<b>NP Albacore</b>	
	CMM 2005-03 02	i
	CMM 2005-03 03	ii
	CMM 2005-03 03	vii
	CMM 2005-03 04	ii
<b>2007-01</b>	<b>ROP</b>	
	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
<b>2009-06</b>	<b>Transshipment</b>	
	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

<sup>2</sup> 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.

<sup>3</sup> The assessment of the annual reports is to include both submission of the reports and timeliness of the submission with respect to Commission reporting deadlines (United States and Chinese Taipei comments)

**WCPFC13 Summary Report Attachment I**

	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
<b>2010-02</b>	<b><i>EHSP</i></b>	
	CMM 2010-02 02	ii
	CMM 2010-02 02	vii
<b>2010-05</b>	<b><i>SP Albacore</i></b>	
	CMM 2010-05 01	i
	CMM 2010-05 04	ii
<b>2010-07</b>	<b><i>Sharks</i></b>	
	CMM 2010-07 09	i
	CMM 2010-07 12	vii
<b>2013-05</b>	<b><i>Catch and Effort Reporting</i></b>	
	CMM 2013-05 01	ii
	CMM 2013-05 02	ii
<b>2013-07</b>	<b><i>Special Requirements of SIDS</i></b>	
	CMM 2013-07 19	vii
<b>2013-10 &amp; 2014-03</b>	<b><i>RFV &amp; RFV SSPs</i></b>	
	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
<b>2014-01</b>	<b><i>Tropical Tuna</i></b>	
	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 20	Collective
	CMM 2014-01 22	i
	CMM 2014-01 23	vii
	CMM 2014-01 24	ii
	CMM 2014-01 24	vii
	CMM 2014-01 24	Collective
	CMM 2014-01 25	i
	CMM 2014-01 30	i
	CMM 2014-01 33	v



**WCPFC13 Summary Report Attachment I**

	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
<b>2014-02</b>	<b>VMS</b>	
	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
<b>2014-04</b>	<b>Pacific Bluefin (rebuilding plan)</b>	
	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
<b>2011-04</b>	<b>Oceanic Whitetip</b>	
	CMM 2011-04 03	iii
	CMM 2011-04 03	vii
<b>2006-08</b>	<b>HSBI</b>	
	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
	CMM 2006-08 33 and 36	vii
	CMM 2006-08 40	v
	CMM 2006-08 40	vii
	CMM 2006-08 41	v

**WCPFC13 Summary Report Attachment I**

	CMM 2006-08 41	vii
<b>2013-08</b>	<b>Silky Sharks</b>	
	CMM 2013-08 01	i
	CMM 2013-08 03	iii
	CMM 2013-08 03	vii
<b>2008-03</b>	<b>Sea Turtles</b>	
	CMM 2008-03 02	iii
	CMM 2008-03 02	vii
	CMM 2008-03 07c	iii
	CMM 2008-03 07c	vii
<b>2008-04</b>	<b>Driftnets</b>	
	CMM 2008-04 02	i
	CMM 2008-04 05	iii
<b>2012-07</b>	<b>Seabirds</b>	
	CMM 2012-07 04	iii
	CMM 2012-07 04	vii
	CMM 2012-07 09	iii
	CMM 2012-07 09	vii

<b>Table 3: AGREED LIST OF CMMs TO BE REVIEWED IN COMPLIANCE MONITORING REPORTS PREPARED IN 2017 – COVERING 2016 ACTIVITIES.</b> With Secretariat notes on the individual obligations within a CMM which will be included in dCMR and the relevant dCMR section number <sup>45</sup>	
<b>Sci Data</b>	<b>1-3 &amp; 5 (catch est, active vessels, op data, size data)</b>
	SciData 01 vi
	SciData 01 vii
	SciData 02 vi
	SciData 02 vii
	SciData 03 vi
	SciData 03 vii
	SciData 05 vi
	SciData 05 vii
<b>Art. 23.2 (b) &amp; (c)</b>	<b>Annual Report Part 1 and Part 2</b>
	Convention Article 23 2 (b) iii, vii
	Convention Article 23 2 (c) iii, vii
<b>Art. 25(2) &amp; Art. 23(5)</b>	<b>Alleged FV violations &amp; Control of Nationals – investigations and reports</b>
	Convention Article 23 (5) vii
	Convention Article 25 (2) iii, vii
<b>Article 24 (3)</b>	<b>Flat State duties – Article 24 (3)</b>
	Convention Article 24 (3) v
<b>Report of WCPFC9</b>	<b>Areas of Overlap (80) iii</b>
<b>2005-03</b>	<b>NP Albacore</b>
	CMM 2005-03 02 i
	CMM 2005-03 03 ii
	CMM 2005-03 03 vii
	CMM 2005-03 04 ii
<b>2007-01</b>	<b>ROP<sup>6</sup></b>
	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

<sup>4</sup> 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.

<sup>5</sup> The assessment of the annual reports is to include both submission of the reports and timeliness of the submission with respect to Commission reporting deadlines (United States and Chinese Taipei comments)

<sup>6</sup> These obligations shall take into account 2012-03 02 with respect to the applications of the ROP North of 20N

<b>Table 3: AGREED LIST OF CMMs TO BE REVIEWED IN COMPLIANCE MONITORING REPORTS PREPARED IN 2017 – COVERING 2016 ACTIVITIES.</b> With Secretariat notes on the individual obligations within a CMM which will be included in dCMR and the relevant dCMR section number <sup>45</sup>	
<b>2009-06</b>	<b>Transshipment</b>
	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
	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
<b>2010-02</b>	<b>EHSP</b>
	CMM 2010-02 02 ii
	CMM 2010-02 02 vii
<b>2010-06 22</b>	<b>List of Vessels: Illegal, Unreported, and Unregulated Fishing</b>
	V, vii
	CMM 2010-06 22
<b>2010-07</b>	<b>Sharks</b>
	CMM 2010-07 06
	CMM 2010-07 09 i
	CMM 2010-07 12 vii
<b>2015-02</b>	<b>SP Albacore</b>
	CMM 2015-02 01 i
	CMM 2015-02 04 ii
<b>2013-05</b>	<b>Catch and Effort Reporting</b>
	CMM 2013-05 01 ii
	CMM 2013-05 02 ii
<b>2013-07</b>	<b>Special Requirements of SIDS</b>
	CMM 2013-07 19 vii
<b>2013-10 &amp; 2014-03</b>	<b>RFV &amp; RFV SSPs</b>
	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

**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 will be included in dCMR and the relevant dCMR section number<sup>45</sup>

<b>2015-01</b>	<b><i>Tropical Tuna</i></b>
	CMM 2015-01 14 iv
	CMM 2015-01 16 i
	CMM 2015-01 16 iv
	CMM 2015-01 16 vii
	CMM 2015-01 16 footnote 3 vii
	CMM 2015-01 19 ii
	CMM 2015-01 20 collective
	CMM 2015-01 22 i
	CMM 2015-01 23 i
	CMM 2015-02 23 vii
	CMM 2015-01 24 ii
	CMM 2015-01 24 collective
	CMM 2015-01 24 vii
	CMM 2015-01 25 i
	CMM 2015-01 30 iii
	CMM 2015-01 33 v
	CMM 2015-01 34 v
	CMM 2015-01 37 iv
	CMM 2015-01 37 vii
	CMM 2015-01 40 i
	CMM 2015-01 41 i
	CMM 2015-01 44 ii
	CMM 2015-01 44 vii
	CMM 2015-01 47 i
	CMM 2015-01 48 ii
	CMM 2015-01 49-50 i
	CMM 2015-01 50 iii
	CMM 2015-01 51 i
	CMM 2015-01 52 i
	CMM 2015-01 57 iii
	CMM 2015-01 59 iii
	CMM 2015-01 Att C 03 ii
	CMM 2015-01 Att C 03 vii
	CMM 2015-01 Att C 05-06 v
	CMM 2015-01 Att C 08 ii
<b>2014-02</b>	<b><i>VMS</i></b>
	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
<b>2015-04</b>	<b><i>Pacific Bluefin (rebuilding plan)</i></b>
	CMM 2015-04 03 i
	CMM 2015-04 04 i
	CMM 2015-04 06 ii

<b>Table 3: AGREED LIST OF CMMs TO BE REVIEWED IN COMPLIANCE MONITORING REPORTS PREPARED IN 2017 – COVERING 2016 ACTIVITIES.</b> With Secretariat notes on the individual obligations within a CMM which will be included in dCMR and the relevant dCMR section number <sup>45</sup>	
	CMM 2014-04 12 <span style="float: right;">vii</span>
<b>2015-07</b>	<b><i>Compliance Monitoring Scheme</i></b>
	CMM 2015-07 36 <span style="float: right;">iii</span>
<b>2014-05</b>	<b><i>Sharks</i></b>
	CMM 2014-05 02 <span style="float: right;">vii</span>
<b>2004-03</b>	<b><i>FV Marking</i></b>
	CMM 2004-03 02 <span style="float: right;">v</span>
<b>2012-04</b>	Whale Sharks
	CMM 2012-04 01 <span style="float: right;">i</span>
	CMM 2012-04 03 <span style="float: right;">iii</span>
	CMM 2012-04 03 <span style="float: right;">vii</span>
	CMM 2012-04 06 <span style="float: right;">iii</span>
	CMM 2012-04 06 <span style="float: right;">vii</span>
<b>2010-01</b>	<b><i>NP Striped Marlin</i></b>
	CMM 2010-01 05 <span style="float: right;">i</span>
	CMM 2010-01 08 <span style="float: right;">ii</span>
<b>2009-03</b>	<b><i>Swordfish</i></b>
	CMM 2009-03 01 <span style="float: right;">i</span>
	CMM 2009-03 02 <span style="float: right;">i</span>
	CMM 2009-03 03 <span style="float: right;">i</span>
	CMM 2009-03 08 <span style="float: right;">ii</span>
	CMM 2009-03 08 <span style="float: right;">vii</span>
<b>2011-03</b>	<b><i>Cetaceans</i></b>
	CMM 2011-03 01 <span style="float: right;">i</span>
	CMM 2011-03 05 <span style="float: right;">iii</span>
	CMM 2011-03 05 <span style="float: right;">vii</span>
<b>2015-05</b>	<b><i>Charter Notification</i></b>
	CMM 2015-05 03 <span style="float: right;">vii</span>
<b>2012-07</b>	<b><i>Seabirds</i></b>
	CMM 2012-07 04 <span style="float: right;">lii</span>
	CMM 2012-07 04 <span style="float: right;">Vi</span>
	CMM 2012-07 09 <span style="float: right;">lii</span>
	CMM 2012-07 09 <span style="float: right;">vi</span>

<b>Table 4: AGREED LIST OF CMMs TO BE REVIEWED IN COMPLIANCE MONITORING REPORTS PREPARED IN 2018 – COVERING 2017 ACTIVITIES.</b> With Secretariat notes on the individual obligations within a CMM which were included in dCMR and the relevant dCMR section number <sup>78</sup>	
<b>Sci Data</b>	<b>1-3 &amp; 5 (catch est, active vessels, op data, size data)</b>
	SciData 01 vi
	SciData 01 vii
	SciData 02 vi
	SciData 02 vii
	SciData 03 vi
	SciData 03 vii
	SciData 05 vi
	SciData 05 vii
<b>Art. 23.2 (b) &amp; (c)</b>	<b>Annual Report Part 1 and Part 2</b>
	Convention Article 23 2 (b) iii, vii
	Convention Article 23 2 (c) iii, vii
<b>Art. 25(2) &amp; Art. 23(5)</b>	<b>Alleged FV violations &amp; Control of Nationals – investigations and reports</b>
	Convention Article 23 (5) vii
	Convention Article 25 (2) vii
<b>Article 24 (3)</b>	<b>Flat State duties – Article 24 (3)</b>
	Convention Article 24 (3) v
<b>Report of WCPFC9</b>	<b>Areas of Overlap (80) iii</b>
<b>2005-03</b>	<b>NP Albacore</b>
	CMM 2005-03 02 i
	CMM 2005-03 03 ii
	CMM 2005-03 03 vii
	CMM 2005-03 04 ii
<b>2007-01</b>	<b>ROP<sup>9</sup></b>
	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

<sup>7</sup> 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.

<sup>8</sup> The assessment of the annual reports is to include both submission of the reports and timeliness of the submission with respect to Commission reporting deadlines (United States and Chinese Taipei comments)

<sup>9</sup> These obligation shall take into account 2012-03 02 with respect to the applications of the ROP North of 20N

**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<sup>78</sup>

<b>2009-06</b>	<b><i>Transshipment</i></b>
	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
	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
<b>2010-02</b>	<b><i>EHSP</i></b>
	CMM 2010-02 02 ii
	CMM 2010-02 02 vii
<b>2010-06 22</b>	<b><i>List of Vessels: Illegal, Unreported, and Unregulated Fishing</i></b>
	v, CMM 2010-06 22 vii
<b>2010-07</b>	<b><i>Sharks</i></b>
	CMM 2010-07 06
	CMM 2010-07 09 i
	CMM 2010-07 12 vii
<b>2015-02</b>	<b><i>SP Albacore</i></b>
	CMM 2015-02 01 i
	CMM 2015-02 04 ii
<b>2013-05</b>	<b><i>Catch and Effort Reporting</i></b>
	CMM 2015-02 01 ii
	CMM 2015-02 04 ii
<b>2013-07</b>	<b><i>Special Requirements of SIDS</i></b>
	CMM 2013-07 19 vii
<b>2013-10 &amp; 2014-03</b>	<b><i>RFV &amp; RFV SSPs</i></b>
	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



**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<sup>78</sup>

<b>2016-01</b>	<b><i>Tropical Tuna</i></b>
	CMM 2016-01 14 iv
	CMM 2016-01 16 i
	CMM 2016-01 16 iv
	CMM 2016-01 16 vii
	CMM 2016-01 16 footnote 3 vii
	CMM 2016-01 19 ii
	CMM 2016-01 20 collective
	CMM 2016-01 22 i
	CMM 2016-01 23 i
	CMM 2016-01 23 vii
	CMM 2016-01 24 ii
	CMM 2016-01 24 collective
	CMM 2016-01 24 vii
	CMM 2016-01 25 i
	CMM 2016-01 30 iii
	CMM 2016-01 33 v
	CMM 2016-01 34 v
	CMM 2016-01 37 iv
	CMM 2016-01 37 vii
	CMM 2016-01 40 i
	CMM 2016-01 41 i
	CMM 2016-01 44 ii
	CMM 2016-01 44 vii
	CMM 2016-01 47 i
	CMM 2016-01 48 ii
	CMM 2016-01 49-50
	CMM 2016-01 50 iii
	CMM 2016-01 51 i
	CMM 2016-01 52 i
	CMM 2016-01 57 iii
	CMM 2016-01 59 iii
	CMM 2016-01 Att C 03 ii
	CMM 2016-01 Att C 03 vii
	CMM 2016-01 Att C 05-06 v
	CMM 2016-01 Att C 08 ii
<b>2014-02</b>	<b><i>VMS</i></b>
	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
<b>2015-04</b>	<b><i>Pacific Bluefin (rebuilding plan)</i></b>
	CMM 2015-04 03 i
	CMM 2015-04 04 i
	CMM 2015-04 06 ii

**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<sup>78</sup>

<b>2015-07</b>	<b><i>Compliance Monitoring Scheme</i></b>	
	CMM 2015-07 36	vii
<b>2011-04</b>	<b><i>Oceanic Whitetip</i></b>	
	CMM 2011-04 01	i
	CMM 2011-04 03	iii
	CMM 2011-04 03	vii
<b>2006-08</b>	<b><i>HSBI</i></b>	
	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
	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
<b>2013-08</b>	<b><i>Silky Sharks</i></b>	
	CMM 2013-08 01	i
	CMM 2013-08 03	iii
	CMM 2013-08 03	vii
<b>2006-04</b>	<b><i>Striped Marlin in the Southwest Pacific</i></b>	
	CMM 2006-04 01	i
	CMM 2006-04 04	ii
<b>2009-05</b>	<b><i>Data Buoys</i></b>	
	CMM 2009-05 01	i
	CMM 2009-05 03	i
	CMM 2009-05 05	iii



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THIRTEENTH REGULAR SESSION**  
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**CONSERVATION AND MANAGEMENT MEASURE FOR CHARTER  
NOTIFICATION SCHEME**

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**Conservation and Management Measure 2016-05<sup>1</sup>**

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 paragraph 4 flagged to 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. Within 15 days, or in any case within 72 hours before commencement of fishing activities under a charter arrangement, the chartering Member or Participating Territory shall notify the Executive Director of any vessel to be identified as chartered in accordance with this measure by submitting electronically where possible to the Executive Director 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);

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<sup>1</sup> By adoption of this CMM (CMM-2016-05) the Commission rescinds CMM-2015-05 which has been revised and replaced.

- d) name and address of the charterer;
- e) the duration of the charter arrangement; and
- f) the flag state of the vessel.

Upon receipt of the information the Executive Director will immediately notify the flag State.

3. 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. Unless specifically provided in other CMMs, catches and effort of vessels notified as chartered under this CMM shall be attributed to the chartering Member or Participating Territory. Unless specifically provided in other CMMs, the chartering Member or Participating Territory shall report annually to the Executive Director catch and effort of chartered vessels in the previous year.
8. This Measure shall expire on 31 December 2019 unless renewed by the Commission.

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**CONSERVATION AND MANAGEMENT MEASURE FOR THE  
EASTERN HIGH-SEAS POCKET SPECIAL MANAGEMENT AREA**

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**Conservation and Management Measure 2016-02**

*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 1982 Convention and the Agreement;

*Concerned* that IUU fishing activities in the Convention area undermine the effectiveness of the conservation measures adopted by the WCPFC.

*Conscious* of the need to address, as a matter of priority, the issue of vessels conducting IUU fishing activities from the Eastern High Seas Pocket (the 'E-HSP');

*Determined* to address the challenge of an increase in IUU fishing activities by way of counter-measures to be applied in respect to vessels in the E-HSP, without prejudice to further measures adopted in respect of CCMs and non-CCMs under the relevant WCPFC instruments;

*Recognising* 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* 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;

*Noting further* that Article 30(2)(c) of the Convention requires the Commission to ensure that conservation and management measures do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto developing States Parties, and territories and possessions;

*Adopts*, in accordance with Article 10 of the Convention:

**AREA OF APPLICATION**

1. The E-HSP is the area of high seas bounded by the Exclusive Economic Zones of the Cook Islands to the west, French Polynesia to the east and Kiribati to the north. For the purposes of this

## WCPFC13 Summary Report Attachment K

measure, the precise co-ordinates (geodetic information) shall be that used by the WCPFC vessel monitoring system (VMS) the co-ordinates is attached (Attachment A). A map showing the E-HSP is attached (Attachment B).

### REPORTING

#### Vessel sightings

2. CCMs shall encourage their flagged vessels operating in the E-HSP to report sightings of any fishing vessel to the Commission Secretariat. Such information should include: date and time (UTC), position (true degrees), bearing, markings, speed (knots), and vessel type. Vessels should ensure this information is transmitted to the Secretariat within 6 hours of a sighting event taking place.

### VMS

3. Adjacent coastal States/Territories shall receive continuous near real-time VMS data pursuant to paragraph 22 of the Commission's Rules and Procedures for the Protection, Access to, and Dissemination of High Seas Non-Public Domain Data and Information Compiled by the Commission for the Purpose of Monitoring, Control or Surveillance (MCS) Activities and the Access to and Dissemination of High Seas VMS Data for Scientific Purposes; and through a standing request under paragraph 5 of these Rules and Procedures.
4. Flag States shall monitor their vessels operating in the E-HSP, using at minimum the WCPFC VMS, to ensure compliance with this measure.

### VESSEL LIST

5. The Commission Secretariat shall maintain a 'live list' of all fishing vessels present in the E-HSP, based on near-real time VMS information. This list will be made available to Commission Members through the WCPFC website.

### TRANSHIPMENT

6. All transshipment activities are prohibited in the E-HSP from 1<sup>st</sup> January 2019.

### COMPLIANCE

7. Vessels found to be non-compliant with this measure shall be dealt with in accordance with CMM 2010-06, and any other applicable measures adopted by the Commission

### IMPLEMENTATION AND REVIEW OF MEASURE

8. The Secretariat shall prepare a report on the implementation and compliance of this measure to TCC each year.
9. The measures described above shall be reviewed every two years, in conjunction with the relevant advice from the Technical and Compliance Committee (TCC). This review shall consider, inter alia, whether the measure is having the intended effect and the extent to which all CCMs and fishing sectors are contributing to achieving the Commission's conservation objectives.
10. This measure shall not constitute a precedent and is restricted to the E-HSP.
11. This measure shall replace CMM2010-02, and shall remain in force until such time as the Commission adopts an alternative measure for the E-HSP.

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## Attachment A: EHSP-SMA Coordinates as at April 2012

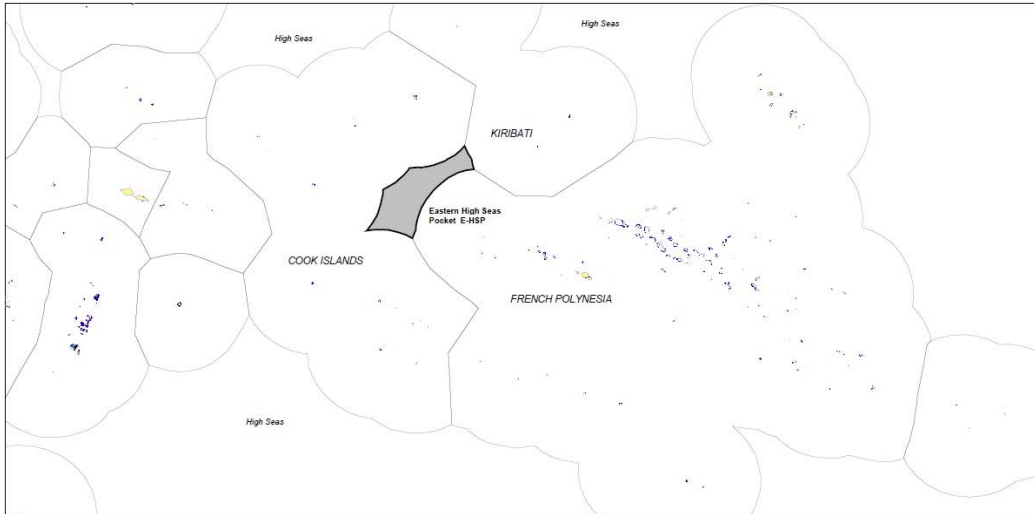
Coordinates of the Eastern High Seas Pocket - Special Management Area

These coordinates are without prejudice to any negotiations or work on current boundaries and are subject to change as boundaries are resolved.

LONGITUDE	LATITUDE
-155.495308	-11.375548
-155.498321	-11.391248
-155.375667	-11.6652
-155.144789	-12.031226
-155.087069	-12.286791
-155.011312	-12.527927
-154.988916	-12.541928
-155.011131	-12.528155
-155.4405	-12.58823
-155.8398	-12.7045
-156.3396	-12.96024
-156.748	-13.26971
-157.0805	-13.57845
-157.4277	-13.99567
-157.6434	-14.37697
-157.7986	-14.73752
-157.9131	-15.11709
-157.962	-15.46605
-158.039622	-15.653761
-158.122829	-15.877123
-158.127739	-15.869203
-158.231024	-15.803568
-158.36955	-15.745447
-158.496828	-15.694033
-158.661362	-15.634953
-158.821586	-15.583395
-159.026918	-15.539192
-159.190663	-15.503491
-159.372631	-15.472738
-159.548569	-15.453715
-159.736692	-15.448871
-159.90316	-15.449959
-160.083542	-15.463548
-160.226654	-15.480612
-160.365423	-15.495182
-160.451319	-15.514117
-160.406016	-15.448192
-160.316351	-15.338878
-160.217964	-15.213622
-160.156932	-15.110787
-160.074995	-14.978629

-160.011413	-14.890788
-159.926847	-14.750107
-159.87787	-14.621808
-159.79653	-14.407807
-159.75968	-14.275899
-159.711458	-14.113648
-159.682425	-13.98575
-159.655144	-13.863674
-159.621745	-13.726376
-159.619708	-13.634445
-159.616001	-13.561895
-159.614094	-13.509574
-159.561966	-13.476838
-159.464666	-13.417237
-159.323121	-13.349332
-159.212807	-13.287211
-159.104174	-13.209011
-158.983445	-13.143509
-158.882253	-13.049931
-158.744371	-12.94646
-158.649624	-12.872332
-158.560938	-12.795621
-158.495677	-12.723884
-158.424306	-12.639442
-158.333838	-12.548261
-158.2853	-12.45563
-158.071642	-12.43816
-157.8909	-12.42376
-157.747379	-12.436771
-157.631174	-12.428707
-157.4811	-12.39678
-157.229515	-12.356368
-157.039477	-12.306157
-156.868471	-12.243143
-156.665366	-12.174288
-156.495214	-12.106995
-156.3649	-12.01769
-156.25113	-11.967768
-156.113903	-11.894359
-156.012144	-11.844092
-155.895851	-11.761728
-155.77415	-11.66355
-155.688884	-11.572012
-155.593209	-11.478779
-155.495308	-11.375548

**Attachment B: Eastern High Seas Pocket**







### WCPFC IUU VESSEL LIST FOR 2017

(Effective from 7 February 2017: WCPFC13 agreed to maintain the WCPFC IUU list for 2016 as the WCPFC IUU list for 2017)

Note: Information provided in this list is in accordance with CMM 2010-06 para 19 and WCPFC13 decisions

Current name of vessel (previous names)	Current flag (previous flags)	Date first included on WCPFC IUU Vessel List <sup>1</sup>	Flag State Registration Number/ IMO Number	Call Sign (previous call signs)	Vessel Master (nationality)	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)

<sup>1</sup> **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.

**Results of SWG on Management Objectives**

Suggested **initial list** of performance indicators (shaded) for Tropical Purse Seine Fisheries **for the purpose of the evaluation of HCRs only**. SPC is requested to continue the work on HCRs based on the suggested indicators here as much as possible. Short-, medium-, and long-term calculation results would be provided, if possible. **The list is interim and should be reviewed and may be revised when further information is available.**

**Objectives included here do not consist a consensus view of the SWG. The SWG developed a list of useful indicators, simply using the MOW/US suggestions as a guide without agreeing/disagreeing them. Each indicator is considered to have different importance to different CCMs, thus should not be considered to have equal weights.**

Objective Type	MOW4 Strawman	US proposal (DP22)	SWG suggestion of objective	Performance Indicator (WP14)	Monitoring Strategy (WP14)	SWG Suggestion to include as an indicator
Biological	Maintain SKJ (and YFT & BET) biomass at or above levels that provide fishery sustainability throughout their range.	Maintain SKJ, YFT, BET stock sizes above LRPs.		Probability of $SB/SB_{F=0} > 0.2$ in as determined from MSE.	Probability of $SB/SB_{F=0} > 0.2$ in the long-term as determined from the reference set of operating models	Yes
Economic	Maximise economic yield from the fishery			Predicted effort relative to $E_{MEY}$ (to take account of multi-species	Observed rent from the fishery relative to MEY.	Yes

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Objective Type	MOW4 Strawman	US proposal (DP22)	SWG suggestion of objective	Performance Indicator (WP14)	Monitoring Strategy (WP14)	SWG Suggestion to include as an indicator
				considerations, SKJ, BET and YFT; may be calculated at the individual fishery level).  B <sub>MEY</sub> and F <sub>MEY</sub> may also be considered at a single species level.	Observed effort in the fishery relative to E <sub>MEY</sub> .	
			Maximize catch	Average expected catch. (may also be calculated at the assessment region level)	Observed catch information	Yes
	Increase fisheries-based development within developing states (SIDS) economies, especially on-shore processing capacity.			As a proxy: Average proportion of SIDS-catch to total catch for fisheries operating in specific regions.	Percentage contribution of fisheries to GDP.  Proportion of total catch processed by SIDS  Value of product exported from SIDS.	
	Maintain acceptable CPUE.			Average deviation of predicted SKJ CPUE from reference period levels.	Observed CPUE maintained at or greater than specified levels.	Yes

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Objective Type	MOW4 Strawman	US proposal (DP22)	SWG suggestion of objective	Performance Indicator (WP14)	Monitoring Strategy (WP14)	SWG Suggestion to include as an indicator
	Optimise fishing effort			EMEY (as for Maximise economic yield ). Effort consistent with specified level	Annual monitoring through logbook/VMS	
	Maximise SIDS revenues from resource rents	Take into account the special requirements of developing states and territories		Proxy: average value of SIDSs/non-SIDDs catch <del>Average proportion of SIDS effort or catch to total effort or catch for fisheries operating in specific regions</del>	Observed proportion of SIDS-effort/catch to total effort/catch from SIDS waters from logsheet or VMS data	Yes
	Catch stability			Average annual variation in catch <del>in the short, medium and long term.</del>	Observed variation in catch from logsheet data	Yes
	Stability and continuity of market supply			Average annual variation in catch effort in the short-, medium- and long-term	Observed variation in catch From logsheet data Observed variation in market prices Market throughput of tuna products	

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Objective Type	MOW4 Strawman	US proposal (DP22)	SWG suggestion of objective	Performance Indicator (WP14)	Monitoring Strategy (WP14)	SWG Suggestion to include as an indicator
			Effort predictability	Effort variation relative to reference period level (may also be calculated at the assessment region level).		Yes
		Maintain SKJ, YFT, BET stock sizes around TRPs (where adopted).		Probability of and deviation from $SB/SB_{F=0} > 0.5$ (SKJ) in the short-medium- long-term as determined from MSE (may also be calculated at the assessment region level).	Current median adult biomass, as determined from the reference set of Operating Models.	Yes
Social	Affordable protein for coastal communities			As a proxy: Average proportion of CCMs-catch to total catch for fisheries operating in specific regions.	Average fish consumption per year per person relative to some target.	
	Food security in developing states (import replacement)			As a proxy: Average proportion of CCMs-catch to total catch for fisheries operating in specific regions.	Ratio of locally marketed fish to imported fish products.	Yes
	Avoid adverse impacts on small scale fishers	Minimize adverse impacts on other fisheries, including:		o MSY of SKJ, BET, YFT	Monitoring of fisheries in CCMs	Yes

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Objective Type	MOW4 Strawman	US proposal (DP22)	SWG suggestion of objective	Performance Indicator (WP14)	Monitoring Strategy (WP14)	SWG Suggestion to include as an indicator
		<ul style="list-style-type: none"> <li>o Downstream fisheries like longline fisheries;</li> <li>o Competing fisheries like troll, pole-and-line, and non-tropical purse seine fisheries;</li> </ul>		<ul style="list-style-type: none"> <li>o Possible information on other competing fisheries targeting SKJ. (may also be calculated at the assessment region level)</li> <li>o Any additional information on other fisheries/species as possible.</li> </ul>		
	Employment opportunities			As a proxy: Average proportion of CCMs-catch to total catch for fisheries operating in specific regions as determined from stochastic projections.	Monitoring of fishing and processing sector in CCMs	
Ecosystem	Minimise bycatch	Minimize adverse impacts on NADSs		Number of FADs sets Expected catch of other species as possible	Ratio of target species catch to catch of non-target species from observer program	<b>Yes</b>
	Minimise ecosystem impact			Size or age structure of population Total bycatch amount	From observer based size sampling and stock assessment outputs	

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Objective Type	MOW4 Strawman	US proposal (DP22)	SWG suggestion of objective	Performance Indicator (WP14)	Monitoring Strategy (WP14)	SWG Suggestion to include as an indicator
Other		Adhere to the other principles and provisions of the Convention.				



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**AGREED WORK PLAN FOR THE ADOPTION OF HARVEST STRATEGIES  
UNDER CMM 2014-06<sup>1</sup>**

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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’).”*

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<sup>1</sup> As refined and adopted at the Thirteenth Regular Session of the Commission, Denarau, Fiji 5-9 December 2016.



### **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.

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	<b>South Pacific Albacore</b>	<b>Skipjack</b>	<b>Bigeye</b>	<b>Yellowfin</b>
<b>2015</b>	SC provided advice on implications of a range of Target Reference Points for South Pacific albacore.	<b>Commission agreed an interim Target Reference Point (b).</b>	Commission tasked SC to determine a biologically reasonable timeframe for rebuilding bigeye tuna to [or above] its limit reference point.	
	<b>Commission agreed to workplan for the adoption of harvest strategies under CMM 2014-06 [WCPFC12 Summary Report, Attachment Y]</b>			

	South Pacific Albacore	Skipjack	Bigeye	Yellowfin
2016	<p>Commission considered management objectives for the fishery or stock (a).</p> <p><b>Performance indicators and Monitoring strategy (d).</b></p> <ul style="list-style-type: none"> <li>• SC provided advice on a monitoring strategy to assess performance against reference points.</li> <li>• SC provided advice on a range of performance indicators to evaluate performance of harvest control rules.</li> <li>• Commission tasked SPC/SC to develop interim performance indicators to evaluate harvest control rules.</li> <li>• <i>[Commission agree to a <b>monitoring strategy</b> to assess performance against reference points.]</i></li> </ul>	<p>Commission considered management objectives for the fishery or stock (a).</p> <p><b>Performance indicators and Monitoring strategy (d).</b></p> <ul style="list-style-type: none"> <li>• SC provided advice on a monitoring strategy to assess performance against reference points.</li> <li>• SC provide advice on a range of performance indicators to evaluate performance of harvest control rules.</li> <li>• Commission agreed interim performance indicators to evaluate harvest control rules. <b>[see WCPFC13 Summary Report Attachment M]</b></li> <li>• <i>[Commission agree to a <b>monitoring strategy</b> to assess performance against reference points.]</i></li> </ul>	<p>Commission considered management objectives for the fishery or stock (a).</p> <p>Commission agreed timeframes to rebuild stock to limit reference point. <b>[see page 8 of HSW]</b></p>	<p>Commission considered management objectives for the fishery or stock (a).</p>
	<b>Commission agreed on interim maximum acceptable risk level for breaching the LRP (c). [see page 8 of HSW]</b>			
	<b>Commission agreed to a refined workplan for the adoption of harvest strategies under CMM 2014-06 [WCPFC13 Summary Report Attachment N]</b>			
	<p><b>Progress Summary:</b></p> <p>Recognised the need for some harvest strategy elements to be adopted as ‘interim’ noting that they be reconsidered as the harvest strategy process develops.</p> <p>Considered management objectives for the fisheries or stocks and made progress on identifying performance measures for tropical purse seine fisheries. For South Pacific albacore acknowledged the benefit of SPC adapting the same list of indicators to further similar work for south Pacific albacore. Commenced some early discussions on the relationship between harvest strategies for the different species and multispecies issues.</p>			

	South Pacific Albacore	Skipjack	Bigeye	Yellowfin
2017	<p><b>Agree Target Reference Point (b).</b></p> <ul style="list-style-type: none"> <li>Commission agree a <b>Target Reference Point</b> for south pacific albacore.</li> </ul> <p><b>Develop harvest control rules (e) and Management strategy evaluation (f).</b></p> <ul style="list-style-type: none"> <li>SC provide advice on candidate harvest control rules based on agreed reference points.</li> <li>Commission consider advice on progress towards <b>harvest control rules.</b></li> </ul>	<p><b>Develop harvest control rules (e) and Management strategy evaluation (f).</b></p> <ul style="list-style-type: none"> <li>SC provide advice on candidate harvest control rules based on agreed reference points.</li> <li>Commission consider advice on progress towards <b>harvest control rules.</b></li> </ul>	<p><b>Agree performance indicators and Monitoring strategy (d).</b></p> <ul style="list-style-type: none"> <li>SC provide advice on a range of performance indicators to evaluate performance of harvest control rules.</li> <li>Commission agree interim performance indicators to evaluate harvest control rules</li> </ul> <p>[SC report on BET status following updated assessment.]</p> <p>[SC and SPC provide advice to the Commission on the likely outcomes of revised tropical tuna measure.]</p>	<p><b>Agree performance indicators and Monitoring strategy (d).</b></p> <ul style="list-style-type: none"> <li>SC provide advice on a range of performance indicators to evaluate performance of harvest control rules.</li> <li>Commission agree interim performance indicators to evaluate harvest control rules</li> </ul>
<b>Consider management objectives for stocks and fisheries (a).</b>				

	South Pacific Albacore	Skipjack	Bigeye	Yellowfin
2018	<p><b>Develop harvest control rules (e) and Management strategy evaluation (f)</b></p> <ul style="list-style-type: none"> <li>• SC provide advice on performance of candidate harvest control rules.</li> <li>• TCC consider the implications of candidate harvest control rules.</li> <li>• Commission consider advice on progress towards <b>harvest control rules</b>.</li> </ul>	<p><b>Develop harvest control rules (e) and Management strategy evaluation (f)</b></p> <ul style="list-style-type: none"> <li>• SC provide advice on performance of candidate harvest control rules.</li> <li>• TCC consider the implications of candidate harvest control rules.</li> <li>• Commission consider advice on progress towards <b>harvest control rules</b>.</li> </ul>	<p>[SC and SPC provide advice to the Commission on the likely outcomes of revised tropical tuna measure.]</p>	<p><b>Agree Target Reference Point (b).</b></p> <ul style="list-style-type: none"> <li>• SC provide advice on a range of Target Reference Points for yellowfin.</li> <li>• Commission agree a <b>Target Reference Point</b> for yellowfin.</li> </ul> <p><b>Develop harvest control rules (e).</b></p> <p><b>Management strategy evaluation (f).</b></p>

	South Pacific Albacore	Skipjack	Bigeye	Yellowfin
2019	<p><b>Develop harvest control rules (e) and Management strategy evaluation (f)</b></p> <ul style="list-style-type: none"> <li>• SC provide advice on performance of candidate harvest control rules.</li> <li>• TCC consider the implications of candidate harvest control rules.</li> <li>• Commission consider advice on progress towards <b>harvest control rules</b>.</li> </ul>	<p><b>Develop harvest control rules (e) and Management strategy evaluation (f)</b></p> <ul style="list-style-type: none"> <li>• SC provide advice on performance of candidate harvest control rules.</li> <li>• TCC consider the implications of candidate harvest control rules.</li> <li>• Commission consider advice on progress towards harvest control rules.</li> </ul>	<p><b>Agree Target Reference Point (b).</b></p> <ul style="list-style-type: none"> <li>• SC provide advice on a range of Target Reference Points for bigeye.</li> <li>• Commission agree a <b>Target Reference Point</b> for bigeye.</li> </ul> <p><b>Agree monitoring strategy (d). Develop harvest control rules (e). Management strategy evaluation (f).</b></p> <ul style="list-style-type: none"> <li>• SC provide advice on a monitoring strategy to assess performance against reference points.</li> <li>• SC provide advice on a range of performance indicators to evaluate performance of harvest control rules.</li> <li>• Commission agree to a <b>monitoring strategy</b> to assess performance against reference points.</li> </ul> <p>Commission agree performance indicators to evaluate <b>harvest control rules</b></p>	<p><b>Agree performance indicators and Monitoring strategy (d).</b></p> <ul style="list-style-type: none"> <li>• SC provide advice on a monitoring strategy to assess performance against reference points.</li> <li>• Commission agree to a <b>monitoring strategy</b> to assess performance against reference points.</li> </ul>

**Annex: Record of outcomes from WCPFC13 related to the Harvest Strategy Workplan**

**Agreed interim performance indicators to evaluate Harvest Control Rules**

1. The Commission accepted the suggested initial list of performance indicators for tropical purse-seine fisheries as developed by the Small Working Group on Management Objectives at WCPFC13 for the purpose of the evaluation of harvest control rules (This list is attached at **WCPFC13 Summary Report Attachment M**).

**Reference: WCPFC13 Summary Report, paragraph 286**

**Acceptable levels of risk (all stocks)**

2. After discussion of the proposals of the FFA members and the USA, and based on the recommendation of the working group the Commission agreed to:
  - i) not specify, at this time, acceptable levels of risk of breaching the limit reference point for each stock;
  - ii) consider any risk level greater than 20 percent to be inconsistent with the LRP related principle in UNFSA (as referenced in Article 6 of the Convention) including that the risk of breaching limit reference points be very low; and
  - iii) determine the acceptability of potential HCRs where the estimated risk of breaching the limit reference point is between 0 and 20%.

**Reference: WCPFC13 Summary Report, paragraph 296**

**Rebuilding timelines (bigeye)**

3. In accordance with the workplan for the adoption of harvest strategies under CMM 2014-05 the Commission is scheduled to agree a timeframe for rebuilding bigeye tuna to [or above] its LRP.
4. The Commission agreed to an interim timeframe of up to ten years for rebuilding the bigeye tuna stock to the agreed Limit Reference Point of  $0.2SB_{F=0}$ .

5. The Commission shall use this timeframe in its development and evaluation of strategies and conservation and management measures relevant to the rebuilding of bigeye tuna. Amongst other matters, the Commission will consider the probability of the bigeye stock being at or above the limit reference point at the end of the rebuilding timeframe.

**Reference: WCPFC13 Summary Report, paragraphs 304 - 306**

### **Target reference point (South Pacific albacore)**

6. WCPFC13 requested that existing analyses of the implications of different TRP levels – in terms of total catch and effort changes required – should be re-circulated to CCMs by FFA before the end of December 2016, and that the Scientific Services Provider assist CCMs in understanding the economic implications of different TRPs for their vessels before SC13.
7. WCPFC13 agreed to defer the possible adoption of an interim Target Reference Point for the South Pacific Albacore stock, which had originally been agreed to take place in 2015 under the Harvest Strategy Work Plan, until December 2017 at the latest.
8. The Commission directed that further discussion of the TRP should take place over the course of 2017 as part of the ongoing consultative process for the development of a Bridging Measure for the Conservation and Management of the South Pacific Albacore stock, and should include a report on progress by the Convenor of that process to the 13th WCPFC Scientific Committee.

**Reference: WCPFC13 Summary Report, paragraphs 313 - 315**

### **Harvest Strategy Workplan**

9. The Commission adopted the Updated Harvest Strategy Work Plan (**WCPFC13 Summary Report Attachment N**). The Secretariat was tasked with documenting progress achieved under the Harvest Strategies agenda item in the form of an annex to the Harvest Strategy Work Plan to serve as a reference document to track progress against the agreed work plan.

**Reference: WCPFC13 Summary Report, paragraph 326**

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**COMMISSION  
THIRTEENTH REGULAR SESSION  
Denarau Island, Fiji  
5 – 9 December, 2016**

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**CONSERVATION AND MANAGEMENT MEASURE FOR BIGEYE, YELLOWFIN  
AND SKIPJACK TUNA IN THE WESTERN AND CENTRAL PACIFIC OCEAN**

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**Conservation and Management Measure 2016-01<sup>1</sup>**

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<sup>1</sup> The Commission agreed to amend CMM 2015-01 to replace references to “2016” with “2017” in paragraph 25 and Attachment A heading; ii) include reference to CMM 2015-01, in paragraph 62; iii) include reference to CMM 2016-01 in Attachment C para 1 and 9, and Attachment E preamble; and iv) include a clarifying sentence in footnote 5 to paragraph 18. In addition the Commission agreed that in respect of paragraph 28 and 43, no limits for yellowfin tuna would apply in purse seine and longline fisheries in 2017.

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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 Management<sup>2</sup>**

##### ***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.<sup>3</sup>

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

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<sup>2</sup> For members of the PNA, this measure will be implemented through the Third Arrangement Implementing the Nauru Agreement of May 2008.

<sup>3</sup> 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.<sup>4</sup>

***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.<sup>5</sup>

***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.

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<sup>4</sup> 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.

<sup>5</sup> 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. A CCM that has qualified for the above mentioned exemption shall maintain a verifiable reduction in bigeye catches by its purse seine vessels to 55% from the reference levels (2010-2012) also in the course of 2017.



- (b) The flag CCM shall provide information set forth in (19a) every month by its vessels to the Secretariat.
- (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 Zones<sup>6</sup>***

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

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<sup>6</sup> 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.

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 previous 12 month calendar period.

#### ***High Seas purse seine effort limits***

25. For 2017, non-SIDS CCMs shall restrict the level of purse seine effort on high seas to the limits indicated in Attachment D.<sup>7</sup> The Commission shall review these limits at its meeting in 2017 and agree on high seas purse seine effort limits to apply after 2017.

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.<sup>8</sup>

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

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<sup>7</sup> The measures that the Philippines will take are in Attachment C.

<sup>8</sup> 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.

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 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.<sup>9</sup>

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 Indonesia<sup>10</sup>, 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.<sup>11</sup>

### **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

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<sup>9</sup> 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.

<sup>10</sup> This paragraph shall not create a precedent to respect to application of exemptions non-SIDS CCMs.

<sup>11</sup> 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 Commission<sup>12</sup> not only for the purpose of stocks management but also for the purpose of cooperation to SIDS under Article 30 of the Convention.<sup>13</sup>

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.

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<sup>12</sup> 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.

<sup>13</sup> 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, CMM 2014-01 and CMM 2015-01 and shall remain in effect until 31 December 2017.

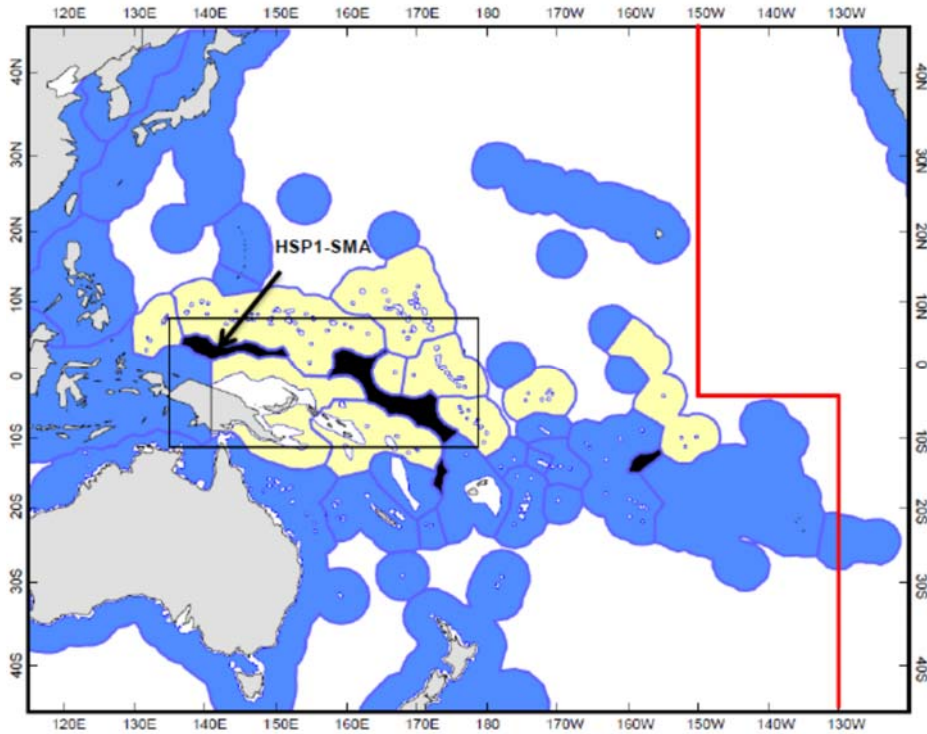


## Attachment A: FAD set limits tables (2014 – 2017)

	Column A		Column B		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)	Baseline for FAD set limits (2010-12 average except for fleets of five or fewer vessels who have the maximum for 2010-12)
CHINA	845	31.5% of average total sets	738	27.5% of average total sets	1,272
ECUADOR	119	31.5% of average total sets	104	27.5% of average total sets	349
EL SALVADOR	59	31.5% of maximum total sets (small fleet)	52	27.5% of maximum total sets (small fleet)	185
FSM	604	8/9 average FAD sets	528	7/9 average FAD sets	679
JAPAN	2,139	31.5% of average total sets	1,867	27.5% of average total sets	1,256
KIRIBATI	493	36.5% of average total sets	439	32.5% of average total sets	421
MARSHALL ISLANDS	1,028	8/9 average FAD sets	900	7/9 average FAD sets	1,157
NEW ZEALAND	183	31.5% of maximum total sets (small fleet)	160	27.5% of maximum total sets (small fleet)	190
PAPUA NEW GUINEA	2,215	36.5% of average total sets	1,972	32.5% of average total sets	1,723
PHILIPPINES (distant-water)	462	31.5% of average total sets	403	27.5% of average total sets	322
REPUBLIC OF KOREA	2,286	31.5% of average total sets	1,996	27.5% of average total sets	1,479
SOLOMON ISLANDS	165	8/9 maximum FAD sets (small fleet)	145	7/9 maximum FAD sets (small fleet)	186
EUROPEAN UNION	170	31.5% of maximum total sets (small fleet)	149	27.5% of maximum total sets (small fleet)	506
CHINESE TAIPEI	2,416	31.5% of average total sets	2,109	27.5% of average total sets	2,612
TUVALU	127	36.5% of maximum total sets (small fleet)	113	32.5% of maximum total sets (small fleet)	73
USA	2,522	31.5% of average total sets	2,202	27.5% of average total sets	3,061
VANUATU	349	8/9 maximum FAD sets (small fleet)	306	7/9 maximum FAD sets (small fleet)	393
<b>TOTAL</b>	<b>16,183</b>		<b>14,181</b>		<b>15,864</b>

## 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 2016-01 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 2016-01 shall comply with all other relevant CMMs. Vessels found to be non-compliant 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 4,659<sup>14</sup> days. The Philippines shall limit its fleet to 36 fishing vessels (described by the Philippines as catcher fishing vessels) in the HSP-1 SMA.

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<sup>14</sup> 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 FADs<sup>15</sup> in CMM-2013-01, CMM 2014-01, CMM 2015-01 and CMM 2016-01, 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.

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<sup>15</sup> 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



## **Outcomes of extraordinary meeting of NC**

1. At its 2017 meeting, NC will develop additional measures to further expedite the recovery of PBF stock.
2. In 2017, NC members will take the following voluntary measures to expedite the recovery of the Pacific Bluefin Tuna Stock in 2017.

### (1) Japan

Japan will transfer a part of its catch limit for Pacific Bluefin tuna (PBF) smaller than 30kg (4,007 metric tons) to its catch limit of PBF 30 kg or larger in accordance with a new measure stipulated in paragraph 4 of the draft CMM (Attachment E of the NC Summary Report) if the recommendation from the Northern Committee is endorsed by the Commission. The amount to be used is currently under consideration.

### (2) Korea

Korea will make a voluntary payback for its overharvest of PBF 30 kg or larger in accordance with its multi-year plan (see the attached Circular No. 2016/71 dated on December 2, 2016) from its annual catch limit of 718 tons of PBF smaller than 30kg.

3. NC will strengthen cooperation with IATTC to bear shared responsibilities to expedite the recovery of PBF stock.
4. NC requests that the ISC evaluate the following scenarios—in addition to the other ten scenarios already requested—prior to the anticipated ISC sponsored stakeholder meeting in 2017:

Scenario 11: 2002-04 fishing effort in all WCPO PBF-directed fisheries; 2002-04 catches of PBF (of all sizes) in all WCPO fisheries, within which catches of <30kg PBF are 50% of 2002-04 level; and 3,300 mt/yr in EPO commercial fisheries.

Scenario 12: 2002-04 fishing effort in all WCPO PBF-directed fisheries; 2002-04 catches of PBF (of all sizes) in all WCPO fisheries, within which catches of <30kg PBF are 25% of 2002-04 level; and 3,300 mt/yr in EPO commercial fisheries.

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**COMMISSION**  
**THIRTEENTH REGULAR SESSION**  
Denarau Island, Fiji  
5 – 9 December, 2016

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**CONSERVATION AND MANAGEMENT MEASURE TO ESTABLISH  
A MULTI-ANNUAL REBUILDING PLAN FOR PACIFIC BLUEFIN TUNA**

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**Conservation and Management Measure 2016-04**

*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 five times since then (CMM 2010-04, CMM 2012-06, CMM 2013-09, CMM 2014-04 and CMM 2015-04) 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;

*Noting with concern* the latest stock assessment provided by ISC Plenary Meeting in July 2016, indicating the following:

- (1) SSB fluctuated throughout the assessment period (1952–2014), (2) SSB steadily declined from 1996 to 2010, and (3) the decline appears to have ceased since 2010, although the stock remains near the historic low (2.6% of unfished SSB);
- The 2014 estimated recruitment was relatively low, and the average recruitment for the last five years may have been below the historical average;
- The fishery exploitation rate in 2011-2013 exceeded all biological reference points evaluated by the ISC except  $F_{MED}$  and  $F_{LOSS}$ .
- Since the early 1990s, the WCPO purse seine fisheries, in particular those targeting small fish (age 0-1) have had an increasing impact on the spawning stock biomass, and in 2014 had a greater impact than any other fishery group.
- The projection results indicate that: (1) the probability of SSB recovering to the initial rebuilding target ( $SSB_{MED1952-2014}$ ) by 2024 is 69% or above the level prescribed in the WCPFC CMM 2015-04 if low recruitment scenario is assumed and WCPFC CMM 2015-04 and IATTC Resolution C-14-06 continue in force and are fully implemented; and (2) a 10% reduction in the catch limit for fish smaller than 30 kg would have a larger effect on recovery than a 10% reduction in the catch limit for fish larger than 30 kg; and

- Catching a high number of smaller juvenile fish can have a greater impact on future spawning stock biomass than catching the same weight of larger fish;
- ISC recommends defining SSBMED as the median point estimate for a fixed period of time, either, 1952-2012 or 1952-2014, and further stated that SSBMED is estimated to be 41,069 t for the period of 1952-2012 and 40,994 t for 1952-2014.

*Recognizing the requirement to adopt* reference points for conservation and management of Pacific bluefin tuna; 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) recognize that the management objectives of the WCPFC are to maintain or restore fish stocks at levels capable of producing MSY and shall implement a provisional Multi-Annual Rebuilding Plan for Pacific bluefin tuna to rebuild the stock by adopting and achieving step-wise rebuilding targets. This stepwise rebuilding approach will be as follows:

- a. Starting in 2015, CCMs agree to rebuild the stock with the initial goal of rebuilding the SSB to the historical median (the median point estimate for 1952-2014) within 10 years with at least 60% probability.
- b. 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 2018 and every two 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.
- c. In 2017, CMMs shall agree on a second rebuilding target, to be reached by 2030 (not necessarily the ultimate rebuilding target).
- d. CMMs shall revise or adopt conservation and management measures to achieve the second rebuilding target that would become effective after the initial goal is met.

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 meeting in 2017.

### **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 measures necessary to ensure that all catches of Pacific Bluefin tuna 30kg or larger shall not be increased from the 2002-2004 annual average levels<sup>1</sup>. Any overage of the catch limit shall be deducted from the catch limit for the following year. However, in 2017, 2018, 2019, and 2020 CCMs may use part of the catch limit for Pacific bluefin tuna smaller than 30 kg stipulated in paragraph 3 (2) above to catch Pacific bluefin tuna 30 kg or larger in the same year. In this case, the amount of catch 30 kg or larger shall be counted against the catch limit for Pacific bluefin tuna smaller than 30 kg. CCMs shall not use the catch limit for Pacific bluefin tuna 30 kg or larger to catch Pacific bluefin tuna smaller than 30 kg. The ISC is requested to review the implications of this special provision in terms of PBF mortality and stock rebuilding probabilities in 2020. Based on that review, in 2020 the Northern Committee will determine whether it should be continued past 2020, and if so, recommend changes to the CMM as appropriate.

5. An emergency rule shall be considered in 2017 which stipulates specific rules all CCMs shall comply with when drastic drops in 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 paragraphs 3 and 4, 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 3 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 and 4 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 monitoring and data collecting system for Pacific bluefin tuna fisheries and farming in order to improve the data quality and

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<sup>1</sup> This may apply to Japan starting from July 1, 2017

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.

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**COMMISSION  
THIRTEENTH REGULAR SESSION**

Denarau Island, Fiji  
5 – 9 December, 2016

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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)<sup>1</sup>**

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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.

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<sup>1</sup> 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)". The update at WCPFC13 is to extend Attachment 1 requirements for two years until 1 March 2019.

## ***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

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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)<sup>2</sup>, 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).

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<sup>2</sup> If, and when, adopted by the Commission



### ***3. ALC inspection protocol***

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 & WCPFC13 decisions that replaces Section 5 paragraphs 4 and 5 from 1 March 2013 – 1 March 2019.***

[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 authorised 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.

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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).

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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.

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**Attachment 1: WCPFC9 adopted amendments to the VMS Standards Specification and Procedures (SSPs) extended at WCPFC11 & WCPFC13.**

**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 steps<sup>3</sup> 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 circumstances<sup>4</sup>, 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)

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<sup>3</sup> 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.

<sup>4</sup> 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. ”



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**UPDATED TCC WORK PLAN 2016 - 2018<sup>1</sup>**

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**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

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<sup>1</sup> As presented in WCPFC13-2016-25 - the language of the TCC12 recommendations (paras 275 and 448) as two new priority project specific tasks (new subparagraph m and n) into the version of the TCC Workplan that was agreed by the Commission at WCPFC13 (WCPFC13 Summary Report Attachment S). A suggestion has been made on assignment of the tasks, but no other changes or updates have been made to the TCC Workplan.



- 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]
  - m. Development, improvement and implementation of the Commission's measures for observer safety and related issues [TCC task]
  - n. Further development of protocols, observer data forms including electronic forms and the database, as needed, to better monitor transshipments at sea, particularly in the high seas [TCC task, Secretariat 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).**

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2016	2017	2018
<b>Article 14(1)(a) Priority tasks with respect to the provision of information, technical advice and recommendations</b>		
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.
<b>Article 14(1)(b) Priority tasks with respect to the monitoring and review of compliance</b>		
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

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<b>2016</b>	<b>2017</b>	<b>2018</b>
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
<b>Article 14(1)(c) Priority tasks with respects to implementation of cooperative MCS &amp; E</b>		
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		



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**STANDARDS, SPECIFICATIONS AND PROCEDURES (SSPs) FOR ELECTRONIC  
REPORTING IN THE WESTERN AND CENTRAL PACIFIC FISHERIES COMMISSION**

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**Version notes**

<b>Version</b>	<b>WCPFC decision reference</b>	<b>Description of updates</b>	<b>Effective date (Refer para 4)</b>
1.0	WCPFC13 Summary Report, para 584, Attachment T	For adoption of ER SSPs, for operational level catch and effort data	9 June 2017

**Objectives for the SSP**

1. These SSPs are a set of data standards that, at a minimum:
  - a. provide a basis for those CCMs who are considering the implementation of electronic reporting technologies in their fisheries;
  - b. provides a mechanism, for those CCMs who have commenced implementation of electronic reporting technologies in their fisheries, to have the option of using these technologies to facilitate their implementation of certain reporting requirements to the Commission;
  - c. provides a basis for the Secretariats preparations to be ready to receive a standardized set of electronically reported fisheries data from CCMs and as appropriate from vessels;
  - d. takes into account current and developing fisheries monitoring and information management systems in use in WCPFC fisheries; and

- e. where practicable, is mindful of existing and proposed data standards and formats in other regional bodies and RFMOs.

### Scope of application

2. These SSPs apply initially to the following reporting requirements under these conservation and management measures or decisions of the WCPFC:
  - a. Paragraph 3 and Annex 1 of *Scientific Data to be Provided to the Commission*.
3. Until decided otherwise by the Commission, other forms of electronically reported data, and as appropriate hard copy formats, will continue to be acceptable forms of reporting from CCMs, and as appropriate from their vessels, to meet agreed reporting requirements under the above listed conservation and management measures or decisions of the WCPFC.
4. These SSPs, including any agreed amendments or updates, will take effect [six months] [on 1 June of the year] following the adoption of the relevant decision by the WCPFC.

### Responsibilities of CCMs

5. It shall be the responsibility of CCMs who choose to use electronic reporting technologies to meet certain WCPFC reporting requirements to:
  - a. submit electronically reported data to the WCPFC Secretariat<sup>1</sup> that includes the minimum required fields and also meets the structure and format specifications of Attachment 1 as appropriate; and
  - b. submit electronically reported data to the WCPFC Secretariat that meet the electronic format specifications of Attachment 2.<sup>2</sup>
6. It shall be the responsibility of CCMs to inform the WCPFC Secretariat of any confidentiality requirements that may need to be taken into account upon receipt of such data.

### Responsibilities of the WCPFC Secretariat

7. It shall be the responsibility of the WCPFC Secretariat to:
  - a. develop and maintain the technical and administrative systems that ensure data confidentiality<sup>3</sup> needed to receive electronically reported data from CCMs, which

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<sup>1</sup> It is recognized that some CCMs, who are SPC members, submit data described in Attachment 1 to WCPFC via SPC-OFP

<sup>2</sup> The Commission may consider additional modes of transmission, such as modes involving direct links between the Commission's and CCMs' databases.

may be submitted and that meet the electronic format specifications of Attachment 2;

- b. acknowledge, upon receipt of electronically reported data from a CCM or as appropriate from a vessel, receipt of the data and indicate to the CCM and as appropriate to the vessel, in a timely manner whether the data meet the minimum data requirements and, if applicable, whether they meet the electronic formatting specifications of Attachment 2;
- c. monitor and report annually to the TCC, and as appropriate the SC, on the performance of these electronic reporting standards and their application and, as necessary, make recommendations for improvements or modifications;
- d. recommend continual improvements to these SSPs, including, where appropriate, standards and codes that are consistent with those used in other international fora, such as the FAO and UN/CEFACT<sup>4</sup>; and
- e. based on relevant decisions of the Commission, incorporate the necessary updates into a proposed revision of the SSPs, notify CCMs of the updates to the SSPs and invite comment before they come into effect; and
- f. ensure the electronic data standards are publically available and is suitably version controlled.

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<sup>3</sup> In accordance with applicable data confidentiality rules, including Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission (2007 and 2009)

<sup>4</sup> UN/CEFACT is currently establishing an international fisheries data exchange system for fisheries (FLUX) which is planned to replace the North Atlantic Format (NAF). UN/CEFACT FLUX may be used once all WCPFC fields are available in the UN/CEFACT library. <http://www.unece.org/info/media/presscurrent-press-h/trade/2016/uncefact-adopts-the-flux-standard-for-sustainable-fisheries-management/doc.html>

**Attachment 1. Electronic data standard to be used for Paragraph 3 and Annex 1 of Scientific Data to be Provided to the Commission**

## Western and Central Pacific Fisheries Commission (WCPFC)

### E-REPORTING STANDARD DATA FIELDS

#### OPERATIONAL LOGSHEET DATA

5<sup>th</sup> December 2016

<b>CURRENT VERSION:</b>	2.70
<b>DATE:</b>	5 <sup>th</sup> December 2016
<b>STATUS:</b>	Adopted by WCPFC13

Version Number	Date Released	Date and process approved	Brief Description
2.70	5 <sup>th</sup> December 2016	Adopted by WCPFC13	Minor changes to field descriptions and reordering of fields based on discussion with Japan on 5 <sup>th</sup> December 2016.
2.60	1 <sup>st</sup> December 2016	...	<p>Changes based on comments provided by Japan on 28<sup>th</sup> November 2016.</p> <p>Changed the column title "Validation Instructions" to "Notes" throughout, as suggested.</p> <p>Accepted all requested changes except the following:</p> <ul style="list-style-type: none"> <li>– Distinction made between the requirement for DATE only (WCPFC required field) and the DATE/TIME (not a WCPFC requirement), for departure date, unloading date and return-to-port dates. For both PS_TRIP and LL_TRIP</li> <li>– Removed the requirement for a "Carrier Vessel Id" under PS Unloading data</li> <li>– Suggested text in LL_TRIP for "PORT/PLACE OF DEPARTURE" and "PORT/PLACE OF UNLOADING" accepted.</li> <li>– Change to text in APPENDIX 2 accepted.</li> <li>– In APPENDIX 8, new text clarifies that "<u>These codes are not WCPFC required fields.</u>"</li> <li>– Accept that catch in weight under LL_CATCH_DATA is not a WCPFC required field.</li> <li>– For both purse seine and longline standards, updated to reflect that SET START TIME (and SET END TIME for purse seine) are a required WCPFC fields but that SET START DATE/TIME is not a WCPFC required field but must be included for other standards. This creates some redundancy which may need to be explained in more detail.</li> </ul>
2.50	21 <sup>st</sup> November 2016	...	<p>Released to Japan and Chinese Taipei on 21<sup>st</sup> November 2016 in response to <u>their comments provided prior to the 21<sup>st</sup> October deadline.</u></p> <p>Changes based on reviews and suggestions from several CCMs (mainly Japan and Chinese Taipei) and minor corrections, including:</p> <ul style="list-style-type: none"> <li>– Purse seine reason discard code : exchanged '4' and '5' (APPENDIX A8)</li> <li>– APPENDIX A5 – changed titles to be consistent with covering activity codes across all gear types (and not just purse seine)</li> <li>– Provide the correct XML tag for Purse seine discard field</li> <li>– Remove redundant &lt;lath&gt; and &lt;lonh&gt; from both purse seine and longline positional data fields.</li> </ul> <p>The substantive changes suggested by several CCMs include:</p> <ul style="list-style-type: none"> <li>– Reference to WCPFC two-letter COUNTRY codes (web page yet to be developed)</li> <li>– Reference to WCPFC five-letter LOCATION codes (web page yet to be developed)</li> <li>– Clarified the benefits of using the Vessel identifier ("VID") only instead of including all vessel attributes which would be inefficient (see APPENDIX 4)</li> </ul>



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<i>Version Number</i>	<i>Date Released</i>	<i>Date and process approved</i>	<i>Brief Description</i>
			<ul style="list-style-type: none"> <li>- Clarified that the fields that are <u>not</u> WCPFC minimum standard required data fields are classified in the WCPFC Field column with 'N'.</li> <li>- In general, modify the description of data fields to be consistent with the descriptions in the <a href="#">WCPFC Scientific Data to be provided to the Commission</a>.</li> <li>- Includes a contingency if the WCPFC LOCATION code for a port is not available.</li> <li>- Aligned Date/Time requirements to WCPFC standards where relevant.</li> </ul>
<i>2.00 (Draft)</i>	<i>July 2015</i>	<i>July 2015 WCPFC ERandEM meeting (Nadi, Fiji)</i>	<i>First version draft accepted by the meeting</i>

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## INTRODUCTION

These tables set out the proposed standards for the provision of operational logsheet data fields collected in the WCPFC tropical purse seine fishery and the longline fisheries through E-Reporting. These tables provide the minimum requirements for data entities, data formats and data validation to be established for data submitted to the national and regional fisheries authorities from E-Reporting systems. The data fields contained herein are based on information collected under the current regional standard data collection forms. This document acknowledges that national fisheries authorities require data (e.g. licence/permit numbers and for anticipated Catch Documentation System – CDS – requirements) that are not mandatory WCPFC minimum standard scientific data fields, so a column in these tables identifies whether the data field is a mandatory WCPFC data field<sup>1</sup> or not.

These E-Reporting data field standards are consistent with, and should be considered in conjunction with more detailed instructions<sup>2</sup> on how to collect LOGBOOK data used by fleets active in the WCPFC area.

These tables are intended for, *inter alia*, E-Reporting service providers who have been contracted to provide electronic systems to record LOGBOOK information on-board purse seine vessels.

These tables may also be used to provide data that were not collected through E-Reporting.

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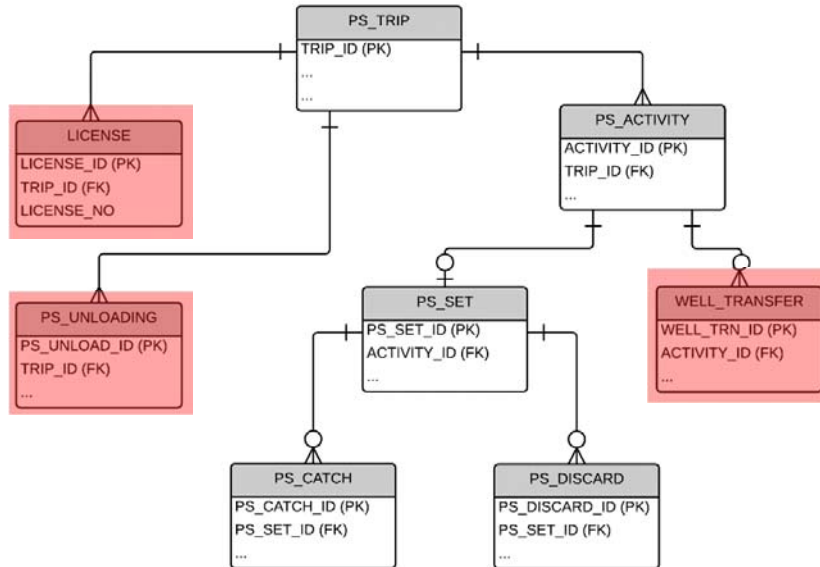
<sup>1</sup> The mandatory WCPFC data fields for operational LOGBOOK data are found in the “Scientific Data to be provided to the Commission - Attachment K, Annex 1. Standards for the Provision of Operational Level Catch and Effort Data” <http://www.wcpfc.int/system/files/Scientific%20Data%20to%20be%20Provided%20to%20the%20Commission%20-%20decision%20made%20by%20WCPFC10%20%28clean%29.pdf>

<sup>2</sup> In addition to the WCPFC LOGBOOK data fields requirements, instructions for LOGBOOK data collection in the WCPFC Area are available with the regional standard catch and effort data collection forms at <http://www.spc.int/oceanfish/en/data-collection/241-data-collection-forms>.

## 1. PURSE SEINE LOGBOOK E-REPORTING STANDARDS

### 1.1 DATA MODEL DIAGRAM

The following basic data model diagram outlines the structure of the entities and their relationships for purse seine operational logsheet data collected by E-Reporting systems and submitted to national and regional fisheries authorities. The tables that follow provide more information on the mechanisms of the links (relationships) between the entities. The red-shaded entities are not included in the WCPFC minimum required scientific data fields.



1.2 PURSE SEINE TRIP-LEVEL DATA

PS_TRIP						
"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)." See Section 1.2 of Attachment K, Annex 1. in the <a href="#">Scientific Data to be provided to the Commission</a>						
FIELD	Data Collection Instructions	Field format notes	Notes	NAF CODE	XML TAG	WCPFC FIELD
TRIP IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be VESSEL IDENTIFIER + DEPARTURE DATE				<TRIP_ID>	
VESSEL IDENTIFIER	PROVIDE the WCPFC VID for the VESSEL undertaking this trip.	<a href="#">REFER TO APPENDIX A4</a>	Using a vessel identifier field ("VID") removes the redundancy of including all vessel attributes with each trip record and ensures standardisation and consistency through referencing the main Vessel Registry database.		<VID>	Y
COUNTRY OF CHARTER	PROVIDE the Country responsible for chartering the vessel, where relevant.  This only applies if the vessel has been chartered according to the requirements under WCFPC CMM 2012-05 - chartering notifications.	CHAR(2)  WCPFC alpha-2 two-letter country code (refer to WCFPC codes web page)  UPPER CASE	WCPFC alpha-2 two-letter country code (refer to WCFPC codes web page)  This field must be completed if it has been listed as a chartered vessel on the WCFPC web site according to the requirements under WCFPC CMM 2012-05 - chartering notifications.	CS	<CHARTER>	N
AGENT FOR UNLOADING	PROVIDE the name of the Agent for the Unloading	CHAR(50)	Where possible, link this field to a reference table of authorised Agents for unloading. (referential integrity)	AN	<AGENT>	N
TRIP NUMBER	PROVIDE the trip number undertaken by this vessel for the year. Trip number is sequential, starting at 1 for first trip of the year for each vessel.	INTEGER(2)		TN	<TRIPNO>	N
PORT/PLACE OF DEPARTURE	PROVIDE the Port of Departure.	<a href="#">REFER TO APPENDIX A3</a>	Must be valid WCPFC 5-letter LOCATION Code. In the rare case that the port is not in the WCFPC LOCATION codes, then the actual port name can be included and a WCFPC LOCATION code will be generated.	PE	<PORTDEPART>	Y

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<b>PS_TRIP</b>						
"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)." See Section 1.2 of Attachment K, Annex 1. in the <a href="#">Scientific Data to be provided to the Commission</a>						
<b>FIELD</b>	<b>Data Collection Instructions</b>	<b>Field format notes</b>	<b>Notes</b>	<b>NAF CODE</b>	<b>XML TAG</b>	<b>WCPFC FIELD</b>
			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 "ATSEA" code shall be reported in lieu of the port of departure.			
PORT/PLACE OF UNLOADING	PROVIDE the Port or Place of Return for Unloading.	<a href="#">REFER TO APPENDIX A3</a>	Must be valid WCPFC 5-letter LOCATION Code. In the rare case that the port is not in the WCPFC LOCATION codes, then the actual port name can be included and a WCPFC LOCATION code will be generated.  If the end of a trip coincides with transshipping part or all of the catch at sea, then "ATSEA" code shall be reported in lieu of the port of unloading.	PO	<PORTUNLOAD>	Y
DATE OF DEPARTURE	PROVIDE DATE of departure for this trip	<a href="#">REFER TO APPENDIX A1</a>	ISO 8601 - Date only format  The chronology of Departure date with respect to Date of arrival in port and the Days at sea must be valid.	SD	<DATEDEPART>	Y
DATE and TIME OF DEPARTURE	PROVIDE Date and TIME of departure for this trip	<a href="#">REFER TO APPENDIX A1</a>	ISO 8601 - Date and times format  The chronology of Departure date with respect to Date of arrival in port and the Days at sea must be valid.	ST	<DATETIMEDEPART>	N
DATE OF UNLOADING	PROVIDE DATE of unloading	<a href="#">REFER TO APPENDIX A1</a>	ISO 8601 - Dates and times format  The chronology of Arrival date with respect to Date of Departure and the Days at sea must be valid.	ED	<DATEUNLOAD>	Y
DATE AND TIME OF UNLOADING	PROVIDE the Date and TIME of unloading	<a href="#">REFER TO APPENDIX A1</a>	ISO 8601 - Date and times format  The chronology of Departure date with respect to Date of arrival in port and the Days at sea must be valid.	ET	<DATETIMEUNLOAD>	N
FISH ONBOARD - START	PROVIDE the total amount of fish on-board at the time of leaving port on this trip.	NUMBER(4)	WARNING: Should be a realistic amount. For example, having catch >200 t. would be unrealistic?	QS	<AMOUNTSTART >	N
FISH ONBOARD - END	PROVIDE the total amount of fish on-board AFTER ALL UNLOADINGS have been undertaken before the next trip.	NUMBER(4)	WARNING: Should be a realistic amount. For example, having catch >200 t. would be unrealistic?  Having catch greater than what was caught on the trip is not possible.	QE	<AMOUNTAFTER >	N

### 1.3 LICENSE/PERMIT DATA

<b>LICENSE</b>						
PROVIDE each LICENSE/PERMIT that the vessel holds for the period of the trip.						
FIELD	Data Collection Instructions	Field format notes	Notes	NAF CODE	XML TAG	WCPFC FIELD
TRIP IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be VESSEL + DEPARTURE DATE				<TRIP_ID>	
FISHING PERMIT/LICENSE NUMBERS	PROVIDE License/Permit number that the vessel holds for the period of the TRIP.	CHAR(40) UPPER CASE	Where possible, include validation to ensure the Permit format relevant to the agreement (national or sub-regional) complies to the required format.	LC	<LICENSE_N O>	N

1.4 PS UNLOADING DATA

PS_UNLOADING						
PROVIDE information for TRIP UNLOADING INFORMATION which covers one or several unloading events during or at the end of the trip to (i) carriers, (ii) on-shore processing plants (Canneries) and/or (iii) a net-share event with another catcher vessel						
FIELD	Data Collection Instructions	Field format notes	Notes	NAF CODE	XML TAG	WCPFC FIELD
TRIP IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be VESSEL + DEPARTURE DATE		Link to TRIP information		<TRIP_ID>	
UNLOADING START DATE	PROVIDE the start date for this specific Unloading event	<a href="#">REFER TO APPENDIX A1</a>	ISO 8601 - Date format  GMT/UTC time [YYYY]-[MM]-[DD]Z The chronology of Unload Start date with respect to other dates for the trip and unloading must be valid.	SD	<STARTDATE>	N
UNLOADING END DATE	PROVIDE the end date for this specific Unloading event	<a href="#">REFER TO APPENDIX A1</a>	ISO 8601 - Date format  GMT/UTC time [YYYY]-[MM]-[DD]Z The chronology of Unload End date with respect to other dates for the trip and unloading must be valid.	ED	<ENDDATE>	N
CARRIER VESSEL IDENTIFIER	If relevant, PROVIDE the WCPFC VID for the receiving CARRIER VESSEL for this specific Unloading event.  Note that for NET-SHARE events, this could be another purse seine catcher vessel.	<a href="#">REFER TO APPENDIX A4</a>	Using a unique vessel identifier field ("VID") removes the redundancy of including all vessel attributes with each trip record and ensures standardisation and consistency through referencing the main (WCPFC) Vessel Registry database.		<CARR_VID>	N
CANNERY/ DESTINATION	If relevant, PROVIDE the receiving CANNERY/DESTINATION for this specific Unloading event.	CHAR(40)  UPPER CASE	Where possible, link this field to a reference table of authorised Canneries/Destinations (referential integrity)	FD FN	<DESTINATION>	N
SKJ UNLOADED	PROVIDE the total weight (metric tonnes) of SKIPJACK unloaded in this specific Unloading event	DECIMAL(7,3)	CONTROL TOTAL CHECK: Total amounts for this trip should reconcile checking total trip catch, catch on-board at start, catch on-board at end and all unloading events.	DQ	<UNLOADSKJ>	N
YFT UNLOADED	PROVIDE the total weight (metric tonnes) of YELLOWFIN unloaded in this specific Unloading event	DECIMAL(7,3)		DQ	<UNLOADYFT>	N
BET UNLOADED	PROVIDE the total weight (metric tonnes) of BIGEYE	DECIMAL(7,3)		DQ	<UNLOADBET>	N



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PS_UNLOADING						
PROVIDE information for TRIP UNLOADING INFORMATION which covers one or several unloading events during or at the end of the trip to (i) carriers, (ii) on-shore processing plants (Canneries) and/or (iii) a net-share event with another catcher vessel						
FIELD	Data Collection Instructions	Field format notes	Notes	NAF CODE	XML TAG	WCPFC FIELD
	unloaded in this specific Unloading event					
MIXED TUNA UNLOADED	PROVIDE the total weight (metric tonnes) of MIXED TUNA unloaded in this specific Unloading event	DECIMAL(7,3)		DQ	<UNLOADMIX>	N
OTHERS UNLOADED	PROVIDE the total weight (metric tonnes) of OTHERS unloaded in this specific Unloading event	DECIMAL(7,3)		DQ	<UNLOADOTH>	N
REJECTS UNLOADED	PROVIDE the total weight (metric tonnes) of REJECTED TUNA unloaded in this specific Unloading event	DECIMAL(7,3)		RT	<UNLOADREJ>	N

1.5 PS ACTIVITY DATA

PS_ACTIVITY						
PROVIDE information on the designated activities for each DAY AT SEA						
FIELD	Data Collection Instructions	Field format notes	Notes	NAF CODE	XML TAG	WCPFC FIELD
TRIP IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be VESSEL + DEPARTURE DATE		Link to TRIP information		<TRIP_ID>	
ACTIVITY IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be DATE + START TIME OF ACTIVITY				<ACTIVITY_ID>	
DATE	PROVIDE the DATE for each day that the vessel is at sea.	<a href="#">REFER TO APPENDIX A1</a>	Date <u>may be</u> automatically generated through VMS or other GPS-type devices.	DA	<DATE_EVENT>	Y
START DATE/TIME OF ACTIVITY	PROVIDE the DATE/TIME when the ACTIVITY started	<a href="#">REFER TO APPENDIX A1</a>	Date / Time <u>may be</u> automatically generated through VMS or other GPS-type devices.  This is not a WCPFC required field.	ST	<TIME_EVENT>	N
POSITION LATITUDE	PROVIDE the LATITUDE position for the start of the set. If no sets were made during the DAY, then the WCPFC requirement is to provide the position LATITUDE at noon.	<a href="#">REFER TO APPENDIX A2</a>	Position coordinates <u>may be</u> automatically generated through VMS or other GPS-type devices.  The WCPFC requirement stipulates that the position of start of set should be reported in units of at least minutes of latitude and longitude.	LT	<LAT>	Y
POSITION LONGITUDE	PROVIDE the LONGITUDE position for the start of the set. If no sets were made during the DAY, then the WCPFC requirement is to provide the position LONGITUDE at noon.	<a href="#">REFER TO APPENDIX A2</a>	Some current data collection systems require the position for activities other than a fishing set, but this is not a WCPFC requirement.	LG	<LON>	Y
ACTIVITY	PROVIDE each ACTIVITY of the vessel within the DAY.	<a href="#">REFER TO APPENDIX A5</a>	The current WCPFC requirement is for this item to be reported for each set and for days on which no sets were made (with the activity 'Searching').  Ensure relational integrity for certain values, for example,  "1 - Fishing Set" must link to a SET record and perhaps to other tables  "8 - Non-Set Well Transfer" must link to a WELL_TRANSFER record (this is not a WCPFC requirement)	AT	<ACT_ID>	Y

1.6 PS SET LEVEL DATA

PS_SET						
PROVIDE information for each FISHING SET						
FIELD	Data Collection Instructions	Field format notes	Notes	NAF CODE	XML TAG	WCPFC FIELD
TRIP IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be VESSEL + DEPARTURE DATE		Link to TRIP information		<TRIP_ID>	
ACTIVITY IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be DATE + START TIME OF ACTIVITY		Link to ACTIVITY (SET)		<ACTIVITY_ID >	
START TIME OF SET	PROVIDE the start time of the set which is defined at the time the SKIFF is launched.	<a href="#">REFER TO APPENDIX A1</a>	WCPFC required fields. These TIMES should be GMT/UTC.	ST	<SETST_TIME>	Y
END TIME OF SET	PROVIDE the end time of the set which is defined as the time when the "RINGS UP" ON DECK.	<a href="#">REFER TO APPENDIX A1</a>	These TIMES <u>may be</u> automatically generated through VMS or other GPS-type devices	ET	<SETEND_TIME >	Y
START DATE/TIME OF SET	PROVIDE the start date and time of the set which is defined at the time the SKIFF is launched.	<a href="#">REFER TO APPENDIX A1</a>	These fields overlap with the previous two fields but the DATE of set start and end are no WCPFC fields so are covered with these two fields.	ST	<SETSTART>	N
END DATE/TIME OF SET	PROVIDE the end date and time of the set which is defined as the time when the "RINGS UP" ON DECK.	<a href="#">REFER TO APPENDIX A1</a>	The Date and Time of the start and end of set should be GMT/UTC.  Date and Time <u>may be</u> automatically generated through VMS or other GPS-type devices  Date must also be provided with time since with the requirement to use UTC/GMT, it is possible for a set to go into the next (UTC/GMT) day.	ET	<SETEND>	N
SCHOOL ASSOCIATION	PROVIDE the School Associated Code	<a href="#">REFER TO APPENDIX A6</a>	The code must be within the valid range as specified by the School Association code list in APPENDIX A6.	SA	<SCHOOL>	Y
SCHOOL ASSOCIATION NOTE	PROVIDE information of the SCHOOL ASSOCIATION in cases where the school association is not covered in the list of School association codes 1. To 7.	VARCHAR(30)	Used only when the SCHOOL ASSOCIATION = 8	SA	<SCH_NOTE>	Y

## 1.7 PS CATCH DATA

PS_CATCH						
PROVIDE information on each species catch RETAINED from a SET						
FIELD	Data Collection Instructions	Field format notes	Notes	NAF CODE	XML TAG	WCPFC FIELD
TRIP IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be VESSEL + DEPARTURE DATE		Link to TRIP information		<TRIP_ID>	
ACTIVITY IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be DATE + START TIME OF ACTIVITY		Link to ACTIVITY (SET)		<ACTIVITY_ID>	
SET IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be DATE + START TIME OF SET		Link to PS_SET		<PS_SET_ID>	
SPECIES CODE	For each species taken in the set and RETAINED, PROVIDE the SPECIES CODE according to the FAO standard species code list	CHAR(3)	<a href="#">REFER TO APPENDIX 7.</a>	DC	<SP_CODE>	Y
SIZE CATEGORY	For Yellowfin (YFT) and Bigeye tuna (BET) RETAINED catch, distinguish the catch by size category (< 9kgs and > 9kgs) otherwise leave blank.	CHAR(2)	LG - Large Fish (>= 9 kgs) SM - Small Fish (< 9 kgs) <Blank> - Not applicable  Validate that it can only be used for YFT and BET.	DC	<SP_SIZE>	N
WELL TO	Well number where the catch is moved to.  Set catch for this species/size category may be moved to more than one well. (Used for Catch Documentation systems).	CHAR(3)	Valid code  DIS - Discard of fish to sea from a well (e.g. due to spoilage) Snn - Starboard well with number = <nn> Pnn - Port well with number = <nn> Cnn - Central well with number = <nn>	TC	<WELL_TO>	N
CATCH WEIGHT	PROVIDE the retained ESTIMATED CATCH WEIGHT (metric tonnes, to 3 decimal places if possible) covering this species/size category combination.	DECIMAL(7,3)	Validate that it is within the acceptable range for this species. (Refer to the SPECIES_RANGE table provided)	DC	<SP_RET_MT>	Y
CATCH NUMBER	PROVIDE the retained CATCH NUMBER covering this species/size category combination. This is only required for non-target species.	INTEGER(6)	Validate that it is within the acceptable range for this species. (Refer to the SPECIES_RANGE table provided)	DC	<SP_RET_NO>	N

1.8 PS DISCARD DATA

PS_DISCARD						
PROVIDE information on each species catch DISCARDED from a SET. As a WCPFC requirement, note that purse seine vessels fishing in EEZs and on the high seas within the area bounded by 20°N and 20°S are required to retain on board and then land or transship at port all bigeye, skipjack, yellowfin tuna generally (See paragraph 30 of CMM2015-01).						
FIELD	Data Collection Instructions	Field format notes	Notes	NAF CODE	XML TAG	WCPFC FIELD
TRIP IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be VESSEL + DEPARTURE DATE		Link to TRIP information		<TRIP_ID>	
ACTIVITY IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be DATE + START TIME OF ACTIVITY		Link to ACTIVITY (SET)		<ACTIVITY_ID>	
SET IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be DATE + START TIME OF SET		Link to PS_SET		<PS_SET_ID>	
SPECIES CODE	For each species taken in the set and DISCARDED, PROVIDE the SPECIES CODE according to the FAO standard species code list	CHAR(3)	<a href="#">REFER TO APPENDIX 7.</a>	DI	<SP_CODE>	Y
DISCARDED WEIGHT	PROVIDE the DISCARDED/RELEASED ESTIMATED WEIGHT (metric tonnes, to 3 decimal places if possible) covering this species.	DECIMAL(7,3)	Validate that it is within the acceptable range for this species. (Refer to the SPECIES_RANGE table provided)	DI	<SP_DISC_MT>	N
DISCARDED NUMBER	PROVIDE the DISCARDED/RELEASED NUMBER, where appropriate.	INTEGER(6)	Validate that it is within the acceptable range for this species. (Refer to the SPECIES_RANGE table provided)	DI	<SP_DISC_NO>	N
REASON FOR DISCARD	PROVIDE the reason for the DISCARD.	INTEGER(1)	<a href="#">REFER TO APPENDIX 8.</a>	DI	<DISC_REA_ID>	N
REASON FOR DISCARD NOTE	PROVIDE information of the REASON FOR DISCARD in cases where the code is not covered in the list of Reason codes 1. To 4.	VARCHAR(30)	Used only when the REASON FOR DISCARD = 5	DI	<DISC_NOTE>	N

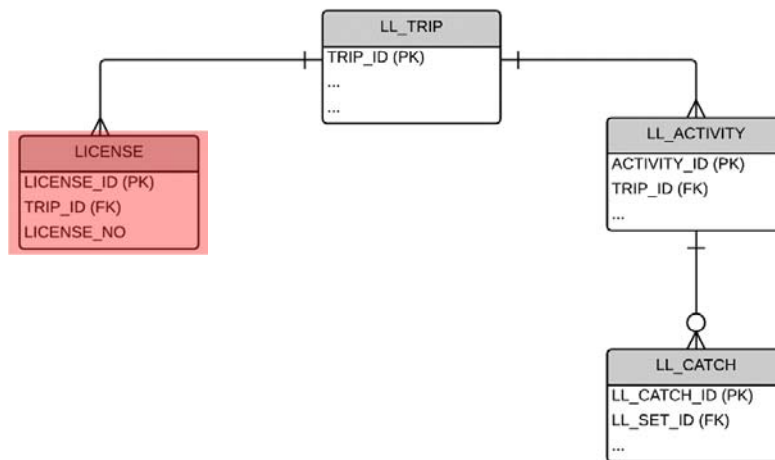
1.9 PS WELL TRANSFER DATA

WELL_TRANSFER						
PROVIDE information on each WELL_TRANSFER or NET-to-WELL_TRANSFER when the relevant ACTIVITIES are recorded						
FIELD	Data Collection Instructions	Field format notes	Notes	NAF CODE	XML TAG	WCPFC FIELD
TRIP IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be VESSEL + DEPARTURE DATE		Link to TRIP information		<TRIP_ID>	
ACTIVITY IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be DATE + START TIME OF ACTIVITY		Link to ACTIVITY (SET or WELL_TRANSFER)		<ACTIVITY_ID>	
WELL FROM	Well number or the NET (in the case of a set) where the catch is coming from.	CHAR(3)	Valid code  Snn - Starboard well with number = <nn> Pnn - Port well with number = <nn> Cnn - Central well with number = <nn>	TC	<WELL_FROM>	N
WELL TO	Well number where the catch is moved to. Note that this includes DISCARDS of fish from the well.	CHAR(3)	Valid code  DIS - Discard of fish to sea from a well (e.g. due to spoilage) Snn - Starboard well with number = <nn> Pnn - Port well with number = <nn> Cnn - Central well with number = <nn>	TC	<WELL_TO>	N
SPECIES CODE	For each species catch transferred, PROVIDE the SPECIES CODE according to the FAO standard species code list	CHAR(3) UPPER CASE	<a href="#">REFER TO APPENDIX 7.</a>	TC	<SP_CODE_WELL>	N
SIZE CATEGORY	For Yellowfin (YFT) and Bigeye tuna (BET) transferred catch, distinguish the catch by size category < 9kgs and > 9kgs) otherwise leave blank.	CHAR(2)	LG - Large Fish (>= 9 kgs) SM - Small Fish (< 9 kgs) <Blank> - Not applicable  Validate that it can only be used for YFT and BET.	DC	<SP_WELL_SIZE>	N
WEIGHT TRANSFERRED	PROVIDE the WEIGHT (metric tonnes, to 3 decimal places if possible) of the species transferred.	DECIMAL(6,3)		TC	<SP_WELL_MT>	N

## 2. LONGLINE LOGBOOK E-REPORTING STANDARDS

### 2.1 DATA MODEL DIAGRAM

The following basic data model diagram outlines the structure of the entities and their relationships for longline operational logsheet data collected by E-Reporting systems and submitted to national and regional fisheries authorities. The tables that follow provide more information on the mechanisms of the links (relationships) between the entities. The red-shaded entities are not included in the WCPFC minimum required scientific data fields.



## 2.2 LONGLINE TRIP-LEVEL DATA

LL_TRIP						
"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)." See Section 1.2 of Attachment K, Annex 1. in the <a href="#">Scientific Data to be provided to the Commission</a>						
FIELD	Data Collection Instructions	Field format notes	Notes	NAF CODE	XML TAG	WCPFC FIELD
TRIP IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be VESSEL IDENTIFIER + DEPARTURE DATE				<TRIP_ID>	
VESSEL IDENTIFIER	PROVIDE the WCPFC VID for the VESSEL undertaking this trip.	<a href="#">REFER TO APPENDIX A4</a>	Using a vessel identifier field ("VID") removes the redundancy of including all vessel attributes with each trip record and ensures standardisation and consistency through referencing the main Vessel Registry database.		<VID>	Y
COUNTRY OF CHARTER	PROVIDE the Country responsible for chartering the vessel, where relevant.  This only applies if the vessel has been chartered according to the requirements under WCPFC CMM 2012-05 - chartering notifications.	CHAR(2)  WCPFC alpha-2 two-letter country code (refer to WCPFC codes web page)  UPPER CASE	WCPFC alpha-2 two-letter country code (refer to WCPFC codes web page)  This field must be completed if it has been listed as a chartered vessel on the WCPFC web site according to the requirements under WCPFC CMM 2012-05 - chartering notifications.	CS	<CHARTER>	N
AGENT FOR UNLOADING	PROVIDE the name of the Agent for the Unloading	CHAR(50)	Where possible, link this field to a reference table of authorised Agents for unloading. (referential integrity)	AN	<AGENT>	N
TRIP NUMBER	PROVIDE the trip number undertaken by this vessel for the year. Trip number is sequential, starting at 1 for first trip of the year for each vessel.	INTEGER(4)		TN	<TRIPNO>	N
PRIMARY TARGET SPECIES	PROVIDE the Primary Target species for this trip	CHAR(3)	<a href="#">REFER TO APPENDIX A7</a>	DC	<SP_CODE_TAR GET>	N
PORT/PLACE OF DEPARTURE	PROVIDE the Port of Departure	CHAR(5) UPPERCASE	<a href="#">REFER TO APPENDIX A3</a> WCPFC LOCATION CODE. In the rare case that the port is not in the WCPFC LOCATION codes, then the actual port name can be included and a WCPFC LOCATION code will be generated.  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 "ATSEA" code shall be	PE	<PORTDEPART>	Y



### LL\_TRIP

"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)." See Section 1.2 of Attachment K, Annex 1. in the [Scientific Data to be provided to the Commission](#)

FIELD	Data Collection Instructions	Field format notes	Notes	NAF CODE	XML TAG	WCPFC FIELD
			reported in lieu of the port of departure.			
PORT/PLACE OF UNLOADING	PROVIDE the Port of Return for Unloading or indicate TRANSHIPMENT AT SEA	CHAR(5) UPPERCASE	<a href="#">REFER TO APPENDIX A3</a> WCPFC LOCATION CODE. In the rare case that the port is not in the WCPFC LOCATION codes, then the actual port name can be included and a WCPFC LOCATION code will be generated.  If the end of a trip coincides with transshipping part or all of the catch at sea, then "ATSEA" code shall be reported in lieu of the port of unloading.	PO	<PORTUNLOAD>	Y
DATE OF DEPARTURE	PROVIDE DATE and TIME of departure for this trip	<a href="#">REFER TO APPENDIX A1</a>	ISO 8601 - Date only format  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 date for the transshipment at sea shall be indicated.	SD	<DATEDEPART>	Y
DATE and TIME OF DEPARTURE	PROVIDE TIME of departure for this trip	<a href="#">REFER TO APPENDIX A1</a>	ISO 8601 - Date and times format  The chronology of Departure date with respect to Date of arrival in port and the Days at sea must be valid.	ST	<DATETIMEDEPART>	N
DATE OF UNLOADING	PROVIDE DATE of unloading or indicate DATE for the TRANSHIPMENT AT SEA	<a href="#">REFER TO APPENDIX A1</a>	ISO 8601 - Date only format  If the end of a trip coincides with transshipping part or all of the catch at sea, then date for the transshipment at sea shall be indicated.	ED	<DATEUNLOAD>	Y
DATE and TIME OF UNLOADING	PROVIDE DATE and TIME of unloading or indicate TIME for the TRANSHIPMENT AT SEA	<a href="#">REFER TO APPENDIX A1</a>	ISO 8601 - Date and times format  If the end of a trip coincides with transshipping part or all of the catch at sea, then date for the transshipment at sea shall be indicated.  The chronology of Departure date with respect to Date of arrival in port and the Days at sea must be valid.	ET	<DATETIMEUNLOAD>	N

## 2.3 LICENSE/PERMIT DATA

LICENSE						
PROVIDE each LICENSE/PERMIT that the vessel holds for the period of the trip.						
FIELD	Data Collection Instructions	Field format notes	Notes	NAF CODE	XML TAG	WCPFC FIELD
TRIP IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be VESSEL + DEPARTURE DATE				<TRIP_ID>	
FISHING PERMIT/LICENSE NUMBERS	PROVIDE License/Permit number that the vessel holds for the period of the TRIP.	CHAR(40) UPPER CASE	Where possible, include validation to ensure the Permit format relevant to the agreement (national or sub-regional) complies to the required format.	LC	<LICENSE_NO>	N

## 2.4 LL ACTIVITY/SET DATA

LL ACTIVITY						
PROVIDE the following information on EACH FISHING SET; if there was no fishing set on that day, provide information on the MAIN ACTIVITY FOR THAT DAY AT SEA						
FIELD	Data Collection Instructions	Field format notes	Notes	NAF CODE	XML TAG	WCPFC FIELD
TRIP IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be VESSEL + DEPARTURE DATE		Link to TRIP information		<TRIP_ID>	
ACTIVITY IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be DATE + START TIME OF ACTIVITY				<ACTIVITY_ID>	
ACTIVITY	PROVIDE each ACTIVITY of the vessel within the DAY.	<a href="#">REFER TO APPENDIX A5</a>	The current WCPFC requirement is for this item to be reported for each set and for days on which no sets were made.	AT	<ACT_ID>	Y
DATE/TIME ACTIVITY	Not a WCPFC Requirement. PROVIDE the NOON DATE/TIME for each day that the vessel is at sea when a set was not made on that day, OR the START DATE/TIME of the SET	<a href="#">REFER TO APPENDIX A1</a>	Date and Time <u>may be</u> automatically generated through VMS or other GPS-type devices.	DA	<ACT_DATETIME>	N
START TIME OF SET	PROVIDE the start of the set.	<a href="#">REFER TO APPENDIX A1</a>	Date and Time <u>may be</u> automatically generated through VMS or other GPS-type devices.	ST	<SETSTART>	Y
POSITION LATITUDE	PROVIDE the LATITUDE position when the set started	<a href="#">REFER TO APPENDIX A2</a>	The WCPFC requirement stipulates that the position of start of set should be reported in units of at least minutes of latitude and longitude.	LT	<LAT>	Y
POSITION LONGITUDE	PROVIDE the LONGITUDE position when the set started	<a href="#">REFER TO APPENDIX A2</a>	If no sets are made on that day, the noon position is to be reported.  Position coordinates <u>may be</u> automatically generated through VMS or other GPS-type devices.	LG	<LON>	Y
NUMBER OF BRANCLINES	PROVIDE the NUMBER OF BRANCLINES (synonymous to HOOKS BETWEEN FLOATS and BRANCLINES between FLOATS) for this set	NUMBER(2)	The "Number of Branchlines" are also commonly referred to as "Hooks between floats" or "Branchlines between FLOATS" for some fleets.  The code must be within the valid range. Only relevant with ACTIVITY = "1 - FISHING SET"	SA	<HK_BTWN_FLT>	Y
NUMBER OF HOOKS	PROVIDE the total number of HOOKS per set	NUMBER(4)	The code must be within the valid range (e.g. < 5,000 hooks).	SA	<HOOKS>	Y

### LL\_ACTIVITY

PROVIDE the following information on EACH FISHING SET; if there was no fishing set on that day, provide information on the MAIN ACTIVITY FOR THAT DAY AT SEA

FIELD	Data Collection Instructions	Field format notes	Notes	NAF CODE	XML TAG	WCPFC FIELD
			Only relevant with ACTIVITY = "1 - FISHING SET"			

## 2.5 LL CATCH DATA

### LL\_CATCH

PROVIDE information on each species catch from a SET

FIELD	Data Collection Instructions	Field format notes	Notes	NAF CODE	XML TAG	WCPFC FIELD
TRIP IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be VESSEL + DEPARTURE DATE		Link to TRIP information		<TRIP_ID>	
ACTIVITY IDENTIFIER	Internally generated. Can be NATURAL KEY or unique integer. NATURAL KEY would be DATE + START TIME OF ACTIVITY		Link to ACTIVITY (SET)		<ACTIVITY_ID>	
SPECIES CODE	For each species taken in the set, PROVIDE the SPECIES CODE according to the FAO standard species code list	CHAR(3) UPPER CASE	<a href="#">REFER TO APPENDIX 8.</a>	DC	<SP_CODE_RET>	Y
CATCH NUMBER	PROVIDE the retained CATCH NUMBER OF FISH covering this species.	INTEGER(6)	Validate that it is within the acceptable range for this species. (Refer to the SPECIES_RANGE table provided)	DC	<SP_RET_NO>	Y
CATCH WEIGHT	PROVIDE the retained CATCH ESTIMATED WEIGHT (metric tonnes to three decimal places) for this species.	DECIMAL(6,3)	Validate that it is within the acceptable range for this species. (Refer to the SPECIES_RANGE table provided)	DC	<SP_RET_MT>	N
DISCARDED / RELEASED NUMBER	PROVIDE the NUMBER of this species DISCARDED or RELEASED.	INTEGER(6)	Validate that it is within the acceptable range for this species. (Refer to the SPECIES_RANGE table provided)	DC	<SP_DISC_NO>	Y

## APPENDICES

### APPENDIX A1 – DATE/TIME FORMAT

The DATE and DATE/TIME formats must adhere to the following standard:  
ISO 8601 - Dates and times format – both local and UTC dates

[YYYY]-[MM]-[DD] Z	for fields designated as UTC date
[YYYY]-[MM]-[DD]	for fields designated as LOCAL date
[YYYY]-[MM]-[DD]T[HH]:[MM]Z	for fields designated as UTC date/time
[YYYY]-[MM]-[DD]T[HH]:[MM]	for fields designated as LOCAL date/time

### APPENDIX A2 – POSITION/COORDINATE FORMAT

Annex 1 of [WCPFC Scientific Data to be provided to the Commission](#) stipulates that the position of start of set should be reported in units of at least minutes of latitude and longitude. The Latitude and Longitude coordinates must adhere to the ISO 6709 – Positions in degrees and minutes (to 3 decimal places where relevant).

LATITUDE	+/- DDMM.MMM
LONGITUDE	+/- DDDMM.MMM

### APPENDIX A3 – LOCATION CODES

The PORT LOCATION Codes must adhere to the list of valid WCPFC 5-letter LOCATION codes [UPPERCASE CHAR(5) ]

In the rare case that the port is not in the WCFPC LOCATION codes, then the actual port name can be included and a WCFPC LOCATION code will be generated.

(Refer to the relevant WCPFC Codes web page link: Attachment 7 of CMM 2014-03 Conservation and Management Measure on Standards, Specifications and Procedures for the WCPFC RFV: <https://www.wcpfc.int/doc/cmm-2014-03/standards-specifications-and-procedures-western-and-central-pacific-fisheries>)

## APPENDIX A4 – VESSEL IDENTIFICATION

Using a single vessel identifier field (“VID”) in the LL\_TRIP and PS\_TRIP removes the redundancy of including all vessel attributes with each trip record and ensures standardisation and consistency through the direct referencing to the WCPFC Register of Fishing Vessels (RFV) and other Vessel Registry databases (e.g. the IMO/UVI standards, the FFA Vessel Register and the PNA Vessel Register).

The WCPFC RFV vessel identifier (“VID”) will be used as the vessel identifier except in cases where, for example, it is more convenient to use the unique national vessel identifier (e.g. IRSC) and in these cases, there must be a link between the national vessel identifier and the WCPFC RFV VID established and available.

The attributes for the VESSEL should already be maintained in the WCPFC RFV (and other Vessel Registry databases, where relevant) and so can be obtained through reference in using the “VID”; as such, there is no requirement to include the vessel attributes with the E-Reported logsheet data.

The following table lists the type of information that can be accessed in the WCPFC RFV (and other registers) by using the “VID” as the reference.

FIELD	Data Collection Instructions	Field format notes	Validation rules	XML TAG	WCPFC FIELD
VESSEL NAME	PROVIDE the VESSEL attributes which should be consistent with the attributes stored in the WCPFC and FFA Regional Vessel Registers	CHAR(30) UPPER CASE	Must be consistent with the WCPFC and FFA Vessel Registers	<VESSELNAME>	Y
COUNTRY OF VESSEL REGISTRATION		CHAR(2) WCPFC alpha-2 two-letter country code (refer to WCPFC codes web page) UPPER CASE	WCPFC alpha-2 two-letter country code (refer to WCPFC codes web page)  Must be consistent with the WCPFC and FFA Vessel Registers  Country of registration is distinct from the chartering nation, where relevant	<COUNTRYREG>	Y
VESSEL REGISTRATION NUMBER		CHAR(20) UPPER CASE	Must be consistent with the WCPFC and FFA Vessel Registers	<REGNO>	Y
FFA VESSEL REGISTER NUMBER		INTEGER(5)	Must be consistent with the FFA Vessel Register	<FFAVID>	N
WCPFC RFV VID		INTEGER(10)	Must be consistent with the WCPFC RFV	<WIN>	Y
UNIVERSAL VESSEL IDENTIFIER (UVI)		INTEGER(10)	Must be consistent with the WCPFC and FFA Vessel Registers	<IMO_UVI>	N
VESSEL INTERNATIONAL CALLSIGN		CHAR(10) UPPER CASE	Must be consistent with the WCPFC and FFA Vessel Registers	<IRCS>	Y

## APPENDIX A5 – ACTIVITY CODES

ACT_ID	Description	PURSE SEINE LOGSHEET	LONGLINE LOGSHEET	PURSE SEINE OBSERVER
1	Set	Y	Y	Y
2	Searching	Y	N	Y
3	Transit	Y	Y	Y
4	No fishing - Breakdown	Y	Y	Y
5	No fishing - Bad weather	Y	Y	Y
6	In port	Y	Y	Y
7	Net cleaning set	Y	N	Y
8	Investigate free school	Y	N	Y
9	Investigate floating object	Y	N	Y
10	Deploy - raft, FAD or payao	Y	N	Y
11	Retrieve - raft, FAD or payao	Y	N	Y
12	No fishing - Drifting at day's end	N	N	Y
13	No fishing - Drifting with floating object	N	N	Y
14	No fishing - Other reason (specify)	N	N	Y
15	Drifting -With fish aggregating lights	N	N	Y
16	Retrieve radio buoy	N	N	Y
17	Deploy radio buoy	N	N	Y
18	Transshipping or bunkering	N	Y	Y
19	Servicing FAD or floating object	Y	N	Y
20	<i>Helicopter takes off to search</i>	<i>N</i>	<i>N</i>	<i>Y</i>
21	<i>Helicopter returned from search</i>	<i>N</i>	<i>N</i>	<i>Y</i>

## APPENDIX A6 – PURSE SEINE TUNA SCHOOL ASSOCIATION CODES

SCHOOL	Description	SCHOOL TYPE CATEGORY
1	Unassociated (free school)	UNASSOCIATED
2	Feeding on Baitfish (free school)	UNASSOCIATED
3	Drifting log, debris or dead animal	ASSOCIATED
4	Drifting raft, FAD or payao	ASSOCIATED
5	Anchored raft, FAD or payao	ASSOCIATED
6	Live whale	ASSOCIATED
7	Live whale shark	ASSOCIATED
8	Other (please specify)	
9	No tuna associated	

## APPENDIX A7 – SPECIES CODES

Refer to the FAO three-letter species codes:

<http://www.fao.org/fishery/collection/asfis/en>

## APPENDIX A8 – PURSE SEINE REASON FOR DISCARD

These codes are not WCPFC required fields.

REASON CODE	Description
1	FISH DAMAGED / UNFIT FOR CONSUMPTION
2	VESSEL FULLY LOADED
3	GEAR FAILURE
4	OTHER REASON (SPECIFY)
5	NON-TARGET SPECIES



**Attachment 2. Electronic Formatting Specifications for logbook data**

These specifications describe the electronic files that CCMs must provide if they choose to choose to use electronic reporting technologies to meet the following WCPFC reporting requirements:

- i. Paragraph 3 and Annex 1 of *Scientific Data to be Provided to the Commission*.

**A) File type**

The information must be provided in one of the following formats:

- Microsoft Excel file; Comma separated values (CSV) text file;
- Text file (TAB delimited); text file (no delimiters); XML; JSON; NAF

The WCPFC preferred formats for receiving E-Reported operational catch and effort data are provided below.

Data type / Report	Preferred format for receiving data (in order of preference)		Notes	Status
	E-Reporting	E-Monitoring		
LOGSHEET	1. JSON	[NOT APPLICABLE]		(Pending review and approval)
	2. XML			
	3. NAF			
	4. XLS/CSV			
	5. TXT			

**B) File name**

The name of the file must be: **XX DDD VID DEPDATE <Table Name>.EXT**

- **XX** – two letter ISO country code (CMM 2014-03 Att 7) of the CCM providing the file
- **DDD** – type of report (LOG – logbook e-data)
- **VID** – five digit integer assigned number for a vessels record on the WCPFC Record of Fishing Vessels (RFV) (CMM 2014-03)
- **DEPDATE** – Departure date of the Vessel trip (format YYYYMMDD)
- **<Table\_Name>** – Respective (subset data) table name within this data type (refer to the relevant list of tables in the E-Reporting LOGSHEET data field standards)
- **EXT** – the standard file extension (according to one of the five available formats)
  - XML
  - TXT file – COMMA delimited (CSV)
  - TXT file – TAB delimited
  - TXT file – No delimiters
  - XLS
  - JSON
  - NAF

**Example : FM\_LOG\_35641\_20140214\_PS\_CATCH.CSV**

Represents a comma-delimited file provided by Federated States of Micronesia for an vessel trip for the vessel identified with WCPFC RFV id as '35641' with a departure date of 14/03/2014; This file is the subset data for this trip corresponding to the PS\_CATCH Table in the ER logbook data standards document

**C) File content and structure**

Each record in the electronic file represents a single report. Each record must have the structure specified in Attachment 1, including the same sequence of fields.

Sample electronic reporting files with the proper formats are available from the Secretariat.

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**2016 FINAL COMPLIANCE MONITORING REPORT  
(COVERING 2015 ACTIVITIES)  
Executive Summary**

**I. INTRODUCTION**

1. WCPFC13 undertook its sixth annual review of compliance by CCMs against a priority list of Commission obligations agreed to at WCPFC12 (Paragraphs 469 and 471 and Attachment O to WCPFC12 Summary Report). WCPFC13 reviewed the provisional Compliance Monitoring Report prepared by TCC12 assessing all CCMs against obligations in seven categories as per paragraph 3 of CMM 2015-07.

2. WCPFC13 and TCC12 conducted their review in accordance with the revised Compliance Monitoring Scheme (CMS) adopted at WCPFC12 – CMM 2015-07. Unlike past versions of the CMS, the current CMS does not require an overall assessment of each CCM, but only asks WCPFC to identify a compliance assessment for each specific obligation. In accordance with Annex I of the CMS, the following statuses were considered in making the assessments: Compliant, Non-Compliant, Priority Non-Compliant, Capacity Assistance Needed, Flag State Investigation and CMM Review.

3. A number of CCMs provided additional information between TCC12 and WCPFC13. A small working group met in closed session during WCPFC13 to review and evaluate the additional information. The small working group considered all additional information, including for CCMs not present at the working group meetings.

4. After considering the additional information, the small working group was unable to assess seven obligations for certain CCMs contained in the following measure and specified in further detail below: CMM 2014-01, paras 14, 16, 25 and 40 as well as SciData 03.

5. The small working group noted significant concerns with the process for reviewing and evaluating the additional information that came in between TCC12 and WCPFC13. The group felt that trying to accomplish this work in several separate sessions, at times while other working groups were running concurrently, impacted its ability to make fair and consistent assessments.

**The small working group recommends that:**

- a. The work to review and evaluate the additional information be done in a separate stand alone session either prior to the commencement of the annual session or in an additional day at the beginning of WCPFC;**
- b. The working group should be chaired by the TCC Chair and staffed by the Compliance Manager and Assistant Compliance Manager with the assistance of the Science Provider to ensure consistency with the evaluations taken at TCC in the development of the provisional Compliance Monitoring Report; and**
- c. The final Compliance Monitoring Report be adopted early in the annual session to better inform the work of the Commission.**

## II. DEVELOPMENT OF THE PROVISIONAL COMPLIANCE MONITORING REPORT AT TCC12

6. TCC12 reviewed the draft Compliance Monitoring Report (draft CMR) for thirty seven (37) CCMs and one (1) collective group of Members in a closed working group session. The draft CMR is classified as non-public domain data and 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. There continues to be interest among some CCMs and the Observers (who are not able to attend the closed session) in finding a way to address the confidentiality concerns of CCMs, and some CCMs would like to invite WCPFC13 to find a solution to this situation as a matter of urgency. It was noted that such efforts must begin either at the Commission meeting or well in advance of TCC, and will likely not get resolved if only raised just prior to TCC each year.

7. TCC12 noted that the new statuses of Investigation Status and Capacity Assistance Needed were helpful in progressing our assessment of CCMs' compliance related relevant obligations.

8. As this was the first year that we used these new statuses, TCC12 agreed to be flexible in its approach to assessing these statuses and even when complete information was not provided in accordance with CMM 2015-07, TCC12 allowed CCMs to supplement information across the floor.

9. TCC12 noted that paragraphs 5 and 8 of CMM 2015-07 provide specific information that is required for a Capacity Development Plan (para 5) and Investigation Status Report (para 8). Some CCMs provided detailed information in their dCMR responses and/or in the WCPFC compliance case file system, while other CCMs provided more general information in their reports or across the floor.

**10. TCC12 reminds CCMs of the requirements in CMM 2015-07 paragraphs 5 and to submit Capacity Development Plans or Investigation Status Reports, where appropriate, 28 days prior to TCC in their dCMR responses, and recommends that this information be provided in writing to improve TCC's ability to make informed assessments.**

11. TCC12 noted that CCMs should provide information on each alleged violation or investigation, so that TCC can fully understand the status of each investigation, rather than providing summary information related to all alleged violations. Some CCMs also noted that when closing investigations, CCMs should provide the reason(s) those investigations were closed.

**12. TCC12 agreed that for paragraphs 5 and 8 a paper template might assist CCMs in providing the required information and recommends that such a template be developed by the Secretariat.**

13. There were seven assessments that WCPFC13 was not able to make due to a lack of consensus as to the compliance status. Therefore, these obligations were not assessed. However, the CMS small working group notes that all of these issues related to differences in interpretation of the obligation, and therefore recommends that consideration be given to clarifying these obligations. In particular, we note that four of the five obligations were related to the Tropical Tuna Measure (CMM 2014-01).

a. CMM 2014-01, para 14 – WCPFC13 took no assessment for China, Federated States of Micronesia, and Kiribati.

- b. CMM 2014-01, para 16 – WCPFC13 took no assessment for China.
- c. CMM 2014-01, para 25 – WCPFC13 took no assessment for China.
- d. CMM 2014-01, para 40 – WCPFC13 took no assessment for the United States.
- e. SciData 03 – WCPFC13 took no assessment for Chinese Taipei.

14. TCC12 was pleased to note that it was able to complete an assessment for all obligations identified for assessment in 2016.

15. Consistent with the 2012, 2013, 2014 and 2015 Final Compliance Monitoring Reports, CCMs evaluated as other than “compliant” for obligations are strongly encouraged to address their implementation issues.

#### **IV. ISSUES RELATED TO SPECIFIC CMMs OR OTHER OBLIGATIONS**

16. For CMM 2007-01, Attachment K, Annex C, para 6, China requests that SC13 complete the tasking related to the required metric for assessing observer coverage that was requested by WCPFC11. Some CCMs stated that assessment of observer data provision is not covered under this paragraph.

17. For CMM 2008-03, para 7, there were extensive discussions on the specific requirement of this paragraph and several issues were raised that would benefit from further discussion and/or proposals for consideration at WCPFC13:

- a. What is the difference, if any, between to “fish for” and to “target” a species?
- b. There was discussion regarding the broad definition for “shallow-setting” contained in the measure.
- c. It was noted that this measure is fairly old and suggested that consideration should be given as to whether the measure should be updated.

18. For our assessment this year, TCC12 applied a strict application of the language in CMM 2008-03, para 7, and found the obligation not applicable to CCMs if they confirmed that they did not have “longline vessels that fish for swordfish in a shallow-set manner” based on the exact language in the measure.

19. WCPFC13 noted that CMM 2010-05 related to South Pacific Albacore has been difficult to interpret and implement and warrants further consideration for improvement.

20. In our assessment of CMM 2013-08, paragraph 1, China was assessed as Investigation Status but requested a note indicating that it will be unable to investigate any further without being provided further evidence.

21. Questions related to the respective obligations of the flag state and chartering state came up in several discussions, primarily around CMM 2014-01. TCC12 noted that this issue would benefit from further discussion at the Commission.

22. Some CCMs raised the question in a couple of discussions as to whether the obligation to provide observer data is the responsibility of the flag CCMs or the observer provider.

23. TCC12 noted that although paragraph 16 of the CMS CMM (2015-07) requires that we address

“compliance by CCMs with recommendations adopted pursuant to the Scheme the previous year,” we have not implemented this requirement of the review.

**24. TCC12 recommends that the Commission discuss how para 16 of the CMS CMM (2015-07) can be implemented.**

25. TCC12 noted that although we assessed whether Annual Reports were submitted on time, we did not assess whether Annual Reports were submitted at all. We noted that there was some ambiguity in the language of the measure on this point.

**26. TCC12 recommends that the Commission agree that in future assessments, we will assess, separately, whether Annual Reports-Parts 1 and 2 have been submitted.**

#### V. REQUESTS FOR ASSISTANCE AND CAPACITY BUILDING

27. Several areas were noted where targeted assistance is required to assist SIDS and other CCMs in implementing specific obligations.

CMM	para	section	CCM
2005-03 NP ALB	2005-03 03	ii	TV, VU
2007-01 ROP	2007-01 Att K Ann C 06	v	FSM, ID
2008-03 Turtle	2008-03 02	iii	FSM, ID
2009-06 Transshipment	2009-06 34	i	PA
	2009-06 11	ii & vii	PA
	2009-06 35 a (iii)	vii	PA
2010-02 EHSP	2010-02 02	ii	PA
2010-07 Shark	2010-07 09	i	ID, PA
2011-04 OCS	2011-04 03	iii	FSM, ID
2012-07 Seabird	2012-07 04	ii	VU
2013-08 FAL	2013-08 01	i	ID
	2013-08 03	iii	FSM, ID
2014-01 TT	2014-01 16	iv & vii	ID
	2014-01 23	vii	ID
	2014-01 24	vii	ID
	2014-01 33	v	PH
	2014-01 34	v	ID, PH
	2014-01 40	i	ID
	2014-01 44	ii & vii	ID
	2014-01 47	i	ID
	2014-01 48	ii	ID
	2014-02 VMS	2014-02 9a	v
2014-02 9a VMS SSPs 2.8		v	ID & PH
2014-02 9a VMS SSPs 7.2.2		v & vii	ID, TV
2014-03 RFV	2014-03 02	v	PA
SciData	SciData 01	vi & vii	ID
	SciData 03	vi & vii	ID













**Appendix 2: 2016 Final Compliance Monitoring Report (for 2015 activities)**

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<b><i>CMM 2005-03: North Pacific Albacore</i></b>							
<i>Para (2)</i>	Canada, China, Japan, Korea, Philippines, Chinese Taipei, United States						
<i>Para (3)</i>	Canada, China, Fiji, Federated States of Micronesia, Japan, Kiribati, Korea, Marshall Island, Philippines, Tuvalu, Chinese Taipei, United States, Vanuatu						
<i>Para (3) (reporting deadline)</i>	Canada, China, Federated States of Micronesia, Kiribati, Korea, Marshall Island, Philippines, Chinese Taipei, United States	Fiji, Japan, Tuvalu, Vanuatu					
<i>Para (4)</i>	Canada, China, Federated States of Micronesia, Japan, Kiribati, Korea, Tuvalu, Chinese Taipei, United States, Vanuatu						

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<b><i>CMM 2006-08: High Seas Boarding and Inspection</i></b>							
<i>Para (7)</i>	Australia, Cook Islands, China, Ecuador, European Union, Fiji, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Liberia, Marshall Islands, New Caledonia, New Zealand, Panama, Papua New Guinea, Philippines, Solomon Islands, El Salvador, Tuvalu, Chinese Taipei, United States, Vanuatu						
<i>Para (30)</i>	Australia, New Zealand, United States	France					
<i>Para (30) (reporting deadline)</i>	Australia, France, New Zealand, United States						
<i>Para (32)</i>	United States						
<i>Para (33) &amp; (36)</i>	Chinese Taipei						
<i>Para (33) &amp; (36) (reporting deadline)</i>	Chinese Taipei						

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Para (40)</i>	Australia, Canada, Cook Islands, Federated States of Micronesia, Japan, Kiribati, Korea, New Zealand, Papua New Guinea, Tuvalu, Chinese Taipei, Untied States	France					
<i>Para (40) (reporting deadline)</i>	Australia, Canada, Cook Islands, Federated States of Micronesia, France, Japan, Kiribati, Korea, New Zealand, Papua New Guinea, Tuvalu, Chinese Taipei, Untied States						
<i>Para (41)</i>	China, European Union, Fiji, Japan, Korea, Marshall Islands, Panama, Papua New Guinea, Chinese Taipei, Untied States						
<i>Para (41) (reporting deadline)</i>	China, European Union, Fiji, Japan, Korea, Marshall Islands, Panama, Papua New Guinea, Chinese Taipei, Untied States						

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
	<b><i>CMM 2007-01: Regional Observer Programme</i></b>						
<i>Para (7)</i>	Australia, China, Cook Islands, Ecuador, European Union, Fiji, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Liberia, Marshall Islands, New Caledonia, New Zealand, Panama, Papua New Guinea, Philippines, El Salvador, Tuvalu, Chinese Taipei, United States, Vanuatu						
<i>Para (10)</i>	Australia, China, Cook Islands, Ecuador, European Union, Fiji, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Liberia, Marshall Islands, New Caledonia, New Zealand, Panama, Papua New Guinea, Philippines, El Salvador, Tuvalu, Chinese Taipei, United States, Vanuatu						

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Para (13)</i>	Australia, China, Cook Islands, Fiji, Federated States of Micronesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, Nauru, New Zealand, Papua New Guinea, Philippines, Palau, Solomon Islands, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu						
<i>Para (14) (vii)</i>	Australia, Cook Islands, Ecuador, European Union, Fiji, Indonesia, Kiribati, Liberia, Marshall Islands, New Zealand, Panama, El Salvador, Tuvalu				China, Federated States of Micronesia, Japan, Korea, Papua New Guinea, Philippines, Chinese Taipei, United States, Vanuatu		



WCPFC13 Summary Report Attachment U\_Appendix 2

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Att K, Annex C, Para (6)</i>	Cook Islands, European Union, Fiji, Kiribati, New Zealand, Papua New Guinea, Philippines, United States	China, Korea	Federated States of Micronesia, Japan, Tuvalu, Chinese Taipei, Vanuatu			Federated States of Micronesia [4], Japan [3], Tuvalu [4], Chinese Taipei [4], Vanuatu [2]	
<i>Att K, Annex C, Para (6) (reporting deadline)</i>	Cook Islands, China, European Union, Fiji, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, New Zealand, Philippines, Tuvalu, Chinese Taipei, United States, Vanuatu	Papua New Guinea					

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
	<b><i>CMM 2008-03: Sea Turtles</i></b>						
<i>Para (2)</i>	Australia, Cook Islands, China, European Union, Fiji, Federated States of Micronesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, Niue, New Zealand, French Polynesia, Papua New Guinea, Philippines, Samoa, Solomon Islands, El Salvador, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu	Ecuador, Indonesia					
<i>Para (2) (reporting deadline)</i>	Australia, Cook Islands, China, Ecuador, European Union, Fiji, FSM, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, Niue, New Zealand, French Polynesia, Papua New Guinea, Philippines, Samoa, Solomon Islands, El Salvador, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu						

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Para (7c)</i>	Australia, European Union, Japan, Chinese Taipei, United States						
<i>Para (7c) (reporting deadline)</i>	Australia, European Union, , Japan, Chinese Taipei, United States						
<b><i>CMM 2008-04: High Seas Driftnet Fishing</i></b>							
<i>Para (5)</i>	Australia, China, El Salvador, European Union, Indonesia, Japan, Korea, Marshall Islands, Nauru, New Zealand, Papua New Guinea, Philippines, Solomon Islands, Thailand, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu	France,					
<i>Para (5) (reporting deadline)</i>	Australia, China, European Union, France, Indonesia, Japan, Korea, Liberia, Marshall Islands, Nauru, New Zealand, Philippines, Solomon Islands, El Salvador, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu	Papua New Guinea, Thailand					

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<b><i>CMM 2009-06: Transshipment</i></b>							
<i>Para (11)</i>	China, European Union, Fiji, Federated States of Micronesia, Indonesia, Japan, Korea, Liberia, Marshall Islands, New Zealand, Papua New Guinea, Philippines, Solomon Islands, El Salvador, Thailand, Tuvalu, Chinese Taipei, United States		Ecuador, Kiribati, Panama, Vanuatu			Ecuador [4], Kiribati [3], Panama [4], Vanuatu [3]	
<i>Para (11) (reporting deadline)</i>	China, Federated States of Micronesia, Fiji, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Zealand, Philippines, Solomon Islands, El Salvador, Tuvalu, Chinese Taipei, United States, Vanuatu	European Union, Liberia, Thailand	Ecuador, Panama, Papua New Guinea			Ecuador [2]; Panama [3]; Papua New Guinea [2],	

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Para (13)</i>	China, Fiji, Japan, Kiribati, Korea, Liberia, New Zealand, Panama, Philippines, Solomon Islands, Thailand, 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, El Salvador, Tuvalu, Chinese Taipei, United States, Vanuatu						
<i>Para (34)</i>	Fiji, Japan, Korea, Liberia, Philippines, Thailand, United States		China, Kiribati, Panama, Chinese Taipei, Vanuatu			China [2], Kiribati [4], Chinese Taipei [2], Vanuatu [2]	

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Para (35) (a) (ii)</i>	China, Fiji, Japan, Kiribati, Korea, Liberia, Philippines, Thailand, Chinese Taipei, United States, Vanuatu	Panama					
<i>Para (35) (a) (iii)</i>	China, Fiji, Japan, Korea, Liberia, Philippines, Thailand, Chinese Taipei, United States	Panama, Vanuatu	Kiribati			Kiribati [4]	
<i>Para (35) (a) (iii) (reporting deadline)</i>	Fiji, Solomon Islands, Liberia, Philippines, Thailand, United States	Panama	China, Japan, Kiribati, Korea, Chinese Taipei, Vanuatu			China [2]; Japan [3]; Kiribati [3]; Korea [3]; Chinese Taipei [3]; Vanuatu [3]	
<i>Para (35) (a) (iv)</i>	China, Fiji, Japan, Korea, Liberia, Philippines, Thailand, Chinese Taipei, United States	Panama, Vanuatu	Kiribati			Kiribati [4]	

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Paragraph (35) (a) (iv) (reporting deadline)</i>	Fiji, Japan, Liberia, Philippines, Thailand, United States	Panama	China, Kiribati, Korea, Chinese Taipei, Vanuatu			China [3], Kiribati [3], Korea [3], Chinese Taipei [3], Vanuatu [3]	
<b><i>CMM 2010-02: Eastern High Seas Pocket Special Management Area</i></b>							
<i>Para (2) (ii)</i>	China, Japan, Chinese Taipei, Vanuatu	Cook Islands, Korea,	Fiji, Kiribati, Panama			Fiji [2], Kiribati [2], Panama [4]	
<i>Para (2) (reporting deadline)</i>	Japan	Cook Islands, Korea, Vanuatu	China, Fiji, Kiribati, Panama, Chinese Taipei			China [3]; Fiji [3]; Kiribati [2], Panama [3]; Chinese Taipei [3]	

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
	<b><i>CMM 2010-05: South Pacific Albacore</i></b>						
<i>Para (1)</i>	Australia, China, European Union, Indonesia, Japan, Korea, New Zealand, Philippines, Chinese Taipei, United States						
<i>Para (4)</i>	Australia, Cook Islands, China, European, Fiji, Indonesia, Japan, Kiribati, Korea, New Caledonia, New Zealand, French Polynesia, Papua New Guinea, Tonga, Chinese Taipei, United States, Vanuatu						



CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
	<b><i>CMM 2010-07: Shark</i></b>						
<i>Para (9)</i>	Australia, Canada, Cook Islands, China, European Union, Ecuador, Fiji, Federated States of Micronesia, Japan, Kiribati, Liberia, Marshall Islands, New Caledonia, New Zealand, French Polynesia, Philippines, Solomon Islands, El Salvador, Thailand, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu		Indonesia, Panama		Korea, Papua New Guinea		

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Para (12) (reporting deadline)</i>	Australia, Canada, Cook Islands, China, Ecuador, European Union, Fiji, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Liberia, Marshall Islands, New Caledonia, New Zealand, French Polynesia, Philippines, Samoa, Solomon Islands, El Salvador, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu	Papua New Guinea, Thailand					

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
	<b><i>CMM 2011-04: Oceanic Whitetip</i></b>						
<i>Para (3)</i>	Australia, Cook Island, China, European Union, Fiji, Federated States of Micronesia, Japan, Kiribati, Marshall Islands, New Caledonia, New Zealand, French Polynesia, Papua New Guinea, Philippines, Samoa, Solomon Islands, El Salvador, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu	Korea	Ecuador, Indonesia			Ecuador [2], Indonesia [2]	
<i>Para (3) (reporting deadline)</i>	Australia, Cook Island, China, European Union, Fiji, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, French Polynesia, Philippines, Samoa, Solomon Islands, El Salvador, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu	Ecuador, Papua New Guinea					

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
	<b><i>CMM 2012-07: Seabird</i></b>						
<i>Para (4)</i>	Australia, China, European Union, Fiji, Japan, New Zealand, Chinese Taipei, United States, Vanuatu						
<i>Para (4) (reporting deadline)</i>	Australia, China, European Union, Fiji, Japan, New Zealand, Chinese Taipei, United States, Vanuatu						
<i>Para (9)</i>	Australia, Cook Islands, China, Ecuador, European Union, Fiji, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, French Polynesia, Papua New Guinea, Philippines, Samoa, Solomon Islands, El Salvador, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu		Wallis and Futuna			Wallis and Futuna [2]	

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Para (9) (reporting deadline)</i>	Australia, Cook Islands, China, Fiji, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, French Polynesia, Philippines, Samoa, Solomon Islands, El Salvador, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu	Ecuador, European Union, Papua New Guinea					
<b><i>CMM 2013-05: Catch and Effort Reporting</i></b>							
<i>Para (1)</i>	Australia, Canada, Cook Islands, China, European Union, Fiji, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Zealand, Papua New Guinea, Philippines, El Salvador, Tuvalu, Chinese Taipei, United States, Vanuatu	Ecuador					

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Para (2)</i>	Australia, Canada, Cook Islands, China, European Union, Fiji, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Zealand, Papua New Guinea, Philippines, El Salvador, Tuvalu, Chinese Taipei, United States, Vanuatu	Ecuador					
<b><i>CMM 2013-07: Special requirements of SIDS</i></b>							
<i>Para (19) (reporting deadline)</i>	Australia, Canada, China, European Union, Japan, Liberia, New Zealand, El Salvador, Chinese Taipei, United States	Ecuador, Indonesia, Korea, Mexico, Panama, Philippines, Thailand, Vietnam					

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
	<b><i>CMM 2013-08: Silky Sharks</i></b>						
<i>Para (1)</i>	Australia, Canada, Cook Islands, Ecuador, European Union, Fiji, Federated States of Micronesia, Kiribati, Liberia, Marshall Islands, New Caledonia, New Zealand, French Polynesia, Solomon Islands, El Salvador, Tonga, Tuvalu, United States, Vanuatu		Indonesia, Panama, Thailand		China, Japan, Korea, Papua New Guinea, Philippines, Chinese Taipei		
<i>Para (3)</i>	Australia, Canada, Cook Islands, China, European Union, Fiji, Federated States of Micronesia, Japan, Kiribati, Marshall Islands, New Caledonia, New Zealand, French Polynesia, Papua New Guinea, Philippines, Samoa, Solomon Islands, El Salvador, Tonga, Tuvalu, United States, Vanuatu	Ecuador, Indonesia, Korea,					

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Para 3 (reporting deadline)</i>	Australia, Canada, Cook Islands, China, European Union, Fiji, FSM, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, French Polynesia, Philippines, Samoa, Solomon Islands, El Salvador, Tonga, Tuvalu, United States, Vietnam, Vanuatu	Ecuador, Papua New Guinea					
<b><i>CMM 2013-10: Record of Fishing Vessels</i></b>							
<i>Para (2)</i>	Australia, Canada, Cook Islands, China, European Union, Fiji, FSM, Indonesia, Japan, Kiribati, Korea, Liberia, Marshall Islands, New Caledonia, New Zealand, Panama, French Polynesia, Papua New Guinea, Philippines, Solomon Islands, El Salvador, Thailand, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu	Ecuador					



CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Para (3)</i>	Australia, Canada, Cook Islands, China, Ecuador, European Union, Fiji, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Liberia, Marshall Islands, New Caledonia, New Zealand, Panama, French Polynesia, Papua New Guinea, Philippines, Solomon Islands, El Salvador, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu		Thailand			Thailand [2]	
<i>Para (4)</i>	Australia, Canada, Cook Islands, China, Ecuador, European Union, Fiji, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Liberia, Marshall Islands, New Caledonia, New Zealand, Panama, French Polynesia, Papua New Guinea, Philippines, Solomon Islands, El						

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
	Salvador, Thailand, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu						
<i>Para (7)</i>	Australia, Canada, Cook Islands, China, Ecuador, European Union, Fiji, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Liberia, Marshall Islands, New Caledonia, New Zealand, Panama, French Polynesia, Papua New Guinea, Philippines, Solomon Islands, El Salvador, Thailand, Chinese Taipei, Tonga, Tuvalu, United States, Vanuatu						
<i>Para (7) (reporting deadline)</i>	Australia, Canada, Cook Islands, Ecuador, European Union, Fiji, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Liberia, Marshall Islands,	China					

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
	New Caledonia, New Zealand, Panama, French Polynesia, Papua New Guinea, Philippines, Solomon Islands, El Salvador, Thailand, Chinese Taipei, Tonga, Tuvalu, United States, Vanuatu						
<i>Para (9)</i>	Australia, Canada, Cook Islands, China, European Union, Fiji, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, , Liberia, Marshall Islands, New Caledonia, New Zealand, Panama, French Polynesia, Papua New Guinea, Philippines, Solomon Islands, El Salvador, Thailand, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu	Ecuador					

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Para 9 (reporting deadline)</i>	Australia, Canada, China, Cook Islands, European Union, FSM, Fiji, Indonesia, Japan, Kiribati, Korea, Liberia, Marshall Islands, New Caledonia, New Zealand, Panama, French Polynesia, Papua New Guinea, Philippines, Solomon Islands, El Salvador, Thailand, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu	Ecuador					
<i>Para (16)</i>	Australia, Canada, Cook Islands, China, European Union, FSM, Fiji, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, Panama, Papua New Guinea, French Polynesia, Philippines, Solomon Islands, El Salvador, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu	Ecuador, Liberia, Thailand					

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Para (17)</i>	Australia, Canada, Cook Islands, China, Ecuador, European Union, Federated States of Micronesia, Fiji, Indonesia, Japan, Kiribati, Korea, Liberia, Marshall Islands, New Caledonia, New Zealand, Panama, French Polynesia, Papua New Guinea, Philippines, Solomon Islands, El Salvador, Thailand, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu						

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<b><i>CMM 2014-01: Tropical Tunas</i></b>							
<i>Para (14)</i>	Australia, Ecuador, European Union, Indonesia, Japan, Korea, Marshall Islands, New Zealand, Solomon Islands, El Salvador, Tuvalu, Vanuatu	Philippines			Papua New Guinea, Chinese Taipei, United States		China, FSM, Kiribati
<i>Para (16)</i>	Australia, Ecuador, European Union, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Zealand, Philippines, Solomon Islands, El Salvador, Tuvalu, Chinese Taipei, United States, Vanuatu				Papua New Guinea		China
<i>Para (16) (reporting deadline)</i>	Australia, China, Federated States of Micronesia, Japan, Korea, Marshall Islands, New Zealand, Solomon Islands, El Salvador, Chinese Taipei, United States, Vanuatu	Kiribati, Papua New Guinea	Ecuador, European Union, Indonesia, Philippines, Tuvalu			Ecuador [2], European Union [3], Indonesia [2], Philippines [3], Tuvalu [3]	

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Para (16 footnote 3) (reporting deadline)</i>	Federated States of Micronesia, Solomon Islands	Kiribati, Philippines					
<i>Para (19)</i>	Federated States of Micronesia, Japan, Kiribati, Korea						
<i>Para (20)</i>							
<i>Para (20) (collective obligation)</i>	PNAO						
<i>Para (22)</i>	Japan						
<i>Para (23) (reporting deadline)</i>	Australia, Cook Islands, Fiji, New Caledonia, Niue, New Zealand, French Polynesia, Samoa, Tokelau, Tonga, Chinese Taipei, United States, Vanuatu	Indonesia, Philippines, Wallis and Futuna					

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Para (24)</i>	Australia, Cook Islands, Fiji, Indonesia, Japan, New Caledonia, Niue, New Zealand, French Polynesia, Philippines, Samoa, Tokelau, Tonga, Chinese Taipei, United States, Vanuatu						
<i>Para (24) (reporting deadline)</i>	Australia, Cook Islands, Fiji, Japan, New Caledonia, Niue, New Zealand, French Polynesia, Samoa, Tokelau, Tonga, Chinese Taipei, United States, Vanuatu	Indonesia, Philippines, Wallis and Futuna					
<i>Para (24) (para 4 - collective obligation) (reporting deadline)</i>		PNAO					



CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Para (25)</i>	Australia, Ecuador, European Union, Indonesia, Japan, Korea, Mexico, New Zealand, Philippines, El Salvador, Chinese Taipei		United States				China
<i>Para (30)</i>	China, Ecuador, El Salvador, European Union, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, New Zealand, Papua New Guinea, Philippines, Solomon Islands, El Salvador, Tuvalu, Chinese Taipei, United States, Vanuatu						
<i>Para (33)</i>	China, Ecuador, European Union, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Zealand, Papua New Guinea, Philippines, El Salvador, Tuvalu, Chinese Taipei, United States, Vanuatu						

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Para (34)</i>	Australia, China, Federated States of Micronesia, Japan, Kiribati, Marshall Islands, Papua New Guinea, Tuvalu, United States, Vanuatu		Indonesia, Philippines			Indonesia [4], Philippines [3]	
<i>Para (37)</i>	Australia, China, Ecuador, European Union, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Zealand, Papua New Guinea, Philippines, El Salvador, Chinese Taipei, United States, Vanuatu						
<i>Para (37) (reporting deadline)</i>	Australia, China, Ecuador, European Union, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Zealand, Papua New Guinea, Philippines, El Salvador, Chinese Taipei, United States, Vanuatu						

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<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 [3]	
<i>Para (44) (reporting deadline)</i>	China, Korea, Chinese Taipei		Indonesia, Japan, United States			Indonesia [3], Japan [3], United States [3]	
<i>Para (47)</i>	Japan, Philippines						
<i>Para (48)</i>	Japan, Philippines						
<i>Para (49)</i>	Australia, Canada, China, Ecuador, European Union, Japan, Korea, New Zealand, Philippines, El Salvador, Chinese Taipei, United States						
<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						

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Para (51)</i>	China, Japan, Korea, New Zealand, Philippines, Chinese Taipei, United States						
<i>Para (52)</i>	China, Japan, Korea, Philippines, Chinese Taipei, United States						
<i>Para (57)</i> <i>(reporting deadline)</i>	China, Japan, Korea, Philippines	Chinese Taipei					
<i>Para (59)</i> <i>(reporting deadline)</i>	China, Japan, Korea, Philippines, Chinese Taipei						
<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/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
	<b><i>CMM 2014-02: Vessel Monitoring System</i></b>						
<i>Para (4)</i>	Canada, China, Ecuador, European Union, Federated States of Micronesia, Fiji, Indonesia, Japan, Kiribati, Korea, Liberia, Marshall Islands, Panama, Papua New Guinea, Philippines, Solomon Islands, El Salvador, Chinese Taipei, Tuvalu, United States, Vanuatu						
<i>Para (9)(a)</i>	Australia, Canada, Cook Islands, China, European Union, Federated States of Micronesia, Fiji, Indonesia, Japan, Kiribati, Korea, Liberia, Marshall Islands, New Zealand, Panama, Papua New Guinea, Solomon Islands, El Salvador, Chinese Taipei, Tuvalu, United States, Vanuatu	Ecuador	Philippines			Philippines [2]	

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Para (9)(a) – VMS SSPs para 2.8</i>	Australia, Canada, Cook Islands, China, Ecuador, European Union, Federated States of Micronesia, Fiji, Indonesia, Japan, Kiribati, Korea, Liberia, Marshall Islands, New Zealand, Panama, Papua New Guinea, Solomon Islands, El Salvador, Chinese Taipei, Tuvalu, United States, Vanuatu	Philippines					
<i>Para (9) (a) – VMS SSPs para 7.2.2</i>	Australia, Canada, Cook Islands, China, Ecuador, European Union, Federated States of Micronesia, Fiji, Japan, Kiribati, Korea, Liberia, Marshall Islands, New Zealand, Panama, Papua New Guinea, Philippines, Solomon Islands, El Salvador, Chinese Taipei, United States, Vanuatu			Tuvalu			

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Para (9) (a) – VMS SSPs para 7.2.2 (reporting deadline)</i>	Australia, Canada, Cook Islands, China, European Union, Federated States of Micronesia, Fiji, Japan, Kiribati, Korea, Marshall Islands, New Zealand, Panama, Papua New Guinea, Philippines, Solomon Islands, El Salvador, Chinese Taipei, United States	Ecuador, Indonesia, Liberia, Tuvalu, Vanuatu					

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<b><i>CMM 2014-03: RFV SSPs</i></b>							
<i>Para (2)</i>	Canada, Cook Islands, Fiji, Federated States of Micronesia, Marshall Islands, New Caledonia, New Zealand, French Polynesia, Solomon Islands, El Salvador, Tonga, Tuvalu, United States, Vanuatu, Chinese Taipei	Liberia	Australia, China, Ecuador, European union, Indonesia, Japan, Kiribati, Korea, Panama, Papua New Guinea, Philippines, Thailand			Australia [2], China [2], Ecuador [2], European Union [2], Indonesia [2], Japan [2], Kiribati [2], Korea [2], Panama [2], Papua New Guinea [2], Philippines [2], Thailand [2]	



CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
	<b><i>CMM 2014-04: Pacific Bluefin Tuna</i></b>						
<i>Para (3)</i>	Japan, Korea, Philippines, Chinese Taipei, United States						
<i>Para (5)</i>	Canada, Japan, Korea, Philippines, Chinese Taipei, United States						
<i>Para (5) (reporting deadline)</i>	Canada, Japan, Korea, Philippines, Chinese Taipei, United States						
<i>Para (11)</i>	Australia, Canada, China, Japan, Korea, Philippines, Chinese Taipei, United States						
<i>Para (11) (reporting deadline)</i>	Australia, Canada, China, Japan, Korea, Philippines, Chinese Taipei, United States						

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
	<b>Convention</b>						
<i>Article 23 Para (5)</i>							
<i>Article 23 Para (2) (b) (reporting deadline)</i>	Australia, Canada, China, Cook Islands, European Union, Federated States of Micronesia, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, Mexico, Nauru, New Caledonia, New Zealand, Niue, Panama, Philippines, Palau, Samoa, El Salvador, Solomon Islands, Chinese Taipei, Tokelau, Tonga, Tuvalu, United States, Vanuatu, Vietnam	Liberia, Panama, Palau, Vietnam, Wallis and Futuna	Ecuador, Papua New Guinea, Thailand			Ecuador (3), Papua New Guinea, (3), Thailand (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, France, French Polynesia, Indonesia, Japan, Kiribati, Korea, Liberia, Marshall Islands, Mexico, Nauru,	Papua New Guinea, Thailand	Wallis and Futuna			Wallis and Futuna [3]	

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
	New Caledonia, New Zealand, Niue, Panama, Papua New Guinea, Philippines, Palau, Samoa, Solomon Islands, Chinese Taipei, Tokelau, Tonga, Tuvalu, United States, Vanuatu, Vietnam						
<i>Article 25 Para (2) (reporting deadline)</i>	Chinese Taipei, United States, Vanuatu	China, Philippines					
	<b>Scientific Data<sup>1</sup></b>						

<sup>1</sup> The references in columns “Non-Compliant” and “Priority Non-Compliant” are based on the tiered scoring system used in the following document: *Scientific Data Available to the WCPFC* (WCPFC-TCC12-2016-IP04 dated 30 August 2016) or its update.

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 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.

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Section 01 – Estimate of Annual Catches<sup>2</sup></i>	Australia, Canada, Cook Islands, China, Ecuador, European Union, Fiji, Federated States of Micronesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, French Polynesia, Papua New Guinea, Philippines, Samoa, Solomon Islands, El Salvador, Tokelau, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu		Indonesia			Indonesia [4]	
<i>Section 01 – (reporting deadline)</i>	Australia, Canada, Cook Islands, China, European Union, Fiji, Federated States of Micronesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, French Polynesia, Papua New Guinea, Philippines, Samoa, Solomon Islands, El Salvador, Tokelau, Tonga, Tuvalu, Chinese	Ecuador, Indonesia					

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
	Taipei, United States, Vanuatu						
<i>Section 02 – Number of Active Vessels</i>	Australia, Cook Islands, China, Ecuador, European Union, Fiji, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, French Polynesia, Papua New Guinea, Philippines, Samoa, Solomon Islands, El Salvador, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu						
<i>Section 02 (reporting deadline)</i>	Australia, Cook Islands, China, European Union, Fiji, Federated States of Micronesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, French Polynesia, Papua New Guinea, Philippines, Samoa, Solomon Islands, El Salvador, Tonga,	Ecuador, Indonesia					

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
	Tuvalu, Chinese Taipei, United States, Vanuatu						
<i>Section 03 (vi) – Operational Level Catch and Effort Data</i>	Australia, Cook Islands, China, Ecuador, Fiji, Federated States of Micronesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, French Polynesia, Papua New Guinea, Philippines, Samoa, Solomon Islands, El Salvador, Tonga, Tuvalu, United States, Vanuatu		European Union, Indonesia,				Chinese Taipei
<i>Section 03 (reporting deadline) – Operational Level Catch and Effort Data</i>	Australia, Cook Islands, China, Fiji, Federated States of Micronesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, New Zealand, French Polynesia, Papua New Guinea, Philippines, Samoa, Solomon Islands, El Salvador, Tonga, Tuvalu, United States, Vanuatu	Ecuador, Indonesia					Chinese Taipei

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Section 05 (vi)– Size Composition</i> <sup>2</sup>	Australia, Canada, Cook Islands, China, Fiji, Federated States of Micronesia, Japan, , Kiribati, Korea, Marshall Islands, New Caledonia, Niue, New Zealand, French Polynesia, Papua New Guinea, Philippines, Samoa, Solomon Islands, El Salvador, Tonga, Chinese Taipei, United States, Vanuatu, Wallis and Futuna	Tuvalu	Ecuador			Ecuador [4]	

CMM/Data Provision	Compliance or Implementation Status					2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> or 6 <sup>th</sup> Year with a Potential Compliance Issue	Not Assessed
	Compliant	Non-Compliant	Priority Non-Compliant	Capacity Assistance Needed	Flag State Investigation		
<i>Section 05 (reporting deadline)– Size Composition</i>	Australia, Canada, Cook Islands, European Union, Fiji, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, New Caledonia, Niue, New Zealand, French Polynesia, Papua New Guinea, Philippines, Palau, Samoa, Solomon Islands, Tonga, Tuvalu, Chinese Taipei, United States, Vanuatu, Wallis and Futuna	China	Ecuador, El Salvador			Ecuador (3), El Salvador (3)	

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**COMMISSION  
THIRTEENTH REGULAR SESSION**  
Denarau, Fiji  
5 - 9 December 2016

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**SUMMARY REPORT AND RECOMMENDATIONS OF THE TENTH SESSION OF  
THE FINANCE AND ADMINISTRATION COMMITTEE (FAC10)**

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**WCPFC13-2016-FAC10  
9 December 2016**

**Introduction**

1. The Finance and Administration Committee (FAC) was convened by Co-Chair Paul Callaghan (USA) for an initial session on 4 December 2016 and by Co-Chairs Paul Callaghan (USA) and Magele Etuati Ropeti (Samoa) at subsequent sessions on 7, 8 and 9 December 2016. Representatives of Australia, Canada, China, European Union, Federated States of Micronesia, Fiji, Indonesia, Japan, Kiribati, Korea, Marshall Island, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Philippines, Samoa, Solomon Islands, Chinese Taipei, Tonga, Tuvalu, United States, Vanuatu, Commonwealth of the Marianas Islands, French Polynesia, New Caledonia, Tokelau, Ecuador, American Tunaboat Association, Birdlife International, Food and Agriculture Organization of the United Nations, Forum Fisheries Agency, International Seafood Sustainability Foundation, Pew Environmental Trust, Parties to the Nauru Agreement, Pacific Community (SPC), and World Wildlife Fund. Meeting support was provided by the Commission Secretariat. A participants list is attached as Annex 4. 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 WCPFC13-2016-FAC10-01 (rev 1), WCPFC13-2016-FAC10-02 (rev 1) and WCPFC13-2016-FAC10-03 (rev 1) was adopted.

## 1.2 Meeting arrangements

3. The meeting arrangements were noted by Finance and Administration Manager (FAM) Aaron Nighswander.
4. WCPFC Executive Director Feleti Teo delivered some opening remarks thanking Ms Joyce Samuelu Ah-Leong of Samoa, former Co-Chair of the FAC, for her previous service and noting that the Co-Chair vacancy will need to be filled. He highlighted two issues for the attention of FAC10: 1) the integrated two-year budget format suggested at FAC9 has now been implemented for FAC10 and will provide for greater transparency and consistency with practices in other organizations; and 2) the Commission has progressed with recommended work on development of a Strategic Plan. This will provide crucial guidance to the Commission's work plan and budgeting process.

## AGENDA ITEM 2. AUDIT

### 2.1 Auditor Report for 2015 and General Account Financial Statements for 2015

5. The FAM summarized the information in WCPFC13-2016-FAC10-04 noting the 2015 audit was completed and circulated to CCMs in July 2016. The auditor found that all financial statements were fair and that there were no instances of non-compliance with the Commission's Financial Regulation 12.4 (c) regarding income, expenditure, investment and asset management nor with Financial Regulation 12.4 (d) pertaining to financial procedures, accounting, internal controls and administration. The FAM noted one error in the paper relating to a tranche payment received for the ABNJ Tuna Project. This payment was received from the United Nations Food and Agriculture Organization (FAO) rather than the United National Development Programme (UNDP) as stated on pages 17 and 23 of the paper. The General Account Fund balance at the end of the year was \$637,017 and was transferred to the Working Capital Fund in accordance with Financial Regulation 4.4.
6. Tokelau congratulated the Secretariat on a clean audit report stating that the report provides confidence in the Commission's financial management systems.
7. **FAC10 recommended that the Commission accept the audited financial statements for 2015 as set out in paper WCPFC13-2016-FAC10-04.**

### 2.2 Appointment of an Auditor

8. The Chair invited FAC10 to consider the information in WCPFC13-2016-FAC10-06.
9. The FAM provided background information on the call for tenders which was circulated to members on 17 October 2016 as well as published in the Pohnpei

newspaper. The proposal from Deloitte & Touche LLP was the only proposal received.

10. Noting that this firm's past performance as the Commission's auditor has been satisfactory, and that the tendered fees were \$7000, the Chair invited the Commission to reappoint Deloitte & Touche LLP as the Commission's auditor for the next two years.
11. Samoa stated it would be happy to support the reappointment as the tender has gone through the market test as recommended by FAC9.
12. **FAC10 recommended that the Commission reappoint Deloitte & Touche LLP as the Commission's auditor for 2016 and 2017.**

### **AGENDA ITEM 3. STATUS OF THE COMMISSION'S FUNDS**

#### **3.1 Report on General Account Fund for 2016 – Contributions and Other Income**

13. The FAM introduced paper WCPFC13-2016-FAC10-05 stating that the assessed contributions for 2016 were set at \$7,231,432 and as of 1 November 2016 fourteen CCMs had outstanding contributions totaling \$955,165. Updating the amounts in the paper based on contributions received since it was posted results in an outstanding amount of approximately \$450,000. A voluntary contribution of approximately \$9,000 was received from Institut d'émission d'Outre-Mer (IEOM) in New Caledonia and will be transferred to the Working Capital Fund as per Financial Regulation 4.4.
14. 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 FAM noted that this is not applicable to any members at this time.
15. **The FAC accepted the report in WCPFC13-2016-FAC10-05.**

#### **3.2 Report on the Status of Other Funds for 2016**

16. Drawing the FAC's attention to WCPFC13-2016-FAC10-08 the FAM noted the following balances in the Special Requirements Fund and other funds established by the Executive Director as of 31 October 2016:
  - the Working Capital Fund (\$1,496,716),
  - the Special Requirements Fund (\$32,456);
  - the West Pacific East Asia Project Fund (\$1,600,004);
  - the Japan Trust Fund (\$15,846);
  - the Voluntary Contributions Fund (\$1,109,243);

- CNM Contributions Fund (\$230,488);
  - Global Environment Facility-Areas Beyond National Jurisdiction (GEF ABNJ) Project Fund (\$2,229,964).
17. New Zealand noted that it is likely to be able to confirm a \$3.6M (5 million NZD dollar) contribution to the WPEA Project Fund by the end of WCPFC13.
18. The FAM noted that two further contributions to the Voluntary Contributions Fund from the European Union are expected to be received shortly: funding for a simulation of reference points for the harvest strategy under CMM 2014-06, and a study of post-release mortality in sharks. A third proposed contribution for a study of mitigation of juvenile bigeye and yellowfin tuna catch in purse seine fisheries will likely be delayed to 2017.
19. **FAC10 noted the report.**

## **AGENDA ITEM 4. HEADQUARTERS ISSUES**

### **4.1 Headquarters Matters**

20. The FAM presented WCPFC13-2016-FAC10-09 highlighting several non-routine issues at headquarters arising in 2016:
- a. Pohnpei's internet cable connection requires repairs in the vicinity of Kwajalein sometime in 2017 and will result in slower than normal connection speeds.
  - b. Cuts in electrical power have been lasting for 4-6 hours per day and occurring 6 or 7 days per week, creating severe inconvenience for staff homes that may require a backup power solution.
  - c. The integrity of the first floor headquarters flooring (tiles and underlying cement) has been compromised and may require significant construction to remedy.
  - d. The electrical and internet wiring in the headquarters is beginning to degrade and will require substantial re-cabling in the near future.
  - e. New air service between Pohnpei and Papua New Guinea on Air Niugini now provides staff with good connections to/via Australia.
21. **FAC10 noted the report.**

### **4.2 Proposed Revisions to Regulations**

22. The Chair opened discussion of a proposed change to staff regulations governing travel with dependent infants under 12 months as described in WCPFC13-2016-FAC10-11.
23. The Executive Director (ED) Feleti Teo provided background on the issue noting that under Staff Regulation 29(a) the Commission is required to cover the expenses

necessarily incurred by staff required to travel away from Pohnpei on official business. He considered that travelling with a dependent (especially breast-fed) infant is a necessary expense for such staff who do not wish to decline the travel assignment. Further he noted that should such staff decline to travel this would not be in the best interest of the Commission. The Secretariat's proposal is to allow for an additional economy class airfare and a 20% per diem allowance for the dependent infant, and to back-date this policy to 1 January 2016. The Executive Director considered that providing these, or similar, extra allowances to senior staff undertaking travel is a necessary and just practice, as well as a moral obligation.

24. Some CCMs supported the Secretariat's proposed policy without any amendment or reservation.
25. Some CCMs asked for clarification on a number of details including:
  - a. Whether the policy is gender neutral and would apply to all staff;
  - b. Whether a full economy class airfare is required for an infant; and
  - c. Whether the policy would apply to non-staff travelling under the WCPFC travel rules.
26. In responding to these issues, the ED noted that:
  - a. the policy should be gender neutral but that the degree of dependency of the infant would need to be taken into account;
  - b. the airfare compensation would only cover the infant's airfare; and
  - c. since the proposed change is to the staff regulations it would not apply to non-staff travelling under the WCPFC travel rules.
27. Some CCMs, while supporting the goal of providing equal opportunities for working mothers questioned whether the policy was necessary given that salaries are high enough to cover any additional costs, and whether the issue could be addressed in other ways such as longer maternity leave periods.
28. The ED responded that in approving travel orders, only essential travel for essential staff will be approved, and that he would necessarily consider cost as well as what is in the best interest of the infant in such cases.
29. Some CCMs expressed concerns about the proposed back-dating of the regulations on procedural grounds.
30. Some CCMs considered that the proposal should only apply to breast-feeding mothers.
31. Some CCMs supported the policy but considered that a cap should be placed on the amount of funding to be authorized for dependent infant travel.
32. Some CCMs questioned whether the current wording of Staff Regulation 29 already provides sufficient latitude for the ED to approve these costs.
33. The WCPFC Legal Advisor stated that there is some ambiguity in whether the ED can exercise discretion on this issue and thus amending the regulation was suggested.

34. A small group was formed to work with the Secretariat and the Legal Advisor to develop consensus wording on a rule to cover staff travel with a dependent infant. This group was also tasked with considering whether leaving the matter to the ED's discretion when approving travel orders would be a preferred approach.
35. When FAC10 reconvened, proposed language for the revision to Staff Regulation 29(a) had been circulated and was discussed without Secretariat staff present.
36. In addition to reiterating and further articulating some of the points that had been raised in previous discussion, some CCMs inquired about the cost of the regulation as currently written. In particular, clarity was sought about the usage of the terms "child" and "dependent infant" in the proposed text.
37. The WCPFC Legal Advisor reported that her understanding from the Secretariat staff that the cost of the regulation if it had been applied in 2016 would have been ~\$7,400. She noted that the terminology of "child" was used specifically to allow for a separate airline seat to be purchased rather than requiring the travelling staff member to hold the dependent infant on their lap.
38. **FAC10 recommended that WCPFC13 adopt following change to Staff Regulation 29(a):**

*Dependent Infant Accompanying Staff on Duty Travel*

*(h) The Executive Director may approve the following entitlements for a staff member who is required to travel on official business and where the travel is considered essential and it is necessary for the staff member to be accompanied by a dependent infant under the age of 12 months:*

*(i) cost of an economy airfare for a child; and*

*(ii) 20% of the applicable UNDP Daily Subsistence Allowance rate to*

*provide for the dependent infant.*

*The Executive Director may, on a case by case basis, approve the extension of the above entitlements to a dependent infant between 12 and 24 months who is being breastfed by a staff member.*

39. CCMs continued to express discomfort with back-dating of policies, however in the event that WCPFC13 adopted the amendment to the Staff Regulations, they considered that it should apply for WCPFC13-related travel onward.
40. **FAC10 recommended that the amendment to Staff Regulation 29(a) regarding a dependent infant accompanying staff on duty travel be applied to WCPFC13-related travel and henceforth.**
41. CCMs considered it undesirable to develop policy in an ad hoc based on individual circumstances.
42. **FAC10 recommended that the Secretariat develop and the Commission adopt a gender policy against which to evaluate new proposals for changes to existing Commission policies.**

### 4.3 Job Sizing for Secretariat Staff

43. The WCPFC ED presented a paper (WCPFC13-2015-FAC10-10) that summarized and assessed the implications of recommendations contained in the Job Evaluation Report prepared by StrategicPay Ltd which had been initially presented as WCPFC12-2015-FAC9-10 last year. The Secretariat's response to the paper was circulated to CCMs on 28 October 2016 but no comments were received. The ED stressed that the exercise is meant to assess the worth of staff positions, not the worth of the staff's performance within those position. The ED expressed reservations with adopting the recommendations of the consultants for several reasons: Secretariat staff were not familiar with the methodology applied by the consultant and may not have responded in the most appropriate way; the methodology does not take proper account of the special characteristics of WCPFC; the study did not recommend options (as requested) rather it presented a single recommended system; and the methodology would be costly to implement. Nevertheless, the consultant's recommendations were acknowledged as having the advantage of placing all WCPFC staff within a single system which is used by four CROP agencies and which comes with its own package and methodology. The key distinction between the current salary structure (CED) and the recommended salary structure (SP10) is that the former is based on a point-based system with no provision for performance-based bonuses whereas the latter is defined in terms of ranges and allow for higher pay within the range if performance exceeds expectation.
44. With regard to cost the FAM estimated that the new system (SP10) will cost \$359,000 per year to implement as compared to \$29,000 per year to stay with the current system with the salaries adjusted as per the paper. The higher costs are attributable to the need for a full time human resources manager and realignment of some staff positions. The FAM also noted that the banding system under SP10 leads to higher uncertainties in annual staffing costs as these will vary year by year based on performance.
45. Tokelau stated that as a general principle the job sizing system should not be changed unless there are recruitment and retention problems and asked whether such problems currently exist. Tokelau expressed disappointment that the Secretariat was not better prepared to participate in the consultant's review and thus the job-sizing exercise was not as robust as might have been hoped.
46. The FAM clarified that there is no retention or recruitment problem at present for professional staff and while qualified applicants for local staff positions are limited, thus far suitable recruitments have been accomplished and these staff have been retained.
47. Canada noted that there are several potential options including:
- a. keep the existing CED based system (no cost);
  - b. keep the existing CED based system and adjust some position as per the consultant's report, paras 46-47 of WCPFC13-2015-FAC10-10 (\$28,871)
  - c. accept the SP10 report as provided by the consultant with no adjustments (\$346,878 to 426,878); and

- d. accept the SP10 report with adjustments submitted by the Secretariat (as per option b above) (cost \$537,662 to \$617,662).

The FAM then clarified the cost of each option above (as shown in parentheses).

- 48. Further consideration by FAC10 of this issue took place without Secretariat staff present.
- 49. On the basis that the new SP10 system would cost more to implement and the Secretariat staff are opposed to its implementation, CCMs agreed that staying with the existing CED salary structure is preferable.
- 50. **FAC10 recommended that in view of the consultants' report and the Secretariat's response to it, the existing salary structure of the Secretariat be maintained without adjustment.**
- 51. Some CCMs considered that one of findings of the job sizing study is that the Executive Director is underpaid. It was also noted that the upper end of the Secretariat senior staff salaries are approaching that of the Executive Director. Both issues could lead to staffing problems in the future.
- 52. Some CCMs considered that when the entire package of benefits to the Executive Director is considered the package is quite attractive. These CCMs considered that comparison to other regional agencies may not provide appropriate benchmarks, and that there have not to date been any problems with recruitment or retention.
- 53. Some CCMs noted that the issue of the Executive Director's salary should be discussed in conjunction with his regular performance review, but details on how and when this performance review was conducted and how it might relate to a salary review are not available to the FAC.
- 54. **FAC10 recommended that WCPFC13 task FAC11 to undertake a performance-based salary review for the Executive Director based on *inter alia*, the recent job sizing study, the Executive Director's performance review as conducted by the WCPFC Chair, and any other broad-based reviews of relevant, regional salary structures for executive-level staff available to, or called for by, the Chair.**

#### 4.4 Triannual Review of Professional Staff Salaries

- 55. On a related issue the FAM presented the results of the triannual review of professional staff salaries in WCPFC13-2016-FAC10-14 noting that the reference markets are Australia, New Zealand and Fiji. As in 2013, the survey recommends a relatively large increase of 20% for salary bands M-J that may not be financially feasible. Instead, the Secretariat suggested an increase of 10% to be applied to Bands M-J and to the Executive Director's salary, and a 5% increase be applied to Band I. These salary increases are estimated to cost \$147,925. The FAM noted that local staff salary adjustments are separately provided for in the Staff Regulations.
- 56. In response to questions about how the triannual review relates to the salary scale issue under consideration (Agenda Item 4.3), the FAM explained that the triannual review has been conducted using the same methodology as in previous years and is



thus based on the existing salary scale. Given the open issue of the Secretariat's salary scale, it might have made sense to delay the triannual review however it is required on a fixed schedule by the WCPFC Staff Regulations. When StrategicPay Ltd conducts the review they use a translation table to compare between the WCPFC salary scale and other salary scales. This translation methodology is internal to StrategicPay Ltd and non-transparent. As time passes, the translation between WCPFC's existing salary scale and more recently adopted salary scales in other organizations becomes more complicated.

57. FFA noted that recommended salary scales at other CROP agencies are often slow to be adopted due to affordability. For example, SPC is in the process of implementing recommendations from 2011 and FFA is implementing recommendations from 2012. FFA also noted that it is appropriate to compare salary bands across agencies only if the positions in those bands at different agencies are doing the same type of job. FFA considered that it has been a long time since WCPFC salaries have been increased and this lag might represent an opportunity to move forward.
58. The FAM added that the last salary review (2013) recommended an increase of 7-10% for bands J through M, but a 2% increase was approved. This 2% increase was implemented in 2014. The FAM further clarified that every 1% increase in professional staff salaries results in a \$ 14,793 increase to the budget.
59. Further consideration of this issue was undertaken without Secretariat staff present.
60. CCMs agreed that salary adjustments of greater than 1-2% are not warranted for a variety of reasons i.e., such increases need to be planned for in advance, wage inflation in comparable markets is below this level. They discussed whether, if a 2% salary adjustment is to be adopted whether the adjustment would be made in 2017 (2%) with no further adjustment in 2018 and 2019 or whether a 1% adjustment would be made in 2017, a 1% adjustment in 2018 and no adjustment in 2019.
61. Some CCMs expressed concern that there was no clear methodology for agreeing and applying a salary adjust of 1-2%.
62. CCMs agreed to revisit consideration of the salary adjustment in light of other budget decisions that are yet to be made.
63. **FAC10 recommended that a 2% increase be applied to all professional staff including the Executive Director.**

#### 4.5 Staff Establishment

64. The ED presented WCPFC13-2016-FAC10-7 containing a proposal to establish the post of WCPFC Electronic Reporting and Electronic Monitoring (ER/EM) Technical Coordinator. This proposal is motivated by the finding of a 2014 workshop which identified that the lack of data standards for ER/EM was a key risk for the Commission. Recent, fast-paced developments in the ER/EM field are creating a large body of work to be done by the Secretariat and are stretching the capacity of existing Secretariat staff. Given the emphasis and priority that a number of Commission members have indicated for the continued work on the development and implementation of ER/EM the Secretariat recommended that the Commission

- consider providing dedicated resources to the establishment of an ER/EM position within the Secretariat.
65. Japan questioned whether devoting additional resources to ER/EM work was the highest priority of the Commission or whether further support should be provided to the heavy burden currently carried by the Compliance Manager and her team for the compliance review.
  66. Some CCMs queried how the proposed position would relate to ER/EM work being proposed by SPC and whether there might be duplication. Some of these CCMs suggested that as the work required may require various skill sets, it might be more efficient to hire consultants to undertake the work.
  67. One CCM commented that rather than focusing the work within the Secretariat, the capacity of CCMs with regard to ER/EM should be enhanced.
  68. The Secretariat responded that the ER/EM work falls within the scope of work of the Secretariat's Information Management System which includes datasets other than logsheet and observer data (which are managed by SPC). The metadata framework for Commission datasets, SPC datasets and other national datasets to be established under the new position was considered to represent a large amount of work that cannot be handled by existing staff.
  69. The Secretariat and SPC confirmed that there is no overlap in the division of labour on ER/EM tasks. SPC's work focuses on scientific data and the Commission's work focuses on the development of clear standards in the form of metadata.
  70. The Secretariat indicated a willingness to receive funding to support a consultancy but reiterated the need for some type of budgetary allocation to address the identified shortfall in the Secretariat's ability to keep pace with the rapid increase in workload in the ER/EM area. The ED stressed that if funding is not provided for this body of work, the Secretariat's ability to respond to requests regarding the development of ER/EM standards and metadata will be limited.
  71. Some CCMs expressed support for a budget line item for consultancy work to support the development of ER/EM standards and metadata by the Secretariat.
  72. The Compliance Manager explained that scoping the work of, and managing, a consultant requires time inputs from Secretariat staff that are not feasible given current workloads. This is particularly true in some parts of the year when the Compliance Monitoring Scheme work is in full swing. As result the option of a consultant would not assist the Secretariat in meeting the need for a well-planned and ongoing level of effort on ER/EM issues.
  73. Some CCMs recognized the difficulties raised by the Compliance Manager and agreed to revisit the issue once the workload for the Secretariat's Compliance Team over the coming year becomes clearer.
  74. When FAC10 reconvened on 8 December, the FAM summarized that there are four options under consideration: do nothing; short-term consultancy, long-term consultancy or full-time Secretariat position.

75. CCMs discussed whether there were implications for the possible agreement of the draft electronic monitoring standards for logsheet and observer data at WCPFC13 and the need for the ER-EM work within the Secretariat.
76. The Compliance Manager clarified that the standards, whether agreed or not by WCPFC13, would relate to the data managed by SPC and not to the work would fall to the Secretariat to do. Specifically the work required for the Secretariat will involve developing standards for reporting electronic monitoring data to the Commission for compliance purposes and preparing for and managing the Secretariat's ability to receive and incorporate these data into the Commission's Information Management System.
77. One CCM suggested the job specifications for the ER-EM technical coordinator could be improved to better specify the database and communication skills which would be necessary for successful performance in the post.
78. The Compliance Manager welcomed further input to the job specifications.
79. **FAC10 offered interim support for the ER-EM technical coordinator position on the basis of the acknowledged need for the Secretariat to undertake critical work in this area (see para. 126(f) below).**

## **AGENDA ITEM 5. REVIEW OF OBSERVER PARTICIPATION IN THE WCPFC**

80. The Secretariat noted paper WCPFC13-2016-33 explaining that WCPFC13 may be considering issues related to observer participation in meetings of the WCPFC. If the Commission's deliberations result in a decision to charge a fee for observer participation then FAC will be responsible for determining the amount of that fee.
81. WCPFC13 agreed that NGO observers will be required to pay a reasonable fee for participation at meetings of the Commission and that the Executive Director will determine the fee annually taking into account international practice.
82. **FAC10 noted the paper.**

## **AGENDA ITEM 6. REQUIREMENTS RELATED TO THE 2016 IT AUDIT REPORT**

83. The Secretariat introduced paper WCPFC13-2016-FAC10-12 which describes the key outcomes of the 2016 Information Technology (IT) audit. The actual audit report is placed on the secure side of the WCPFC website and is thus available to CCMs with login credentials. The audit results were summarized in terms of three major recommendations:
  - a. Procurement of a backup firewall in case of failure of the existing firewall;
  - b. Securing off site backups, and development of a business continuity and disaster recovery plan;

c. Revising and updating the Commission's Information Security Policy;

The cost of the backup firewall is estimated at \$8,000. The offsite backup is already being secured and has no further cost implications. A consultancy to prepare a business continuity and disaster recovery plan is estimated at \$15,000, and a consultancy to revise and update the Information Security Policy will cost approximately \$20,000. If both consultancies are accepted the costs could be reduced to \$30,000.

84. The Secretariat recommended that the \$8,000 for the backup firewall be purchased with the 2017 budget and the additional work (\$30,000) be included in the 2018 budget.
85. Several CCMs noted their support for funding the identified actions resulting from all three of the IT audit recommendations.
86. **FAC10 recommended using \$8,000 from the 2017 budget and adding \$30,000 to the 2018 budget to cover the cost of implementing the recommendations of the 2016 IT audit.**

## **AGENDA ITEM 7. WORK PROGRAMME AND BUDGET FOR 2017 AND INDICATIVE WORK PROGRAMME AND BUDGET FOR 2018 AND 2019**

### **7.1 Special Requirements Fund (SRF)**

87. Vanuatu presented a proposal on behalf of FFA concerning the SRF (WCPFC13-2016-DP17). The proposal recommends that developed State members be assessed fees to maintain a balance of \$300,000 in the SRF each year with the intent to ensure there are adequate resources to support the full participation of SIDS in the meetings of the Commission. The proposal makes specific reference to how the contributions would be assessed among the developing State members and how the funds would be replenished if depleted below a certain level.
88. Japan asked that this proposal be discussed first in plenary and then return to FAC for further discussion as necessary.
89. The Secretariat noted that this issue has been listed in para. 8 of WCPFC-2016-FAC10-10 (rev 1) as a one of the items that may alter the proposed 2017 budget.
90. Following on from discussion of WCPFC13-2016-DP17 in plenary under Agenda Item 7, the issue returned to FAC10 for further discussion.
91. Some CCMs, conscious of the limited resources available to send participants to meetings, suggested that it is especially important to contain meeting costs as this can influence the feasibility of sending more SIDS delegates to these meetings.
92. The FAM noted that there are other costs associated with increasing the number of participants at meetings including the need for an additional local staff position to handle travel and increased difficulties with moving large amounts of cash from Pohnpei to the meeting location in order to pay per diems.

93. One CCM suggesting paying the travel funds directly to the participating SIDS as a lump sum.
94. The FAM explained that the indicative costs for meetings shown in the budget represent, for each meeting, a cost of \$90,000 to 100,000 for SIDS travel, approximately \$5,000-6000 for shipping and the remainder for staff travel. However, these costs will vary based on the venue and the length of the meeting. For example, he estimated that sending one additional SIDS participant to the annual meeting would cost ~\$90,000-100,000, to the SC ~\$110,000 and to the TCC ~\$90,000. He noted that if caps are set on per diems it would limit the number of potential venues for meetings.
95. Some CCMs noted there are several means of increasing the participation of SIDS in the meetings of the Commission and recognized that some developed country CCMs have constraints in contributing to the SRF.
96. Some CCMs suggested that, as is done at IATTC, a proportion of the overall Commission budget, say 2-3% is allocated to the SRF.
97. Some CCMs more generally advocated for more transparency about how the SRF works and what it can be used for, as well as an examination of the existing impediments to attracting voluntary funds.
98. The FAM noted that standard operating procedures were produced for the SRF at WCPFC3 in Apia. He agreed to provide some calculations on what percentage of the Commission's budget might be necessary to support the SRF with a reasonable balance. He also agreed to further explore whether CNM voluntary contributions and/or Working Capital Funds surpluses could be used to top-up the SRF. He noted that observer participation fees, if agreed, are unlikely to be substantial enough to contribute significantly to the SRF.
99. FAC10 returned to this issue on 8 December 2016 when the FAM produced an example table showing the assessed contributions to be paid by developed CCMs to support the SRF to a level of \$320,000 per year. The FAM noted that a target amount in the SRF of \$320,000 as suggested by FFA, represents 6% of the Commission's budget, and the example table was constructed using the same proportional contributions of each developed CCM to the overall budget as to the SRF.
100. Some CCMs expressed concern that an additional 6% contribution is very large.
101. One CCM preferred that the additional contribution be assessed across all CCMs rather than only to developed CCMs.
102. Several CCMs considered that more clarification surrounding the SRF is required, in particular:
  - a. what it is to be used for (e.g. the mix of SIDS participation in meetings versus other capacity building activities);
  - b. how priorities will be set (e.g. how many participants, which meetings have priority given their outputs and opportunities, where are the greatest needs);

- c. who is responsible for making these decisions (e.g. CCMs expressed differing views about the role of the Secretariat in making decisions about use of the SRF);
  - d. how the long-term funding for the SRF can and should be secured (e.g. using the IATTC model of an assessed contribution, remaining as a voluntary fund, or generating the funding in other ways); and
  - e. how to manage the SRF with greater discipline and transparency.
103. CCMs considered that articulating these guidelines would require some time and yet there is an immediate need to replenish the SRF for ongoing use.
104. Some CCMs opposed the suggestion to draw replenishment funds from the Working Capital Fund.
105. In response, the FAM suggested that transferring \$100,000 from the Cooperating Non-Members (CNM) Fund, plus a voluntary contribution from Chinese Taipei, would result in \$140,000 in the SRF for 2017.
106. Returning to the long-term needs for managing and generating funds for the SRF, the FAM agreed that to aid future consideration of the amount of funding necessary to appropriately support the SRF he would consolidate the costs of SIDS' participation in meetings from other line items related to meeting costs.
107. One CCM considered that past papers by FFA on the special requirements of SIDS would assist in defining these costs.
108. **FAC10 recommended that the Commission instruct the Secretariat to transfer \$100,000 from the Cooperating Non-Members Fund to the SRF to support the SRF for 2017.**
109. **FAC10 recommended that the Commission establish a virtual inter-sessional working group to review current guidelines for the SRF including its scope of use, prioritization, allocation authority, securing of funding at an appropriate level, and transparency of operation (see para. 102 above), to be presented to FAC11 with a view to submitting a proposal to WCPFC14 for its consideration.**

## 7.2 Commission's Budget for 2017 and Indicative Budget for 2018-2019

110. The Secretariat presented WCPFC13-2016-FAC10-15 (rev 1) which indicates a proposed Commission budget of \$7,846,717 for 2017 which is an increase of 7% over the indicative 2017 budget of \$7,355,340 and a 1.3% increase over the 2016 budget. The increase from the indicative budget is due VMS air time costs and the inclusion of new projects recommended by SC12 including tuna tagging, seabird mortality and shark data review. It was noted that there are several items under discussion by FAC10 which would alter the proposed budget and these items are listed in para. 8 of the paper. The addition of new annexes to the budget to show an overview of revenue and expenses (Annex 1), a summary of donor contributions (Annex 2), and a summary of IT costs at the Secretariat (Annex 11) were highlighted. It was also noted that the line item in Section 2.2 of \$25,000 intended to cover the further development of limit reference points for sharks in 2016 is proposed to be rolled to 2017 to allow more time for the work to be organized.

111. The FAM provided an overview of differences between the indicative and proposed 2017 budgets. The large decrease in staff salary costs in 2016 results from the filling of an IT officer position with local staff rather than professional staff. The need was originally identified as being for professional staff but a suitable candidate could not be found. At present the local staff, conducts more routine work with a contractor used to support the IT manager for more complex tasks. There has been an increase in communication and courier charges due to implementation of a full (rather than partial) offline backup. The publication and printing budget has been zeroed out due to greater use of electronic documents. Banks charges have increased but the Secretariat is working to reduce these. Increased security costs reflect social security payments for staff. Higher costs under information and communication technology reflect the hiring of the consultant to supplement the locally hired IT officer. The higher costs for the Scientific Committee meeting 2017 reflect the higher costs of travel to and per diems in the Cook Islands. Changes in VMS costs are explained in TCC paper TCC12-2016-14(rev 1) and in footnotes.
112. In response to a question about why the higher Information and Communication Technology costs would continue, the FAM clarified that this was ongoing contract support to supplement the locally hired IT officer.
113. In response to a question about why the costs for the Scientific Committee are higher than the annual meeting, the FAM explained that the meeting is approximately twice as long (10 days versus 5 days).
114. In response to a question, the Compliance Manager explained that the cost implications of some TCC Work Plan elements (TCC12-2016-IP-10) remain unclear and have not be included in the proposed budget for 2017.
115. In response to a question about how to contain costs associated with annual meetings, the FAM explained that the budget is based on past expenditures but it is difficult to anticipate which CCMs will volunteer to host. He referred to a paper presented at WCPFC10 which provides figures on the increase in cost expected when each SIDS has two, rather than one, Commission-funded participants.
116. In response to questions about expenses associated with the consultative meetings with the Chair, the FAM explained that the \$25,000 was sourced from the annual meeting line item and the Chair's own travel fund. Some CCMs called for greater transparency in consultative meetings using the Chairs expenses line item, including whether these expenses are likely to continue. The FAM stated that these expenses were not expected to continue.
117. When asked about the overall level of tolerance for an increase in the budget, the FAM suggested that while no formal rule exists, in his experience 5% has been the maximum increase.
118. Several CCMs stressed the need to keep the Commission's budget stable from year to year, or if absolutely necessary to allow for minimal increases. It was noted that meeting costs in the form of high travel and per diem expenses affect all members and should be contained.

119. The FAM noted that the majority of the budget increases for 2017 are due to requests from subsidiary bodies SC and TCC. The Secretariat costs are relatively stable.
120. In response to questions about the budget items for ROP data management and the Secretariat's Information Management System, the Compliance Manager explained that the ROP data management fees go to SPC for data entry and the IMS system is the backbone of the Secretariat's compliance monitoring system. The FAM supplemented with the information that a previous paper was prepared showing detail on the ROP data management costs and this paper can be re-provided.
121. In response to a question about the higher costs for the Pacific Tuna Tagging Project, SPC explained that tagging data is critically important for the skipjack assessment and also for the other tropical tunas. The stock assessments and ongoing harvest strategy evaluation work necessarily depends on tagging data and thus the tagging programme was strongly support by the Scientific Committee. Voluntary contributions like Korea's are shown in Annex 2. More information on the project is available in documentation provided to the Scientific Committee.
122. The FAM pointed out that more information on the nature of the work to be conducted with line items 2.1 (Scientific Services) and 2.2 (Additional Resourcing SPC) is explained in Annex 12. In response to a question about the potential to reduce the project fees charged by SPC, the FAM clarified that this has been discussed but is unlikely to be possible.
123. The Science Manager provided further background on how funding for Scientific Committee high priority projects is allocated and obligated.
124. When asked whether the skipjack impacts study was a recurrent line item in the budget, the FAM indicated that it is a one year contract that is expected to be obligated by the end of 2016 and be completed before SC13.
125. When FAC10 met again on 8 December, the FAM tabled a revised budget (WCPFC13-2016-FAC10-15(rev 2)), noting that the budget now reflects:
- a. agreement to implement the recommendations of the IT audit;
  - b. removal of the port coordinators programme funding; and
  - c. A tentative agreement to consider a 2% salary adjustment for Secretariat staff.
126. CCMs considered Part 1 of the budget relating to Administrative Expenses of the Secretariat and agreed the following changes by consensus:
- a. Funding for further development of the "WCPFC Planning Framework" was removed on the basis the this work should be done by CCMs themselves (\$30,000);
  - b. The budget for the Media Consultant was reduced
  - c. The training budget was reduced on the basis that it was generally underused in most years;



- d. The hospitality budget line item was reduced;
  - e. Some of the funding for “Website New Projects/Enhancements” was moved to the indicative budget for 2018 to allow for website redesign then;
  - f. After considering options for the ER-EM technical coordinator position an amount of \$60,000 was included in Part 2 of the budget to support a consultant for part of the year on the understanding that the Secretariat would explore options supplementing this with voluntary contributions (either financial or through secondments from CCMs and other sources) and the full funding for the position would be included in the indicative budget for 2018.
127. One CCM asked that the potential cost for adding another day to the TCC meeting in Pohnpei each year be catered for in the budget. The FAM estimated the cost to be USD8,000.
128. In discussing Parts 2.1 and 2.2 of the budget relating to the Science Programme, CCMs considered the priority rankings assigned by the Scientific Committee and agreed the following changes by consensus:
- a. Funding for “highly priority project(s)-to be allocated” was removed on the basis that unidentified projects would be a lower priority than those identified;
  - b. FAC10 did not reach consensus on funding for “Skipjack impacts on the margins of the Convention Area” and so it was removed because it was the lowest ranked of the SC medium-priority ranked projects and because only one CCM strongly supported its inclusion in the budget;
  - c. The allocation for “Estimation of Seabird Mortality” was reduced from \$72,500 to \$20,000 on the basis that the ABNJ Tuna Project may be able to finance the remainder through co-funding. If the co-funding is not contributed, the project will not be undertaken and the \$20,000 will be moved to the Working Capital Fund.
129. **FAC10 agreed to retain \$40,000 in the indicative budget for 2018 for the “skipjack impacts on the margins of the Convention Area” and encouraged those CCMs who support this project to provide voluntary contributions to fund it.**
130. With regard to Part 2.3 of the budget pertaining to the Technical and Compliance Programme, CCMs agreed to remove funding for the CDS workshop on the basis that it is unlikely to be held. FAC10 discussed the potential to split the cost of the CMS Review between the 2017 and 2018 budgets, but decided, based on an update from the Secretariat and CMS Working Group Chair, to include it in the 2017 budget.
131. One CCM requested the Secretariat provide a detailed presentation for the consideration of FAC11 on the condition of the headquarters facility in order to help project long-term maintenance/replacement/upgrade costs. The FAM responded that he would do his best to provide this presentation while noting that specialist expertise for this type of task is not available on Pohnpei.

132. **FAC10 agreed to a 2017 budget of \$7,799,392 (Annexes 1-3) pending any subsequent decision reached by WCPFC13 that will have an impact on the budget.**

## **AGENDA ITEM 8. OTHER MATTERS**

133. No other matters were raised.

## **AGENDA ITEM 9. ADOPTION OF REPORT**

134. **FAC10 adopted this summary report which is tabled as WCPFC13-2016-FAC10.**
135. FAC10 invites WCPFC13 to consider this report and to endorse its recommendations.

## **AGENDA ITEM 10. CLOSE OF MEETING**

136. The Co-Chairs, Paul Callaghan and Magele Etuapi Ropeti, closed the final session of FAC10 at 11:31am on 9 December 2016.

## ANNEX 1

**Summary of estimated General Fund budgetary requirements for 2017  
and indicative figures for 2018 and 2019 (USD)**

	<i>Approved budget 2016</i>	<i>Estimated expenditure 2016</i>	<i>Indicative budget 2017</i>	<i>Proposed budget 2017</i>	<i>Indicative budget 2018</i>	<i>Indicative budget 2019</i>
<b>Part 1 - Administrative Expenses of the Secretariat</b>						
<b>Sub-Item 1.1</b>	<i>Staff Costs</i>					
Professional Staff Salary	973,064	878,829	985,381	948,955	1,081,763	1,084,102
Professional Staff Benefits and Allowances	987,338	896,097	994,804	947,864	1,079,700	1,076,580
Professional Staff Insurance	125,560	112,459	129,122	127,269	127,269	127,269
Recruitment/Repatriation	56,695	18,500	51,130	0	86,695	25,565
Support Staff	370,253	380,284	378,046	413,938	426,425	431,665
<b>Total, sub-item 1.1</b>	<i>2,512,909</i>	<i>2,286,169</i>	<i>2,538,483</i>	<i>2,438,026</i>	<i>2,801,852</i>	<i>2,745,181</i>
<b>Sub-Item 1.2</b>	<i>Other Personnel Costs</i>					
Temporary Assistance/Overtime	10,000	14,890	10,000	15,000	15,000	15,000
Chairs Expenses	20,000	20,143	20,000	20,000	20,000	20,000
Consultants <i>see note 1</i>	138,000	136,912	148,000	178,000	148,000	148,000
<b>Total, sub-item 1.2</b>	<i>168,000</i>	<i>171,945</i>	<i>178,000</i>	<i>213,000</i>	<i>183,000</i>	<i>183,000</i>
<b>Sub-item 1.3</b>	<i>Official Travel</i>					
	<i>210,000</i>	<i>184,464</i>	<i>210,000</i>	<i>210,000</i>	<i>231,000</i>	<i>210,000</i>
<b>Sub-item 1.4</b>	<i>General Operating Expenses</i>					
Electricity, Water, Sanitation	70,000	59,241	72,800	65,000	72,800	65,000
Communications/Courier <i>note 12</i>	67,000	62,875	67,898	76,000	76,000	76,000
Office Supplies & Fuel	45,500	41,917	46,500	43,500	46,500	43,500
Publications and Printing	1,000	799	1,000	0	0	0
Audit	7,500	7,000	7,500	7,500	7,500	7,500
Bank Charges	6,500	9,091	6,200	9,500	6,600	9,500
Official Hospitality	20,000	19,267	14,000	10,000	14,000	14,000
Community Outreach	8,000	8,000	8,000	8,000	8,000	8,000
Miscellaneous Services	5,000	6,655	5,000	6,000	6,000	6,000
Security	83,303	90,383	83,303	92,000	83,303	92,000
Training	25,000	12,050	30,000	15,000	25,000	25,000
<b>Total, sub-item 1.4</b>	<i>338,803</i>	<i>317,278</i>	<i>342,201</i>	<i>332,500</i>	<i>345,703</i>	<i>346,500</i>
<b>Sub-item 1.5</b>	<i>Capital Expenditure</i>					
Vehicles	20,000	20,000	0	0	22,000	0
Information Technology	58,678	53,876	58,678	56,753	56,753	56,753
Website New Projects/Enhancements <i>see note 2</i>	8,000	8,000	20,000	8,000	20,000	8,000
Furniture and Equipment	32,000	31,894	32,000	32,000	32,000	32,000
<b>Total, sub-item 1.5</b>	<i>118,678</i>	<i>113,770</i>	<i>110,678</i>	<i>96,753</i>	<i>130,753</i>	<i>96,753</i>
<b>Sub-item 1.6</b>	<i>Maintenance</i>					
Vehicles	5,800	6,667	5,800	6,000	5,800	6,000
Information and Communication Technology <i>see note 2</i>	78,500	120,855	78,500	120,618	120,618	120,618
Buildings & Grounds	56,500	55,586	56,500	56,500	56,500	56,500
Gardeners and Cleaners	77,074	78,707	77,074	79,500	77,074	79,500
Insurance	23,000	24,895	23,000	25,000	23,000	25,000
<b>Total, sub-item 1.6</b>	<i>240,874</i>	<i>286,710</i>	<i>240,874</i>	<i>287,618</i>	<i>282,992</i>	<i>287,618</i>
<b>Sub-item 1.7</b>	<i>Meeting Services</i>					
Annual Session <i>see note 3</i>	165,000	250,500	165,000	165,000	165,000	165,000
Scientific Committee <i>see note 4</i>	192,000	157,903	160,000	246,600	192,000	192,000
Northern Committee <i>see note 5</i>	18,000	9,696	18,000	18,000	18,000	18,000
Technical and Compliance Committee	159,800	149,682	159,800	159,800	159,800	159,800
IWG FADs	50,000	32,800	0	0	0	0
WCPFC Planning Framework	39,500	43,050	30,000	0	0	0
<b>Total, sub-item 1.7</b>	<i>624,300</i>	<i>643,631</i>	<i>532,800</i>	<i>589,400</i>	<i>534,800</i>	<i>534,800</i>
<b>TOTAL, Section 1/Item 1</b>	<b>4,213,565</b>	<b>4,003,967</b>	<b>4,153,035</b>	<b>4,167,298</b>	<b>4,510,101</b>	<b>4,403,853</b>

	<i>Approved budget 2016</i>	<i>Estimated expenditure 2016</i>	<i>Indicative budget 2017</i>	<i>Proposed budget 2017</i>	<i>Indicative budget 2018</i>	<i>Indicative budget 2019</i>
<b>ANNEX 1 (continued)</b>						
<b>Part 2 - Science &amp; Technical &amp; Compliance Programme</b>						
<b>Section 2 (Item 2)</b>						
<b>Sub-item 2.1</b>	Scientific Services (SPC)	871,200	871,200	871,200	871,200	871,200
<b>Sub-item 2.2</b>	<i>Scientific Research</i>					
Additional Resourcing SPC	160,000	160,000	160,000	160,000	160,000	160,000
Pacific Tuna Tagging Project	10,000	10,000	10,000	250,000	500,000	650,000
Refinement of BET Biological Parameters	50,000	50,000	0		0	
Limit Reference Points	25,000	0	0	25,000	0	
WPEA Project Co-finance	25,000	25,000	25,000	25,000	0	0
Estimation of Seabird Mortality	0	0	0	20,000	22,500	17,500
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	40,000	0	40,000	30,000
Paired Sampling and Unloading Data Comparisons	50,000	50,000	50,000	50,000	0	0
Maintenance of WCPFC Tissue Bank	80,000	80,000	80,000	95,000	95,000	95,000
Review of shark Data and Modelling Framework	0	0	0	65,000	0	0
Shark Monte Carlo Mitigation Analysis	25,000	25,000	0	0	0	0
Technical Support for the MOW	30,000	15,134	0	0	0	0
<b>Total, sub-item 2.2</b>	<b>495,000</b>	<b>455,134</b>	<b>448,000</b>	<b>690,000</b>	<b>900,500</b>	<b>1,035,500</b>
<b>Sub-item 2.3</b>	<b>Technical &amp; Compliance Programme</b>					
ROP - Audit/Remediation	15,000	4,733	15,000	15,000	15,000	15,000
ROP - Special Projects and Research Activities	30,000	0	30,000	30,000	30,000	30,000
ROP - Training, Assistance & Development	20,000	7,912	30,000	30,000	30,000	30,000
Observer CMM booklet	15,000	11,882	15,000	13,000	15,000	13,000
ROP Data Management	923,904	923,904	923,904	923,904	923,904	923,904
Vessel Monitoring System - Capital Costs	20,000	13,600	40,000	20,000	20,000	20,000
Vessel Monitoring System - SLA Costs <i>see note 11</i>	450,000	518,101	265,000	265,000	265,000	265,000
Vessel Monitoring System - Airtime <i>see note 11</i>	131,125	244,664	105,000	190,000	190,000	190,000
Vessel Monitoring System - Security Audit	7,500	8,350	7,500	8,400	7,500	8,400
CCM/Staff VMS Training	60,000	59,346	40,000	40,000	40,000	40,000
VMS Redundancy Provision <i>see note 7</i>	18,700	10,400	18,700	0	0	0
Information Management System	100,000	100,000	100,000	100,000	100,000	100,000
Workshops/IATTC Cross Endor. Train.	28,000	28,288	25,000	28,000	28,000	28,000
AR Part 2/CMS Online Host. and Pub.	18,000	0	18,000	18,000	18,000	18,000
Targeted Capacity Building <i>see note 8</i>	50,000	16,085	50,000	50,000	50,000	50,000
Catch Documentation Workshop	35,000	12,800	50,000	0	0	
E-Monitoring and E-Reporting Workshop	25,000	27,096	0	25,000	0	0
E-monitoring and E-Reporting Activities	0	0	0	60,000	30,000	30,000
CMS Review	0	0	0	124,590	0	0
Port Coordinators <i>see note 9</i>	75,000	45,000	0	0	0	0
Regional Capacity Building Workshops <i>see note 10</i>	130,000	127,237	130,000	130,000	130,000	130,000
<b>Total, item 2.3</b>	<b>2,152,229</b>	<b>2,159,398</b>	<b>1,863,104</b>	<b>2,070,894</b>	<b>1,892,404</b>	<b>1,891,304</b>
<b>TOTAL, Section 2/Item 2</b>	<b>3,518,429</b>	<b>3,485,732</b>	<b>3,182,304</b>	<b>3,632,094</b>	<b>3,664,104</b>	<b>3,798,004</b>
<b>Total, Parts 1 &amp; 2</b>	<b>7,731,994</b>	<b>7,489,699</b>	<b>7,335,340</b>	<b>7,799,392</b>	<b>8,174,205</b>	<b>8,201,857</b>

Note 1: Consultancies proposed are:

Legal support services	\$55,000
ED Discretion	\$20,000
Media Consultant	\$15,000
Consultant - IT audit findings	\$30,000
Meetings' rapporteur	\$48,000
	<u>\$168,000</u>

*Note 2: Website New Projects/Enhancements*

Includes support for webpage redesign as outlined in the Secretariat Communication Strategy

*Note 3: Annual Session*

Cost based on host for 2017 annual meeting. If no host identified for 2017 annual meeting 155,000 will be added to the costs of hosting the annual meeting.

*Note 4: Scientific Committee*

Additional costs are due to the higher than average DSAs for the meeting to be held in the Cook Islands.

*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: VMS Redundancy Provision*

The costs for the VMS Redundancy Provision have been included with the costs of data backup under IT maintenance.

*Note 8: 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 9: Port Coordinators*

WCPFC13 is to make a decision on the possible extension and expansion of this programme into 2017/18 and beyond. Budgeted amount in 2017/18 is indicative and subject to the WCPFC13 decision.

*Note 10: Regional Capacity Building Workshops*

For the Tuna Data Workshop (SPC) and MCS officer courses (FFA) in 2017

*Note 11: Vessel Monitoring System*

For 2016 cost analysis and proposed updates to the SLA please refer to TCC12-2016-14\_rev1 (18 Sept 2016)

*Note 12: Communications/Courier*

Increased costs for internet are related to the costs of increasing the internet bandwidth in the office to accommodate off site backup.

## ANNEX 2

**Proposed General Fund financing table for 2017**  
**01 January to 31 December 2017**

<hr/>	
<b>Proposed budget expenditure total</b>	7,799,392
less	
<b>Estimated interest and other income</b>	(12,000)
<b>Transfer from Working Capital Fund</b>	(350,000)
<b>CNM Contributions Fund</b>	(50,000)
<b>Limit Reference Points transfer from 2016 budget</b>	(25,000)
<b>Total assessed contributions</b>	<u>7,362,392</u>
(see detailed schedule in Annex 7)	

**Proposed General Fund financing table for 2018**  
**01 January to 31 December 2018**

<hr/>	
<b>Proposed budget expenditure total</b>	8,174,205
less	
<b>Estimated interest and other income</b>	(12,000)
<b>Transfer from Working Capital Fund</b>	(350,000)
<b>CNM Contributions Fund</b>	(50,000)
<b>Total assessed contributions</b>	<u>7,762,205</u>
(see detailed schedule in Annex 7)	

**Proposed General Fund financing table for 2019**  
**01 January to 31 December 2019**

<hr/>	
<b>Proposed budget expenditure total</b>	8,201,857
less	
<b>Estimated interest and other income</b>	(12,000)
<b>Transfer from Working Capital Fund</b>	(350,000)
<b>CNM Contributions Fund</b>	(50,000)
<b>Total assessed contributions</b>	<u>7,789,857</u>
(see detailed schedule in Annex 7)	

## ANNEX 3

## Indicative schedule of contributions based on the Commission's contribution formula

<i>2017 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	28,317	117,051	11,176	0	<b>156,544</b>	2.15%	0	156,544
Canada	28,317	100,911	0	0	<b>129,228</b>	1.78%	0	129,228
China	28,317	137,877	256,597	0	<b>422,791</b>	5.82%	0	422,791
Cook Islands	28,317	890	2,625	0	<b>31,832</b>	0.44%	22,255	54,087
European Union	28,317	250,323	112,375	0	<b>391,015</b>	5.38%	0	391,015
Federated States of Micronesia	28,317	5,122	96,670	0	<b>130,109</b>	1.79%	0	130,109
Fiji	28,317	7,145	26,375	0	<b>61,837</b>	0.85%	0	61,837
France	28,317	100,485	8,858	0	<b>137,660</b>	1.89%	0	137,660
Indonesia	28,317	17,037	171,059	0	<b>216,413</b>	2.98%	0	216,413
Japan	28,317	131,988	957,047	0	<b>1,117,352</b>	15.38%	0	1,117,352
Kiribati	28,317	4,192	209,579	0	<b>242,087</b>	3.33%	0	242,087
Korea	28,317	58,743	744,704	0	<b>831,764</b>	11.45%	0	831,764
Marshall Islands	28,317	2,650	200,367	0	<b>231,333</b>	3.18%	3,999	235,332
Nauru	28,317	564	21	0	<b>28,902</b>	0.40%	24,027	52,929
New Zealand	28,317	61,406	55,963	0	<b>145,686</b>	2.00%	0	145,686
Niue	28,317	81	0	0	<b>28,397</b>	0.39%	18,534	46,931
Palau	28,317	1,065	0	0	<b>29,381</b>	0.40%	16,587	45,968
Papua New Guinea	28,317	3,427	369,633	0	<b>401,377</b>	5.52%	0	401,377
Philippines	28,317	9,545	329,179	0	<b>367,042</b>	5.05%	0	367,042
Samoa	28,317	5,887	1,576	0	<b>35,780</b>	0.49%	0	35,780
Solomon Islands	28,317	2,785	33,264	0	<b>64,365</b>	0.89%	0	64,365
Chinese Taipei	28,317	39,802	717,191	0	<b>785,310</b>	10.81%	0	785,310
Tonga	28,317	5,309	370	0	<b>33,995</b>	0.47%	1,409	35,405
Tuvalu	28,317	496	19,403	0	<b>48,216</b>	0.66%	8,875	57,091
United States of America	28,317	307,171	743,638	0	<b>1,079,126</b>	14.85%	0	1,079,126
Vanuatu	28,317	4,842	86,007	0	<b>119,166</b>	1.64%	0	119,166
<b>Totals</b>	<b>736,239</b>	<b>1,376,793</b>	<b>5,153,675</b>	<b>0</b>	<b>7,266,707</b>	<b>100%</b>	<b>95,686</b>	<b>7,362,392</b>

\* To be offset by the CNM Contributions Fund.

## ANNEX 3 (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	17,794	890	23,145	22,255
Federated States of Micronesia	104,460	5,223	5,122	0
Fiji	892,140	44,607	7,145	0
Kiribati	112,420	5,621	4,192	0
Marshall Islands	52,990	2,650	6,648	3,999
Nauru	11,288	564	24,591	24,027
Niue	1,611	81	18,614	18,534
Palau	21,290	1,065	17,651	16,587
Papua New Guinea	7,619,320	380,966	3,427	0
Samoa	193,230	9,662	5,887	0
Solomon Islands	583,590	29,180	2,785	0
Tonga	106,170	5,309	6,718	1,409
Tuvalu	9,920	496	9,371	8,875
Vanuatu	264,650	13,233	4,842	0
<b>Total</b>				<b>95,686</b>

**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	1.76%	3.7%	0
China	5.74%	12.2%	0
Japan	2.94%	6.2%	0
Korea	11.30%	24.0%	0
Chinese Taipei	10.67%	22.7%	0
United States of America	14.66%	31.1%	0
<b>Total</b>	<b>47.06%</b>	<b>100.00%</b>	<b>0</b>



## ANNEX 3 (continued)

Indicative schedule of contributions based on proposed 2017 budgets without with the Offset for Small Island Developing States and Additional funds Assessed on Non-Developing States Members of NC

Member	2017 Proposed					2018 Indicative		2019 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	28,317	117,051	11,176	156,544	2.13%	165,045	2.13%	165,633	2.13%
Canada	28,317	100,911	0	129,228	1.76%	136,246	1.76%	136,731	1.76%
China	28,317	137,877	256,597	422,791	5.74%	445,751	5.74%	447,339	5.74%
Cook Islands	28,317	23,145	2,625	54,087	0.73%	57,024	0.73%	57,227	0.73%
European Union	28,317	250,323	112,375	391,015	5.31%	412,249	5.31%	413,718	5.31%
Federated States of Micronesia	28,317	5,122	96,670	130,109	1.77%	137,174	1.77%	137,663	1.77%
Fiji	28,317	7,145	26,375	61,837	0.84%	65,195	0.84%	65,428	0.84%
France	28,317	100,485	8,858	137,660	1.87%	145,136	1.87%	145,653	1.87%
Indonesia	28,317	17,037	171,059	216,413	2.94%	228,165	2.94%	228,978	2.94%
Japan	28,317	131,988	957,047	1,117,352	15.18%	1,178,029	15.18%	1,182,226	15.18%
Kiribati	28,317	4,192	209,579	242,087	3.29%	255,234	3.29%	256,143	3.29%
Korea	28,317	58,743	744,704	831,764	11.30%	876,933	11.30%	880,057	11.30%
Marshall Islands	28,317	6,648	200,367	235,332	3.20%	248,112	3.20%	248,995	3.20%
Nauru	28,317	24,591	21	52,929	0.72%	55,803	0.72%	56,002	0.72%
New Zealand	28,317	61,406	55,963	145,686	1.98%	153,597	1.98%	154,144	1.98%
Niue	28,317	18,614	0	46,931	0.64%	49,480	0.64%	49,656	0.64%
Palau	28,317	17,651	0	45,968	0.62%	48,465	0.62%	48,637	0.62%
Papua New Guinea	28,317	3,427	369,633	401,377	5.45%	423,173	5.45%	424,681	5.45%
Philippines	28,317	9,545	329,179	367,042	4.99%	386,974	4.99%	388,352	4.99%
Samoa	28,317	5,887	1,576	35,780	0.49%	37,723	0.49%	37,857	0.49%
Solomon Islands	28,317	2,785	33,264	64,365	0.87%	67,860	0.87%	68,102	0.87%
Chinese Taipei	28,317	39,802	717,191	785,310	10.67%	827,956	10.67%	830,905	10.67%
Tonga	28,317	6,718	370	35,405	0.48%	37,327	0.48%	37,460	0.48%
Tuvalu	28,317	9,371	19,403	57,091	0.78%	60,191	0.78%	60,405	0.78%
United States of America	28,317	307,171	743,638	1,079,126	14.66%	1,137,728	14.66%	1,141,781	14.66%
Vanuatu	28,317	4,842	86,007	119,166	1.62%	125,637	1.62%	126,084	1.62%
<b>Totals</b>	<b>736,239</b>	<b>1,472,478</b>	<b>5,153,675</b>	<b>7,362,392</b>	<b>100.00%</b>	<b>7,762,205</b>	<b>100.00%</b>	<b>7,789,857</b>	<b>100.00%</b>

## ANNEX 1

**Summary of estimated General Fund budgetary requirements for 2017  
and indicative figures for 2018 and 2019 (USD)**

	<i>Approved budget 2016</i>	<i>Estimated expenditure 2016</i>	<i>Indicative budget 2017</i>	<i>Approved budget 2017</i>	<i>Indicative budget 2018</i>	<i>Indicative budget 2019</i>
<b>Part 1 - Administrative Expenses of the Secretariat</b>						
<b>Sub-Item 1.1</b>	<i>Staff Costs</i>					
Professional Staff Salary	973,064	878,829	985,381	948,955	1,081,763	1,084,102
Professional Staff Benefits and Allowances	987,338	896,097	994,804	947,864	1,079,700	1,076,580
Professional Staff Insurance	125,560	112,459	129,122	127,269	127,269	127,269
Recruitment/Repatriation	56,695	18,500	51,130	0	86,695	25,565
Support Staff	370,253	380,284	378,046	413,938	426,425	431,665
<b>Total, sub-item 1.1</b>	<b>2,512,909</b>	<b>2,286,169</b>	<b>2,538,483</b>	<b>2,438,026</b>	<b>2,801,852</b>	<b>2,745,181</b>
<b>Sub-Item 1.2</b>	<i>Other Personnel Costs</i>					
Temporary Assistance/Overtime	10,000	14,890	10,000	15,000	15,000	15,000
Chairs Expenses	20,000	20,143	20,000	20,000	20,000	20,000
Consultants <i>see note 1</i>	138,000	136,912	148,000	178,000	148,000	148,000
<b>Total, sub-item 1.2</b>	<b>168,000</b>	<b>171,945</b>	<b>178,000</b>	<b>213,000</b>	<b>183,000</b>	<b>183,000</b>
<b>Sub-item 1.3</b>	<i>Official Travel</i>					
<b>Total, sub-item 1.3</b>	<b>210,000</b>	<b>184,464</b>	<b>210,000</b>	<b>210,000</b>	<b>231,000</b>	<b>210,000</b>
<b>Sub-item 1.4</b>	<i>General Operating Expenses</i>					
Electricity, Water, Sanitation	70,000	59,241	72,800	65,000	72,800	65,000
Communications/Courier <i>note 12</i>	67,000	62,875	67,898	76,000	76,000	76,000
Office Supplies & Fuel	45,500	41,917	46,500	43,500	46,500	43,500
Publications and Printing	1,000	799	1,000	0	0	0
Audit	7,500	7,000	7,500	7,500	7,500	7,500
Bank Charges	6,500	9,091	6,200	9,500	6,600	9,500
Official Hospitality	20,000	19,267	14,000	10,000	14,000	14,000
Community Outreach	8,000	8,000	8,000	8,000	8,000	8,000
Miscellaneous Services	5,000	6,655	5,000	6,000	6,000	6,000
Security	83,303	90,383	83,303	92,000	83,303	92,000
Training	25,000	12,050	30,000	15,000	25,000	25,000
<b>Total, sub-item 1.4</b>	<b>338,803</b>	<b>317,278</b>	<b>342,201</b>	<b>332,500</b>	<b>345,703</b>	<b>346,500</b>
<b>Sub-item 1.5</b>	<i>Capital Expenditure</i>					
Vehicles	20,000	20,000	0	0	22,000	0
Information Technology	58,678	53,876	58,678	56,753	56,753	56,753
Website New Projects/Enhancements <i>see note 2</i>	8,000	8,000	20,000	8,000	20,000	8,000
Furniture and Equipment	32,000	31,894	32,000	32,000	32,000	32,000
<b>Total, sub-item 1.5</b>	<b>118,678</b>	<b>113,770</b>	<b>110,678</b>	<b>96,753</b>	<b>130,753</b>	<b>96,753</b>
<b>Sub-item 1.6</b>	<i>Maintenance</i>					
Vehicles	5,800	6,667	5,800	6,000	5,800	6,000
Information and Communication Technology <i>see note</i>	78,500	120,855	78,500	120,618	120,618	120,618
Buildings & Grounds	56,500	55,586	56,500	56,500	56,500	56,500
Gardeners and Cleaners	77,074	78,707	77,074	79,500	77,074	79,500
Insurance	23,000	24,895	23,000	25,000	23,000	25,000
<b>Total, sub-item 1.6</b>	<b>240,874</b>	<b>286,710</b>	<b>240,874</b>	<b>287,618</b>	<b>282,992</b>	<b>287,618</b>
<b>Sub-item 1.7</b>	<i>Meeting Services</i>					
Annual Session <i>see note 3</i>	165,000	250,500	165,000	165,000	165,000	165,000
Scientific Committee <i>see note 4</i>	192,000	157,903	160,000	246,600	192,000	192,000
Northern Committee <i>see note 5</i>	18,000	9,696	18,000	18,000	18,000	18,000
Technical and Compliance Committee	159,800	149,682	159,800	159,800	159,800	159,800
IWG FADs	50,000	32,800	0	0	0	0
WCPFC Planning Framework	39,500	43,050	30,000	0	0	0
<b>Total, sub-item 1.7</b>	<b>624,300</b>	<b>643,631</b>	<b>532,800</b>	<b>589,400</b>	<b>534,800</b>	<b>534,800</b>
<b>TOTAL, Section 1/Item 1</b>	<b>4,213,565</b>	<b>4,003,967</b>	<b>4,153,035</b>	<b>4,167,298</b>	<b>4,510,101</b>	<b>4,403,853</b>

	<i>Approved budget 2016</i>	<i>Estimated expenditure 2016</i>	<i>Indicative budget 2017</i>	<i>Approved budget 2017</i>	<i>Indicative budget 2018</i>	<i>Indicative budget 2019</i>
<b>ANNEX 1 (continued)</b>						
<b>Part 2 - Science &amp; Technical &amp; Compliance Programme</b>						
<b>Section 2 (Item 2)</b>						
<b>Sub-item 2.1</b>	Scientific Services (SPC)	871,200	871,200	871,200	871,200	871,200
<b>Sub-item 2.2</b>	<i>Scientific Research</i>					
	Additional Resourcing SPC	160,000	160,000	160,000	160,000	160,000
	Pacific Tuna Tagging Project	10,000	10,000	10,000	250,000	650,000
	Refinement of BET Biological Parameters	50,000	50,000	0	0	0
	Limit Reference Points	25,000	0	0	25,000	0
	WPEA Project Co-finance	25,000	25,000	25,000	25,000	0
	Estimation of Seabird Mortality	0	0	0	20,000	22,500
	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	40,000	0	40,000
	Paired Sampling and Unloading Data Comparisons	50,000	50,000	50,000	50,000	0
	Maintenance of WCPFC Tissue Bank	80,000	80,000	80,000	95,000	95,000
	Review of shark Data and Modelling Framework	0	0	0	65,000	0
	Shark Monte Carlo Mitigation Analysis	25,000	25,000	0	0	0
	Technical Support for the MOW	30,000	15,134	0	0	0
<b>Total, sub-item 2.2</b>		<b>495,000</b>	<b>455,134</b>	<b>448,000</b>	<b>690,000</b>	<b>1,035,500</b>
<b>Sub-item 2.3</b>	<b>Technical &amp; Compliance Programme</b>					
	ROP - Audit/Remediation	15,000	4,733	15,000	15,000	15,000
	ROP - Special Projects and Research Activities	30,000	0	30,000	30,000	30,000
	ROP - Training, Assistance & Development	20,000	7,912	30,000	30,000	30,000
	Observer CMM booklet	15,000	11,882	15,000	13,000	15,000
	ROP Data Management	923,904	923,904	923,904	923,904	923,904
	Vessel Monitoring System - Capital Costs	20,000	13,600	40,000	20,000	20,000
	Vessel Monitoring System - SLA Costs <i>see note 11</i>	450,000	518,101	265,000	265,000	265,000
	Vessel Monitoring System - Airtime <i>see note 11</i>	131,125	244,664	105,000	190,000	190,000
	Vessel Monitoring System - Security Audit	7,500	8,350	7,500	8,400	7,500
	CCM/Staff VMS Training	60,000	59,346	40,000	40,000	40,000
	VMS Redundancy Provision <i>see note 7</i>	18,700	10,400	18,700	0	0
	Information Management System	100,000	100,000	100,000	100,000	100,000
	Workshops/IATTC Cross Endor. Train.	28,000	28,288	25,000	28,000	28,000
	AR Part 2/CMS Online Host. and Pub.	18,000	0	18,000	18,000	18,000
	Targeted Capacity Building <i>see note 8</i>	50,000	16,085	50,000	50,000	50,000
	Catch Documentation Workshop	35,000	12,800	50,000	0	0
	E-Monitoring/E-Reporting Workshop <i>see note 13</i>	25,000	27,096	0	0	0
	E-Monitoring/E-Reporting Activities	0	0	0	60,000	30,000
	CMS Review	0	0	0	124,590	0
	Port Coordinators <i>see note 9</i>	75,000	45,000	0	0	0
	Regional Capacity Building Workshops <i>see note 10</i>	130,000	127,237	130,000	130,000	130,000
<b>Total, item 2.3</b>		<b>2,152,229</b>	<b>2,159,398</b>	<b>1,863,104</b>	<b>2,045,894</b>	<b>1,891,304</b>
<b>TOTAL, Section 2/Item 2</b>		<b>3,518,429</b>	<b>3,485,732</b>	<b>3,182,304</b>	<b>3,607,094</b>	<b>3,798,004</b>
<b>Total, Parts 1 &amp; 2</b>		<b>7,731,994</b>	<b>7,489,699</b>	<b>7,335,340</b>	<b>8,174,205</b>	<b>8,201,857</b>

Note 1: Consultancies proposed are:

Legal support services	\$55,000
ED Discretion	\$20,000
Media Consultant	\$15,000
Consultant - IT audit findings	\$30,000
Meetings' rapporteur	\$48,000
	<u>\$168,000</u>

Note 2: Website New Projects/Enhancements

Includes support for webpage redesign as outlined in the Secretariat Communication Strategy

*Note 3: Annual Session*

Cost based on host for 2017 annual meeting. If no host identified for 2017 annual meeting 155,000 will be added to the costs of hosting the annual meeting.

*Note 4: Scientific Committee*

Additional costs are due to the higher than average DSAs for the meeting to be held in the Cook Islands.

*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: VMS Redundancy Provision*

The costs for the VMS Redundancy Provision have been included with the costs of data backup under IT maintenance.

*Note 8: 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 9: Port Coordinators*

WCPFC13 is to make a decision on the possible extension and expansion of this programme into 2017/18 and beyond. Budgeted amount in 2017/18 is indicative and subject to the WCPFC13 decision.

*Note 10: Regional Capacity Building Workshops*

For the Tuna Data Workshop (SPC) and MCS officer courses (FFA) in 2017

*Note 11: Vessel Monitoring System*

For 2016 cost analysis and proposed updates to the SLA please refer to TCC12-2016-14\_rev1 (18 Sept 2016)

*Note 12: Communications/Courier*

Increased costs for internet are related to the costs of increasing the internet bandwidth in the office to accommodate off site backup.

*Note 13: E-Monitoring/E-Reporting Workshop*

The Commission noted that FAC had allocated a budget for a meeting of the ERandEMWG in 2017, but agreed that a formal meeting of the ERandEMWG in 2017 was not necessary.

**MEMORANDUM OF COOPERATION (MOC) ON THE EXCHANGE AND RELEASE  
OF DATA**

**between**

**THE COMMISSION FOR THE CONSERVATION AND MANAGEMENT OF HIGHLY  
MIGRATORY FISH STOCKS IN THE WESTERN AND CENTRAL PACIFIC OCEAN**

**and**

**THE COMMISSION FOR THE CONSERVATION OF SOUTHERN BLUEFIN TUNA**

*as at xxxxxxxx 2016*

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (hereafter WCPFC) and the Commission for the Conservation of Southern Bluefin Tuna (hereafter CCSBT):

**FURTHER RECOGNIZING** that the Memorandum of Understanding of August 2009 between the WCPFC and the CCSBT agreed to exchange of data and scientific information on an annual basis; and

**NOW THEREFORE** the **WCPFC** and **CCSBT** confirm the following conditions for the exchange and release of data from fisheries which capture highly migratory fish species:

**1. CONDITIONS FOR THE EXCHANGE OF DATA**

- (a) Both Commissions exchange equivalent data, specified at Clause 2, on a reciprocal basis, and maintain the data in a manner consistent with the security standards established by each Commission.
- (b) Data may be provided to the Members, Cooperating Non-Members (CNMs) and Service Providers of each Commission in accordance with the data access rules of each Commission, but shall not be released or distributed further and shall be kept confidential by the Commissions and their Members, CNMs and Service Providers.
- (c) This MOC applies only to the data specified at clause 2 and does not permit the exchange between Commissions of any other data.
- (d) The data exchanged under this MOC shall be used only for the purposes of the Conventions of the WCPFC and the CCSBT.
- (e) The area of mutual interest under this cooperation is the WCPFC Convention Area, south of 20°S.
- (f) Data are to be exchanged on at least an annual basis from the date of signature of this MOC.
- (g) Outputs developed (such as scientific meeting papers) using the data exchanged under this MOC are to be exchanged on at least an annual basis from the date of signature of this MOC.

**2. AGGREGATED DATA TO BE EXCHANGED**

The following aggregated catch and effort data is to be exchanged on a reciprocal basis between Commissions:

- (a) Data for long line gear aggregated by flag State by 5° latitude and by 5° longitude by month with no minimum number of vessels; and
- (b) Data for surface gear (including purse seine) aggregated by flag State by 5° latitude and by 5° degree longitude by month with no minimum number of vessels.

**3. OTHERS**

- (a) This cooperation on the exchange and release of data may be modified at any time by mutual consent, acknowledging the need to obtain endorsement from respective RFMO member countries.
- (b) Either Commission may end this cooperation on the exchange of data by giving six months' notice of intention to terminate to the other Commission.

Signed on behalf of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean and the Commission for the Conservation of Southern Bluefin Tuna:

.....  
Chair, WCPFC

Date:

.....  
Chair, CCSBT

Date:

**MEMORANDUM OF COOPERATION (MoC) ON THE ENDORSEMENT OF WCPFC  
REGIONAL OBSERVER PROGRAMME OBSERVERS FOR OBSERVING  
TRANSSHIPMENTS OF SOUTHERN BLUEFIN TUNA ON THE HIGH SEAS OF THE WCPFC  
CONVENTION AREA**

**between**

**THE COMMISSION FOR THE CONSERVATION AND MANAGEMENT OF HIGHLY  
MIGRATORY FISH STOCKS IN THE WESTERN AND CENTRAL PACIFIC OCEAN**

**and**

**THE COMMISSION FOR THE CONSERVATION OF SOUTHERN BLUEFIN TUNA**

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC) and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT):

**UNDERSTANDING** that the CCSBT and the WCPFC have overlapping jurisdictions for transshipment monitoring in the western and central Pacific Ocean;

**CONSIDERING** the Memorandum of Understanding between the WCPFC and the CCSBT signed in 2009;

**NOTING** that the CCSBT has adopted a Resolution<sup>1</sup> for tuna longline fishing vessels with freezing capacity (LSTLVs) that applies globally to all transshipments involving Southern Bluefin Tuna (SBT);

**ALSO NOTING** that the WCPFC has adopted a Conservation and Management Measure on the regulation of transshipment (CMM 2009-06) that applies to all transshipments in the WCPFC Convention Area of all highly migratory fish stocks covered by the Convention, and a Conservation and Management Measure for the Regional Observer Programme (CMM 2007-01) that establishes the Regional Observer Programme (ROP);

**RECALLING** paragraph 86 (a) of the Final Report of the Preparatory Conference for the Establishment of the Commission for the Conservation of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean of 7 December 2004, which recognises the need to establish an understanding between the WCPFC and the CCSBT clarifying that, because the CCSBT has competence with respect to Southern Bluefin Tuna throughout its migratory range, the WCPFC recognises that the CCSBT is the appropriate body to develop and implement Southern Bluefin Tuna conservation and management measures;

<sup>1</sup> Resolution on establishing a program for transshipment by large-scale fishing vessels (hereafter referred to as the “CCSBT Transshipment Resolution”)

**CONFIRM** the following conditions for the endorsement of WCPFC ROP observers to operate on authorised vessels that are involved in High Seas transshipments of Southern Bluefin Tuna (*Thunnus maccoyii*) in the WCPFC Convention Area:

1. The CCSBT and the WCPFC recognise the importance of facilitating mutual cooperative participation between the Members of both Commissions.
2. Fishing vessels may fish for, retain, transship or land Southern Bluefin Tuna in the WCPFC Convention Area only if they are included on the WCPFC Record of Fishing Vessels and the CCSBT Record of Authorised Fishing Vessels on the date that these activities occur. Carrier Vessels may only receive and transport Southern Bluefin Tuna transshipments in the WCPFC Convention Area if they are included on the WCPFC Record of Fishing Vessels and the CCSBT Record of Authorised Carrier Vessels on the date that these activities occur.
3. CCSBT endorsement of a WCPFC ROP observer to monitor transshipments of Southern Bluefin Tuna in the High Seas of the WCPFC Convention Area will occur only when the CCSBT Secretariat agrees that the WCPFC ROP observer has met the necessary requirements for observing transshipments of Southern Bluefin Tuna as specified in the CCSBT's Transshipment Resolution. The CCSBT Secretariat will provide the WCPFC Secretariat with a list of ROP observers that have been endorsed by the CCSBT for observing transshipments in accordance with this MoC. The list of CCSBT-endorsed ROP observers will be updated by the CCSBT Secretariat whenever changes (*e.g.* additions/deletions) occur.
4. Each Secretariat will identify the transshipment data and information requirements for its Commission and will ensure that ROP observers will be able to meet all such requirements with respect to vessels to which this MoC applies.
5. If a transshipment involving Southern Bluefin Tuna occurs in the High Seas of the WCPFC Convention Area, the relevant transshipment observer data and information requirements of each Commission will be met by the WCPFC ROP observers that have been endorsed by the CCSBT. The data and information collected will be provided to both the CCSBT and the WCPFC Secretariats, in accordance with procedures of each respective Commission, and will be considered to be held by each respective Commission.
6. Data and information collected by a WCPFC ROP observer endorsed by the CCSBT may be used for compliance purposes and in legal proceedings.
7. The Secretariats of each Commission may assist in facilitating the training of observers to meet requirements for endorsement by the CCSBT, with a view towards developing a core group of ROP observers who may be assigned to carrier vessels operating on the High Seas in the WCPFC Convention Area to meet the requirements of both the CCSBT and WCPFC with respect to observing at-sea transshipments.



8. Endorsement of a WCPFC ROP observer by the CCSBT Secretariat does not affect the application of domestic legislation and procedures of coastal CCMs<sup>2</sup> of the WCPFC or Members/Cooperating Non-Members of the CCSBT.

9. A WCPFC ROP observer endorsed by the CCSBT remains under the control of the respective national or subregional observer programme and will be made available to fulfil duties in the WCPFC Convention Area subject to approval of such programmes.

10. This MoC is subject to periodic review, and may be modified as agreed by both Commissions. Either Commission may terminate this MOC with three months' notice of such intention to the other Commission.

11. This MoC will commence from the date of signature<sup>3</sup>.

Signed on behalf of the WCPFC and the CCSBT:

Chair of the WCPFC  
Date:

Chair of the CCSBT  
Date:

<sup>2</sup> CCMs means Members, Cooperating Non-Members and Participating Territories

<sup>3</sup> If the signature dates differ, this MoC will commence from the more recent date of signature.