



## TECHNICAL AND COMPLIANCE COMMITTEE

Thirteenth Regular Session  
27 September – 3 October 2017  
Pohnpei, Federated States of Micronesia

---

### SUMMARY OF INVESTIGATIONS OF ALLEGED VIOLATIONS NOTIFIED IN THE WCPFC ONLINE COMPLIANCE CASE FILE SYSTEM

---

WCPFC-TCC13-2017-11C  
8 September 2017

Paper prepared by the Secretariat

#### Purpose

1. This paper provides some background on the WCPFC Online Compliance Case file system and a summary of the status of investigations of alleged violations in the WCPFC online Compliance Case file system as at 6 September 2017. The summary also indicates where CCMs have provided submissions of Investigation Status Reports as part of their replies to this year's dCMR and where compliance scores of Flag State Investigation are to be reviewed by TCC (CMM 2015-07 paragraphs 8 -11).

#### Background

2. CMM 2015-07 Section III (paragraphs 22 – 27) tasks the Secretariat to prepare a draft Compliance Monitoring Report (draft CMR) for the list of obligations to be assessed as determined by the Commission. The Secretariat is to prepare a draft CMR that shall present all available information relating to each CCM's implementation of obligations for compliance review by TCC. Paragraph 22 also elaborates on the scope of information to be considered by the Secretariat and to be presented in the draft CMR: The scope of information for the draft CMR is very broad and includes information sourced from reports submitted by CCMs as required in CMMs and other Commission obligations, such as Parts 1 and 2 of the Annual Reports as well as information available to the Commission through other data collection programs, including but not limited to, Regional Observer Program data and information, Vessel Monitoring System information, High Seas Boarding and Inspection Scheme reports, and any additional suitably documented information regarding compliance during the previous calendar year.
3. Since 2014, the Secretariat has in the preparation of the draft CMRs included consideration of the reports received from inspecting Parties and the flag CCMs response under the High Seas Boarding and Inspection Scheme (CMM 2006-08) and other notifications it received that were considered to be Convention Article 25(2) and Convention Article 23(5) matters.

In 2014, the draft CMRs also drew on available data related to CMM implementation as reported through the Regional Observer Program, and led to potential issues being raised within draft CMR described as “alleged incident/s of possible non-compliance”.

4. In the Final Compliance Monitoring Report covering 2013 reporting year that was adopted in 2014, “CCMs noted the special circumstances surrounding assessments that require obtaining observer reports and conducting investigations. Some CCMs have noted difficulty in obtaining observer reports and CCMs recognize that investigating the allegations can take more time than is available in the process.” Noting these concerns, in the first quarter of 2014 the Secretariat made efforts to provide to CCMs, through their individual CCM portals, advice about any alleged incidents of possible non-compliance related to 2013 year, based on available ROP data. The information was updated periodically as additional ROP data was entered through the year.

### **Overview of the WCPFC Online Compliance Case File System**

5. In 2015, the Secretariat commenced the use of a version 1.0 of a compliance event database, to support record keeping within the Secretariat of the history of each possible alleged incident and its outcome, as part of its monitoring of Article 25(2) and Article 23(5) implementation. In December 2015, at WCPFC12 the Commission took the decision for “*Commission Adopted pre-notification process from observer providers to flag CCMs of possible alleged infringements by their vessels and to coastal State CCMs of possible alleged infringements in their waters*” (WCPFC12 Summary Report paragraph 569, Attachment U). The Pre-notification process tasked the Secretariat with providing early advice notification to flag CCMs of those data elements (other than alleged observer obstruction incidents) that were answered in the affirmative by a ROP observer on the WCPFC Observer Trip Monitoring Summary, or which are included in SPC/FFA General Form 3 (a copy of this decision is provided for ease of reference in **Annex I**).
6. In April 2016, the Secretariat launched its online WCPFC Compliance Case File system to assist with tracking individual alleged violations that may be relevant to the Compliance Monitoring Scheme, from their initial notification through to the end of the investigation. This was a version 2.0 of a compliance event database. The Secretariat completed work on delivery of four lists prior to TCC12 in 2016, and two more lists were implemented in April 2017, to make a total of six (6) lists that comprise the online WCPFC Compliance Case File system:
  - **Article 25-2 Compliance Cases**
  - **FAD Sets Alleged Infringements**
  - **Observer Obstruction Alleged Infringements**
  - **Shark Catch Alleged Infringements**
  - **ROP Pre-notification Issues**
  - **Cetacean and Whale Shark Interactions**
7. Cases in the Article 25(2) Compliance Case list are created by the Secretariat individually, based on a report received that appears to be a request from one CCM to another CCM to explain or investigate the conduct of its vessel and/or its national/s in reference to one or more WCPFC obligations. The sources of information for this list, can be wide ranging and

includes High Seas Boarding and Inspection Reports (CMM 2006-08), Port Inspections, Aerial Surveillance, MCS operations, CMM 2016-03 observer safety reports, or any other relevant advice from a CCM. A summary of the current status of compliance cases notified in Article 25(2) Compliance Case list of the WCPFC online compliance case file system is provided in Table A within **Annex II**.

8. Cases in the other five (5) WCPFC online compliance case file system lists,<sup>1</sup> are created through scripted queries that the Secretariat runs over the ROP observer data. Updates to the ROP observer data related compliance case lists are made periodically, and through procedures that have been developed in joint-efforts of WCPFC and SPC-OFP staff. The frequency of updates depends on the frequency with which updates from SPC-OFP are able to be provided to the Secretariat (currently the frequency for updates is every one – three months).
9. Tables B – F within **Annex II** provides a description of the intended purpose for each of the five ROP observer data based Compliance Case file lists, and includes a summary of the current status of compliance cases that are presently notified within each list. It should be noted that the *ROP Pre-notification list* together with the *Observer Obstruction Alleged Infringement list* is intended to complete the Secretariats tasking in support of the WCPFC12 decision to establish an observer pre-notification process.
10. Flag CCMs that have compliance cases that are designated as “Flag CCM Notified” or “Flag CCM Investigation in Progress” are expected to provide updates until the conclusion of the investigation. Flag CCMs can enter multiple responses/progress reports, online, related to any of the alleged infringement as it conducts investigation. The online system will track the responses provided by the flag CCM during the life of the alleged infringement.
11. As administrator of the online Compliance Case file system, the Secretariat can review all notified compliance cases and any CCM replies therein. The Secretariat will periodically review case updates submitted by relevant CCMs. It is based on the advice of flag CCMs, that the Secretariat makes updates of the *Infringement status* for individual compliance cases, and changes the individual case status from “Flag CCM Notified” to “Flag CCM Investigation in Progress” or “Flag CCM Investigation Completed”. Flag CCMs are expected to continue to provide updates in the online compliance case system for each case, until the conclusion of the investigation of each individual case. Circular No.:2017/56 in announcing availability online for each CCM of their draft CMR at the end of July also included a Quick Guide for CCMs use in managing the compliance case file system.
12. Presently the access by CCMs to individual cases in the online WCPFC Compliance Case File system takes into account the circumstances of a specific case:
  - a. Flag CCMs can view relevant compliance cases for vessels flying their flag;
  - b. Notifying CCMs, which includes the ROP observer provider that was responsible for the placement of a ROP observer, are able to view relevant compliance cases for vessels flying other flags; and

---

<sup>1</sup> The five ROP-observer data based WCPFC online compliance case file system lists are: FAD Sets Alleged Infringements; Observer Obstruction Alleged Infringements; Shark Catch Alleged Infringements; ROP Pre-notification Issues; and Cetacean and Whale Shark Interactions.

- c. Where applicable coastal CCMs and chartering CCMs, may also view relevant compliance cases through the online system.

### **Investigation status reports and Flag State Investigation scores**

13. In accordance with CMM 2015-07, CCMs may provide in their replies to draft CMRs an **Investigation Status Report** for investigations that were not able to be completed prior to TCC. For instance see CMM 2015-07 paragraph 8 which says:  
*“8. Where a CCM cannot complete an investigation prior to TCC, that CCM shall provide a Status Report to the Secretariat with the dCMR, that:*
  - (i) describes the steps that have been taken to commence the investigation;*
  - (ii) describes the process that CCM will take to complete the investigation, within their relevant national processes and laws;*
  - (iii) describes, to the extent possible, actions proposed to be taken in relation to the alleged violation; and*
  - (iv) sets out an anticipated timeframe in the Status Report**The CCM may work together with the Secretariat to draft the Status Report. This report shall be attached to that CCM’s comments to the dCMR.”*
14. CMM 2015-07 paragraph 24 also says:  
*“24. Upon receipt of its dCMR, each CCM may, where appropriate, reply to the Executive Director no later than 28 days prior to TCC each year to:*
  - (i) provide additional information, clarifications, amendments or corrections to information contained in its dCMR;*
  - (ii) identify any particular difficulties with respect to implementation of any obligations; or*
  - (iii) identify technical assistance or capacity building needed to assist the CCM with implementation of any obligations.”*
15. In respect of Investigation Status Reports, Circular No.:2017/56 in announcing availability online for each CCM of their draft CMR at the end of July also included a Quick Guide on managing compliance case file system. The Quick Guide provided some guidance on how CCMs can submit Investigation Status Reports related to cases notified in the WCPFC online Compliance Case file system. The Secretariat throughout August and early September also reached out to flag CCMs drawing attention to this aspect of the draft CMR and offering assistance, if needed.
16. Copies of Investigation Status Reports will be viewable by authorized CCMs through the secure side of the wcpfc website have been posted on the secure site of the website on 13 September 2017 as **WCPFC-TCC13-2017-dCMR01-ISR**.
17. The summary of the current status of compliance cases notified in the WCPFC online system that are provided in Table A – F within **Annex II**, include in footnotes, the summary details relevant to the WCPFC13 adopted Final Compliance Monitoring Report scores of **Flag State Investigation (FSI)**.

## Secretariat Observations

18. The Secretariat makes the following observations related to the WCPFC Online Compliance Case file system:
- a. The online WCPFC Compliance Case file system, is currently providing a tool that assists the Secretariat with meeting its task under CMM 2015-07 to draw on all available information related to implementation by CCMs of CMMs in its preparation of draft CMRs for consideration by TCC;
  - b. In 2017, there is a significant number of alleged infringements that are presently notified in the online WCPFC Compliance Case file system, with associated investigation outcomes and investigation status reports from many flag CCMs, and the online WCPFC Compliance Case file system presents an additional source of information that is potentially available for review by TCC through the Compliance Monitoring Scheme or an associated process;
  - c. Many flag CCMs have used the WCPFC online Compliance Case file system over the last twelve months, and as is shown in **Annex II** the majority of notified Compliance cases have received some form of reply in response to the notification;
  - d. In 2017, there are some reports received in the WCPFC online Compliance Case file system confirming the completion by flag CCMs of the conclusion of investigations, but also a significant number that remain as Flag CCM notified of alleged violation and/or Flag CCM investigation underway. In respect of Flag CCM investigation underway there are a number of Investigation Status Reports and requests for consideration of Flag State Investigation score;
  - e. The online WCPFC Compliance Case file system has assisted the Secretariat with managing the records of correspondence related to the responses provided by flag CCMs through the conduct of investigations of each alleged infringement, and at the same time has increased the Compliance Monitoring Scheme workload for the Secretariat and CCMs;
  - f. In 2017, the Secretariat, with assistance from SPC-OFP, has completed its task for implementing the WCPFC12 ROP pre-notification system, this was delivered in 2016 through the Observer Obstruction Alleged Infringement list and in 2017 with the ROP Pre-notification list in the WCPFC online Compliance Case file system. TCC may like to review and provide advice on the suitability of the ROP Pre-notification process for use in Compliance Monitoring Scheme Reviews going forward;
  - g. It should be noted that there are some potential biases in the relative coverage of cases contained within the WCPFC online Compliance Case file system:
    - i. The extent of cases recorded in the *Article 25(2) list* in the WCPFC online compliance case file system is necessarily dependent on the voluntary commitments by some WCPFC members to undertake inspection and MCS activities, including High Seas Boarding and Inspection activities, of other CCMs vessels and to report these outcomes to the Commission; and
    - ii. The extent of cases notified in the *five(5) ROP-related lists* in the WCPFC online compliance case file system are necessarily dependent on (i) the formulation of CMM obligations and their suitability to be verified through data collected

through the ROP observer programme; (ii) the relative representation of ROP coverage rates across WCPFC-relevant fisheries and geographical areas; and (iii) the timeliness and completeness of ROP data submissions and their receipt by the Secretariat.

## **Feedback**

19. As a final note, the implementation of the online WCPFC Compliance Case File system is considered to be a version 2.0, and the Secretariat welcomes feedback from CCMs of requested enhancements that could assist CCMs in their use and management of cases in the online WCPFC Compliance Case File system. The Secretariat would also welcome feedback from TCC on the way it would like the Secretariat to consider information contained in the online WCPFC Compliance Case File system, both in future TCC reports and supporting documents and in the Secretariat's support to the future Compliance Monitoring Scheme.

## **Recommendation**

- |   |
|---|
| 20. TCC13 is invited to note the paper. |
|---|



**COMMISSION  
TWELFTH REGULAR SESSION**  
Bali, Indonesia  
3-8 December 2015

---

**COMMISSION ADOPTED PRE-NOTIFICATION PROCESS FROM OBSERVER PROVIDERS TO FLAG CCMS OF POSSIBLE ALLEGED INFRINGEMENTS BY THEIR VESSELS AND TO COASTAL STATE CCMS OF POSSIBLE ALLEGED INFRINGEMENTS IN THEIR WATERS:**

---

- a) Observer, as part of their usual duties will complete the ROP minimum data elements on the WCPFC Observer Trip Monitoring Summary, or which are included in SPC/FFA General Form 3 (see example below), for each trip;
- b) Observer keeps this report/form (and all other data) confidential and returns to home port or disembarkation point;
- c) Observer fully disembarks the vessel;\*
- d) Observer transmits their data and reports per their standard procedures to an authorized observer provider/person for their national or subregional observer programme;
- e) Observer arriving back from the vessel in observer's home port, or if required, has to travel back to home country & awaits debriefing;
- f) Observer is debriefed as soon as is practicable after finishing the trip/trips\*;

**Pre-Notification Process**

- g) In the event that there is a "YES" noted in the WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are included in SPC/FFA General Form 3 the observer provider is expected where practicable, to promptly submit the relevant data to the Commission Secretariat (the data may be provided through the Commission data service provider (SPC-OFP) or provided directly to the Secretariat).
- h) In considering the timeliness of the submission of the ROP minimum data elements on the WCPFC Observer Trip Monitoring Summary, or which are included in SPC/FFA General Form 3, the observer provider must ensure the observer is safely disembarked from the vessel and has returned to their home port, and where possible the observer has been fully debriefed.
- i) The observer provider may decide that further investigation of a "YES" noted in the WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are

included in SPC/FFA General Form 3 (or equivalent) is needed before the relevant data is submitted to the Commission Secretariat.

j) If there is only “NO” noted in the WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are included in SPC/FFA General Form 3 (or debriefing determines there to be only “NO” noted) the ROP data, including WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are included in SPC/FFA General Form 3 would be submitted through usual processes to the Commission Secretariat.

k) The Commission Secretariat will facilitate the provision of certain data fields in the relevant WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are included in SPC/FFA General Form 3 and the additional supporting fields \*\*\* to the responsible flag CCM and coastal State CCM where applicable. In accordance with the data rules, the information that is provided to flag CCMs and coastal State CCMs will exclude the name of the observer, their nationality and the observer trip ID, but will instead identify the observer provider programme that placed the observer.

l) The authorised Flag state and coastal State official contacts can request from the observer provider\*\* further supporting details for their investigations. Vessel captain/owners/point of contact will communicate with flag State official contacts regarding any alleged infringements.

m) The Commission Secretariat will facilitate the collation of communications related to the outcome of investigations of any “YES” noted in the WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are included in SPC/FFA General Form 3, including from the flag CCMs.

\*If an observers carries out one or more trips consecutively on the same vessel. That vessel cannot request through their official contacts a copy of the WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are included in SPC/FFA General Form 3 compiled by that observer until the observer has completely finished his trips on the vessel and has fully disembarked the vessel.

\*\* Request could be sent via the Commission Secretariat or other sub regional organizations who would verify the persons making the request are genuine official contacts and could act as intermediators between the relevant CCM and the provider if they so wish.

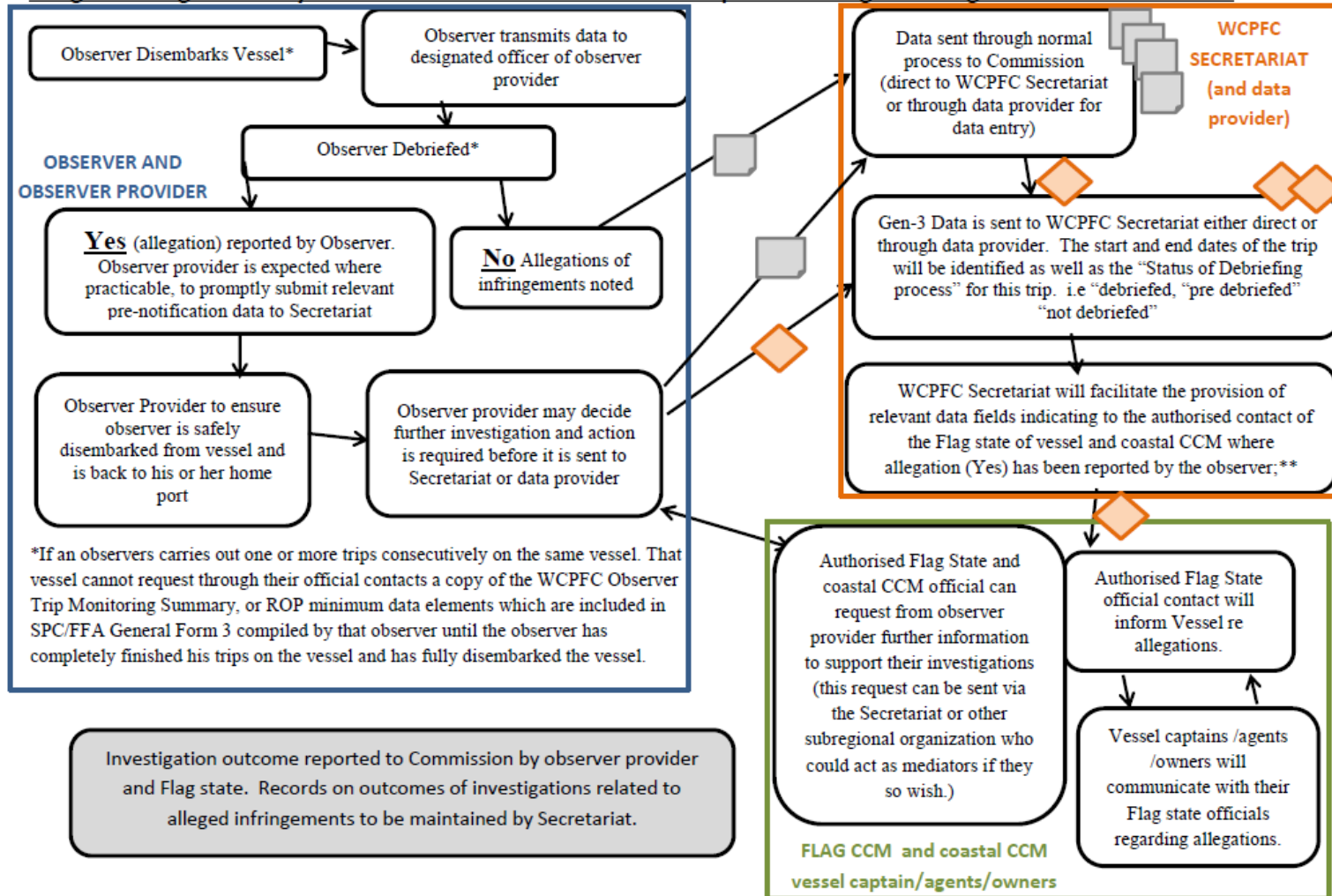
\*\*\* The Commission agreed that to support the pre-notification process, that there are two additional fields that should be provided by observer providers to support a flag CCMs investigations of any possible alleged infringements. These are:

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

**Final notes: The Commission agreed that there would be a six month delay before implementation of the pre-notification process commences, and approved the attached flowchart to illustrate the approved pre-notification process.**



**Schematic of Commission adopted Pre-Notification Process from observer providers to flag CCMs of possible alleged infringements by their vessels and to coastal CCMs of possible alleged infringements in their waters**



\*\*Note: that in accordance with the data rules, the information that is provided to flag CCM and as applicable coastal CCM will not include name of observer their nationality and the observer trip ID, but will instead identify the observer provider that placed the observer. The start and end dates of the trip will be identified as well as the "Status of Debriefing process" for this trip. i.e "debriefed", "pre debriefed" "not debriefed"

**Annex II Table A. Summary of cases presently notified in WCPFC online Compliance Case File System in Article 25(2) list as at 6 September 2017**

WCPFC online compliance case list	CMM paragraph	Year	Source data	Count of applicable flag CCMs	Count of cases notified in WCPFC online compliance case file system	Flag CCM Investigation Completed "CLOSED" <i>Note review of evidence may or may not suggest finding of a violation.</i>	Flag CCM notified of alleged violation and/or investigation by flag CCM underway	FSI or ISR?
<b>Article 25-2 Compliance Cases</b> Contain any alleged infringements in which a flag State investigation has been requested by a WCPFC member, in accordance with Article 25(2) of the Convention.  <b>Period:</b> 2013 - current	Various <sup>2</sup>	2017	HSBI	3	26	14	12	
			CMM 2016-03	2	2	1	1	
			Other	3	15	8	7	
		2016	HSBI	5	46	46	-	No
			Other	3	8	8	-	No
		2015	HSBI	3	21	21	-	No
			Other	5	14	14	-	No

<sup>2</sup> Currently the list of obligations includes: CMM 2004-03 02, CMM 2006-08 32; CMM 2008-03 02, 04, 06; CMM 2009-06 13, 34, 35 a(iii), a(iv), 2009-09, CMM 2010-02 02, 2010-07 06, 07, CMM 2011-02 9a/2014-02 9a, CMM 2012-07 01, 02, CMM 2013-05 01, 02, CMM 2013-10 04, 07, 17, CMM 2014-05 01, CMM 2015-03 01, CMM 2016-03 06, Convention Art 24 (1)

**Annex II Table B. Summary of cases presently notified in WCPFC online Compliance Case File System in Observer Obstructions Alleged Infringements list as at 6 September 2017**

WCPFC online compliance case list	CMM paragraph	CMR Year	Count of flag CCMs notified	Count of vessels involved	Total cases	Alleged violation <sup>3</sup>	Flag CCM Investigation Completed <i>Note review of evidence may or may not suggest finding of a violation.</i>	Flag CCM notified of alleged violation and/or Flag CCM investigation underway	FSI or ISR ?
<b>Observer Obstruction Alleged Infringements</b> Contain alleged infringements, related to observer obstruction, identified in ROP observer data.  <b>Source data:</b> WCPFC Observer Trip Monitoring Summary as submitted in ROP observer data  <b>Period:</b> 2015 - current	<b>CMM 2007-01 14 (vii)</b>	<b>2016</b>	<b>12</b>	<b>34</b>	<b>41</b>	<b>RS-A</b>	3 / 17	14	**4
						<b>RS-B</b>	1 / 14	13	
						<b>RS-D</b>	5 / 10	5	
		<b>2015 – dCMR eligible “YES”</b>	<b>12</b>	<b>75</b>	<b>113</b>	<b>RS-A</b>	20 / 39	19	FSI <sup>5</sup>
						<b>RS-B</b>	20 / 42	22	
						<b>RS-D</b>	18 / 32	14	
		<b>2015 – additional notified post dCMR</b>	<b>9</b>	<b>28</b>	<b>38</b>	<b>RS-A</b>	3 / 14	9	**6
						<b>RS-B</b>	1 / 18	17	
						<b>RS-D</b>	1 / 8	7	

<sup>3</sup> **RS-A:** Reports of operator or crew member; intimidate or interfere with observers in the performance of their duties; **RS-B:** Request that an event not be reported by the observer; **RS-D:** Observer not being accommodated and fed properly

<sup>4</sup> Prior to TCC13, at least one CCM has submitted an **Investigation Status Report (ISR)** with their reply to the draft CMR in response to cases that are notified in the online compliance case file system.

<sup>5</sup> For RY 2015 the following CCMs received a score of **Flag State Investigation (FSI)** in the Final CMR adopted by WCPFC13:- China; Federated States of Micronesia; Japan; Korea (Republic of); Papua New Guinea; Philippines; Chinese Taipei; United States of America and Vanuatu

<sup>6</sup> Prior to TCC13, at least one CCM has submitted an **Investigation Status Report (ISR)** with their reply to the draft CMR in response to cases that are notified in the online compliance case file system.

**Annex II Table C. Summary of cases presently notified in WCPFC online Compliance Case File System in FAD Sets Alleged infringements list as at 6 September 2017**

<b>WCPFC online compliance case list</b>	<b>CMR Year</b>	<b>CMM paragraph</b>	<b>Count of flag CCMs notified</b>	<b>Count of vessels involved</b>	<b>Total cases</b>	<b>Flag CCM Investigation Completed</b> <i>Note review of evidence may or may not suggest finding of a violation.</i>	<b>Flag CCM notified of alleged violation and/or Flag CCM investigation underway</b>	<b>FSI or ISR ?</b>	
<b>FAD Sets Alleged infringements</b> Contain alleged infringements, related to setting on FADs during the FAD closure period, identified in ROP observer data.	<b>2017</b>	<b>CMM 2016-01 14</b>			-				
		<b>CMM 2016-01 16</b>			-				
		<b>CMM 2016-01 18</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>0 / 3</b>	<b>3</b>		
	<b>2016</b>	<b>CMM 2015-01 14</b>	<b>6</b>	<b>31</b>	<b>170</b>	<b>161 / 170</b>	<b>9</b>	**7	
		<b>CMM 2015-01 16</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0 / 1</b>	<b>1</b>		
	<b>Source data:</b> ROP observer data <b>Period:</b> 2015 - current	<b>2015 – dCMR eligible “YES”</b>	<b>CMM 2014-01 14</b>	<b>8</b>	<b>26</b>	<b>115</b>	<b>112 / 115</b>	<b>3</b>	FSI & Not assessed <sup>8</sup>
			<b>CMM 2014-01 16</b>	<b>1</b>	<b>3</b>	<b>3</b>	<b>3 / 3</b>		FSI <sup>9</sup>
		<b>2015 – additional notified post dCMR</b>	<b>CMM 2014-01 14</b>	<b>7</b>	<b>22</b>	<b>129</b>	<b>31 / 129</b>	<b>98</b>	**10
			<b>CMM 2014-01 16</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>2 / 2</b>		

<sup>7</sup> Prior to TCC13, at least one CCM has submitted an **Investigation Status Report (ISR)** with their reply to the draft CMR in response to cases that are notified in the online compliance case file system.

<sup>8</sup> For RY 2015 the following CCMs received a score of **Flag State Investigation (FSI)** in the Final CMR adopted by WCPFC13:- Papua New Guinea, Chinese Taipei and United States of America. This obligation was **not assessed** for China, Kiribati and Federated States of Micronesia.

<sup>9</sup> For RY 2015 the following CCM received a score of **Flag State Investigation (FSI)** in the Final CMR adopted by WCPFC13:- Papua New Guinea

<sup>10</sup> Prior to TCC13, at least one CCM has submitted an **Investigation Status Report (ISR)** with their reply to the draft CMR in response to cases that are notified in the online compliance case file system.

**Annex II Table D. Summary of cases presently notified in WCPFC online Compliance Case File System in Shark Catch Alleged infringements list as at 6 September 2017**

WCPFC online compliance case list	CMR Year	CMM paragraph	Count of flag CCMs notified	Count of vessels involved	Total cases	Flag CCM Investigation Completed <i>Note review of evidence may or may not suggest finding of a violation.</i>	Flag CCM notified of alleged violation and/or Flag CCM investigation underway	Notes on FSI or ISR
<b>Shark Catch Alleged Infringements</b> Contain alleged infringements, related to sharks, identified in ROP observer data.  <b>Source data:</b> ROP observer data <b>Period:</b> 2015 - current	2017	CMM 2010-07 09	1	1	1	0 / 1	1	
		CMM 2011-04 01			-			
		CMM 2013-08 01			-			
	2016	CMM 2010-07 09	2	2	2	0 / 2	2	**11
		CMM 2011-04 01			-			
		CMM 2013-08 01	6	12	28	0 / 28	28	
	2015 – dCMR eligible “YES”	CMM 2010-07 09	3	4	19	15 / 19	4	FSI <sup>12</sup>
		CMM 2011-04 01	4	4	4	2 / 4	2	n/a
		CMM 2013-08 01	11	38	79	34 / 79	45	FSI <sup>13</sup>
	2015 – additional notified post dCMR	CMM 2010-07 09	2	4	11	0 / 11	11	**14
		CMM 2011-04 01	4	7	10	2 / 10	8	
		CMM 2013-08 01	3	6	72	0 / 72	72	

<sup>11</sup> Prior to TCC13, at least one CCM has submitted an **Investigation Status Report (ISR)** with their reply to the draft CMR in response to cases that are notified in the online compliance case file system.

<sup>12</sup> For RY 2015 the following CCMs received a score of **Flag State Investigation (FSI)** for CMM 2010-07 09 in the Final CMR adopted by WCPFC13:- Korea (Republic of), Papua New Guinea.

<sup>13</sup> For RY 2015 the following CCMs received a score of **Flag State Investigation (FSI)** for CMM 2013-08 01 in the Final CMR adopted by WCPFC13:- China, Japan, Korea (Republic of), Papua New Guinea, Philippines and Chinese Taipei.

<sup>14</sup> Prior to TCC13, at least one CCM has submitted an **Investigation Status Report (ISR)** with their reply to the draft CMR in response to cases that are notified in the online compliance case file system. The CCMs involved may also consider that ISR they submitted for 2015 alleged infringements, should also extend to additional 2015 cases.

**Annex II Table E. Summary of cases presently notified in WCPFC online Compliance Case File System in Cetacean and Whale Shark Interaction Alleged infringements list as at 6 September 2017**

<b>WCPFC online compliance case list</b>	<b>CMR Year</b>	<b>CMM paragraph</b>	<b>Count of flag CCMs notified</b>	<b>Count of vessels involved</b>	<b>Total cases</b>	<b>Flag CCM Investigation Completed</b> <i>Note review of evidence may or may not suggest finding of a violation.</i>	<b>Flag CCM notified of alleged violation and/or Flag CCM investigation underway</b>	<b>FSI or ISR ?</b>
<b>Cetacean and Whale Shark Interactions</b> This list contains cases where a ROP observer has reported one or more interaction/s occurred between a purse seine vessel and cetaceans or whale sharks during trips occurring in 2016. Relevant WCPFC requirements include: prohibiting purse seine vessels from setting if a whale shark or cetacean is sighted prior to the commencement of the set; required reporting of any incidents of unintentional encircling; and guidelines for safe release. <b>Source data:</b> ROP observer data <b>Period:</b> 2016 - current	<b>2017</b>	<b>CMM 2011-03 01</b>	-	-	-			
		<b>CMM 2012-04 01</b>	1	1	1	0 / 1	1	
	<b>2016</b>	<b>CMM 2011-03 01</b>	10	15	16	1 / 16	15 / 16	**15
		<b>CMM 2012-04 01</b>	10	37	46	3 / 46	42 / 46	**16

<sup>15</sup> Prior to TCC13, at least one CCM has submitted an **Investigation Status Report (ISR)** with their reply to the draft CMR in response to cases that are notified in the online compliance case file system

<sup>16</sup> Prior to TCC13, at least one CCM has submitted an **Investigation Status Report (ISR)** with their reply to the draft CMR in response to cases that are notified in the online compliance case file system.

**Annex II Table F. Summary of cases presently notified in WCPFC online Compliance Case File System in ROP Pre-Notification Issues list as at 6 September 2017**

WCPFC online compliance case list	CMR Year	Count of flag CCMs notified	Count of vessels involved	Total cases	Alleged violation <sup>17</sup>	Flag CCM Investigation Completed <i>Note review of evidence may or may not suggest finding of a violation.</i>	Flag CCM notified of alleged violation and/or Flag CCM investigation underway	FSI or ISR ?
<b>ROP Pre-Notification Issues</b> This new list provides notification to flag CCMs of those data elements (other than alleged observer obstruction incidents) that were answered in the affirmative by a ROP observer on the WCPFC Observer Trip Monitoring Summary, or which are included in SPC/FFA General Form 3  <b>Source data:</b> WCPFC Observer Trip Monitoring Summary as submitted in ROP observer data <b>Period:</b> 2016 - current	2017	3	6	6	LP-A	-		
					LC*	0 / 5	5	
					WC-B	-		
					Other	0 / 1	1	
	2016	16	176	544	LP-A	1 / 6	5	**18
					LC*	60 / 427	367	
					WC-B	0 / 13	13	
					Other	27 / 271	244	

<sup>17</sup> **LP-A** := “Inaccurately record vessel positions on vessel log sheet for sets, hauling and catch” (Could be relevant to CMM 2013-05 02)

**LC\*** := LC-A, LC-B, LC-C, LC-E, LC-F (Could be relevant to CMM 2013-05 02)

LC-A := “inaccurately record retained “target species” in the vessel log”

LC-B:= “inaccurately record “target species” discards” LC-C:= “record species inaccurately”

LC-E:= “inaccurately record bycatch species discards” LC-F:= “inaccurately record retained bycatch species”

**WC-b** := “high-grade the catch” (If PS vessel, could be relevant to CMM 2015-01 30)

**Other** := SI-b, WC-a, NR-a, NR-c, NR-e, NR-g, LP-b, PN-a, PN-b, PN-c, PN-d, PN-e, SS-a (Could be relevant to Convention Article 25(2))

<sup>18</sup> Prior to TCC13, at least one CCM has submitted an **Investigation Status Report (ISR)** with their reply to the draft CMR in response to cases that are notified in the online compliance case file system