



**TECHNICAL AND COMPLIANCE COMMITTEE**  
**Thirteenth Regular Session**  
27 September – 3 October 2017  
Pohnpei, Federated States of Micronesia

**OUTCOMES DOCUMENT - AGREED**

**TCC13-2017-outcomes-final**  
**4 October 2017**

**Agenda Item 1.2 Agenda**

1. The agenda was adopted, noting that the Republic of Marshall Islands' proposal on Marine Pollution would be considered under Agenda 12 (**Attachment C**).

**Agenda Item 2 Report of the Executive Director**

2. TCC13 noted the Annual Report of the Executive Director on operational issues with the MCS programmes and that overviewed the Secretariat's support to TCC workplan priorities (**TCC13-2017-07**).

**Agenda Item 3 IUU Vessel List**

3. TCC13 agreed that **Sui Yuan Yu 30, Da Yang 15, Da Yang 16** and **Yuanda 19** will not be added to the Provisional IUU Vessel List.
4. TCC13 recommends to WCPFC14 that the three vessels currently on the WCPFC IUU Vessel List in 2017 remain on that list.
5. TCC13 recommends to WCPFC14 that the Commission seeks the cooperation of those CCMs or flag States to whom the vessel was flagged at the time the vessel was placed on the WCPFC IUU vessel list and other CCMs' cooperation to actively find out any information about these vessels and inform the Commission.
6. TCC13 recommends to WCPFC14 that the Commission requires prompt advice to the Commission by all CCMs if the vessels have been located, or if there are any known changes to name, flag or registered owner, including any action that port States have taken such as denial of port entry and services to those vessels or any information from cannery States of any landings made by these vessels.
7. TCC13 recommends to WCPFC14 that the Commission tasks the Executive Director to write a letter to other RFMOs and relevant bodies conveying this same message for cooperation to locate those vessels.

## Agenda Item 4 CNM REQUESTS

8. TCC13 has reviewed the following CNM applications and is forwarding them to WCPFC14 for consideration: **Ecuador, El Salvador, Liberia, Mexico, Panama, Thailand, and Vietnam.**
9. TCC13 thanked the Secretariat for the development of the CNM application template which assisted the process greatly and thanks CNM applicants for using the template in submitting their applications.
10. TCC13 noted with appreciation the attendance and participation of Ecuador, Liberia, Panama and Vietnam at this year's meeting and encourages other CNM applicants to attend TCC meetings in the future.
11. TCC13 noted the CNM working group process occurred in parallel with the compliance monitoring scheme process and recommended that following TCC13, in consultation with SPC, the Secretariat write a particularised letter to CNMs outlining any identified deficiencies in data provision and request that CNM applicants provide any information outlined in these letters, as requested during the CMS process, 30 days in advance of WCPFC14, and that these letters and any responses be assessed by WCPFC14.
12. TCC13 recommended that WCPFC14 takes into consideration the Compliance Status of all CNM applicants in making its decision on the CNM applications and participatory rights.
13. TCC13 noted that all CNM applicants other than Mexico and Vietnam have made financial contribution and also noted Vietnam's statement that payment is in progress and Mexico had paid its 2016 contributions and agreed to pay its 2017 contribution in the second semester of 2017.
14. TCC13 notes that in three CNM applications (Ecuador, El Salvador and Mexico) have reiterated interest in becoming full Commission members.
15. TCC13 considered the broader issue of membership was beyond the mandate of the group. However, TCC13 recommends that compliance records be considered among any criteria that could be developed for the process of considering applications for full membership. CCMs are encouraged to consult on broader issues related to the membership process prior to WCPFC14.
16. TCC13 noted the following gaps or issues in the applications for individual applicants and encourages applicants to rectify them if possible by WCPFC14:
  - a. **Ecuador** – TCC13 noted from the Secretariat that Ecuador provided its Annual Report Part 2 late which form a fundamental part of the TCC13 process. TCC13 recognised the domestic circumstances in Ecuador which contributed to this late provision and encourages Ecuador to provide its Annual Report Part 2 on time in the future.
  - b. **Mexico** – TCC13 noted that Mexico has not made an explicit commitment to accept High Seas Boardings and Inspections and that Mexico considers this requirement as not applicable. TCC13 noted that Mexico's financial

contribution has been received for 2016 and at WCPFC13 they made a commitment that they will pay their contribution fee for 2017 before 31 December 2017.

- c. **Panama** – TCC13 noted from the Secretariat that Panama provided its Annual Report Part 2 late which form a fundamental part of the TCC13 process. TCC13 recognised the domestic circumstances with Panama which contributed to this late provision and encourages Panama to provide its Annual Report Part 2 on time in the future.
- d. **Thailand** – TCC13 noted that Thailand may not have provided full historical data on fisheries activities in the Convention area pursuant to CMM 2009-11 (2)(d). Applicants for CNM status are required to include in their requests full data on its historical fisheries in the Convention Area, including nominal catches, number/type of vessels, name of fishing vessels, fishing effort and fishing areas, pursuant to CMM 2009-11(2)(d).
- e. **Vietnam** – TCC13 noted that Vietnam’s financial contribution had not yet been received during TCC13 but that Vietnam made a statement that payment was in progress.

## **Agenda Item 5 Compliance Monitoring Scheme (CMS)**

### **5.1 Independent audit or review of the CMS**

17. TCC13 noted the update of progress on the Independent Review of the CMS (TCC13-2017-10).

### **5.2 CMS Process**

18. TCC13 agreed on the proposed CMS process as outlined in TCC13-2017-12.

### **5.3 Provisional Compliance Monitoring Report (CMR) and Executive Summary**

19. TCC13 recommends to WCPFC14 the Provisional CMR for its consideration and final assessment.

### **5.4 Provide advice on the expiry of CMM 2015-07 at the end of 2017 (CMM 2015-07, paragraph 41)**

20. TCC13 noted that a majority of CCMs supported recommending to WCPFC14 that the Commission extend CMM 2015-07 for one additional year while the Independent Review completes its work. A minority of CCMs did not support this recommendation.

## **Agenda Item 6 STATUS OF FISHERIES PRESENTATION (SPC-OFP)**

21. TCC13 noted the presentation by SPC-OFP of the Status of Fisheries Presentation.

## **Agenda Item 7 SPECIAL REQUIREMENTS OF DEVELOPING STATES**

### **7.1 Monitor obligations relating to SIDS and territories – (TCC Workplan 2016-2018)**

22. TCC13 recommends to WCPFC14 that the Commission considers an approach to addressing the specific challenge of making the links between which sources of assistance can best meet SIDS and Territories' needs, and how that assistance can be systematically tracked to ensure its delivery.

## **Agenda Item 9 DATA PROVISION AND DATA GAPS**

### **9.1 Review information about scientific data provision (TCC Workplan 2016-2018)**

23. TCC13 noted the presentation by SPC-OFP of the Information Papers **TCC13-2017-IP04** and **TCC13-2017-IP05**.

## **Agenda Item 8 CORE MCS ACTIVITIES - discussion of technical issues or requirements**

### **8.1 Vessel Monitoring System (VMS)**

24. TCC13 noted the Secretariat's assessment that the following units meet the minimum standards for the Commission VMS and are capable to successfully report to the Commission VMS:

i) Model: **Triton Advance MTU**, Manufacturer: CLS OROLIA, Service Provider: CLS

ii) Model: **SkyMate I1500 VMS**, Manufacturer: SkyMate Inc., Service Provider: SkyMate Inc.

25. TCC13 agreed to recommend to the Commission the addition of the **Triton Advance MTU** and **Skymate I1500 VMS** to the WCPFC approved ALC/MTU list;

26. TCC13 noted that the Secretariat has reiterated its advice from TCC12 that three Argos units (**ARGOS – FVT**; **ARGOS – MAR-GE** and **ARGOS – MAR-GEV2**) do not meet the agreed Commission VMS requirements and the **DMR unit** is presently not able to report to the Commission VMS. TCC13 also noted that the Secretariat has advised that **ARGOS-MAR-GE V3** ALC does not meet the reporting requirement in Annex 1 of CMM 2014-02;

27. TCC13 recommends to WCPFC14 that the Commission agrees that CCMs should ensure that vessels flying their flag do not purchase, install or transfer the following VMS units – FVT, MAR GE, MAR GE V2, and MAR GE V3 (all ARGOS units) and that they be removed from the WCPFC approved ALC/MTU list. TCC13 further recommends to WCPFC14 that the Commission agrees that existing units on vessels will be allowed to continue to operate for a period to be determined by the Commission. TCC13 recommends that CCMs whose vessels use these models be prepared at WCPFC14 to provide a date certain by which these units can be fully phased out.
28. TCC13 recommends to WCPFC14 that the Commission tasks the Secretariat to coordinate, as necessary, with the VMS service provider to provide additional functionality in its "Commission VMS reporting status tool" in a web-based, exportable matrix. The new tool should separately, in addition to the data listed in the current tool, provide authorized flag CCM MCS entities each of their vessel's daily VMS-reporting status (how many position reports are transmitted by each vessel on each date), and determine and display a generic vessel status ("in port" or "at sea", for example).
29. TCC13 requested the Secretariat update as needed the 1 – 2 page information sheet that provides a guideline on WCPFC VMS requirements and that is published on the WCPFC website. The Secretariat was requested as needed to also include notation related to relevant reporting requirements and their reference.

## 8.2 Regional Observer Programme (ROP)

30. TCC13 agreed to form an intersessional working group, which will work electronically and in the margins of meetings if convenient, and report back to TCC14. The group will address the need for CCMs to obtain copies of observer reports for their vessels in a timely manner so that they may fulfil their responsibility to undertake investigations of possible violations. The group will explore ways to facilitate access to observer reports from both ROP Providers and the Secretariat, and will recommend possible improvements to the CMM for the Regional Observer Programme, the Agreed Minimum Standards and Guidelines of the Regional Observer Programme, and/or other Commission decisions. CCMs are requested to send the names and contact information for one or more participants in the working group to the Secretariat no later than **November 1, 2017**. The United States offered to lead this working group.
31. TCC13 recommends to WCPFC14 that the Commission investigates alternative funding mechanisms to deliver cross endorsement training.
32. Noting that levels of observer coverage could be improved under the ROP and that electronic monitoring can potentially supplement or complement observer monitoring, TCC13 recommends to WCPFC14 that the Commission tasks the ERandEMWG to meet early in 2018 to enable SC14 to consider how observer data obtained through electronic monitoring is to be dealt within the WCPFC context.
33. TCC13 requested the Secretariat prepare a 1 – 2 page information sheet on ROP observer programme and publish this on the WCPFC website, and requested that this clearly confirm for the information of CCMs the required reporting requirements and their reference.

## **8.2 (a) Development, improvement and implementation of the Commission's measures for observer safety and related issues (TCC Workplan 2016-2018)**

34. TCC13 recommends to WCPFC14 that the Commission amends CMM 2016-03 by deleting footnote 1 and renumbering the remaining footnotes accordingly.

## **8.2 (b) Draft E-reporting standards for observer data**

35. TCC13 recommends to WCPFC14 to consider the E-reporting standards for observer data. CCMs with additional comments were encouraged to provide them to SPC-OFP by **October 21 2017**. SPC-OFP will revise the version in advance of WCPFC14, as needed.

## **8.2 (c) CMM on Standard of Conduct for ROP Observers – Republic of Korea**

36. TCC13 noted Korea's proposal **TCC13-2017-DP04**. CCMs indicated that they need additional time to consider the proposal, and undertook to provide comments to Korea by **November 3, 2017**.

## **8.3 High Seas Transshipment Monitoring**

### **8.3 (a) 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 Workplan 2016-2018)**

37. TCC13 recommends CCMs comply with the existing data and reporting requirements under the measure. In particular, where CCMs have made a determination of impracticability, those CCMs responsible for reporting against both the offloading and receiving vessels shall "submit to the Commission a plan detailing what steps it is taking to encourage transshipment to occur in port in the future", as specified under paragraph 35(a)(v) of the transshipment measure.

38. TCC13 recommends to WCPFC14 that the Commission requires CCMs to report observer coverage achieved for their carrier vessels conducting transshipment at sea, in line with the vessel specifications outlined in paragraph 13 of CMM 2009-06, in their Annual Report Part 2.

### **8.3 (c) Draft E-reporting standards for high seas transshipment notices and declarations**

39. TCC13 noted the Secretariat's paper (**TCC13-2017-15**) presenting draft E-reporting standards for high seas transshipment declarations and notifications. CCMs with

additional comments were encouraged to provide them to the Secretariat by **November 1 2017**. The Secretariat will revise the version in advance of WCPFC14, as needed.

#### **8.4 High Seas Boarding and Inspection (HSBI)**

40. TCC13 recommends to WCPFC14 that the Commission tasks the Secretariat to make the list of vessels previously inspected under the HSBI scheme, published online at <https://www.wcpfc.int/ccm/hsbi-report> exportable in MS Excel and CSV format to authorised CCM users.

#### **8.5 Record of Fishing Vessels (RFV)**

41. TCC13 notes the concerns raised by CCMs regarding the technical lack of updates to the authorisation period on the Record of Fishing Vessels and recommends that WCPFC14 discusses this issue further. TCC13 requests that the Secretariat consider the feasibility of technical solutions to this issue in advance of WCPFC14 and provide a report out.
42. TCC13 noted the Annual Report on the RFV (**TCC13-2017-RP05\_rev1**) and noted the supplementary note from the Secretariat.

### **Agenda Item 10 INTERSESSIONAL ACTIVITIES**

#### **10.1 WCPFC13 tasked TCC13 to further consider 2016 FAD-IWG02 outcomes (WCPFC13, paragraph 601)**

43. TCC13 supported the recommendation from SC13 (**SC13 draft Summary Report, paragraph 118**) that recommends as a first step the Commission considers introducing a buoy ID scheme, and that field tests should be undertaken to determine the optimal configuration of future developments of a full marking system.
44. TCC13 recommends to WCPFC14 that the Commission notes the need for FAD data to be provided by ROP observers for all vessels involved in FAD activities, including support vessels.

#### **10.4 (a) Mantas and Mobulids**

45. TCC13 recommends to WCPFC14 that the Commission adopts the safe release guidelines for manta and mobulids (**refer to SC13 draft Summary Report, Attachment H**).

## **Agenda Item 11 REVIEW OF EXISTING CMMs INCLUDING ANY PROPOSED AMENDMENTS**

### **11.3 Sharks (CMM 2010-07, CMM 2011-04, CMM 2012-04, CMM 2013-08 & CMM 2014-05)**

#### **11.3 (a) Annual review of information reported by CCMs pursuant to these measures**

46. TCC13 notes for WCPFC14 the concerns raised by those Members conducting high seas boarding and inspections regarding the difficulty in determining compliance with CMM 2010-07 paragraph 6 and encourages further discussion to address this issue.
47. TCC13 recommends that WCPFC14 notes that despite a notable decrease in numbers since 2014, silky and oceanic white tip sharks are still retained onboard and finned in WCPFC fisheries. TCC13 also recommends that WCPFC14 consider additional measures to ensure compliance with the relevant CMMs.
48. TCC13, taking note of SC13 advice that no new information was submitted for its consideration in view of reviewing the ratio of fins to carcass weight, recommends that WCPFC14 takes note that TCC is still not able to fulfil its task in CMM 2010-07 paragraph 7.

#### **11.3 (b) Development of a comprehensive approach to shark and ray conservation and management (WCPFC13, paragraph 507)**

49. *In response to tasking by WCPFC13, TCC13 discussed technical and compliance issues associated with WCPFC shark and ray CMMs, and identified a number of issues that would benefit from further elaboration by the Commission.*

50. TCC13 recommends to WCPFC14 that the following points be considered, potentially as terms of reference for an intersessional drafting group, when working toward a comprehensive shark and ray conservation and management measure for adoption at WCPFC15 (in line with previous WCPFC guidance the term “shark” below refers to all shark and ray taxa) :
  - a. Explicit and easily understood standards for implementing full utilization, either in the form of prescribing certain handling practices, or requiring additional specific and potentially higher standards of inspection readiness and compliance reporting for those CCMs whose handling practices are more difficult to verify.
  - b. Mechanisms that would improve the coverage and availability of data and data fields that support analysis of effectiveness and verification of shark no-retention policies (e.g. improvements in monitoring programmes, such as data fields, electronic systems and coverage rates, as well as species identification tools and training for both observers and industry).



- c. A requirement to adopt guidelines for safe release for all types of protected and/or unwanted sharks within an appropriate timeframe, based on the best available science and safe release experience of CCMs' national programmes, as well as crew safety concerns, noting that the guidelines will necessarily evolve over time.
- d. Specification of whether the choice to ban either wire leaders or shark lines (under CMM 2014-05) should be at the vessel or fleet level, and the mechanism for communicating that choice to the Commission, so as to allow for accurate analysis of mitigation effectiveness.
- e. Consideration of whether additional gear or operational mitigation measures should be required or encouraged to reduce catch rates for protected or unwanted sharks taking into account operational concerns and impacts on other taxa.
- f. Clarification of which fisheries need to submit shark management plans, a list of the required contents, the required frequency of update, and a set of criteria to be used in evaluating the plans.
- g. Consolidate reporting requirements of the current shark CMMs, if possible, by for example removing references to reporting in Annual Report Parts 1 and 2 and aligning shark data reporting with other existing data reporting requirements without reducing information content.
- h. Take into account shark conservation and management schemes already implemented by CCMs for fisheries under their national jurisdiction.

51. TCC13 requests the Secretariat to prepare a draft terms of reference for development of a comprehensive shark and ray CMM based on the outcomes of discussions at SC13 and TCC13 for further consideration by WCPFC14.

#### **11.4 Sea turtles (CMM 2008-03) (a) Annual review of information reported by CCMs pursuant to this measure**

52. TCC13 noted **TCC13-2017-DP08** and requested CCMs with any comments to provide them to the United States by **October 21 2017** so that the United States can consider and prepare a revised CMM proposal as appropriate.

#### **11.5 Seabirds (CMM 2012-07/CMM 2015-03) (a) Annual review of any new information on new or existing mitigation measures or on seabird interactions from observer or other monitoring programmes.**

53. TCC13 recommends to WCPFC14 that the Commission tasks the Secretariat to consider what information could usefully be gathered around bycatch mitigation equipment and application, during transshipment processes and forward these to TCC14

for consideration to be incorporated into the transshipment process.

54. TCC13 recommends to WCPFC14 that the Commission considers incorporating data relevant to bycatch mitigation as part of any Port State Measures CMM that is adopted by the Commission.

### **11.5 (b) Proposal to amend seabirds CMM (CMM 2015-03) – New Zealand**

55. TCC13 noted **TCC13-2017-DP01\_rev2** and requested CCMs with any comments to provide them to New Zealand by **October 21 2017** so that New Zealand can consider and prepare a revised CMM proposal as appropriate.

## **Agenda Item 12 PROPOSALS FOR NEW CMMs**

### **12.4 Proposal on for new CMM on Marine Pollution – Republic of Marshall Islands**

56. TCC13 noted **TCC13-2017-DP06** from the Republic of Marshall Islands and requested that CCMs provide comments on the proposal to Republic of Marshall Islands by **November 3 2017** so that Republic of Marshall Islands can consider and prepare a revised CMM proposal for WCPFC14, as appropriate.
57. TCC13 recommended to WCPFC14 that TCC14 be “plastic bottle” free.

## **Agenda Item 13 OTHER MATTERS REQUIRING TCC ADVICE**

### **13.1 Further develop port-based initiatives as part of a suite of MCS tools (TCC Workplan 2016-2018)**

#### **13.1 (a) Further consider TCC12 recommendation to extend WCPFC Port Coordinators Programme (WCPFC13, paragraph 197)**

58. TCC13 notes for WCPFC14 that a majority of CCMs support the extension of the port coordinators program. TCC13 notes that some CCMs request that those CCMs that have participated in the program in the past provide additional reports to WCPFC14 on the outcomes, benefits, operation and implementation of expected duties of the program.

## Agenda Item 14 ADMINISTRATIVE MATTERS

### 14.2 Administration of the Data Rules and Procedures, including Report on WCPFC Security Audit 2016/17

59. TCC13 noted the report Administration of the Data Rules and Procedures (**TCC13-2017-RP07**), including Report on WCPFC Security Audit 2016/17 (**TCC13-2017-RP08**).

### 14.4 Next meeting

60. TCC13 recommends to WCPFC14 that TCC14 be held on **Wednesday 26th September – Tuesday 2nd October 2018**, and that the venue will be Pohnpei, Federated States of Micronesia.

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#### DRAFT LIST OF ATTACHMENTS FOR TCC13 DRAFT SUMMARY REPORT (note order and numbering of attachments will change)

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<b>Attachment A</b>	List of Participants
<b>Attachment B</b>	Opening Statements - ED
<b>Attachment C</b>	TCC13 Agenda – as adopted (TCC13-2017-02_rev1 + DP06 added under agenda 12)