



TECHNICAL AND COMPLIANCE COMMITTEE
Fourteenth Regular Session
26 September – 2 October 2018
Majuro, Republic of Marshall Islands

**INTERSESSIONAL ACTIVITY REPORT FROM SPECIAL REQUIREMENTS FUND IWG
OF THE FAC**

WCPFC-TCC14-2018-12
31 August 2018

Paper submitted by the Chair of the SRF-IWG of the FAC

Purpose

1. To discuss development of the Strategic Investment Plan and how it relates to the Compliance Monitoring Scheme/TCC deliberations.

Background

2. The Western and Central Pacific Fisheries Commission (WCPFC), at its 14th meeting in Manila, Philippines, agreed that the Special Requirements Fund (SRF) Intersessional Working Group of the Finance and Administration Committee (FAC) would continue in 2018 to develop a Strategic Investment Plan, for approval by WCPFC15. The purpose of the Strategic Investment Plan is to match capacity and capability requirements of developing states and territories with appropriate investment strategies so they can be progressed in an initial 3-year trial period.
3. The objectives of the Strategic Investment Plan are to support the:
 - effective input and participation of member developing states and territories in the meetings of the Commission; and
 - development of management and technical capability and capacity in developing states and territories to enable them to implement WCPFC Conservation and Management Measures (CMMs) and other obligations.

Developments since WCPFC14

4. In order to facilitate this work, the Chair of the SRF IWG engaged the help of a research assistant to undertake some background research to feed into deliberations by FFA and the SRF IWG. The research identified:
 - already recorded capacity needs of developing states/territories through the WCPFC processes (see Summary at [Attachment A](#)); and
 - the range of funding options and their accessibility criteria currently available to fill these capacity needs, within the provisions of the WCPFC and externally.

5. The following donors/programs were assessed as being applicable to developing countries implementing WCPFC provisions (note this is not an exhaustive list, but just one created by the researcher based on open source information):

- Australia: various programs
- Chinese Taipei Trust Fund (WCPFC CTTF)
- European Union: Pacific-European Union Marine Partnership (PEUMP)
- FAO GEF: Sustainable Management of Tuna Fisheries and Biodiversity Conservation of Areas Beyond National Jurisdiction (ABNJ project)
- FFA: various programs
- GEF/UNDP/FAO Pacific Islands Oceanic Fisheries Management Project II (OFMP 2)
- Japan Trust Fund (WCPFC JTF)
- New Zealand: various programs
- World Bank/GEF: Pacific Islands Regional Oceanscape Program (PROP)
- US: various programs
- WCPFC: Special Requirements Fund (SRF)

6. An analysis of priority capacity needs against available funding sources presents the following outcomes:

Thematic capacity needs	Rank 1 = highest; 18 = lowest priority	Funding support available
17. Disproportionate burden & economic development	1	Australia, the EU, ABNJ project, FFA, OFMP2, NZ, PROP, US and the SRF
3. Capacity to understand, evaluate and implement harvest strategies	2	Australia, the EU, ABNJ project, FFA, OFMP2, NZ, PROP, US, the SRF and SPC
11. Capacity to collect data and meet reporting obligations	3	All donors
16. Capacity to establish and implement other MCS & enforcement measures	4	All donors
18. Additional capacity building needs	5	All donors – except meeting support
2. Capacity to implement legal and policy aspects of managing fishing authorisations/licensing & related issues	6	Australia, the EU, ABNJ project, FFA, OFMP2, Japan, NZ, PROP, US and the SRF
4. Capacity to regulate, implement, monitor and enforce tropical tuna measures	7	Australia, the EU, FFA, OFMP2, Japan, NZ, PROP, US and the SRF
15. Capacity to establish, implement and enforce port State measures	8	All donors
1. Capacity to understand and effectively implement technical & operational aspects of managing fishing authorisations/licensing and related requirements	9	Australia, the EU, ABNJ project, FFA, OFMP2, Japan, NZ, PROP, US and the SRF
5. Capacity to regulate, implement, monitor and enforce rules related to albacore and Pacific Bluefin tuna	10	Australia, the EU, FFA, OFMP2, NZ, PROP and the SRF
13. Capacity to regulate, monitor and enforce rules relating to transshipment	11	All donors

14. Capacity needs relating to the administration, training, provision and work of observers, including in relation to the Regional Observer Program (ROP).	12	All donors
9. Purse seine rules relating to non-target species	13	Australia, the EU, ABNJ project, FFA, OFMP2, NZ, PROP and the SRF
12. Capacity to implement and use vessel monitoring system	13	All donors
8. Capacity to implement rules relating to other non-target species	15	Australia, the EU, ABNJ project, FFA, OFMP2, NZ, PROP and the SRF
7. Capacity to regulate, implement, monitor and enforce rules relating to sharks	16	Australia, the EU, ABNJ project, FFA, OFMP2, NZ, PROP and the SRF
6. Capacity to implement rules relating to billfish species	17	Australia, the EU, FFA, OFMP2, NZ, PROP and the SRF
10. Capacity to regulate, implement, monitor and enforce fishing gear restrictions	18	Australia, CTTF, the EU, ABNJ project, FFA, OFMP2, NZ, PROP and the SRF

7. Whilst it appears there may be coverage of the main capacity needs through existing programs, this analysis is not exhaustive and did not drill down to whether it is enough to meet the needs of all developing states requiring support, nor whether these programs are effective in addressing capacity needs as summarised.

8. Presuming the summary analysis as provided is an accurate reflection of the capacity needs and funding support, then this would form the basis of the Strategic Investment Plan, with two overarching priority gaps identified:

- a. Capacity requirements that arise out of TCC deliberations; and
- b. Capacity to effectively participate in the WCPFC, including to the extent that participation supports the development of technical capacity.

9. In considering these priority areas, the Working Group will develop a list of possible funding sources (including consideration of the Special Requirements Fund) and the FAC will make recommendations to the Commission as appropriate.

Recommendation

10. TCC is invited to:

- a. consider the analysis of capacity needs and funding provided at paragraph 6 and provide feedback to the SRF IWG Chair (through Australia) on any gaps or experience that would impact the overall assessment; and
- b. consider what capacity needs need to be added for priority support as a result of TCC deliberations and advise the SRF IWG Chair accordingly.

ATTACHMENT A: Capacity needs – explanatory table

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
1. Capacity to understand and effectively implement technical & operational aspects of managing fishing authorisations/licensing and related requirements <i>(continued over page)</i>	<ul style="list-style-type: none"> Marking requirements, including ITU Radio Call Signs (IRCS); Monitoring and enforcement of marking requirements. 	None			2004-03 Specifications for the Marking and Identification of Fishing Vessels; Convention Annex III Art.6(3) Vessel marking	
	<ul style="list-style-type: none"> Reporting obligations 	None			2009-09 Vessels without nationality	
	<ul style="list-style-type: none"> Reporting requirements to assist the preparation of the IUU list (CMM 2010-06 para2, 4, 5); CMMS' duties regarding vessels on the IUU list. 	In 2017 (CMR 2017) 1 CCM was found to be non-compliant with CMM 2010-06 para 22, and one FFA CCM sought assistance in relation to para 22.	Mexico Vanuatu	CMM 2010-06 2017 CMR 2017 CDP	2010-06 [2007-03] IUU List	CMM 2010-06 para 22: a duty to act under IPOA-IUU regarding prohibited actions or operations by or involving IUU vessels and to exchange information.
	<ul style="list-style-type: none"> Understand unique vessel identifiers (UVIs), IMO Ship Identification Number Scheme, FAO Global Record; Understand and apply flag State obligations re IMO or LR numbers; Capacity to provide information required for the RFV. 	Nil.		CMM 2013-04	2013-04 [2009-01] WCPFC implementation of a unique vessel identifier (UVI)	

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
1. Capacity to understand and effectively implement technical & operational aspects of managing fishing authorisation/licensing and related requirements (<i>continued from previous page</i>)	<ul style="list-style-type: none"> • Use & interpretation of the RFV (CMM para1); • Reporting requirements (CMM para2); • Data submission requirements (CMM para3). 	<p>CMM 2013-06 assessment: "the Secretariat will maintain its usual forms of support and assistance to all CCMs for implementation of the RFV SSPs".</p> <p>2 CCMs non-compliant and/or repeatedly at risk of non-compliance with CMM 014-03 para 2 in 2016 (2017 CMR). Similar findings for 2015 (2016 CMR) for 9 CCMs.</p>	<p>Kiribati PNG Indonesia Philippines Liberia China Ecuador Panama Thailand</p>	<p>CMM 2014-03 WCPFC11-2014-22; 2017 CMR 2017CDP 2016 CMR 2016 CDP</p>	<p>2014-03 [2013-03] Standards, Specifications and Procedures for the WCPFC Record of Fishing Vessels</p>	<p>CMM 2014-03 para 2 establishes an obligation to submit complete vessel record data and vessel photographs in accordance with prescribed structure and format</p>
	<ul style="list-style-type: none"> • Charter notification requirements (CMM paras 2-4); • Understand charter, effort and catch attribution rules (CMM para7). 	<p>CMM 2013-06 assessment noted that the CMM would have benefits to SIDS subject to the "proper implementation of charter arrangements"</p>		<p>CMM 2016-05; WCPFC13-2016- DP25 (Japan)</p>	<p>2016-05 [2015-05] [2012-05] Charter Notification Scheme</p>	
	<ul style="list-style-type: none"> • "Effectively exercise [flag State] responsibilities"; • Licensing and authorisation rules (A.1); • Transshipment and bunkering rules (A.2; D); • Ownership, beneficial ownership of, financial interests in, vessels (A.1(f)); • High seas authorisations (A.4); • Domestic registers and obligations to WCPFC (B); • Duties regarding WCPFC record of vessels (C). 	<p>CMM 2013-06 assessment anticipated minimal impact as the proposal focused on the impact of a Samoa-related amendment. No assessment done for CMM 2013-10.</p> <p>3 CCMs were found to have been non-compliant with CMM 2013-10 paras 3, 9 and/or 16 in 2015 (CMR 2016), 1 of which was repeatedly at risk of non-compliance.</p>	<p>Ecuador Liberia Thailand</p>	<p>CMM 2017-05; WCPFC14- DP10_rev3 (FFA); 2016 CMR; 2016 CDP.</p>	<p>2017-05 [2013-10] WCPFC Record of fishing vessels and authorisation to fish; Convention Art. 24(2), (3) & Annex III Authorisations to fish; & Art. 24(4), (5), Annex IV Record of fishing vessels.</p>	<p>CMM 2013-10 & 2017-05: para 3: flag State CCMs not to allow its vessels to fish on the high seas without appropriate authorisation; Para 9: flag State CCMs to submit a list of all of its flagged vessels on its RFV; Para 16: CCMs to review actions and measures taken pursuant to para 1 (authorisations to fish)</p>

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
2. Capacity to implement legal and policy aspects of managing fishing authorisations/licensing & related issues	<ul style="list-style-type: none"> National legislation consistent with vessel marking requirements in CMM 2004-03 (para 2.1.3) 	None			2004-03 Specifications for the Marking and Identification of Fishing Vessels	
	<ul style="list-style-type: none"> Enact domestic legislation to address vessels without nationality, as per CMM 2009-09 	None		CMM 2009-09	2009-09 Vessels without nationality	
	<ul style="list-style-type: none"> Understand what constitutes IUU fishing in accordance with this CMM and the IPOA-IUU; Understand obligations of CCMs with vessels on the IUU list; Enact IUU-related domestic legislation consistent with this CMM; Understand rights of CCMs with vessels on the IUU list, including in relation to modifications to list. 	1 CCM was found to be non-compliant with CMM para 22 in 2016	Vanuatu Tuvalu	CMM 2010-06 2017 CMR 2017 CDP	2010-06 [2007-03] Measure to establish a list of vessels presumed to have carried out illegal, unreported and unregulated fishing activities in the WCPO	CMM 2010-06 para 22 establishes a duty to take action under IPOA-IUU regarding prohibited actions or operations by or involving IUU vessels and to exchange information on false import/export certificates from IUU vessels

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
3. Capacity to understand, evaluate and implement harvest strategies	<ul style="list-style-type: none"> Capacity need for development and implementation of individual harvest strategies: e.g. Participation in technical workshops (CMM 2014-06 para 11); Assessing impact of TRP and LRP proposals on their fisheries interests (i.e. on fisheries in areas under national jurisdiction and on their fleets); Understanding and interpreting MSEs and trade-offs. 	2013-06 assessment notes that the proposal itself places no burdens, but that application down the track will have to take SIDS' special requirements into account FFA priority area of assistance: (iv) supporting the development of Harvest Strategies to improve the management of stocks on which SIDS are critically dependent.	FFA SIDS	CMM 2014-06; WCPFC11-2014-DPO9 (FFA) SIDS FFA Checklist WCPFC12-2015-DPO1 (FFA)	2014-06 Harvest strategy for key fisheries and stocks in the WCPO	
	<ul style="list-style-type: none"> Understand: implications of TRP and how the SKJ harvest strategy will affect individual SIDS' interests. 	FFA's CMM 2013-06 assessment noted "SIDS will need assistance in the further development and application of the precautionary approach to the conservation and management of WCPO skipjack tuna." Both FFA's and Japan's CMM 2013-06 assessment noted that assistance is being provided by SPC, FFA, PNAO and WCPFC and supported by Australia, GEF, Pew, WWF and the World Bank, and that this work in this area will need to continue to be recognised as a priority.	FFA SIDS	CMM 2015-06; WCPFC12-2015-DPO6 (FFA); WCPFC12-2015-DP15_rev1 (Japan);	2015-06 Target Reference Point for WCPO Skipjack Tuna	

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
4. Capacity to regulate, implement, monitor and enforce tropical tuna measures	<ul style="list-style-type: none"> • Understand: definition of a FAD; • FAD closure rules; • Catch retention and discard rules; • Catch retention and discard reporting requirements. 	None			2009-02 High Seas FAD Closures and Catch Retention	
	<ul style="list-style-type: none"> • SIDS rights and duties as coastal States and flag States in implementing the CMM 	<p>No CMM 2013-06 assessment done in 2017.</p> <p>Assessment in 2015 identified no administrative burden.</p> <p>Two CCMs were found to be non-compliant with several obligations in CMM 2014-01 in 2015 (2016 CMR) and requested assistance.</p>	Indonesia Philippines	<p>CMM 2017-01;</p> <p>WCPFC14 Summary Report para 138;</p> <p>WCPFC12-2015-DP12 (PNA & Tokelau);</p> <p>2016 CMR;</p> <p>2016 CDP.</p>	<p>2017-01</p> <p>[2016-01]</p> <p>[2015-01]</p> <p>[2014-01]</p> <p>[2013-01] Tropical tunas</p>	<p>CMM 2014-01 paras 16, 23, 24, 33, 34, 40, 44, 47 and/or 48 relate to FAD closures, purse seine limits, reporting and observer requirements, bigeye longline catch limits and other catch limits for other tropical tunas.</p>

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
5. Capacity to regulate, implement, monitor and enforce rules related to albacore and Pacific Bluefin tunas	<ul style="list-style-type: none"> Understand reporting obligations under the CMM; Meaning of "fishing effort" for the purposes of this CMM; Species identification 	Some SIDS have been found non-compliant with CMM 2005-03 para 3, which establishes a duty to report all catches of NP ALB (2016 CMR para27)	Vanuatu Tuvalu	CMM 2005-03 2016 CMR	2005-03 North Pacific Albacore	CMM 2005-03 para 3 requires CCMs to report all catches of NP ALB to the WCPFC.
	<ul style="list-style-type: none"> Understand reporting obligations under the CMM; Species identification 	CMM 2013-06 assessment anticipated no negative outcome or administrative impacts.		CMM 2015-02; WCPFC12-2015-DP04	2015-02 [2010-05] South Pacific Albacore	
	<ul style="list-style-type: none"> Understand reporting obligations under the CMM; Understand and implement catch limits; Species identification 	None. No 2013-06 assessment in WCPFC14-2017-15		CMM 2013-06; WCPFC14-2017-15	2017-08 [2016-04] [2015-04] [2014-04] [2013-09] [2012-06] [2010-04] Pacific Bluefin Tuna	

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
6. Capacity to implement rules relating to billfish species	<ul style="list-style-type: none"> Understand reporting requirements; understand and have capacity to enforce limits; Species identification 	None		CMM 2006-04	2006-04 Striped Marlin in the Southwest Pacific	
	<ul style="list-style-type: none"> Understand charter notification related provisions; Options for measures to meet catch limits; Reporting requirements; Species identification 	None		CMM 2010-01	2010-01 North Pacific Striped Marlin	
	<ul style="list-style-type: none"> Understand and implement swordfish vessel and catch limits; Vessel charter-related obligations; Reporting requirements; Species identification 	None		CMM 2009-03	2009-03 [2008-05] Swordfish	

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
7. Capacity to regulate, implement, monitor and enforce rules relating to sharks <i>(continued on next page)</i>	<ul style="list-style-type: none"> Capacity to implement IPOA-Sharks; Understand reporting requirements on implementation of IPOA-Sharks and this CMM; Understand the distinction between non-binding resolution to develop a NPOA and the reporting requirement about national implementation; Monitoring and enforcement of fin ratio and fin retention, transshipment, landing, or trading provisions; Live release provisions applying to vessels that target tuna and tuna-like species. 	CMM 2010-07 notes the Commission shall consider appropriate assistance for the implementation of the IPOA, the CMM and collection of data on retained and discarded shark catches in areas under national jurisdiction One FFA CCM sought assistance in 2017 (2017 CMR) and two CCMs were found to be non-compliant in 2015. Three CCMs non-compliant in 2016 or 2015 with paras 6 or 9	Vanuatu Indonesia Panama	CMM 2010-07 2017 CMR 2017 CDP 2016 CMR 2016 CDP	2010-07 [2009-04] Sharks	CMM 2010-07 para 6 establishes a duty to fully utilise retained sharks. Para 9 establishes a duty to prohibit retention, transshipment, landing or trading in fins harvested in contravention of this CMM
	<ul style="list-style-type: none"> Capacity of observers and authorised officers to monitor and enforce this CMM; Understand charter notification-related provisions; Data collection and reporting requirements; Implement guidelines on safe release; Responsibilities of observers to collect biological samples; Species identification. 	None identified in CMM but notes that "The Commission shall consider the special needs of SIDS and Territories, including supplying species identification guides for their fleets and develop guidelines and training for the safe release of sharks" (para4). Two CCMs were found to be non-compliant, repeatedly at risk of non-compliance, or had requested assistance in 2015 (2016 CMR) in relation to CMM 2011-04 para 3.	FSM Ecuador Indonesia	CMM 2011-04 2016 CMR 2016 CDP	2011-04 Oceanic Whitetip Shark	CMM 2011-04 para 3 establishes a duty to estimate number of releases of oceanic whitetip sharks.

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
7. Capacity to regulate, implement, monitor and enforce rules relating to sharks <i>(continued from previous page)</i>	<ul style="list-style-type: none"> Understand obligation to release; Data collection and reporting obligations; Rights and duties of observers to take biological samples. 	<p>CMM 2013-08 states that the Commission shall consider the special needs of SIDS, including supplying species identification guides for their fleets and develop guidelines and training for the safe release of sharks.</p> <p>Four CCMs non-compliant in 2015 (2016 CMR) with CMM para 1 and/or para 3, and 1 was compliant but had identified assistance required in the 2016 CDP</p>	<p>FSM Indonesia Panama Thailand Ecuador</p>	<p>CMM 2013-08 2016 CMR 2016 CDP</p>	<p>2013-08 Silky Sharks</p>	<p>CMM 2013-08 para 1 requires flag and charter vessels to release silky sharks as soon as possible.</p> <p>Para 3 establishes a duty to collect and report data on silky shark releases in the WCPFC-CA</p>
	<ul style="list-style-type: none"> Observers and authorised officers may need training to enforce this CMM; For vessels targeting sharks, capacity to develop management plan for the fishery that includes measures such as a licence and a TAC or other measure to limit the catch of shark to acceptable levels. 	<p>2013-06 assessment anticipated an acceptable negative outcomes impact (ie: reduced attractiveness of EEZs of high seas but balanced by improved sustainability) and noted that flag state SIDS will need to implement legislative change, and SIDS more generally will require additional enforcement capability to assess compliance.</p>	<p>SIDS</p>	<p>CMM 2014-05; WCPFC11-2014-DP03 (FFA)</p>	<p>2014-05 Sharks</p>	
	<ul style="list-style-type: none"> Capacity to develop and implement shark NPOAs 	<p>FFA priority area of assistance: (viii) development of Seabird NPOAs and Shark NPOAs;</p>	<p>FFA SIDS</p>	<p>SIDS FFA Checklist WCPFC12-2015-DP01</p>	<p>2014-05; 2013-08; 2011-04; 2010-07 [2009-04] Sharks</p>	<p>Identified by FFA as an ongoing issue</p>

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
8. Capacity to implement rules relating to other non-target species	<ul style="list-style-type: none"> Understanding by vessel operators, captains and crew, and observers and authorised inspectors, of FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations; Resuscitation and release; Mitigation and handling techniques; Purse seine- and longline-related obligations; Understanding by CMMs of reporting requirements 	CMM notes that SRF resources should be made available to SIDS to implement the FAO Guidelines and for fisher training. Some CCMs have been found to be non-compliant with CMM para 2 (2016 CMR)	FSM Ecuador (Indonesia & FSM requested support in 2016)		2008-03 Sea Turtles	CMM 2008-03 para 2 establishes an obligation to report on implementation of the FAO Guidelines and this CMM
	<ul style="list-style-type: none"> Capacity to develop and implement seabird NPOAs 	FFA priority area of assistance: (viii) development of Seabird NPOAs; CMM 2013-06 assessment noted that, if SIDS apply these measures, technical assistance may be required to implement CMM 2017-06 One CCM, while compliant, identified capacity assistance needs in relation to CMM 2012-07 para 4 in 2016 (2017 CMR), and one was non-compliant and found to be repeatedly at risk of non-compliance in 2015 (2016 CMR) with the same obligation.	All FFA SIDS; CMR compliance issues relating to Vanuatu & Wallis & Futuna	SIDS FFA Checklist WCPFC12-2015-DP01 CMM 2017-06; WCPFC14-2017-05	2017-06 [2015-03] [2012-07] Seabirds	Identified by FFA as an ongoing need; CMM 2012-07 para 9 requires vessels to report annually on seabird interactions in accordance with reporting guidelines

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
9. Purse seine rules relating to non-target species	<ul style="list-style-type: none"> Capacity of observers and authorised officers to monitor and enforce this CMM; Capacity of vessel operators, captain and crew to meet obligations in relation to unintentionally encircled cetaceans; Reporting requirements; Species identification. 	None		CMM 2011-03	2011-03 Protection of cetaceans from purse seine fishing operations	
	<ul style="list-style-type: none"> Capacity of observers and authorised officers to monitor and enforce this CMM; Capacity of vessel operators, master and crew to meeting obligations in relation to whale sharks not deliberately encircled; Reporting requirements. 	One SIDS CCM requested assistance (2017 CMR) in relation to CMM 2012-04 para 1.	FSM	CMM 2012-04 2017 CMR 2017 CDP	2012-04 Protection of Whale Sharks from Purse Seine Fishing Operations	CMM 2012-04 para 1 prohibits purse seine sets on tuna associated with a sighted whale shark

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
10. Capacity to regulate, implement, monitor and enforce fishing gear restrictions	<ul style="list-style-type: none"> Understand, monitor and enforce rules relating to large scale driftnets Understand reporting requirements relating to large scale driftnets. 	None		CMM 2008-04	2008-04 Prohibition of the Use of Large Scale Driftnets on the High Seas in the CA	
	<ul style="list-style-type: none"> Understand, monitor and enforce rules relating to data buoys; Understand definition of data buoy; Reporting requirements. 	None		CMM 2009-05	2009-05 Prohibition of fishing on data buoys	

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
11. Capacity to collect data and meet reporting obligations	<ul style="list-style-type: none"> CCMs and masters of vessels flying their flag understand log and reporting requirements each day spent on the high seas. 	One CCM was found to be non-compliant with CMM para 2 in 2016 and one was non-compliant with paras 1 & 2; CMM 2013-07 (para 5c) notes need for technical training and assistance in data collection.	FSM Ecuador	CMM 2013-05 2017 CMR 2017 CDP 2016 CMR 2016 CDP CMM 2013-07 Special requirements of developing states	2013-05 Daily catch and effort reporting 2016-05 Charter notification scheme	CMM 2013-05 para 1 establishes a duty that all vessels in the CA must complete accurate daily log for each day on the high seas. Para 2 sets out minimum daily information requirements.
	<ul style="list-style-type: none"> Comply with scientific data provision requirements and standards 	In 2016 (2017 CMR) one developing CCM was found to be non-compliant with SciData03 and one was non-compliant with SciData05.	Indonesia Ecuador	2017 CMR	SciData (WCPFC13 Summary Report Att.G)	SciData03 Operational Level Catch and Effort Data; SciData05 Size composition.
	<ul style="list-style-type: none"> Capacity to implement IMS, Eastern High Seas Pocket (E-HSP) reporting, transshipment reporting and CDS implementation 	FFA priority area of assistance: (viii) building the capacity of SIDS' nationals to develop and implement the IMS at a national level, including to implement E-HSP reporting and transshipment reporting, CDS development.	FFA SIDS	SIDS FFA Checklist WCPFC12-2015-DP01	2016-02 [2010-02]; E-HSP Special Management Area; 2013-05 Daily catch and effort reporting 2016-05 Charter notification scheme	FFA notes this has been initiated through 2016 indicative budget for CDS workshop
	<ul style="list-style-type: none"> Access to, and interpretation and use of, catch and effort data for scientific advice and MCS 	FFA priority area of assistance: (i) providing operational level catch & effort data. CMM 2013-07 (para 5c) technical training in scientific research, stock assessment, bycatch mitigation, fisheries administration & bioeconomic analysis; In 2016 (CMR 2017) one SIDS CCM	SIDS	SIDS FFA Checklist WCPFC12-2015-DP01 CMM 2013-07 Special requirements of developing states	2017-01; Tropical tunas; 2015-02; South Pacific Albacore 2005-03 North Pacific Albacore; Convention Art.23(2)(a) & UNFSA Annex 1.	

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
12. Capacity to implement and use vessel monitoring scheme (<i>continued on next page</i>)	<ul style="list-style-type: none"> Understand flag state obligations regarding VMS; Nature and specifications of the VMS, including minimum standards, and how to implement any rules and standards developed by the Commission (CMM 2014-02 para7) and minimum standards for ALCs (CMM 2014-02 Annex 1); Comply with VMS SSPs; Interpretation of VMS data. 	CMM 2013-06 assessment anticipated no negative impacts on SIDS. In 2016 (CMR 2017) and/or 2015 (CMR 2016) 5 CCMs were found to be non-compliant, repeatedly at risk of non-compliance and/or sought assistance in relation to CMM para 9a, VMS SSP 2.8 & 7.2.2, and/or Convention Articles 24(3) and 25(2)	Tuvalu ¹ Vanuatu Indonesia Philippines Ecuador	CMM 2014-02; WCPFC 11-DP02_rev1 (US); 2017 CDP; 2017 CDP; 2016 CDP; 2016 CDP.	2014-02 [2011-02] [2007-02] Vessel monitoring scheme; Convention Arts 24(3) & 25(2); VMS SSPs (WCPFC13 Summary Report Att.R)	CMM 2014-02 para 9(a) requires all flag CCMs to comply with VMS requirements on the high seas and have and use ALCs. VMS SSP 2.8: Requirements to provide prescribed vessel data; VMS SSP 7.2.2: Requirements to conduct and report on ALC inspections; Convention Art 24(3): duty to hold authorisation for fishing in areas under and beyond national jurisdiction Art 25(2): duty to investigate alleged violations of CMMs .
	<ul style="list-style-type: none"> Understand reporting, vessel 'live list' obligations (CMM paras 2, 3); VMS operation and interpretation; WCPFC's Rules and Procedures for the Protection, Access to, and Dissemination of High Seas Non-Public Domain Data and Information (CMM 2016-02 para 3). 	2013-06 assessment: SIDS will need assistance monitoring HSAs and financial and human capacity to ensure these measures are obeyed. Assistance to combat IUU fishing is a high priority and already being provided by FFA and WCPFC. 4 CCMs found non-compliant with CMM para 2 in 2015 (2016 CMR).	Cook Islands Fiji Kiribati Panama	CMM 2016-02; WCPFC13-2016-DP14; 2016 CMR 2016 CDP	2016-02 [2010-02]	CMM 2010-02 para 2 requires vessels to submit reports at least 6 hours prior to entering and exiting the E-HSP, in accordance with prescribed format.

¹ Note 'capacity assistance needed' status for the last 2 years in the CMR re MTU audit/inspection capacity

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
12. Capacity to implement and use vessel monitoring scheme (<i>continued from previous page</i>)	<ul style="list-style-type: none"> Capacity to use, inspect & audit VMS MTUs Obligations of vessel master regarding inspection of ALC; 	FFA priority area of assistance: (ix) assistance to train national VMS MTU inspectors/audits.	FFA SIDS	SIDS FFA Checklist WCPFC12-2015-DP01	2006-08; Boarding & Inspection Procedures; 2014-02 [2011-02] Vessel monitoring scheme [2007-02]; Convention Art. 26 boarding & inspection; VMS SSPs	Identified by FFA as an ongoing issue

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
13. Capacity to regulate, monitor and enforce rules relating to transshipment	<ul style="list-style-type: none"> • Understand: transshipment regulations for purse seiners, longliners and other vessels; • Reporting requirements, including Transshipment Notifications, Declarations, and annual summaries; • Charter notification related rules; • Observer requirements for transshipment at sea; • Rules relating to non-CCMs; • Rules relating to exemptions; 	None identified but CMM notes that "The Commission shall provide appropriate financial and technical assistance to developing states, in particular small island developing states, in the implementation of this Measure..." (para18). Some CCMs have been found to be non-compliant or repeatedly at risk of non-compliance with paras 11, 34, 35(a)(iii)&(iv) in 2016 and/or 2015.	Kiribati Vanuatu Ecuador Panama China	CMM 2009-06 2017 CMR 2017 CDP 2016 CMR 2016 CDP	2009-06 Regulation of Transshipment; Convention Art. 29, Annex III Art. 4 Transshipment	CMM 2009-06 obligations against which CCMs have been found non-compliant include: Para 11: Transshipment reporting. Para 34: High seas transshipment ban for non purse seine vessels; Para 35(a)(ii): Duty to indicate to which vessels exemption determinations apply for high seas transshipments. Para 35(a)(iii): Notification of high seas transshipments. Para 35(a)(iv): Duty to provide Transshipment Declaration

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
14. Capacity needs relating to the administration, training, provision and work of observers, including in relation to the Regional Observer Program (ROP). <i>(continued on next page)</i>	<ul style="list-style-type: none"> Understand rights and duties of observers, including compliance with a code of conduct 	CMM 2006-07 identifies need for training and certification of observers, and on operational & procedural aspects of the ROP		CMM 2006-07	2006-07 Regional Observer Program - procedures for establishment	
	<ul style="list-style-type: none"> Understand: obligations of CCMs, observers and vessel operators and captains; Obligations regarding data security and confidentiality; Rights & responsibilities of observers & vessel operators, captains and crew. 	In 2016 (2017 CMR) and/or 2015 (2016 CMR), some SIDS and other developing countries were found non-compliant, or repeatedly at risk of non-compliance, with CMM 2013-07 (para 5b) notes the need for support to regional or sub-regional training programs for observers.	FSM Tuvalu Vanuatu China (Indonesia also sought assistance in 2016)	CMM 2007-01 2017 CMR 2017 CDP 2016 CMR 2016 CDP CMM 2013-07 Special requirements of SIDS	2007-01 Regional Observer Program; Convention Art. 28 & Annex III Art. 3.	CMM 2007-01 Attachment K, Annex C, para 6 requires CCM-flagged vessels in each WCPFC fishery to achieve 5% observer coverage (by effort), with some exemptions.
	<ul style="list-style-type: none"> Understand observer responsibilities in relation to this CMM 			CMM 2012-03	2012-03 Implementing a Regional Observer Program by Vessels Fishing for Fresh Fish North of 20degN	

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
14. Capacity needs relating to the administration, training, provision and work of observers, including in relation to the Regional Observer Program (ROP). <i>(continued from previous page)</i>	<ul style="list-style-type: none"> • Rights and responsibilities of observers and observer providers under CMM 2017-03 (para11); • Operational and investigation procedures or standards that should be met by flag state and vessel; • Obligations of high seas boarding and inspection vessels (para 12). 	None identified in CMM and no CMM 2013-06 assessment done.		CMM 2017-03; WCPFC14-2017-DP21	2017-03 [2016-03] Protection of WCPFC ROP observers 2017-07 Compliance monitoring scheme	
	<ul style="list-style-type: none"> • Observer training; longline observer coverage 	FFA priority area of assistance	FFA SIDS	FFA SIDS Checklist (WCPFC12-2015-DP01)	2017-03; [2016-03]; 2012-03; 2007-01; 2006-07 Regional observer program	Identified by FFA as an ongoing issue

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
15. Capacity to establish, implement and enforce port State measures	<ul style="list-style-type: none"> Understand port State CCMs' obligations regarding publication of port State measures (CMM 2017-02 paras 19-21); Develop legal and policy basis for port State measures; Process for designating a port, and notifying WCPFC (CMM paras 6-7); Coordinate implementation with international mechanisms; Port inspection rights, responsibilities and procedures (CMM paras 9-18); MCS and enforcement capacity 	2013-06 assessment noted that specific areas of assistance are listed in paragraphs 22 through 27 of CMM 2017-02, but that additional human and financial resources will be needed in particular, to undertake and report on port inspections.	Port state developing CCMs	CMM 2017-02; WCPFC14-2017-DP12_rev4 (FFA/Japan)	2017-02 Port State Minimum Standards; Convention Art. 27 port state measures	
	<ul style="list-style-type: none"> Capacity to implement port state measures 	FFA Priority area of assistance: (vii) ensure resourcing to strengthen the capacity of SIDS to undertake port State controls;	FFA SIDS	SIDS FFA Checklist WCPFC12-2015-DP01	2017-02; Port State Minimum Standards; 2009-10 Monitoring landings of purse seine vessels at non-CCM ports so as to ensure reliable catch data by species	Initial assistance attempts made through trial of Port Coordinators programme

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
16. Capacity to establish and implement other MCS & enforcement measures	<ul style="list-style-type: none"> Understand high seas boarding and inspection rights, obligations and procedures; Training of authorised inspectors; Adoption of national laws consistent with this CMM; Understand meaning of serious violation; reporting requirements; Procedures for settling disagreements. 	CMM 2013-07 notes the need for MCS Training	SIDS	CMM 2006-08 CMM 2013-07	2006-08 Boarding & Inspection Procedures	
	<ul style="list-style-type: none"> Capacity to use, inspect & audit VMS MTUs. 	FFA priority area of assistance.	FFA SIDS	SIDS FFA Checklist (WCPFC12-2015-DPO1)	2006-08 Boarding & Inspection Procedures; 2014-02 [2011-02] [2007-02] Vessel monitoring scheme	Identified by FFA as an ongoing issue
	<ul style="list-style-type: none"> Participate effectively in the Technical & Compliance Committee (TCC) 				Convention Art.14 TCC	
	<ul style="list-style-type: none"> Carry out flag state investigations and complete investigation status reports as required 	CMM 2017-07 notes that CCMs may not be able to complete investigation status reports under the compliance monitoring scheme (CMS).	Flag States		2017-07 CMS; Convention Arts 23(5) & 25(2) obligation to investigate alleged violation	

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
17. Disproportionate burden & economic development	<ul style="list-style-type: none"> Capacity to assess disproportionate burden arising from proposed CMMs. 	Capacity needs identified in WCPFC11-2014-11_rev1 include: <ul style="list-style-type: none"> assessment of CMMs with respect to disproportionate burden impacts, methods for the identification and calculation by a CCM of the impact of a proposed CMM on itself 	SIDS	CMM 2013-06; WCPFC11-2014-11_rev1 Report from Chair on Implementation of CMM 2013-06 and Disproportionate Burden Workshop, paras 55-56.	2013-06 Disproportionate burden	
	<ul style="list-style-type: none"> Support for development, evaluation and implementation of industry development policies and investment proposals 	FFA assistance for increased commercialism of tuna fisheries and related industries; CMM 2013-07 (para12) notes the need for "technical and economic support to assist SIDS and territories in the region to achieve the objective of maximising benefits from the development of their fisheries resources".	SIDS	FFA SIDS Checklist WCPFC12-2015-DP01 CMM 2013-07	All; 2013-06; Disproportionate burden; 2013-07 Special Requirements of SIDS	

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
18. Additional capacity building needs (continued on next page)	<ul style="list-style-type: none"> Non-specific 	In 2016 (2017 CMR) one CCM was found non-compliant with Convention Art 23(2)(c) and repeatedly at risk of potential non-compliance; CMM 2013-07 identifies: capacity building needs, including: <ul style="list-style-type: none"> individual training; technology transfers & scientific capacity; implementation of Commission obligations. 	Wallis & Futuna SIDS	2017 CMR; CMM 2013-07	2013-07 Special requirements of SIDS	Convention Art 23(2)(c): obligation to advise the Commission as required on steps taken to implement CMMs.
	<ul style="list-style-type: none"> Capacity to effectively participate in the WCPFC, including to the extent that participation supports the development of technical capacity 	FFA priority areas of assistance: (x) providing a budget for the participation of SIDS chairs of subsidiary bodies to the annual Commission meetings to assist them in fulfilling their roles effectively; (xii) ensure annual regional capacity building workshops are adequately resourced; (xi) ensuring a rationalisation of Commission workloads, prioritisation of issues and streamlining agendas;	FFA SIDS	FFA SIDS Checklist WCPFC12-2015-DP01. See also TCC13 Summary Report para 113	All CMMs; Convention Art. 20 Decision making of the WCPFC &	Although Checklist item (x) is marked as complete in the FFA SIDS Checklist, the FFA's request that funding be provided for two representatives from each SIDS CCM to attend WCPFC meetings remains outstanding. Item (xii) identified by FFA as an ongoing issue
	<ul style="list-style-type: none"> Fisheries management capacity broadly (policy, legal, economic, scientific) Implement fisheries conservation and management principles, including applying the precautionary approach 	FFA assistance for (b) enhanced capacity for conservation and management of fisheries by SIDS; Convention notes that developing coastal states may require capacity assistance to apply the principles & measures in Art. 5	FFA SIDS	FFA SIDS Checklist WCPFC12-2015-DP01; Convention Art 7	All CMMs; Convention Arts 5, 7 principles and measures for conservation & management; Art 6 precautionary approach	

Implied capacity need	Examples of elements of capacity	Documented gaps			Related CMM or other obligation	Notes
		Capacity gap	CCMs affected	Sources		
18. Additional capacity building needs (continued from previous page)	<ul style="list-style-type: none"> Understand and develop responses to scientific reports, data and information, and participate effectively in Scientific Committee 		All		Convention Art. 12 Scientific Committee & Art. 13 scientific services	
	<ul style="list-style-type: none"> Understanding rights-based management in transboundary fisheries 	FFA assistance for (c) broader cooperation of (sic) the importance of rights-based management.	FFA SIDS	FFA SIDS Checklist WCPFC12-2015-DP01	NA	
	<ul style="list-style-type: none"> Identifying capacity constraints to compliance, preparing capacity development plans. 	CMM 2017-07 recognises that CCMs may need assistance from WCPFC Secretariat to prepare a capacity development plan.	SIDS, participating territories, Philippines, Indonesia	CMM 2017-07 Compliance monitoring scheme		