



TECHNICAL AND COMPLIANCE COMMITTEE

Eighth Regular Session

27 September- 2 October 2012

Pohnpei, Federated States of Micronesia

PROVISIONAL ANNOTATED AGENDA

WCPFC-TCC8-2012/03_rev 2

5 September 2012

<p>AGENDA ITEM 1 OPENING OF MEETING The meeting will open at 08:30 on Thursday 27 September 2012.</p> <p>The Chair (Ms Rhea Moss-Christian) will open the Eighth Regular Session of the Technical and Compliance Committee (TCC8) of the Western and Central Pacific Fisheries Commission (WCPFC) and welcome delegations of the WCPFC Members, Cooperating Non-Members, Participating Territories (CCMs) and Observers.</p>	
<p>1.1 Welcome The Chair will introduce dignitaries who will make the welcoming address.</p>	
<p>1.2 Adoption of agenda The Chair will introduce the Provisional Agenda for TCC8 (WCPFC-TCC8-2012/03) that was distributed in accordance with Rule 1 of the Commission’s Rules of Procedure. The Rules of Procedure adopted at WCPFC1 in December 2004 will apply <i>mutatis mutandis</i> until such time as the TCC adopts its own Rules of Procedure (Rule 31). The Rules of Procedure provide that Members may propose supplementary agenda items up until 30 days before the meeting (Rule 3). The Agenda, as modified, will need to be adopted by the meeting (Rule 5).</p>	
<p>1.3 Meeting arrangements The Chair will invite TCC8 to review the Indicative Schedule (WCPFC-TCC8-2012/02), noting logistical arrangements in place to support the meeting, proposed meeting times and any social events.</p>	
<p>1.4 Issues from WCPFC8, and TCC7, NC8 and SC8 The Secretariat will provide an information paper that notes any specific items which were referred to TCC8 by TCC7 and WCPFC8. This paper will also cover issues from SC8 and NC8.</p>	
<p>1.5 Information papers to be discussed by exception The list of proposed information papers to be discussed by exception during TCC8, is provided in WCPFC-TCC8-2012/06.</p>	
<p>1.6 Items that the Executive Director deems necessary to put before TCC8 This item is included on the agenda in accordance with Rule of Procedure, Rule 2(i).</p>	

AGENDA ITEM 2 REQUIRED TCC BUSINESS ITEMS	
2.1 IUU list and IUU listing procedures	
<p>a) Review of WCPFC IUU list and IUU nominations</p> <p>In accordance with CMM 2010-06, the TCC8 will review the current WCPFC IUU list and the draft IUU list, and any suitably documented information.</p>	
<p>b) IUU listing procedures</p>	
<p>i. Para 15c and 25e – USA led intersessional process (Tonga’s paper regarding the issue of coastal State satisfaction in listing and delisting procedures)</p> <p>WCPFC8 agreed that the USA would lead an intersessional working group on this topic with the aim of bringing a proposal to TCC8. TCC8 is invited to consider the outcome of the intersessional work on this topic.</p>	
<p>ii. IUU listing procedures of other tuna RFMOs (Secretariat paper from TCC7)</p> <p>TCC7 agreed to task the Secretariat with compiling IUU listing procedures from other RFMOs, and developing a matrix of similarities and differences in these procedures, as a basis for further discussions on IUU vessel list harmonization at TCC8. TCC8 is invited to consider the paper prepared by the Secretariat.</p>	
<p>2.2 Assessment of Cooperating Non-Member Applications, and recommendations and technical advice to the Commission (CMM 2009-11, para 3)</p> <p>TCC8 is invited to consider the applications for CNM status for 2013, and make recommendations and technical advice to the Commission. It is expected that a working group will develop a first draft of draft recommendations and technical advice for TCC8.</p>	
2.3 Vessel Monitoring System	
<p>a) Progress Report from Co-Chairs of VMS SWG</p> <p>As a way to progress the findings of the Joint WCPFC/FFA Review of the WCPFC VMS, WCPFC8 agreed to convene an intersessional SWG on VMS. TCC8 will receive a report from the co-chairs of the VMS SWG on the progress of their work.</p>	
<p>b) Annual Report on the Commission VMS (see para. 7.3.9 and 7.3.10 SSPs), including request information to inform discussions regarding the bracketed test in the SSPs related to manual reporting.</p> <p>The Secretariat will provide to TCC8 an annual report with regard to the performance of the Commission VMS and its application, pursuant to VMS SSPs paragraphs 7.3.9 and 7.3.10. This report is proposed to be an information paper.</p>	
<p>c) Consideration of Cost optimization of the Commission VMS</p> <p>As a follow-up to WCPFC8 review of the Cost Optimisation of Commission Operations, some CCMs indicated that cost-optimisation of the Commission VMS was a priority. TCC8 is invited to discuss this matter.</p>	
<p>d) Operationalising Article 24(8) of the Convention (Access to in-zone data, Niue application and Flick the Switch)</p> <p>WCPFC8 agreed that the joint US and RMI proposal (WCPFC8-2011-DP/30 Rev 3) be further elaborated at TCC8.</p>	

<p>e) Proposed template for ALC/MTU Audits by CCMs (see para 9-13 of SSPs) WCPFC8 tasked the Secretariat with further revising the proposed template for use by CCMs when conducting periodic audits of a representative sample of installed ALCs/MTUs. TCC8 is invited to consider a proposed template for ALC/MTU audits.</p>	
<p>f) Review of integrity of Secretariats VMS data (see para 6.10 SSPs) The Secretariat will update TCC8 on the 2012 review of the integrity of WCPFC VMS data, which is required under paragraph 6.10 of the WCPFC VMS SSPs to be conducted by the Secretariat annually.</p>	
<p>2.4 Regional Observer Programme</p>	
<p>a) ROP-TAG – update from ROP-TAG Chair on progress and overview of proposed work plan for 2012-13 The ROP-TAG was established at WCPFC8 to work until September 2013. The Chair of the ROP-TAG will provide an update to TCC8 on progress to date and a proposed workplan until September 2013.</p>	
<p>b) Annual Report by Secretariat on ROP (CMM 2007-01, para. 3), including items for consideration raised by the Executive Director (Agenda 1.6) The Secretariat will provide to TCC8 an annual report with regard to the ROP pursuant to para.3 of CMM 2007-01.</p>	
<p>c) Review of ROP data (CMM 2007-01, Annex C para 7) Paragraph 7 of Annex C, CMM 2007-01, states that the TCC is to review the data generated by the ROP at the 2012 session. TCC8 is invited to make recommendations to the Commission.</p>	
<p>d) Consideration of cost optimization of the ROP As a follow-up to WCPFC8 review of the Cost Optimisation of Commission Operations, some CCMs indicated that cost-optimisation of ROP data management was a priority. TCC8 is invited to discuss this matter.</p>	
<p>e) Proposals for Vessel Captains/Operators to review ROP reports (Operationalising CMM 2007-01 Attachment B paragraph 1(c)) WCPFC8 continued to discuss the matter of ensuring the opportunity for vessel captains/operators to be notified and have the opportunity to comment on ROP observers findings regarding the vessels operations (CMM 2007-01 Attachment B paragraph 1(c)). The operational aspects of this matter were referred to the ROP-TAG, and the policy discussions were to be held within TCC and by the Commission. TCC8 is invited to discuss this matter.</p>	
<p>AGENDA ITEM 3 COMPLIANCE MONITORING SCHEME (CMS)</p>	
<p>This is the second trial year for the WCPFC Compliance Monitoring Scheme. At WCPFC8, adopted CMM 2011-06 <i>Conservation and Management Measure for Compliance Monitoring Scheme</i> which applies for 2012 only.</p>	
<p>3.1 Update on submissions of Annual Report Part 1 and Part 2 and other reporting requirements in CMMs The Secretariat will provide a paper summarizing submission in 2012 of Annual Report Part 1 and Part 2 (and other reporting requirements in CMMs).</p>	

<p>3.2 Development of Provisional CMR 2011 and Executive Summary TCC8 has the following tasks under the CMS, as set out in CMM 2011-06:</p> <ul style="list-style-type: none"> i. Review the draft combined CMR report 2011 prepared by the Secretariat, focusing on any potential compliance issues identified with respect to each CCM, and in particular will consider any information provided by CCMs in response to their individual CCM section of the draft CMR (paragraph 13, CMM 2011-06) ii. Take into account any additional information provided by CCMs, and where appropriate non-governmental organizations, and develop a Provisional CMR that will include a provisional assessment of each CCMs compliance Status and recommendations for any corrective action needed, based on potential compliance issues identified in respect of that CCM and using the criteria in Annex I. (paragraph 14, CMM 2011-06) iii. Develop an executive summary including recommendations and observations from TCC regarding amendments or improvements to existing CMMs, capacity building requirements or other obstacles to implementation identified by CCMs, in particular SIDS and participating Territories, and suggested additional priority obligations to be reviewed under the CMS (CMM 2011-15). <p>TCC8 is invited to agree on a process to complete these tasks during TCC8, and make recommendations to the Commission in fulfillment of these tasks.</p>	
<p>3.3 Refinements to reporting requirements that are relied on for CMR development, including Annual Report Part 2 template design, streamlining and online interface for completing</p> <ul style="list-style-type: none"> i. Update on development of online interface for Part 2 Annual Reporting ii. Suggested refinements to Annual Reporting templates (Part 1 and Part 2) <p>The Secretariat will provide a paper that updates TCC8 on the progress of work to develop an online interface for Part 2 annual reporting. TCC8 is invited to consider recommending some further refinements and streamlining that could be done to reporting requirements, particularly those which are relied upon by the Secretariat for CMR development.</p>	
<p>3.4 Anticipated resourcing requirements for the Secretariat from the CMS The Secretariat will advise on some of the foreseeable resourcing implications, including staffing and IMS enhancements, to the Secretariat from the extension of the CMS in 2013 and beyond.</p>	
<p>3.5 Future considerations and potential refinements for to CMM 2011-06 TCC8 is invited to discuss and provide recommendations based on experience to date with the CMS, in the form of suggested refinements to CMM 2011-06 <i>Conservation and Management Measure for Compliance Monitoring Scheme</i>, if the Commission were to decide to extend CMM 2011-06 at WCPFC9.</p>	
<p>3.6 Process for responses to non-compliance for the CMS (CMM 2011-06, para 24) Paragraph 24 of CMM 2011-06 states that a process for responses to non-compliance for the CMS will be developed. TCC8 is invited to discuss a process for progressing this matter.</p>	
<p>AGENDA ITEM 4 DISCUSSION OF A REPLACEMENT CMM FOR CMM 2008-01 AND CMM 2011-01 The content for this agenda will be determined by the Executive Director in consultation with the Chair and Vice Chair of the Commission. In addition, the Philippines has submitted a letter dated</p>	

<p>29 August 2012, which is proposed to be considered under this agenda item (WCPFC-TCC8-2012 DP02).</p>	
<p>AGENDA ITEM 5 REVIEW OF OTHER MCS MEASURES AND CMMs</p>	
<p>5.1 Record of Fishing Vessels</p>	
<p>a) Proposed RFV SSPs</p>	
<p>TCC7 recommended a proposed set of RFV SSPs (WCPFC8-2011/37). At WCPFC8 a decision was deferred to allow for further discussion. TCC8 is invited to discuss this matter.</p>	
<p>b) Review of Interim Register for non-CCM carrier and bunkers (CMM 09-01, para 39)</p>	
<p>In accordance with CMM 2009-01, the Interim Register for non-CCM carrier and bunkers will expire 60 days after WCPFC9, unless the Commission decides otherwise. Paragraph 39 of CMM 2009-01, instructs TCC to conduct a review of the non-CCM flagged fleet including an assessment of potential economic impacts to HMS in the Convention Area, and unforeseen circumstances that could arise through prohibition of non-CCM carrier and bunkers. TCC8 is invited to review this matter and make recommendations to the Commission.</p>	
<p>5.2 Transshipment CMM (CMM 2009-06)</p>	
<p>a) Review of High Seas Transshipment Rules (CMM 2009-06) for fishing vessels, other than purse seine</p>	
<p>The Secretariat will provide a paper that includes:</p>	
<ul style="list-style-type: none"> • draft guidelines for the determination where it is impracticable for certain vessels to transship in port or in waters under national jurisdiction (in accordance with paragraph 37 of CMM 2009-06) • Reviews information that is available to the Secretariat from catch and effort reports, information from Transshipment Declarations related to high seas pockets, and any information related to role of high seas pockets in supporting IUU activities (in response to paragraph 38 of CMM 2009-06) 	
<p>TCC8 is invited to consider these guidelines, amend as necessary, and recommend them to the Commission for adoption in 2012. TCC8 is also invited to consider the information provided, and other relevant information, and make other recommendations to the Commission regarding other refinements to high seas transshipments rules set out in CMM 2009-06.</p>	
<p>b) Review of any applications received for an exemption from the prohibition of transshipment at sea by purse seine fishing vessels (CMM 2009-06, para 25-32)</p>	
<p>TCC8 is invited to review and make recommendations to the Commission regarding any applications for exemptions under paragraph 26 of CMM 2009-06.</p>	
<p>5.3 Charter Notification Scheme (CMM 2011-05)</p>	
<p>a) Proposals to extend 2011-05 or for replacement CMM</p>	
<p>WCPFC8 agreed to extend the CMM on charter notification (CMM 2009-08) to 31 December 2012. TCC8 is invited to make any recommendations on this matter. The Catch Attribution Report by Gillett (2011) is proposed as a reference document.</p>	
<p>b) AHTG[data] outstanding task: rules for access by chartering States to data for their vessels</p>	
<p>In 2011, the Commission had tasked the AHTG-Data to work intersessionally during 2011 on this matter. RMI submitted a proposal, and comments were received from EU and Chinese Taipei. WCPFC8 noted the TCC7 recommendation to task the AHTG-Data with revisiting these issues in</p>	

<p>2012 pending the outcome of discussions of the catch attribution study and the possible renewal of CMM 2009-08 by WCPFC8. TCC8 is invited to discuss this matter.</p>	
<p>5.4 Eastern High Seas Pocket Special Management Area (CMM 2010-02) Paragraph 8 of CMM 2010-02 indicates that the measures specified will be reviewed every two years, in conjunction with relevant advice from the TCC. TCC8 is invited to make any recommendations on this matter.</p>	
<p>5.5 South Pacific Albacore CMM (CMM 2010-05) WCPFC8 agreed that South Pacific Albacore was a priority issue for WCPFC9. TCC8 is invited to make any recommendations on this matter.</p>	
<p>5.6 Seabirds (Review of CMM 2007-04) This item has been included at the request of the United States, noting that it is subject to review by TCC each year and the seabird-related recommendations from SC8.</p>	
<p>5.7 North Pacific Striped Marlin (Review of CMM 2011-01) This item has been included at the request of the United States, noting that the CMM was to have been amended in 2011 based on a revised stock assessment, which was delayed until July 2011. Request review by TCC of the CMM and provide appropriate technical advice to the Commission.</p>	
<p>AGENDA ITEM 6 NEW PROPOSALS FOR CMMs, INCLUDING NEW MCS MEASURES</p>	
<p>6.1 Proposed Whale Sharks CMM WCPFC8 agreed that a measure on protecting whale sharks from purse seine fishing operations will be finalized at WCPFC9. TCC8 is invited to make any recommendations on this matter.</p>	
<p>6.2 Port State Measures WCPFC8 agreed to continue work intersessionally toward developing a proposal on port State measures for the consideration of TCC8. TCC8 is invited to make any recommendations on this matter.</p>	
<p>6.3 Catch Documentation Scheme WG TOR At WCPFC8 a terms of reference for a CDS WG was not agreed, and WCPFC7-2011-DP20 was referred back to TCC8. TCC8 is invited to make any recommendations on this matter.</p>	
<p>6.4 Response to reported fishing gear damages This item has been included at the request of the Japan who is in the process of preparing a proposal to deal with a situation where fishing vessels experience damage on fishing gear, possibly by other fishing vessels.</p>	
<p>AGENDA ITEM 7 PERFORMANCE REVIEW</p>	
<p>7.1 Review of TCC-related Performance Review recommendations WCPFC8 tasked the Executive Director to prepare a matrix categorizing the recommendations from the Independent Performance Review, for the consideration of each of the Commission's subsidiary bodies as appropriate. TCC8 is invited to review and provide recommendations to the Commission on the recommendations from the performance review which have been highlighted for TCC's consideration.</p>	

<p>AGENDA ITEM 8 FUTURE WORK PROGRAM AND ADMINISTRATIVE MATTERS</p>	
<p>8.1 Report by the Secretariat on implementation of the 2012 programme of work The Secretariat will provide a report on the implementation of the 2012 Technical and Compliance Programme which was approved as <i>sub-item 2.3</i> of the WCPFC8 Approved Budget.</p>	
<p>a) Report of the Review related to the integrity of the Secretariats Information Management System and Record of Fishing Vessels At WCPFC8, the Secretariat advised the Commission that in 2012 a review of the Secretariats Information Security will be undertaken. The Secretariat will provide an update on the progress of this review.</p>	
<p>8.2 Future approaches to TCC, including TCC agenda and rationalization of meetings including WCPFC8-2011-DP48 During WCPFC8 it was noted that there was a need to identify priority tasks for the TCC, and that these should be the basis of the TCC Work Plan. TCC8 is invited to discuss and provide recommendations to the Commission on future approaches to the TCC agenda and work plan.</p>	
<p>8.3 Proposed TCC Work Plan and budget for 2013-2015 At WCPFC8, 2012 Technical and Compliance Programme was approved as <i>sub-item 2.3</i> of the WCPFC8 Approved Budget with indicative budgets for 2013 and 2014. A draft TCC Work Plan 2012-2014 was presented and WCPFC8 tasked the Secretariat to prepare revised TCC Work Plan for presentation to TCC8.</p>	
<p>AGENDA ITEM 9 SPECIAL REQUIREMENTS OF SMALL ISLAND DEVELOPING STATES</p>	
<p>9.1 Consideration of the Special Requirements of developing States pursuant to Part VIII of the Convention In accordance with Rule 2 (h) of the WCPFC Rules of Procedure, this is a standing agenda item on the provisional agenda. TCC8 is invited to discuss the special requirements of developing States as it relates to the work of TCC. In this regard, TCC8 might consider discussing and making recommendations regarding the capacity building needs of developing States, particularly SIDS and participating Territories, as highlighted from the CMS process (see Agenda item 3.3(b)).</p>	
<p>9.2 Reports on Article 30 of the Convention and Resolution 2008-01 The WCPFC6 Chair noted the suggestion by FFA Members for a special agenda item for developed CCMs to report annually on initiatives to implement Article 30 of the Convention. Developed CCMs are invited to provide reports on their implementation of Article 30, specifically in relation to the activities and work program of the TCC. WCPFC7 received more detailed reports on Article 30 and Resolution 2008-01. TCC8 is invited to receive and review reports from developed countries on Article 30 and Resolution 2008-01.</p>	
<p>AGENDA ITEM 10 OTHER MATTERS</p>	
<p>10.1 Election of officers Rule 8 of the WCPFC Rules of Procedure state that the Chair and a Vice-Chair shall assume office at the end of the session at which they are elected, shall hold office for a period of two years and</p>	

<p>shall be eligible for re-election. Ms Rhea Moss-Christian (FSM) commenced as TCC Chair in March 2012 (WCPFC8), and Ms Holly Koehler (USA) commenced as TCC Vice-Chair in December 2010 (WCPFC6). TCC8 is invited to provide a recommendation to the Commission on the election of officers.</p>	
<p>10.2 Next Meeting TCC8 is invited to consider the 26th September – 1st October 2013, and Pohnpei, Federated States of Micronesia as the dates and venue for TCC9.</p>	
<p>10.3 Other Supplementary items Other requests from any Member, in accordance with Rule 3 of the Rules of Procedure, for the inclusion of a supplementary item on the provisional agenda which were submitted with an explanation at least thirty days before the start of TCC8. It is proposed that any of the items on the list (WCPFC-TCC8-2012/06) which CCMs request under Agenda 1.5, to be discussed at TCC8, would be covered here.</p>	
<p>AGENDA ITEM 11 PRIORITIES FOR TCC9</p>	
<p>AGENDA ITEM 12 ADOPTION OF THE REPORT OF THE EIGHTH REGULAR SESSION OF THE TECHNICAL AND COMPLIANCE COMMITTEE Adopts decisions of meeting (and indirectly what will be sent to WCPFC9)</p>	