



**COMMISSION
FOURTEENTH REGULAR SESSION**
Manila, Philippines
3 – 7 December 2017

INDEPENDENT AUDIT OF THE COMPLIANCE MONITORING SCHEME

**WCPFC14-2017-DP06
3 November 2017**

Paper by FFA Member CCMs



3 November 2017

Feleti P. Teo OBE
Executive Director
Western and Central Pacific Fisheries Commission
PO Box 2356, Kolonia
Federated States of Micronesia

Dear Feleti,

Independent audit of the Compliance Monitoring Scheme

I write on behalf of the 17 members of the Forum Fisheries Agency in my capacity as the Chair of the Forum Fisheries Committee.

FFA Members remain firmly committed to a Compliance Monitoring Scheme to allow Commission Members to assure each other that critical obligations under the Convention and CMMs are being implemented.

As previously advised, we're very keen to ensure that the Commission is heading in the right direction through implementation of this Scheme, and we're pleased that the independent audit commenced this year. We sincerely thank the Panel members Professor Don MacKay, Christopher Rogers and Andrew Wright for actively progressing this work to date.

FFA Members take this opportunity to raise key concerns that will need to be captured in the audit and addressed going forward in a strengthened CMS measure and processes:

- (i) **Reporting burden** – we note that some of the written reporting obligations are duplicative. In particular, essential scientific information is already provided in April each year in response to obligations under the Scientific Data rules. The same data is required to be provided in the Part 1 Annual Report by a specific deadline; and some FFA Members have been rated Non-Compliant for having missed this reporting deadline despite having submitted the same information in April.

At TCC13, FFA Members proposed that the essential scientific information already provided earlier in the year must be recognised as meeting the obligation to provide such data. In addition, there must be improved access to data already made available to the Commission.

Submitting duplicative information is unnecessary, as well as burdensome on small SIDS administrations, and it does not make sense to highlight technical breaches by the SIDS CCMs who supply the majority of the data held by the Commission.

- (ii) **Observer reports** – FFA Members note the ongoing challenge between flag States and observer providers to facilitate the provision of observer reports, and underline that there is a joint responsibility to resolve this, noting that this is a primary source of evidence and that several cases relate to the safety of our observers.

We strongly encourage flag States and observer providers to find a way forward through continued dialogue, including flag States providing advice to FFA members or directly to observer providers at WCPFC14 on whom they are awaiting reports from as well as exploring a longer term solution to strengthen these relationships - whether this be through an arrangement between the flag State and an observer provider, individually or collectively.

- (iii) **Responses to non-compliance** – FFA Members view this as a critical piece of the puzzle in the CMS, and note that this work is outstanding according to the current measure. It is important for the revised measure to include a clear process for how this work is to be developed. We reiterate our views to WCPFC13 in DP12 that our preferred approach for the CMS is that it is positive and proactive to assist Members to improve compliance, rather than punitive.
- (iv) **Expiry of the measure** – FFA Members strongly believe that the current assessment process is unsustainable and this issue must be addressed.

FFA Members are prepared to agree to a rollover of the current measure for one year based on the following conditions:

- that far less time, preferably 1 day, is given to the CMR process at TCC14 to assess a much-reduced and high-priority set of CMMs, namely the *Record of Fishing Vessels, Vessel Monitoring System, Regional Observer Programme, Transshipment, Tropical Tuna, South Pacific Albacore, Pacific Bluefin Tuna, Scientific Data rules* (see attached). This would allow for a reasonable amount of time to prioritise work on a revised CMS measure, taking into account the recommendations of the independent review; and
- that the duplicative reporting burden specific to scientific data is addressed at this Commission meeting as highlighted above in paragraph (i).

FFA members look forward to discussions of our views at the meeting in Manila. We would welcome any inquiries, which should be directed to the FFA Secretariat (manu.tupou-roosen@ffa.int and pamela.maru@ffa.int).

Yours sincerely



Jenny Baldwin

Chair
Forum Fisheries Committee

LIST OF CMMS TO BE REVIEWED IN COMPLIANCE MONITORING REPORTS

Obligations to be assessed, against relevant sections of the CMS CMM

Sci Data 1-3 & 5 (catch est, active vessels, op data, size data)

SciData 01 vi
SciData 01 vii
SciData 02 vi
SciData 02 vii
SciData 03 vi
SciData 03 vii
SciData 05 vi
SciData 05 vii

2016-04 PBF

2016-04 Pacific Bluefin (rebuilding plan)
CMM 2016-04 03 (1) i
CMM 2016-04 03 (2) i
CMM 2016-04 04 i
CMM 2016-04 06 ii
CMM 2016-04 12 ii

2007-01 ROP6

CMM 2007-01 07 v
CMM 2007-01 10 v
CMM 2007-01 13 v
CMM 2007-01 14 (vii) v
CMM 2007-01 Attachment K Annex C 06 v
CMM 2007-01 Attachment K Annex C 06 vii

2009-06 Transshipment

CMM 2009-06 11 ii
CMM 2009-06 11 vii
CMM 2009-06 13 v
CMM 2009-06 29 i
CMM 2009-06 34 i
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

2013-10 & 2014-03 RFV & RFV SSPs

CMM 2013-10 02 v
CMM 2013-10 03 v
CMM 2013-10 04 v
CMM 2013-10 07 v
CMM 2013-10 07 vii
CMM 2013-10 09 v
CMM 2013-10 09 vii
CMM 2013-10 16 v
CMM 2013-10 17 v
CMM 2014-03 02 v

2014-02 VMS

CMM 2014-02 04 v
CMM 2014-02 9a v
CMM 2014-02 9a VMS SSPs 2.8 v
CMM 2014-02 9a VMS SSPs 7.2.2 v
CMM 2014-02 9a VMS SSPs 7.2.2 vii

2015-02 SP Albacore

CMM 2015-02 01 i
CMM 2015-02 04 ii

2016-01 Tropical Tuna

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 18 i
CMM 2016-01 18 iv
CMM 2016-01 19 ii
CMM 2016-01 20 collective
CMM 2016-01 22 i
CMM 2016-01 23 i
CMM 2016-02 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 i
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
CMM 2016-01 Att C 10 i