



TECHNICAL AND COMPLIANCE COMMITTEE
Fifteenth Regular Session
25 September – 1 October 2019
Pohnpei, Federated States of Micronesia

**ANNUAL REPORT ON WCPFC HIGH SEAS BOARDING AND INSPECTION (HSBI)
SCHEME**

WCPFC-TCC15-2019-RP04
11 August 2019

Paper by the Secretariat

Purpose

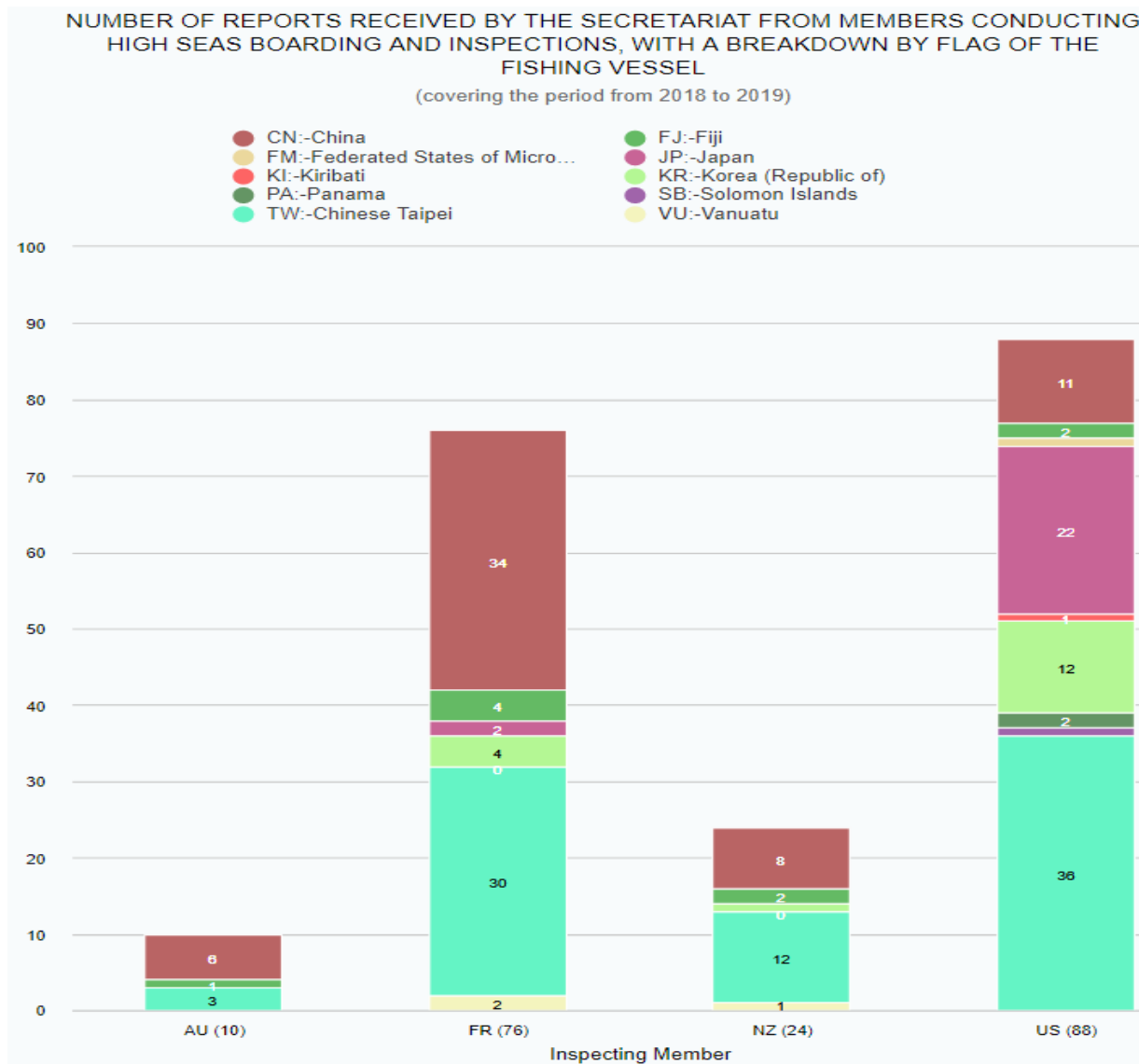
1. This paper presents for the consideration and information of TCC15, a summary of High Seas Boarding and Inspection (HSBI) activities for the period of 1 January 2018 to 31 July 2019.
2. The procedures for WCPFC HSBI activities are contained in Conservation and Management Measure 2006-08 entitled *Western and Central Pacific Fisheries Commission Boarding and Inspection Procedure* (CMM 2006-08). They enable boarding and inspections of fishing vessels to be undertaken on the high seas in the Convention Area by duly authorised vessels.

HSBI activities for the period 1 January 2018 – 31 July 2019

3. Article 26 of the Convention and CMM 2006-08 paragraph 3 states that the purpose of the HSBI scheme is to establish procedures for boarding and inspection activities on the high seas which ensure compliance with provisions of the Convention and Conservation and Management Measures.
4. In 2018, four members (Australia (AU), France (FR), New Zealand (NZ), and the United States of America (USA)) submitted 123 HSBI reports in accordance with CMM 2006-08 paragraph 30. For the period from 1 January to 31 July 2019, 3 members (Australia (AU), France (FR), and the United States of America (USA)) submitted 71 HSBI reports in accordance with paragraph 30 of CMM 2006-08. Figure 1 (below) provides a summary of the number of boarding and inspections conducted under CMM 2006-08 for the period 1 January 2018 - 8 August 2019. From 1 January 2018 – 31 July 2019 a total of 182 vessels boarded during this period (12 vessels were boarded twice). Of the 182 vessels boarded, there were 166 longliners, 5 purse seiners, 3 fish carriers, 7 pole and line and 1 bunker vessel.

5. Annex 3 shows the geographical distribution of where these high seas boarding and inspection activities took place.

Figure 1:¹



¹ Figure 1 covers the period 1 January 2018 – 8 August 2019. For the period 1 August – 8 August 2019, 4 vessels were boarded by the United States.

VU		2	1	
TW	3	30	12	36
SB				1
PA				2
KR		4	1	12
KI				1
JP		2		22
FM				1
FJ	1	4	2	2
CN	6	34	8	11
	AU (10)	FR (76)	NZ (24)	US (88)

Outcomes of HSBI activities

6. The HSBI activities undertaken by WCPFC members provide a mechanism to assist flag CCMs with checking the implementation by their vessels of several CMMs that are in force. Table 1 provides a count of the WCPFC High Seas Boarding and Inspection events reported per year, and includes a break-down of whether violations were or were not noted in the report of the inspection.

Table 1: Counts of WCPFC High Seas Boarding and Inspection events reported per year 2015 – 8 August 2019, with a break-down by whether violations were or were not noted.

	2015	2016	2017	2018	1 Jan – 9 Aug 2019
Count of HSBI events reported with No violations noted	50 (71%)	66 (59%)	39 (49%)	53 (43%)	16 (21%)
Count of Article 25(2) compliance cases detected through HSBI events	21	46	40	70	59
Total reported WCPFC HSBI events	70	112	79	123	75

7. The WCPFC Compliance Case File System Article 25(2) list contains records of HSBI events that resulted in a request for flag State investigation pursuant to Article 25(2) of the Convention. Each High Seas Boarding and Inspection event with one or more violations noted, comprises a single compliance case. Copies of relevant correspondence are also included as enclosures and a summary provided of the outcomes of the flag CCM investigations. Individual HSBI case files in the Article 25(2) list are viewable and editable by the relevant Inspecting Member and the relevant flag CCM. All Article 25(2) cases are viewable by the Secretariat.

8. Annex 1 provides a summary of the CMMs identified in the HSBI reports that resulted in a request for flag State investigation pursuant to Article 25(2) of the Convention, for the period 1 January 2015 – 31 July 2019. Annex 1 shows that most of the alleged infringements are VMS related (eg. reporting issue, use of ON/OFF switch) but upon investigation, more than 65% of these alleged infringements were determined by the flag CCMs to be a ‘no infraction’ with explanations such as, VMS was reporting to national VMS center and the use of ON/OFF switch is to protect the ALC from damage caused by instantaneous current fluctuation. In addition, there were also quite a number of alleged infringements related to the Record of Fishing Vessel (RFV) such as, amongst others, no fishing license/authorization onboard the vessel at the time of the boarding or license/authorization not specifying the target species. More than 50% of these RFV related alleged infringements were determined by flag CCMs, after investigation, to be ‘no

infraction’ and more often this is related to language barrier. That is, that the license/authorization was onboard but was not provided due to miscommunication between the vessel and the boarding party or the license/authorization noted the target species but was not in English. However, in comparison, alleged infringements related to catch and effort reporting (CMM 2013-05) showed that more than 70% of those which the flag state has completed investigation for, were determined by the flag CCM to be an infraction and took measures to rectify these issues.

Update to the Register of authorized inspection vessels (HSBI register)

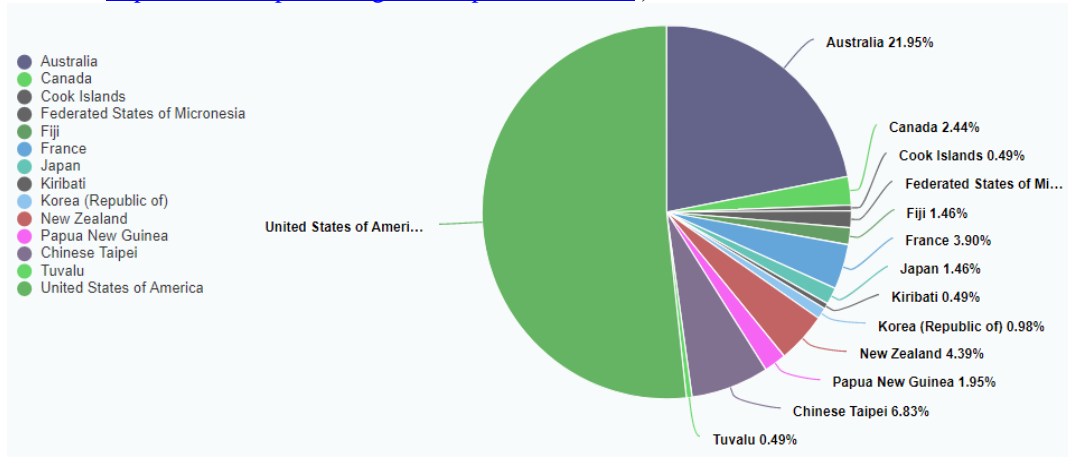
9. During the reporting period (1 Jan 2018 – 31 July 2019), three members (Fiji, New Zealand & United States) notified the Commission, through the Executive Director, of seven additional inspection vessels to be added to the HSBI register plus three vessels to be removed from the register. The number of members participating in the HSBI scheme is now 14 Members, with Fiji joining this year. Those that have also provided notifications in accordance with paragraph 6 of CMM 2006-08, regarding the application of the WCPFC HSBI to Fishing Entities also remain the same. A list of these Members and the number of vessels included on the Register of Authorized Inspection Vessels is shown in Table 2. The Register is publicly available on the website at <http://www.wcpfc.int/register-inspection-vessels>

Table 2: Summary of the Members that have notified the Commission of their intention to participate in conducting boarding and inspection activities under the WCPFC HSBI Scheme

	Year (in which notification was received)	WCPFC received notifications in accordance with paragraph 6 of CMM 2006-08?	Number of Vessels on the Register of Authorized Inspection Vessels (as at 31 July 2019)
Australia	2010	YES	45
Canada	2009		5
Cook Islands	2008	YES	1
Federated States of Micronesia	2010		3
Fiji	2019		3
France ²	2007	YES	8
Japan	2009	YES	3
Kiribati	2014		1
Republic of Korea	2008		2
New Zealand	2008	YES	9
Papua New Guinea	2008		4
Chinese Taipei	2008	N/A	14
Tuvalu	2010		1
United States of America	2008	YES	<u>106</u>
			205

² Separate notifications were provided by France for French Authorities that are based in French Polynesia and New Caledonia

Figure 2: Summary of the number of vessels (205) on the Register of Authorized Inspection (also available at <https://www.wcpfc.int/register-inspection-vessels>)

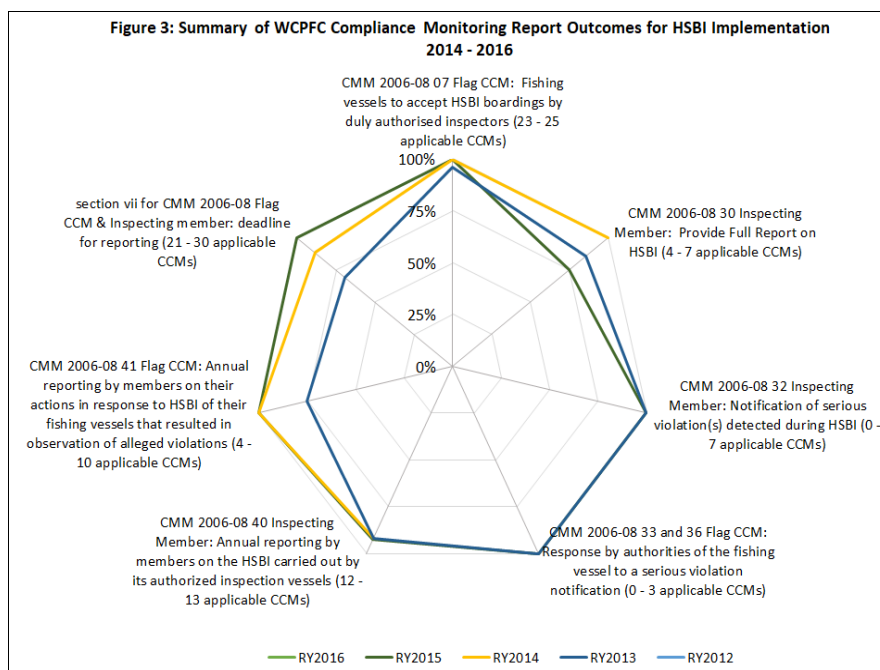


CCMs reporting on implementation of CMM 2006-08 through Annual Report Part 2

10. The 2019 Annual Report Part 2 template covering 2018 activities included questions on implementation of paragraphs 7, 30, 32, 33 and 36, 40 and 41 of CMM 2006-08. CCMs were asked to report on implementation of those paragraphs. CCMs had the choice of answering “Yes” meaning the obligation has been implemented; “No” meaning the obligation has not been implemented; or “N/A” meaning CCM determined that the obligation is not applicable. CCMs also had the opportunity to provide further information on each obligation and/or attach any supporting documentations. The summary reporting provided by CCMs in Annual Report Part 2, assist the Secretariat with checking the completeness of the reporting of HSBI activities. Annex 2 provides a summary of CCMs responses to CMM 2006-08 in Annual Report Part 2 covering activities for 2018.

Review of CMM 2006-08 implementation by applicable CCMs under the Compliance Monitoring Scheme (CMS) 2014 - 2016

11. Figure 3 below provides an overview of the outcome of the evaluation of CMM 2006-08 under the CMS over recent years. CMM 2006-08 was evaluated for the Reporting Year 2013 (RY2013), Reporting Year 2014 (RY2014) and Reporting Year 2015 (RY2015) and it was not evaluated prior to 2014 (RY2013) nor in 2017 (RY2016). Figure 3 shows a general trend of improved implementation by applicable CCMs of the required reporting under CMM 2006-08. For example, CMM 2006-08 paragraph 41 shows that 75% of the flag CCMs who were expected to have provided an annual report to the Commission in response to HSBI inspections, were evaluated by the Commission through the CMS process to have fully implemented this reporting obligation for RY 2013, whereas during RY 2014 and RY 2015 all flag CCMs who were expected to have provided an annual report to the Commission were determined by the Commission to have fully implemented this reporting obligation. Likewise, levels of implementation for section vii (meeting of applicable reporting deadlines under CMM 2006-08) improved from around 70% for RY 2013, to near 90% in RY2014 and 100% in the RY2015. CMM 2006-08 was not evaluated in the RY 2017 or RY2018.



Other updates

12. The list of vessels previously inspected under the HSBI has been published at <https://www.wcpfc.int/ccm/hsbi-report> (a secure page on the website) since 2018 and is exportable in MS Excel and CSV format to authorized users.

13. At WCPFC15, the Commission agreed that no later than 1 March 2019, any CCM that has not done so already shall submit to the Executive Director the name(s) and contact information of its Authorities of fishing vessel for the purpose of CMM 2006-08. If a CCM failed to do so by that date, the Secretariat was tasked to include the flag CCM's primary official point of contact as its Authorities of fishing vessel. The Secretariat delivered this task on 1 March 2019 and this can be found at <https://www.wcpfc.int/authority-fishing-vessel>

14. Summary statistics such as the number of reports received from members conducting HSBI (Figure 1 above) and summary of the number of vessels on the HSBI register (Figure 2 above) are now available on the website since early 2019 at <https://www.wcpfc.int/hsbi-summary-statistics> and <https://www.wcpfc.int/register-inspection-vessels> respectively. These summaries are automatically updated as data are entered into our record.

Secretariat Observations and Administrative issues

15. In the operation of the WCPFC HSBI Scheme during the period 1 January 2018 – 31 July 2019, the Secretariat makes the following observations:

- a. The number of HSBI activities was at its highest in 2018 with 123 boarding undertaken.
- b. In the first seven months of 2019, there were 71 boarding undertaken.

- c. As per previous years, most of the HSBI activities occurred around just outside the borders of coastal States EEZ and in high seas pockets (see Annex 3).
- d. The HSBI activities undertaken by WCPFC members continues to provide a mechanism to assist flag CCMs with checking the implementation by their vessels of many CMMs that are in force.

16. CCMs are reminded that they can provide direct update to their authorities of fishing vessels into CCMs official contact details through the secure page of the website at <https://www.wcpfc.int/official-circulars>

17. To assist with internal record keeping at the WCPFC Secretariat, copies of HSBI reports from Inspecting Members and any replies from the authorities of the fishing vessel, which are required in accordance with CMM 2006-08 to be submitted to the Commission, should be sent to the email: HighSeasBoardingInspection@wcpfc.int. Relevant CCMs are reminded to also regularly check the online Compliance Case File System, and as needed submit updates and replies on cases directly.

Recommendation

18. TCC15 is invited to note and discuss the recent activities undertaken under the HSBI scheme.
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Annex 1: Summary of outcome of flag CCM investigations of alleged infringements that were notified to WCPFC as Article 25(2) matters, based on High Seas Boarding and Inspection activities (covering the period 1 January 2015 – 31 July 2019)

CMM & paragraph Year	Flag CCM Notified	Flag CCM Investigation Completed				Flag CCM Investigation Completed Total	Grand Total
		Infraction - no sanction	Infraction - sanction	Infraction - warning	No infraction		
Vessel & Gear Marking							
CMM 2004-03 02	5	14	9	22	7	52	57
2015		2		3		5	5
2016		7	7	10	3	27	27
2017	1	1	1	3		5	6
2018	1	4	1	6	4	15	16
2019	3					0	3
HSBI procedure							
CMM 2006-08 32	2	1	14	2	10	27	29
2016		1	8		5	14	14
2017			1	2	1	4	4
2018			5		3	8	8
2019	2				1	1	3
Sea Turtles							
CMM 2008-03 04 & 06	1	4	7	5	9	25	26
2016			1		1	2	2
2016			3		1	4	4
2017		1	1	2	2	6	6
2018	1	1	2	2	5	10	11
2019		2		1		3	3
High seas transshipment							
CMM 2009-06 13	0	1	2	0	2	5	5
2016		1	2		1	4	4
2017					1	1	1
CMM 2009-06 35 a (iii) & (iv)	0	1	2	1	4	8	8
2016		1	2	1	1	5	5

CMM & paragraph	Flag CCM Notified	Flag CCM Investigation Completed				Flag CCM Investigation Completed Total	Grand Total
		Infraction - no sanction	Infraction - sanction	Infraction - warning	No infraction		
Year							
2018					2	2	2
2019					1	1	1
Eastern High Seas Pocket SMA							
CMM 2010-02 02	0	0	1	0	1	2	2
2015			1			1	1
2016					1	1	1
Sharks							
CMM 2010-07 06 & 07	1	0	5	0	3	8	9
2016			1		1	2	2
2017					2	2	2
2018			4			4	4
2019	1					0	1
CMM 2013-08 01	0	0	2	0	1	3	3
2018			2		1	3	3
CMM 2014-05 01	3	0	2	0	3	5	8
2016			2		1	3	3
2017					2	2	2
2019	3						3
Seabirds							
CMM 2012-07 01	0	0	3	0	1	4	4
2016			3		1	4	4
CMM 2012-07 02	0	0	1	0	0	1	1
2015			1			1	1
CMM 2015-03 01	0	0	0	1	2	3	3
2017				1	2	3	3
CMM 2017-06 01	0	0	0	1	3	4	4
2018				1	3	4	4
Daily catch & effort reporting							

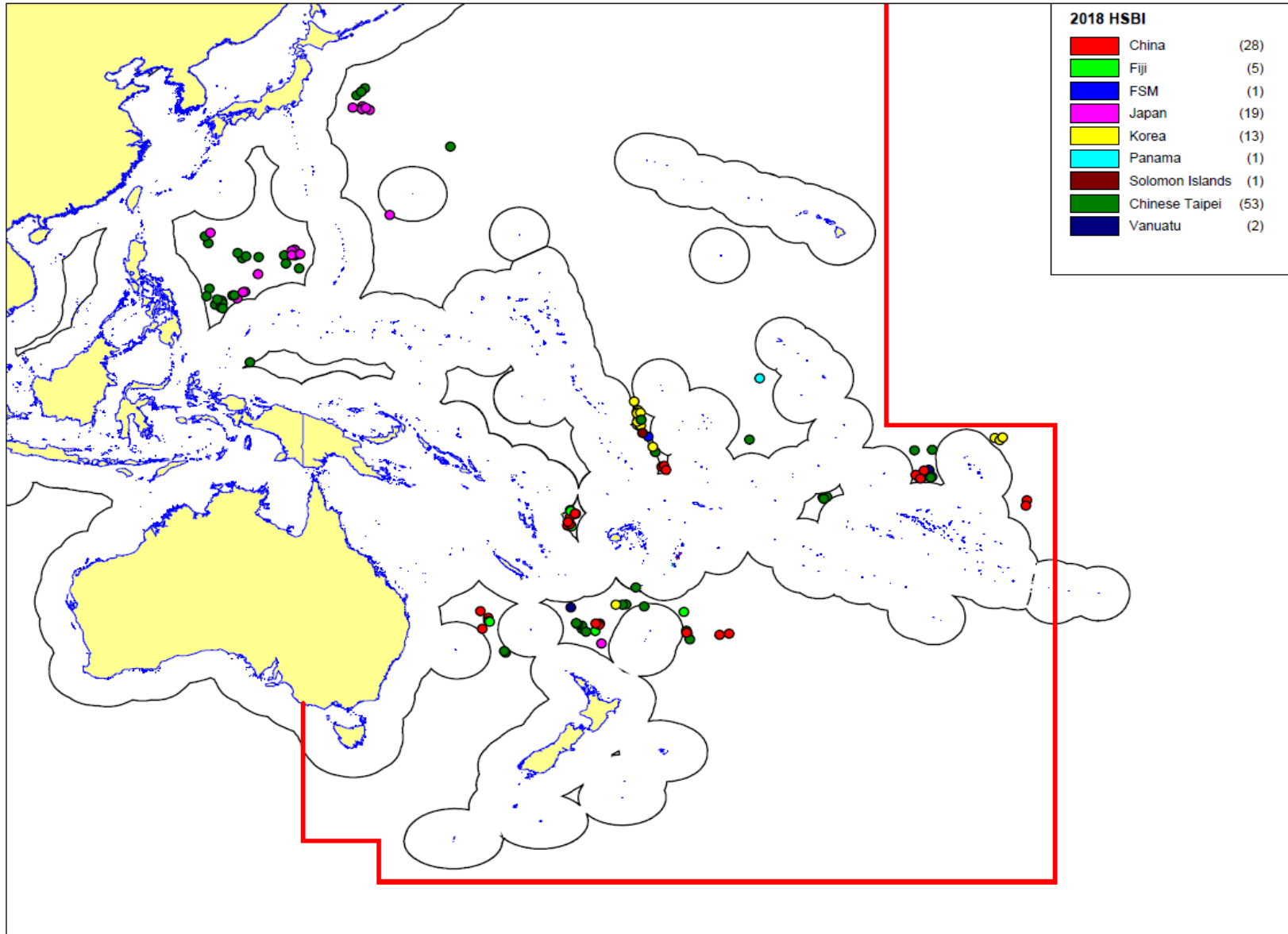
CMM & paragraph	Flag CCM	Flag CCM Investigation Completed				Flag CCM Investigation Completed Total	Grand Total
		Year	Infraction - no sanction	Infraction - sanction	Infraction - warning		
CMM 2013-05 01, 02 & 04	8	6	16	14	15	51	59
2015		1	2	3	3	9	9
2016			7	2	1	10	10
2017		1	2	6	4	13	13
2018	2		5	3	6	14	16
2019	6	4			1	5	11
Record of fishing vessels (RFV)							
CMM 2013-10 04	0	0	1	2	8	11	11
2015					3	3	3
2016			1	2	2	5	5
2017					3	3	3
CMM 2013-10 17	0	0	2	0	0	2	2
2016			2			2	2
CMM 2017-05 04	0	0	0	1	7	8	8
2018				1	7	8	8
CMM 2017-05 07	0	0	1	0	1	2	2
2018			1		1	2	2
CMM 2018-06 03	0	1	0	1	0	2	2
2019		1		1		2	2
CMM 2018-06 04	19	5			10	15	34
2019	19	5			10	15	34
Convention Article 24 (3)	0	0	0	0	1	1	1
2017					1	1	1
CMM 2014-03 02	1	0	0	1	8	9	10
2018	1			1	8	9	10
Vessel without nationality							
CMM 2009-09 01-05	1	1	0	4	4	9	10
2016				1		1	1

CMM & paragraph	Flag CCM Notified	Flag CCM Investigation Completed				Flag CCM Investigation Completed Total	Grand Total
		Infraction - no sanction	Infraction - sanction	Infraction - warning	No infraction		
2017				3	4	7	7
2019	1	1				1	2
Vessel Monitoring System (VMS)							
CMM 2014-02 9a & VMS SSPs	14	1	6	7	59	73	87
2014					1	1	1
2015			1		4	5	5
2016			3	1	8	12	12
2017	2			2	15	17	19
2018	4	1	2	4	22	29	33
2019	8				9	9	17
Regional Observer Programme (ROP)							
CMM 2018-05 14 (vii)	1	0	0	0	0	0	1
2019	1						1

Annex 2: Summary of CCMs responses to CMM 2006-08 in 2019 AR Part 2 covering 2018 activities

CMM paragraph and brief description	N/A Summary of further information provided	YES Summary of further information provided
CMM 2006-08 07 <i>Fishing vessels to accept HSBI boardings by duly authorised inspectors, and as applicable Members to ensure compliance of its authorised inspectors with the HSBI procedures</i>	14 No flag vessel, no flag vessel on the RFV, no flag vessels fishing beyond areas of national jurisdiction or in the high seas, flag vessel not allowed to fish on the high seas	23 Implemented through national legislation, regulation; license terms and conditions
CMM 2006-08 30 <i>Provide Full Report on HSBI</i>	23 Have not yet authorized inspection vessels to carry out HSBI; did not conduct HSBI in 2018	12 Members (4 – AU, FR, NZ, US) who conducted HSBI in 2018 further elaborate that full reports have been sent to flag States of fishing vessels and the WCPFC Secretariat The other 8 members that answered Yes – 3 have no inspection vessel on the HSBI register; the other 5 although have vessels in the HSBI register did not conduct any HSBI in 2018
CMM 2006-08 32 <i>Notification of serious violation(s) detected by inspection vessels during HSBI</i>	24 No HSBI undertaken; No serious violation detected	11 CCMs answer YES (no notification of serious violations/nothing to report, no vessel registered/authorized to conduct HSBI, serious violations reported to the flag State)
CMM 2006-08 33 and 36 <i>Response by authorities of the fishing vessel to a serious violation notification</i>	21 No serious violation detected; no HSBI; no flag vessel; no flag vessel boarded in 2018	16 No serious violation notification; if a notification of serious violation is received, CCM respond immediately and internal investigation carried out, no HSBI conducted in 2018
CMM 2006-08 40 <i>Annual reporting by members on the HSBI carried out by its authorized inspection vessels.</i>	27 Did not conduct any HSBI in 2018; no inspection vessel on the HSBI register	7 CCMs answer YES but only 4 conducted HSBI in 2018 1 CCM answer “NO” - do not have the capability to conduct HSBI
CMM 2006-08 41 <i>Annual reporting by members on their actions in response to HSBI of their fishing vessels that resulted in observation of alleged violations.</i>	26 No HSBI conducted; no flag vessel fishing on the high seas; no flag vessels boarded	10 CCMs answer YES and provided further information 1 CCM answer “NO” – did not receive any HSBI reports

Annex 3: A) Geographic distribution of HSBIs conducted, by flag of the vessel that was inspected: 1 January – 31 December 2018 (123 boarding)



Annex 3: B) Geographic distribution of HSBI conducted, by flag of the vessel that was inspected: 1 January – 31 July 2019 (71 boarding)

