



**TECHNICAL AND COMPLIANCE COMMITTEE**

**Thirteenth Regular Session**

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Pohnpei, Federated States of Micronesia

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**NOTES ON OBLIGATIONS NEEDING REVISION TO IMPROVE COMPLIANCE AND  
MONITORING OR WITH INTERPRETATION ISSUES.**

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**WCPFC-TCC13-2017-11d**

**13 September 2017**

**Paper prepared by the Secretariat**

**Purpose**

1. This paper provides a list of some obligations under various CMMs that could be useful for TCC to provide some further advice and direction in relation to their implementation by CCMs.

**Background**

2. The TCC Workplan 2016-2018 includes that TCC will 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.
3. CMM 2015-07 paragraph 15 states that:  
*15. Each year, the Commission shall consider, taking into consideration any recommendations from TCC, whether all of the obligations identified in paragraph 3 shall be evaluated in the following year and identify whether any additional obligations shall be evaluated. In making this determination, the Commission shall take into account:*
  - (i) *the needs and priorities of the Commission, including those of its subsidiary bodies;*
  - (ii) *evidence of high percentages of compliance or persistent non-compliance with specific obligations for multiple years; and*
  - (iii) *the potential risks posed by non-compliance with particular obligations to achieving the objectives of the Convention or specific measures adopted thereunder.*
4. WCPFC13 agreed to modifications to the list of obligations to be assessed by the CMS in 2016-2018, the frequency for assessment of CMMs in forward years and the detail of CMM paragraphs to be included in the Compliance Monitoring Report (refer to WCPFC-TCC13-2017-IP12).
5. CMM 2015-01 paragraph 30 states that:  
*30. The Provisional Report will also include an executive summary including recommendations or observations from TCC regarding:*
  - (i) *identification of any CMMs or obligations that should be reviewed to address implementation or compliance difficulties experienced by CCMs, particularly when TCC has identified ambiguity in the interpretation of or difficulty in monitoring and*

*implementing that measure or obligation, including any specific amendments or improvements that have been identified,*  
*(ii) capacity building assistance or other obstacles to implementation identified by CCMs, in particular SIDS and Participating Territories, and*  
*(iii) additional priority obligations that should be reviewed under the CMS the following year pursuant to paragraph 15 of this measure.*

### **CMM paragraphs for further consideration by TCC**

6. Through the preparation of the full draft CMR, the Secretariat has noted some obligations under various CMMs which could be useful for TCC to provide some further advice and direction in relation to their implementation by CCMs. Some of these CMM obligations are being reviewed in draft CMR for the first time, while others are matters that carry over from past year draft CMR reviews. The list is provided in **Table 1**.

### **Recommendation**

7. TCC13 is invited to:
  - consider **Table 1** and any other areas identified by CCMs during TCC13's review of dCMRs when developing the Provisional Compliance Report and noting the task set out in paragraph 30 (i) and (iii) of CMM 2015-07.

**Table 1. List of CMM paragraphs which might be useful for TCC to consider and as appropriate provide some further advice and direction for the purposes of reviewing implementation through the Compliance Monitoring Scheme**

<b>CMM paragraph</b>	<b>CMR section</b>	<b>Topic</b>
CMM 2010-06 22	v & vii	CCMs shall take all necessary non-discriminatory measures, including under their applicable legislation, to take certain actions in respect of vessels listed on the WCPFC IUU Vessel List
CMM 2014-02 9a VMS SSPs 7.2.2	v	CCMs to conduct periodic audits of ALC/MTUs of its vessels and report results to the Commission (AR Pt 2)
CMM 2015-01 14/16	i & iv	3/4-month FAD closure and its application
CMM 2015-01 19	ii	Reporting requirements when a CCM chooses the "limit on the number of FAD sets" additional FAD set reduction option (para 16 b and para 17 b)
CMM 2015-01 25	i	2016 Limits on high seas purse seine effort
CMM 2015-01 40	i	Bigeye longline catch limits by flag, as specified in Attachment F. Any overage to be deducted from the catch limit for the following year.
CMM 2015-01 49	i	Limit by flag on number of purse seine vessels >24m with freezing capacity between 20N and 20S
CMM 2015-01 51	i	Limit by flag on number of longline vessels with freezing capacity targeting bigeye above the current level
CMM 2015-01 52	i	Limit by flag on number of ice-chilled longline vessels targeting bigeye and landing exclusively fresh fish above the current level or above the number of current licenses under established limited entry programmes
CMM 2015-01 57	vii	Requirement to provide operational level catch and effort data for China, Indonesia, Japan, Korea, Philippines and Chinese Taipei, although subject to a 3 year grace period based on a national plan that is to be submitted to the Commission.
CMM 2015-01 59	vii	Requirement to provide 1 x 1 aggregate data for China, Indonesia, Japan, Korea, Philippines and Chinese Taipei vessels fishing in EEZs and high seas N 20 N, as well as to cooperate in providing operational data to SPC for stock assessment
CMM 2015-04 06 +12	iii & vii	Annual report on implementation and reporting of catches noting deadline in the CMM, of 31 July, is close to dissemination of dCMR
CMM 2015-02 04	iii	Reporting by CCMs of catches by each vessel and number of vessels actively fishing
CMM 2016-01 18	??	Additional FAD Measures for 2017
SciData 03	vi & vii	Operational Level Catch and Effort Data