



**The Commission for the Conservation and Management of
Highly Migratory Fish Stocks in the Western and Central Pacific Ocean**

**Fifteenth Regular Session of the Technical and Compliance Committee
Pohnpei, Federated States of Micronesia
September 25 – October 1, 2019**

SUMMARY REPORT

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AGENDA ITEM 1 — OPENING OF MEETING

1.1 Welcome

1. Mr. Laurence Edwards II called the meeting to order and welcomed delegates and participants to Pohnpei, Federated States of Micronesia (FSM) and to the 15th meeting of the Western and Central Pacific Fisheries Commission (WCPFC) Technical and Compliance Committee (TCC15).

2. FSM offered the opening prayer.

3. Justino Helgen, Acting Head of Compliance, National Oceanic Resources Management Authority (NORMA), FSM acknowledged the WCPFC Commission Chair Ms. Riley Kim and WCPFC Executive Director Feleti Teo, OBE, and welcomed all TCC delegates to Pohnpei on behalf of the NORMA Executive Director and the leaders of the FSM government and civil society.

4. The WCPFC Chair, Ms. Riley Kim, acknowledged the TCC Chair, Mr. Laurence Edwards II, delegates, observers, and the WCPFC Secretariat Executive Director and his team. She expressed sincere appreciation for the opportunity to address TCC15, and thanked TCC's host, the government of FSM, for providing excellent logistical support for the meeting. She observed that nine years had passed since the introduction of the WCPFC Compliance Monitoring Scheme (CMS), the backbone of the WCPFC's compliance-related works. She recalled the first Compliance Monitoring session in 2011, and stated that the Scheme had evolved significantly since then. She noted that the Commission had committed to a multi-year work plan of tasks — beginning at TCC15 — with the aim of increasing the efficiency and effectiveness of the CMS. She thanked FSM for leading the intersessional working group (IWG) on CMS audit points, which will significantly contribute to the CMS' effectiveness and efficiency, and looked forward to discussions on CMS audit points at TCC15. She also thanked the other IWGs — on observers; transshipment; electronic reporting and electronic monitoring (ERandEM); the South Pacific Albacore Roadmap; and sharks — for their work since TCC14. She acknowledged the hard work of the Secretariat, especially the Compliance Manager Dr. Lara Manarangi-Trott and her team, in support of TCC, and noted the presence of the WCPFC Legal Adviser, Dr. Penny Ridings. She expressed her appreciation to Ms. Alexa Cole, who led TCC for the previous 4 years with her outstanding leadership, and congratulated the new TCC Chair. She wished all delegates successful deliberations, stating that she looked forward to the advice and recommendations from TCC15 to WCPFC16.

5. The Executive Director welcomed the delegates to TCC15. He acknowledged that TCC15 marked the TCC Chair's first meeting in that position, and pledged the full support of the Secretariat. He also acknowledged the presence of the Commission Chair and Vice-Chair. He emphasized two issues in his remarks. First, the current Conservation and Management Measure (CMM) for CMS (CMM 2018-07) expires in 2019, and must either be extended or replaced by a new measure. Although only a 1-year measure, it was a product of extended work by the Commission, including an independent review and an intersessional working group. He noted that the current measure envisions ongoing improvement to the CMS, with tasks that are clearly set out in the CMM's future work section. Some of these were progressed

intersessionally, and updates would be provided by the relevant members. He noted that there was also an explicit mention that the CMM would be enhanced in 2019, and noted the need to progress discussions on this, with the hope that TCC15 would be in a position to recommend a package of reforms to WCPFC16. Secondly, he stressed the work that the Secretariat has initiated on streamlining Commission reporting requirements in seeking to avoid duplicative reporting, which is envisioned in the CMS. This is addressed in **TCC15-2019-WP10**, but he emphasised the importance of the work, and encouraged all CCMs to engage constructively on the options presented in the paper, to reduce duplicative reporting without undermining the underlying objectives. The Executive Director stated that the Secretariat made a presentation to Fifteenth Meeting of the WCPFC Science Committee (SC15), and circulated the paper widely, but unfortunately had received minimal responses and feedback, meaning that WP10 had not received the desired input from members that had been anticipated. He stated his hope that TCC could provide clear guidance for the Commission on how to progress the issue.

6. The TCC Chair welcomed all participants to the 15th meeting of the TCC, and declared TCC15 open. In doing so he acknowledged the WCPFC Executive Director; the Chair and Vice-Chair of the Commission; the WCPFC Legal Advisor, Compliance Manager and Assistant Compliance Manager; the TCC Vice-Chair Dr. Robert Day; and the rest of the Secretariat staff. He also conveyed his appreciation to the Government of FSM, NORMA's Director Eugene Pangelinan and their support staff for their hard work, and acknowledged the accomplishments of Ms. Alexa Cole, his predecessor as TCC Chair.

7. The following Members, Cooperating Non-Members and Participating Territories (CCMs) attended TCC15: Australia, Canada, China, Cook Islands, Ecuador, El Salvador, European Union (EU), FSM, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Republic of Korea, Liberia, Republic of the Marshall Islands (RMI), Nauru, New Caledonia, New Zealand, Niue, Palau, Panama, Papua New Guinea (PNG), Philippines, Samoa, Solomon Islands, Chinese Taipei, Thailand, Tokelau, Tonga, Tuvalu, United States of America (USA), Vanuatu and Vietnam.

8. Representatives from the following regional organisations attended TCC15: the Pacific Islands Forum Fisheries Agency (FFA), the Parties to the Nauru Agreement (PNA), and the Secretariat of the Pacific Community (SPC).

9. Observers representing International Environmental Law Project, International Seafood Sustainability Foundation (ISSF), Pew Charitable Trusts (Pew) and World Wide Fund for Nature (WWF) also attended TCC15.

10. A full list of participants is provided in **Attachment A**.

1.2 Adoption of Agenda

11. The agenda was adopted (Attachment B).

1.3 Meeting Arrangements

12. The Compliance Manager outlined the logistical arrangements in place to support the meeting, including the internet and wireless arrangements, access to the small meeting room, and document management. Participants were advised that a function, hosted by the WCPFC Chair and NORMA would be held on Friday 27th September 2019 at the Commission Headquarters in Kolonia.

13. The following small working groups (SWGs) were established: (i) Cooperating Non-Member (CNM) applications, led by Ace Capelle (Nauru); and (ii) TCC Workplan, led by TCC Vice-Chair Dr

Robert Day (Canada). Also convened in the margins of TCC15, informal face-to-face discussions for the Intersessional Working Group to Review CMM 2009-06 on Transshipment, co-chaired by Sam Lanwi (RMI) and Alex Kahl (USA); the development of audit points for the Compliance Monitoring Scheme chaired by Eugene Pangelinan (FSM); and the TCC Working Group on flow of Observer Reports chaired by Tom Graham (USA).

1.4 Introduction of Proposals: New CMMs or Draft Revisions to Current CMMs

14. Proponents of new Conservation and Management Measures (CMMs) were invited to briefly introduce their proposals.

15. Korea introduced **TCC15-2019-DP02_rev1**, *Proposal for a Conservation and Management Measure for Protection of Marine Mammals from Longline Fishing Operations*. Korea stated that the CMM proposal had been provided about 30 days prior to TCC15. Korea referenced a United Nations Food and Agriculture Organisation (FAO) technical paper (presented in draft form to SC10 as **SC10-2014/EB-IP-04**), which found marine mammals such as cetaceans and seals are known to interact with longline gear. Korea thanked Dr. Shelley Clarke and her co-authors for undertaking this work. Korea noted CMM 2011-03 (Protection of Cetaceans from Purse Seine Fishing Operations), but stated that no CMM currently addresses the issue of interaction of longline gear with marine mammals. Korea noted that their analysis of their proposal with respect to CMM 2013-06 indicated it would not have a disproportionate impact on small island developing states and territories (SIDS). Korea indicated the preamble was adapted from CMM 2011-03. Para 1 of the proposed CMM gives an indication to fishermen that cetaceans and seals have the most interactions; dugongs were included because of their distribution in longline fishing grounds. Korea invited suggestions for modifications. Paras. 2 and 4 are the most important elements: para. 2 requires a total ban on the retention of any partial or whole marine mammal carcass. Korea noted that other CMMs that ban retention of certain species also ban other activities (e.g., transshipment, landing, and selling), but suggested a ban on retention was sufficient, as these other activities would not be possible if a marine mammal had not been retained at the outset. Para. 3 of the CMM (regarding the use of circle hooks and specifying a minimum diameter for monofilament leaders and branch lines, and a minimum breaking strength for other branch line materials) is being implemented by some United States territories in their exclusive economic zones (EEZs). Korea noted these were very specific provision that it had not yet fully analysed, and welcomed feedback on their practicability, noting Para. 4 is very important, and requires prompt safe release of hooked or entangled individuals, and reporting. Korea stated it looked forward to working with CCMs to refine and improve the proposed CMM.

16. China stated that the proposed CMM should be evaluated by SC, and inquired why it had not been submitted to SC15. China also inquired why this issue was suddenly being addressed, suggesting that if it was very serious, it should have been dealt with in previous years. It also inquired why FFA was not submitting the proposal, as most longline vessels operate in FFA waters. Korea replied that the proposal was only recently completed, and thus was not ready for submission to SC15. Korea indicated that in its view the issue warranted consideration by WCPFC as rapidly as possible.

17. Japan stated that the proposal was clear, and that it was unaware of any discussions at SC meetings of mitigation measures relating to marine mammals. Japan inquired whether a paper would be submitted to SC focusing on the specification of circle hooks. Korea stated that time constraints prevented it from providing a full scientific information regarding the circle hook mitigation measure with its proposal, while noting it did hold informal consultations with the U.S. delegation, and indicated it would work with the United States on the mitigation measures.

18. Indonesia stated that the proposal was very important, and agreed with the need for marine mammal protection, while echoing comments by China and Japan regarding the need for a scientific basis

for the proposed CMM, such as data on interactions between marine mammals and the longline fishery, including especially dugong. Indonesia also noted the need to take into account interactions with the purse seine fishery, and inquired whether separate CMMs would be needed for the longline and purse seine fisheries, or if these could be combined. Korea indicated that although there were few reports regarding fishery interactions with dugong, they were included as a precautionary approach because their range overlaps with the WCPFC longline fishery, but indicated this could be reconsidered if there were concerns regarding their inclusion.

19. Kiribati, on behalf of FFA, stated that with respect to the CMM 2013-06 assessment, FFA members required more time to consider the proposal to evaluate the SIDS implications. Kiribati requested that all CCMs undertake advance consultation regarding proposed CMMs, especially with small SIDS, and stated FFA members could not support the proposal at present.

20. PNG echoed the comments by Kiribati regarding the need for more extensive consultations with CCMs regarding CMM 2013-06 (SIDS) requirements. PNG also inquired whether the CMM would apply throughout the WCPFC Convention Area; Korea affirmed that was the intent.

21. Fiji thanked Korea for its proposal, stating it agreed with the intent, while indicating it could not support para. 3, and welcomed further discussion on the issue.

22. Chinese Taipei stated that the proposal addressed an important issue, but that it had several technical concerns that may require clarification, and indicated it would be happy to work with all interested CCMs on the issue.

23. The EU stated its support for the intent of the proposed CMM, but indicated the need for more information, especially regarding incidents with longline vessels, and encouraged Korea to provide such data. The EU stated that in principle its fleet has no incidents with cetaceans, but that this is maybe not the case for other fleets. The EU also requested that Korea provide more information regarding the methodology that resulted in the choice of the proposed mitigation, and suggested the need to develop guidelines for marine mammal handling and release.

24. Solomon Islands, on behalf of PNA members, thanked Korea for taking the initiative on this important issue, and agreed that the lack of measures for the longline fishery for marine mammal conservation is a serious gap, while agreeing with FFA members that the proposal required a more thorough CMM 2013-06 assessment. They also offered the following specific comments:

- regarding Para 3 on “The requirement for weak circle hooks and minimum line strengths,” while this seems a reasonable approach, they were unaware of any scientific basis for this, and requested additional scientific information; and
- regarding the reference to Part 1 reports in para 8, PNA members proposed replacing the reference to Part 1 in para 8 with Part 2. Reporting of incidental catches of marine mammals are an implementation issue, and this should be covered in Part 2 reports, not Part 1.

25. The proposal was further considered under Agenda Item 12.1.

26. Canada introduced **TCC15-2019-DP04 Proposal to Amend CMM 2017-02: Conservation and Management Measure on Minimum Standards for Port State Measures**, noting that the proposed amendments should be considered in conjunction with TCC15-2019-RP07 *Annual Report on Port Inspections and Implementation of Minimum Standards for Port State Measures*. He acknowledged the work that had gone into the CMM 2017-02, while noting that the CMM specifies that it undergo review within 2 years of its enactment. The proposal in DP04 reflects Canada’s effort to make manageable and

incremental changes to the existing Port State measures. He also stated that Canada had completed a SIDS assessment of the proposed CMM based on CMM 2013-06, and welcomed further discussions on this. He noted that because the designation of ports is “encouraged” by the CMM rather than required, and all the new provisions are triggered by the designation of ports, none of the new elements of the CMM are binding. This will provide flexibility to port CCMs to implement the measures as soon as possible, but on an attainable timeline given their specific circumstances. The main proposed change is to add provisions such that, where a port CCM has chosen to designate ports for the purposes of inspection (as per the current paragraph 6), foreign vessels seeking to enter those ports will be required to provide advance notice of port entry. This notice is to be provided in keeping with terms proposed in new paragraphs 9-11, which in some cases may be modified by the port CCM to align with their particular circumstances. These new paragraphs then specify that the port CCM shall decide whether or not to grant the vessel access to its port, and actions to be taken in each case. In terms of inspection requirements, a new requirement is proposed in paragraph 12(c) that vessels that have been denied entry to or use of a port shall always be inspected. If denial occurs, this would be reported to other parties and the WCPFC. He concluded by stating that Canada and Pew would host a side event to discuss Port State measures.

27. Indonesia asked for clarification on paragraph 9, regarding limits on foreign longline and purse seine vessels, and asked whether there were considerations for other gear? Canada stated that it sought to specify the major gear types, and carrier vessels, and were open to additional gear types if desirable.

28. Japan stated it appreciated the initiative, but wanted to ensure consistency with the FAO Agreement on Port State Measures (PSMA) to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing. It noted the proposed CMM (in paragraph 12 (3)) requires 100% inspection of vessels that have been denied entry into port, but stated that such vessels are different from IUU fishing vessels, and that the Commission lacked the basis to require 100% inspection of these vessels. It suggested priority should be given to inspection of vessels denied entry into port, rather than requiring 100% inspection. This is line with Japan’s understanding of the FAO PSMA. Regarding paragraph 9, and noting that most fishing occurs within EEZs, Japan suggested the 48-hour notice may not be reasonable, and that 24-hour notice may be. In reply, Canada stated that how to address inspection of vessels denied entry into port could be a matter for discussion, and that paragraph 10 suggests that there may be a need for flexibility in how advance notice is applied.

29. Korea inquired regarding the choice of 48 hours for the reporting timeframe, which varies across the various tuna RFMOs (from 24 to 72 hours). Korea also noted that there are existing reporting formats for advance notification of port entry that are enforced under the domestic laws and regulations of coastal states, and that the proposed format is similar to that of IOTC, but stated that significant changes in the format may cause some difficulties to coastal states and fishing vessels. Canada stated that the second point was important, and welcome discussion on how this could align with existing measures. Regarding advance notice, there is a range of time periods, and CCMs will have to decide what is reasonable from both the port control and fishing vessel perspectives.

30. Solomon Islands, on behalf of FFA members, thanked Canada for the proposal, and stated that their initial analysis suggested a more detailed CMM 2013-06 evaluation was needed. It acknowledged Canada’s statement that only CCMs that choose to designate ports will be affected, but stated all actual and potential impacts should be evaluated. Canada stated it is committed to working with all CCMs on the proposal.

31. The proposal was further considered under Agenda item 8.7 (a).

AGENDA ITEM 2 — ANNUAL REPORT OF THE EXECUTIVE DIRECTOR

32. The WCPFC Executive Director introduced **TCC15-2019-05**, *Executive Director's Overview Report of the WCPFC MCS and Compliance Programmes*, which overviews the WCPFC Monitoring, Control and Surveillance (MCS) and Compliance Programmes in the context of the priorities within the *TCC Workplan for 2019–2021 (TCC15-2019-IP13)*. The report also provides a synthesis of the challenges with respect to each compliance tool, and lists specific tasks that WCPFC15 tasked TCC15 to consider and report back on to WCPFC16. The report lists priority issues forwarded to TCC15 by WCPFC15; one category relates to CMM 2018-07, including the need to develop a process to assess CCM's actions, and the need to streamline the Commission reporting requirements with the goal of removing duplicative reporting, developing audit points, and tasks related to the CMS. A second category are issues not related specifically to the CMS measure. All the tasks are addressed in detail through the TCC agenda and dedicated working papers. The Executive Director noted that the CMS has become the core work of the TCC following its adoption in 2010, with TCC's key role to adopt a provisional Compliance Monitoring Report (pCMR) for submission to the Commission. The CMS allows the Commission to assess the capacity needs of members and enables CCMs to improve their level of compliance. He noted that CMM 2018-07 was the outcome of significant effort by the Commission, including an independent review and a dedicated working group, but that its expiry in 2019 required that the Commission either adopt a new measure or extend the current measure. Noting that the dCMR entails intense work to prepare, the Executive Director thanked all CCMs who worked closely with the Secretariat in producing it. He also acknowledged the dedication of the Compliance Manager and her team in producing the dCMR. He observed that the analysis provided by the Secretariat continues to improve through information management system (IMS) enhancements that enable better analysis; better use of online systems, which makes expeditious notice to members possible; provision of a specific list of obligations for CCMs; and refinements to rules that provide greater clarity. The Executive Director noted the contributions made by SPC-OFP and the FFA Secretariat in supporting CCMs in compiling Part 2 reports, and stated that the Secretariat had also undertaken direct assistance to support some developing CCMs. The Commission budget support for these matters is sufficient for current efforts, but an expansion of CMS responsibilities could require an increase in budget support.

33. The Executive Director gave an overview of the draft IUU vessel list, which was unchanged from 2018, and noted that WCPFC had received 8 CNM requests, including 7 from current CNMs. He also noted efforts taken by the Commission to provide assistance to SIDS. This includes the ongoing development of a dedicated website page to support implementation of Article 30, as well as special trust funds that provide a pool of resources to support SIDS. He also noted the ongoing WPEA project that assists Indonesia, Philippines and Vietnam, and stated that the report also provides brief updates on the operational status of all compliance tools managed by the Commission. The Executive Director stated that the operational details would be considered in greater detail during TCC15. He observed that all compliance tools depend on the IMS that supports their operation, which is being continuously improved, and indicated the report identifies some key priority areas for future information management development, noting that the cost of any improvements would need to be assessed before these are tabled before the Commission.

34. FSM, on behalf of FFA members, thanked the Secretariat for their work over the past year, and also the Executive Director for his report, which provides a useful overview of the Secretariat's work, as well as the core MCS and compliance programs of the Commission. While noting that much of the content of the report would be covered under other agenda items, FSM highlighted some priority areas for FFA members: (i) Transshipment reform is needed, because 2018 had the highest number of transshipment events reported over the past decade and Convention Article 29 requirements are not being met. FFA members are encouraged by the upcoming work proposed for the Transshipment IWG, and look forward to meaningful reform. (ii) VMS is a core MCS tool for the Commission and for CCMs but some vessels are not visible on the WCPFC VMS that should be. FFA members and other CCMs have repeatedly voiced concerns, but without result. TCC and the Commission must put in place timely and effective solutions to

address these issues during 2019 and the Secretariat also needs to give this issue some priority. (iii) Compliance Case File System (CCFS), which is an integral system that supports the efficient, fair and effective operation of the Compliance Monitoring Scheme – and FFA members commended the Secretariat on its attention and efforts spent on developing this.

35. New Zealand, on behalf of FFA members, referenced the 2019 high seas boarding and inspection (HSBI) operation undertaken by New Zealand, Australia, the United States, and France, and highlighted some challenges with the transmission of data that is used to support MCS operations in the WCPFC Convention Area from the perspective of a CCM that undertakes significant HSBI activity. New Zealand experienced apparent gaps in the VMS data that was supplied to it, which points to a potential issue with the VMS system not working as well as it should. In some cases, New Zealand believes it did not receive VMS data for vessels that were active in the area being patrolled, which impacts significantly on the planning and execution of this expensive and resource intensive activity. New Zealand also experienced situations where transshipment notifications from the relevant members who tranship in the WCPFC Convention Area were not being sent to them, which impacts heavily on their ability to plan out at-sea operational activity. New Zealand strongly encouraged members who tranship in the WCPFC Convention Area to comply with the requirements to provide timely transshipment notifications and declarations to the Secretariat, which are essential to facilitate effective MCS operations.

36. Australia on behalf of FFA members thanked the Executive Director for highlighting five priority work areas for future IMS development in 2020-2021, stating that future development of the IMS should remain user-focused, as it is imperative that the Commission's IMS be user-friendly to facilitate necessary access to data. FFA members expressed support for the five general areas stated in the Report, but noted that greater specificity is required (from both the Secretariat and CCMs) as to the exact nature and elements of each work area to assist in understanding how they align with current work and how best to target Secretariat resources. In particular: (i) Support ways to improve the collection of accurate and timely data: Australia referred to New Zealand's statement regarding the availability of timely and accurate data, which is an ongoing issue for CCMs, particularly those that undertake regional and high seas MCS operations, and supported greater attention to this area. (ii) Analytical capability: Australia stated that Paragraph 41(c) notes the work area of 'continuing to expand the analytical capability and business intelligence of the WCPFC IMS', indicating that FFA members seek guidance from the Executive Director regarding what kind of analytical capability is intended for the focus.

37. The Executive Director stated the questions raised would be addressed at the proper points in the agenda.

38. TCC15 noted the Annual Report of the Executive Director that provided an overview report of the MCS and Compliance programmes (**TCC15-2019-05**).

AGENDA ITEM 3 — IUU VESSEL LIST

39. TCC15 reviewed the draft IUU Vessel List and current WCPFC IUU Vessel List, as outlined in **TCC15-2019-06**. The draft IUU Vessel List contained in Annex 1 provides details on the nominations for inclusion on the draft IUU Vessel List; specifically the Neptune, Fu Lien No 1, and Yu Fong 168.

40. Palau supported retaining all the vessels on the 2019 IUU list in 2020, and inquired what further actions could be taken by the Commission to address the issue.

41. Kiribati, on behalf of FFA members, supported the retention of the three vessels on the current IUU list, stating there had been no new suitably documented information provided in accordance with CMM 2010-06. FFA members noted that the vessels have been on the WCPFC IUU Vessel List for over 10 years, and this continue to be a serious concern for FFA members, especially as these vessels have been listed in other RFMO Lists. They noted the Executive Director's update in December 2015 that Georgia deregistered both vessels Neptune and Fu Lien No 1, while the Executive Director provided another update in December 2017 that Chinese Taipei deregistered the vessel Yu Fong 168. FFA members asked, as they have done previously, what further actions the Commission can take? FFA members recalled that WCPFC13 tasked TCC with investigating options to address the circumstances of vessels that remain on the WCPFC IUU Vessel List for several years. CCMs have noted many times the need to collectively think of innovative ways to deal with this issue, so that it does not become routine to simply roll over this IUU List each year. Consequently, as recommended by TCC14, WCPFC15 tasked the Executive Director with requesting additional information about these vessels from the previous flag States and other RFMOs, and including the master's name and nationality in the WCPFC IUU List, to enable tracking the rogue persons involved in these cases. However, no additional information has been forthcoming as a result of these efforts. At TCC14, FFA members advised that they are broadening their approach to combatting IUU fishing from being heavily vessel-focused to include greater scrutiny and profiling of persons (both individuals and companies) involved in IUU fishing. This work has been fully endorsed by FFA fisheries ministers and is underway.

42. RMI, on behalf of FFA members, continued to call on the cooperation of all CCMs to actively work together to locate these vessels and stop their illegal activities. At TCC14 FFA members requested an update from the Secretariat on any information received from communications with the former flag States of Georgia and Chinese Taipei, as well as other RFMOs regarding these vessels. FFA members proposed that TCC recommend the Commission task the Executive Director to:

- (i) seek the former flag States' cooperation to provide any information on these vessels, including their respective masters' names and nationalities, noting that in some jurisdictions, the authority responsible for licensing of fishing vessels on the high seas may not be the authority responsible for fisheries or the flag State administration. FFA members requested that the Executive Director ensure that the relevant communication is directed to all concerned authorities of the former flag States so that information is forthcoming.
- (ii) write to all CCMs to provide information to the Commission if they are 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;
- (iii) write a letter to other RFMOs conveying this same message for cooperation to locate these vessels; and
- (iv) Inform all CCMs of the outcomes of the above prior to TCC16.

FFA members further proposed that any information received by the Executive Director be reported promptly to CCMs. The paper on the *Compilation of IUU Vessel Cross Listing Procedure of Tuna RFMOs* (TCC15-2019-06A) was noted.

43. Fiji, on behalf of FFA members, recalled that WCPFC13 had agreed that "where the vessel is not listed on the Record of Fishing Vessels and the master's name and nationality are not known, the flag State is responsible for providing the name and nationality of the master, so that these details can be included into the WCPFC IUU Vessel List". Accordingly, they proposed that the Executive Director ensure that these details are captured for any future listings on the WCPFC IUU Vessel List. As stated at TCC14, FFA members are now working to identify persons of interest (both natural persons and companies). FFA members proposed the inclusion of information on the beneficial ownership of a vessel in the WCPFC IUU

listing process, in particular for any new listings, and suggested that any person with at least 25% equity interest in a vessel, whether directly or indirectly, should be considered a beneficial owner.

44. The Executive Director stated that the Secretariat's lack of updates or information was not the result of not actively trying to obtain information. He explained that each year the Secretariat had written to the individuals and authorities suggested by CCMs, but no new information was forthcoming. He noted that the 3 vessels on the WCPFC IUU Vessel List were also on the IUU vessel lists of other tuna regional fisheries management organisations (t-RFMOs). He indicated the Secretariat would be looking at the cross-referencing arrangements that other t-RFMOs have in place, noting that other organizations were also seeking information regarding the whereabouts of the three vessels. He stated that all the original flag states had gone through the process of deregistering the vessels. The Secretariat has written multiple times to Georgia, but no information has been forthcoming.

45. The United States supported keeping the three vessels on the IUU Vessel List, as well as the recommendations from FFA to address any shortcomings with the current IUU listing procedures. It noted that a number of improvements in WCPFC's IUU vessel listing process had been made since these vessels were first placed on the IUU list (in 2009 and 2010), and that for vessels that were listed subsequently a bilateral resolution was reached in all cases. In the event of future IUU vessel listings WCPFC would be in a better position to track the vessels, their ownership, etc. The United States reflected that the continued listing of the three vessels in question did serve a purpose, by preventing the vessels from engaging in any activities in the WCPFC Convention Area (e.g., fishing in WCPFC waters, and coming into port). The United States re-emphasised that the Secretariat had undertaken outreach on the three vessels, and has likely received all that was possible from the vessels' former flag states, and suggested that this be the last time TCC ask the Secretariat to undertake outreach regarding these vessels.

46. Dr. Penny Ridings (WCPFC Legal Adviser) presented **TCC15-2019-06A** *Compilation of IUU vessel cross-listing procedures of tuna RFMOs*. She noted that the paper was prepared in support of CCMs' interest in preventing IUU fishing, and that during the prior 2 years other t-RFMOs amended their CMMs to provide for cross-listing of vessels from other IUU lists, while the WCPFC does not currently provide for that process. She noted that the paper was provided for information purposes.

47. The EU strongly supported the suggested cross-listing procedure, noting that the EU is also a member of the other t-RFMOs. The EU suggested that TCC consider making a recommendation on this issue to WCPFC16.

48. Canada supported the EU's comments, stating it would support a new or updated CMM to support cross listing, and suggested this perhaps should go beyond the t-RFMOs (as is done by IATTC) and include other suitable organisations.

49. New Caledonia supported the statements by the EU and Canada.

50. TCC15 recommended to WCPFC16 that the three fishing vessels NEPTUNE, FU LIEN No.1 and YU FONG 168 currently on the WCPFC IUU Vessel List in 2019 remain on that list for 2020.

51. TCC15 recommended that the Commission tasks the Executive Director to:

- seek the former flag States' cooperation to provide any information on these vessels, including their respective masters' names and nationalities;

- write to all CCMs to provide information to the Commission if they are 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;
- write a letter to other RFMOs conveying this same message for cooperation to locate these vessels;
- ensure that any information received from the ED is promptly reported to all CCMs; and
- Inform all CCMs of the outcomes of the above prior to TCC16.

52. TCC15 tasked that the Executive Director ensure that details on name and nationality of master and beneficial owners are captured for any future listings on the WCPFC IUU Vessel List.

53. TCC15 recommended that WCPFC16 considers amending the current CMM (CMM 2010-06) in order to adopt a measure that would allow for cross listing vessels on the IUU Vessel Lists of other RFMOs into the WCPFC IUU Vessels List in order to strengthen the fight against IUU fishing.

AGENDA ITEM 4 — CNM REQUESTS

54. In accordance with CMM 2009-11, TCC15 considered the applications for Cooperating Non-Member status for 2019, as summarised in **TCC15-2019-07**, and established the CNM SWG (led by Ace Capelle from Nauru) to develop draft recommendations and technical advice for the consideration of the Commission. The Compliance Manager stated that the Secretariat had received eight requests for CNM Status in 2020, from Curacao, Ecuador, El Salvador, Liberia, Nicaragua, Panama, Thailand and Vietnam. Table 1 of TCC15-2019-07 details the dates and formats of the requests; Table 2 of TCC15-2019-07 summarizes financial contributions by CNMs as of 6 August 2019. Following issuance of the paper, payments were made by Ecuador, Nicaragua and Vietnam, with a payment from Panama confirmed as having been received by the Secretariat on the final day of TCC15.

55. On the final day of TCC15 the Chair of the CNM SWG provided a report from the CNM SWG.

56. TCC15 noted, there are a total of 8 applications received, majority of which are requesting for renewal of CNM status for 2020, thus assessing these applications against CMM 2009-11 is crucial for the SWG to determine whether CNM applicants have satisfied the requirements set out therein, in particular paragraphs 2, 3 and 11.

57. TCC15 reviewed the following CNM applications and will be forwarding them to WCPFC16 for consideration: Ecuador, El Salvador, Liberia, Nicaragua, Panama, Thailand, Vietnam and Curacao. All applications were for renewal status with the exception of Curacao, who submitted an application for the first time this year.

58. TCC15 noted with appreciation the participation and cooperation of the representatives present at TCC15 CNM SWG: Ecuador, El Salvador, Panama, Vietnam and Thailand. These CNMs were able to provide additional information to clarify and respond to questions raised in the SWG concerning their applications. Ecuador, Vietnam and El Salvador reiterated their interest in becoming full members of the Commission.
59. TCC15 noted and acknowledged Ecuador, El Salvador, Liberia, Thailand, Nicaragua, Panama and Vietnam for their financial contributions for 2019.
60. TCC15 noted from the Secretariat's update that Panama's financial contribution for 2019 was paid, and further noted payment was received well after the payment deadline which was during TCC15.
61. TCC15 noted the issue of late payment of financial contributions and recommended that WCPFC16 continue to apply the same expectations regarding payment deadlines and outstanding payments which are applied to full Members of the Commission.
62. TCC15 noted with concern a number of data gaps in CNM applications and requested the Secretariat to follow up with CNMs to provide some clarity and guidance on the matter.
63. TCC15 noted with concern the non-attendance of Liberia and Nicaragua. TCC15 further noted the difficulty in clarifying specific questions related to the content of their CNM applications if applicants are not in attendance and recommended that WCPFC16 encourages CNMs applicants to participate in future meetings.
64. TCC15 further noted that a number of CNMs had compliance issues in 2018, including Panama, Liberia, and Ecuador. TCC15 recommended that WCPFC16, when making its decision on CNM applications, assess CNMs' compliance status with all CMMs, including but not limited to laws and regulations applicable to fishing and fishing related activities of CCMs.
65. TCC15 noted the issues of non-attendance, late financial contributions, compliance and data gaps and recommends WCPFC16 remind CNMs of its expectation that CNMs participate more actively in the future to respond to queries and rectify issues in a timely manner.
66. TCC15 further noted that it would assist TCC's assessment of applications if CNM applicants participated in its meetings and be available to clarify the content of their application and therefore recommends that WCPFC16 encourages CNMs to be present at TCC meetings in the future.
67. SWG considered whether the applicants had satisfied the requirements set out in paragraph 2 of CMM 2009-11 and advised that Ecuador, El Salvador, Nicaragua, Panama, Thailand and Vietnam, have met all of the necessary requirements therein.
68. TCC15 tasked the Secretariat to write to Curacao to request information on its compliance records in other RFMOs.

69. TCC15 noted that Thailand provided information to rectify the data gaps on historical data on their fisheries activities in the Convention Area as required under CMM 2009-11 (2)(d) under the CNM application confirming their vessels are not operating in the Convention area.

70. TCC15 noted that Ecuador, Liberia, and Panama were noted as non-compliant or priority non-compliant on a number of CMMs during the CMS process in 2019. Where a compliance issue is priority non-compliant, TCC15 recommended that those CNMs provide an explanation to WCPFC16 as to how these repeated instances of non-compliances will be addressed and not repeated each year so that this can be critically assessed by the Commission in determining whether or not to grant CNM status to each applicant.

AGENDA ITEM 5 — COMPLIANCE MONITORING SCHEME (CMS)

5.1 CMS Process

71. The Chair introduced the TCC15 CMR review process as detailed in **TCC15-2019-09**.

72. The Compliance Manager introduced **TCC15-2019-08A**, *Overview of Compliance Monitoring Scheme matters for TCC15*, which provides a brief background on the CMS review and development of CMM 2018-07, including the requirement that it be “enhanced in 2019 in accordance with the future work in Section IX” (paragraph 49) and will be effective for 2019 only (paragraph 48). The paper specifies the key dates for CCM annual reporting, draft CMRs, and the associated WCPFC online systems, and provides a historical view of the scope of the dCMR that the Secretariat is tasked to prepare (summarised in Table 1). The WCPFC CMS continues to be supported by the WCPFC’s online annual and compliance monitoring reporting systems that comprise seven lists. The Secretariat noted that the compliance case file system (CCFS) has continued to expand with additional ROP data for 2016–2018, while communications between the Secretariat and relevant flag CCMs regarding the VMS reporting status for their vessels has improved. Ongoing investments by the Commission in the development and enhancement of the WCPFC IMS hosted databases for CMM reporting at the Secretariat and the development of the WCPFC online reporting systems has helped support the analyses undertaken by the Secretariat in preparing the dCMRs. Approval by the Commission of a list of obligations to be assessed under the CMR (WCPFC15 Summary Report Attachment V) has helped the Secretariat in managing the CMS process, as have efforts by CCMs to make timely annual report submissions. The CMS future work and related-TCC workplan priority tasks are crucial in the continued development of the CMS process, and the Compliance Manager welcomed discussions on CMS priorities.

73. The Compliance Manager also introduced **TCC15-2019-08B**, *List of Capacity Assistance Requests and Capacity Development Plan*, which summarizes Capacity Assistance Needs identified by CCMs, based on this year’s Annual Report Part 2 reporting and/or dCMR replies. The summary also indicates where CCMs have provided submissions related to Capacity Development Plans (CMM 2018-07 paras. 14 – 15) as part of their replies to this year’s draft CMR. The 2018 Strategic Investment Plan includes a list of Capacity Assistance Need areas from the Final Compliance Monitoring Report covering 2017 activities (Table 1 in TCC15-2019-08B). The 2018 Strategic Investment Plan also includes a list of additional areas of capacity assistance identified by CCMs in their Annual Report Part 2 covering 2017 reporting year (Table 2 of the paper). Tables 3 and 4 provides a summary of the Capacity Assistance Needs that CCMs have indicated they would like assistance with, which if approved will become part of the Strategic Investment Plan. A new Article 30 webpage has been launched, which remains a work in progress, and the Secretariat welcomed comments. The Compliance Manager noted that the following papers that

also address related topics: *Summary Tables of Flag CCM responses to alleged infringements notified in the WCPFC online compliance case file system 2019 - revision 1 (TCC15-2019-dCMR02_rev1)*; *Update on submission of Annual Report Part 1 and Part 2 (TCC15-2019-IP01)*; and *Streamlining WCPFC Reporting Requirements Discussion Paper (TCC15-2019-10)*.

74. The Chair confirmed that the outcome from the Heads of Delegation discussions, was consistent with past practice and that the discussions on CMR will be conducted in closed session. Meaning non-public domain data will not be accessible by observers, with the exception of FFA, SPC and PNAO (as per CMM 2018-07 para 8 and 21(i)). The Chair opened the floor to allow those CCMs and Observers to express views for the record.

75. The United States said it would like to reach a point that TCC could hold the CMS discussions in open session, and emphasised that the current measure identified that work to progress transparency in this process, which would allow observers to participate, as a priority for 2020.

76. The EU agreed that WCPFC should move to holding CMS discussions in open session, noting that some observers are now producing documents, and stating that their presence will be fundamental for the future outcomes of the Commission.

77. Canada echoed the comments by the United States and EU, stating that the CMS discussions should remain open, and noting that some CCM delegations include members who hold positions outside government. It affirmed their commitment to progressing this issue.

78. Indonesia stated that observers have a very important role in implementation of WCPFC CMMs, and noted that other RFMOs enable observers to join their CMS discussions.

79. PEW thanked those who have supported an open process. On behalf of PEW, WWF and the IELP, Pew stated that

- observers cooperate and collaborate with CCMs individually and the Commission collectively in support of sustainable fisheries in the WCPO;
- excluding observers from CMR discussions is at odds with language that CCMs have agreed to in the Convention, and results in a less effective compliance practice;
- the Independent Review Panel found that excluding observers was a major exception to the implementation of Article 21 on transparency, and the WCPFC Legal Adviser has written that it would be consistent with the Convention to permit greater transparency in the work of TCC;
- excluding observers is inconsistent with accepted practice regarding compliance issues with respect to a number of multilateral environmental agreements (e.g., the International Whaling Commission, CITES, Convention on Migratory Species, the BERN Convention);
- observers possess information relevant to the compliance process, provide capacity assistance that could be better targeted to address compliance-related gaps, and possess technical knowledge to improve CMM implementation; and
- NGO observers who have no financial stake in the work of the Commission can provide unbiased advice on fairness with respect to compliance issues. Increased transparency also increases the legitimacy of decision making.

Pew looked forward to further discussions on the issues.

80. Palau stated that it had experienced problems in the past when observers released information that was not necessarily accurate, but reflected that observers had also been very helpful.

81. Vanuatu on behalf of FFA members confirmed their support to the proposed approach as outlined in TCC15-2019-09.

82. TCC15 agreed on the proposed CMS process as outlined in TCC15-2019-09.

5.2 Provisional Compliance Monitoring Report and Executive Summary

83. The TCC reviewed the draft CMR, made its assessments, and prepared the Provisional CMR in closed session.

84. TCC15 submits the Provisional CMR, containing its provisional compliance assessment, and recommends the report to WCPFC16 for its consideration and final assessment.

85. TCC15 draws to the attention of WCPFC16 that there were several recommendations in the Provisional CMR relating to revision of existing Conservation and Management Measures. TCC15 recommends that WCPFC16 review and revise, as appropriate, the following obligations, noting that more information related to these recommendations is contained in the Provisional CMR:

- a. CMM 2017-01 51: for fisheries where there are limited catch and effort data; and
- b. CMM 2017-01 25: for relevant CCMs who are yet to notify their catch or effort limits.

5.3 Enhancing the CMS (CMM 2018-07 para 45 and TCC Workplan 2019 – 2021)

86. The Chair noted that in 2017 the Commission commenced the Review of the CMS, and a three-person independent panel was appointed under approved terms of reference to undertake the CMS review. At WCPFC14, the Commission agreed to establish in 2018 an IWG on the Review of the Compliance Monitoring Scheme (CMS IWG) led by Glen Joseph (RMI). The CMS IWG report led to the adoption by the Commission at WCPFC15 of CMM 2018-07. The Commission committed to a multi-year (2019-2021) workplan of tasks that seek to make the CMS more efficient and effective. Future CMS-related tasks are set out Section IX of CMM 2018-07 and the TCC Workplan 2019-2021.

87. FSM on behalf of FFA members referenced the hard work conducted with other CCMs at WCPFC15 to revise the CMS process in line with the objective of streamlining the process and ensuring that it focuses on aiding compliance by CCMs with the Commission's CMMs, which resulted in CMM 2018-07. CCMs are to monitor compliance with obligations to ensure that measures that are adopted have their intended effect and that CCMs fulfil their obligations as members of the Commission, many of which are outlined in the Convention. The CMS CMM further articulates this in Section I on "Purpose". Completion of the CMS enhancement tasks will help achieve the fundamental goal of ensuring WCPFC CMMs are effective. Each year, significant time and resources are dedicated to reviewing implementation of CCM obligations, but the outcomes have yet to fully connect to the development of CMMs. Now that TCC is responsible for finalizing the provisional CMR, the Commission can finalize and use CMS outcomes for its deliberations during the annual meeting. This should help in developing stronger CMMs — with built-in responses to non-compliance — and contribute to a better understanding within the

Commission of how implementation of obligations impacts on management of our resources. Significant work remains on the CMS enhancement tasks outlined in paragraph 45 of the CMS measure and in the TCC Workplan. The CMS is at the very heart of the role and function of the TCC, and in the view of FFA members, enhancement tasks cannot continue to rely on interested CCMs to take them forward, given the high priority of this work. FFA members would like to see adequate resources provided to ensure these tasks are completed as efficiently as possible; if the work is not progressed, there is a risk that CCMs will not be able to agree on a CMS measure to apply in the interim. FSM stated that FFA members look forward to working with other CCMs and the Secretariat in building an effective CMS to underpin the Commission's work.

a. Development of a process for assessing CCM actions in accordance with para 7(ii)(b) to replace para 27 of CMM 2018-07

88. The United States stated that the flag state investigation element is important for the CMS measure, but that there is room to make this more meaningful and streamlined. This is linked to other issues, such as the flag state's ability to take action in cases, and the Commission's ability to understand in a meaningful way whether countries are or are not meeting their obligations. The United States noted it had hoped to hear proposals from other CCMs on this, but would consider putting forward a proposal to WCPFC16 on how to address it. It stated that the CMS measure expires in 2019, and that flag State investigations was a key element that was intended to be addressed.

89. The EU stated that the process under consideration was important, and that it welcomed the opportunity to engage with other CCMs in its continued development.

b. comprehensive review of all the Commission reporting requirements, with recommendations to remove duplicative reporting as well as ensure the Commission's data and information needs are met

90. The Compliance Manager introduced two papers on streamlining reporting: **TCC15-2019-10**, *Streamlining WCPFC Reporting Requirements Discussion Paper (TCC Workplan 2019-2021 project related to the WCPFC CMS)*; and **TCC15-2019-10A**, *Synopsis of Suggestions and Options Presented in TCC15-2019-10*, which review all annual reporting requirements of the Commission with the view to streamlining and avoiding duplicative reporting, and determining whether they assist with compliance monitoring. She recalled the process of the CMS review and work of the IWG. The current CMS CMM has a very similar purpose to prior measures, with the addition of assessing CCM actions in relation to alleged violations by their vessels, rather than assessing compliance by individual vessels. She noted that CCMs have affirmed the implementation principles for the CMS, and the Commission's desire to increase efficiency and effectiveness by streamlining processes. The issues were discussed with CCMs in the margins of other meetings, and TCC15-2019-10 reflects the Secretariat's effort to capture significant concerns expressed by CCMs. An earlier version of the paper was distributed to CCMs via WCPFC Circular on 22 July, and the same version was tabled at SC15. Some written comments were received from FFA, Chinese Taipei and Birdlife, and through informal discussions at SC15 and NC15; the version of the paper presented at TCC15 reflects those discussions.

91. The paper has several sections, addressing: (i) limits; (ii) steps for implementation; (iii) scientific data; (iv) other reports, broken into topic-based areas, which allows for review of whether current reporting is meeting its purpose; and (v) obligations and principles. Reading limits, the Secretariat was guided by Para 7 of CMM 2018-07. The approach assumes the CMS will assess quantitative limits on the basis of verifiable data indicating that a limit has/has not been exceeded. CCMs are expected to submit information indicating compliance with limits. A number of CMMs have reports embedded within them, and these are intended to inform the review of limits; the evolution of Part I and Part II Annual Reports, and of the CMS,

has resulted in a situation where both limits and reports are reviewed, and where it can be difficult to identify the information that is related to a report. Limits within measures should ensure that reports respond to the limits, both in how they are formulated and how they are submitted through the annual reporting process. The Compliance Manager noted that the Secretariat provided a presentation to SC15, with an emphasis on science aspects, and that specific issues could be presented to SC16 if that was deemed necessary by CCMs. She also thanked Chinese Taipei for their suggestions regarding suggestion #15 in TCC15-2019-10A, noting that the Secretariat and SPC already undertake significant collaboration; she stated that the Secretariat considers the proposed actions would increase public access to data. She observed that there were a number of decisions that would have to be made by the Commission, including classification of annual reports as public or non-public domain data; whether to amend some CMMs and perhaps the science data to be provided; and adoption of an enhanced CMM on the CMS. She noted that there would be some budget implications for SPC and the Secretariat if all suggestions in the paper were implemented.

92. The Chair noted the five recommendations from **TCC15-2019-10**:

- a) Review and discuss the paper;
- b) Consider the list of principles set out in paragraph 73 (page 28) that are suggested to guide efforts to streamline the Commission's reporting requirements with the objective to make annual reporting more manageable and less burdensome;
- c) Consider the example streamlined Annual Report Part 2 for 2020, covering 2019 activities as provided in ANNEX II and the corresponding example "Report on implementation for obligations in RY 2019 that also applied in prior years" as provided in ANNEX III;
- d) Consider which suggestions in the paper should be supported and recommended for approval by the Commission, subject to available budget; and
- e) Task the Secretariat to provide to FAC and WCPFC16 the full cost and resource implications of the recommendations agreed by TCC in sub-paragraph d.

93. Niue, on behalf of FFA members, thanked the Secretariat for the very comprehensive work that should go a long way to addressing the objective of streamlining reporting obligations, which FFA members have raised for some years. FFA members noted reporting in the absence of a meaningful purpose or verification method only adds to the burden on CCMs and the Secretariat; and appreciated the principles listed in paragraph 73 that the Secretariat used to guide the review, and the opportunity this provides to remove the Annual Report Part 1, while noting some changes will need to be made to the Commission's Data Access Rules to ensure that data that is currently provided in Part 1 Annual Reports remains in the public domain. For example, SPC would need to be given access to Part 2 Annual Reports, as much data comes in after the 30 April deadline for provision of scientific information to the Commission. FFA members further noted the clear link to the work being done to improve the Commission's IMS, and stated that FFA members are hopeful this will help resolve issues and further improve streamlining.

94. The Cook Islands, on behalf of FFA members, noted the ongoing work to enhance and streamline the CMS, including efforts to move away from vessel level scrutiny as discussed during the negotiation of the new CMS CMM. Cook Islands stated that for FFA members, making progress on the work required under paragraph 7(ii)(b) is critical to the enhancement of the CMS, as it will help focus on CCM's implementation of and compliance with CMMs, rather than on the details of individual vessel-level infringements, which are better dealt with bilaterally and through use of the Commission's Compliance Case File System (CCFS). It will also help by setting a standard for assessing CCM's national implementation of measures, which supports both the work on audit points and streamlining of reporting requirements. Cook Islands noted that no progress had been made on this area of work to date and that FFA members see this as a critical area to be advanced over the coming year. Their experience in implementation of the CMS this year, including using the criteria outlined in paragraph 10 for informing the determination

of “flag State investigation” status under paragraph 27, will be helpful in informing the work we need to progress with respect to developing a process for assessing CCM actions in accordance with para 7(ii)(b) to replace para 27 of CMM 2018-07. They noted the offer by the United States to progress some of this work, and FFA members volunteered to work with the United States and other interested CCMs.

95. Japan thanked the Secretariat for the important paper, which it noted contained many meaningful suggestions. It stated the need for input and involvement from scientists, through discussion and assessment of the paper by SC, as scientists are responsible for the collection and verification of data, and hold many differing views. Japan also noted that the nature of data for science and MCS purposes are different, and that current data submission deadlines are set taking into account the nature of the data for both purposes, stating that the differences in these purposes must be very carefully considered.

96. The EU also commended the Secretariat for the paper, noting it was very impressed with the quality of the document, which summarizes the key issues and provides possible ways forward. The EU stated it was broadly supportive of the principles proposed, and offered their conditional support for the follow-up work. Regarding Japan’s comment, the EU stated it understood the concept, but thinks each CCM can consult directly with their own scientists if needed, and thus a delay until SC reviews the paper may not be needed. The EU noted that one conclusion is that while work for CCMs may be streamlined, SPC and the Secretariat will have additional work, which has cost implications, and it would be important to have an idea of what these are.

97. Chinese Taipei noted that, as stated in their comments submitted to the Secretariat, it is concerned about changes in the classification of public/non-public domain data, and suggested to review any reclassification. It offered to work with other CCMs and the Secretariat on this.

98. Australia stated their understanding that a draft of the presentation had been considered by SC, which considered the science-related issues in the paper, and considered that the paper should be the basis for further substantive discussion by TCC (and other subsidiary bodies) to progress this work.

99. China praised the high-quality work by the Secretariat, and welcomed the streamlining of reporting obligations, stating it could agree with most of the suggestions; China urged that if CCMs seek to amend a CMM, this should be done as soon as possible. However, it concurred with Japan that some suggestions will need to go to SC, and noted that procedurally, several suggestions were also linked with NC’s work. It stated that if decisions were made at TCC, a decision would need to be made regarding who would make the amendments, suggesting the Secretariat was not the correct party. China observed that some parties might need to be designated to do this prior to WCPFC16. In 2018 China suggested a 1-year lifespan for the CMS measure could be too short, and suggested extending the current measure for 1 year so that SC and the Northern Committee (NC) could be part of the process.

100. Nauru on behalf of PNA members, joined with other FFA members in supporting the paper and thanking the Secretariat for preparing and presenting it. They stated that the need for the removal of duplicative reporting was identified by the Independent Review of the CMS, and that removing duplicative reporting is essential for Pacific Island CCMs, especially those with smaller administrations. PNA members consider that the proposals made in TCC15-2019-10 provide effective ways to address duplicative reporting. In addition, the proposals can be expected to improve the transparency and public access to some elements of the Commission’s data. PNA members were supportive of the recommendations in the paper, agreed with the principles in para. 73 of TCC15-2019-10, and supported further work by the Secretariat to provide the resource implications of the recommendations.

101. Canada stated it was very supportive of the work done by the Secretariat in TCC15-2019-10. It stated that China had made some good observations, and suggested the need for TCC to reflect on how to

move the work forward: whether there was sufficient time prior to WCPFC16 to undertake significant work, or should whether this should be seen as part of the CMS update, whether it could be combined into continuing the CMS review process as led by RMI in 2018, and include efforts to develop a proposal for a process for assessing CCM actions in accordance with para 7(ii)(b) to replace para 27 of CMM 2018-07.

102. Japan thanked CCMs for their comments regarding Japan's prior intervention. While noting it fully supported the general direction proposed by the paper, it noted that the current paper was not available at SC15, and there was not substantive discussion on the issue, reiterating the need to hear from scientists on what is an important matter.

103. The United States stated it recognized that SC did not have a chance to go through the paper in as much detail as TCC, but suggested that CCMs could possibly identify those elements that need consideration by SC, enabling TCC to continue to make progress on the others. The United States noted the very ambitious plan of work under the new CMM on CMS, and suggested the need to make progress by focusing on specific aspects of the overall measure. The EU agreed with the United States, stating that if there are specific items that need scientific review, these could perhaps be identified at TCC15, and noted that those who attended SC15 might recall that the item was on the agenda, but there was a general feeling that this was not an SC matter, but was for the TCC to consider. China also agreed with the proposal by the United States, noting that all the issues raised under TCC15-2019-10 could not be submitted to SC for their consideration. It suggested that if TCC addressed a majority of the suggestions significant progress could be made at TCC15 and WCPFC16, with needed elements going to SC and NC for their review.

104. Palau offered full support for the comments made by other CCMs, especially the United States, EU and Canada, and thanked the Secretariat for their hard work, noting it would ease the burden faced by small countries such as Palau.

105. Pew Charitable Trusts stated that while it understands the need to streamline reporting requirements to ensure they meet the needs of the Commission and do not unfairly burden CCMs, it urged the Commission not to take any decisions that limit the transparency of information. Areas in which options are being presented that would potentially diminish public availability to information include (i) with respect to the transshipment reporting currently included in Annual Report Part 1, by potentially moving more reporting to Annual Report Part 2; and (ii) with respect to changes contemplated in reporting of shark data, as currently proposed in the comprehensive measure. The changes would place the following reports in Part 2 of the Annual Reports: (i) annual estimates of releases of oceanic whitetip and silky sharks; (ii) reporting on unintentional encircling in purse seine nets of whale sharks; and (iii) details related to life status for each release of these shark species. Pew noted that the Commission should seek to place as much data as possible in the public domain; making more information secret would be contrary to the objectives of the Commission.

106. Indonesia inquired regarding the suggested deadline of 22 June for submission of catch estimates, and inquired whether this could be delayed slightly to 26 June? The Compliance Manager stated that this was a suggestion based on the very firm submission deadlines for SC papers and data submissions to SPC scientists to enable adequate preparation for SC meeting papers. She noted that the proposal includes recognition that the catch estimates may need to be revised, and so the proposal provides for revised estimates to be issued through the year.

107. Australia, on behalf of FFA members, welcomed the suggestion from the Secretariat on how to address repetitive reporting on obligations that are only implemented once, stating this demonstrated the useful role of improved IMS in simplifying the work of the Commission, and making reporting more practical and less burdensome. They also welcomed the other proposed streamlining changes that resulted in a revised Annual Report Part 2 template, which follows the principles outlined in paragraph 73 of the

streamlining review. Australia stated that FFA members are open to trialling the new template in 2020, noting that additional changes may be necessary as a result of the work being done to specify audit points, as well as other CMS enhancement work that may clarify the requirements of CCMs in implementing WCPFC obligations. In line with the comments from Niue for the need to ensure that information is not lost from the public record when streamlining reporting requirements, FFA members sought advice from the Secretariat, SPC and CCMs on how best to continue to facilitate provision and access to information that informs the work of the Commission, including for example, through publication on the WCPFC website. Australia noted from its national perspective that losing information from the public record is a concern, not just the quantitative data provided through scientific data and other reporting requirements, but also the qualitative data that helps CCMs understand each other's fisheries and interests. If CCMs are to bring new proposals forward for the Commission's consideration it is really important that this information is available. Australia noted the Compliance Manager's statement regarding the clear process outlined for these issues, including the need to allocate funding for this work, and the importance of ensuring that the process to streamline reporting requirements (i) considers how CCMs are using this information, and (ii) focuses on the user, and considers alternative ways of presenting information.

108. PNG, on behalf of the PNA stated that the provision of summarised tables of data on species of special interest by SPC on the WCPFC website should make this data more accessible than having it spread through all the national Part 1 reports. PNA members supported this proposal in the paper, and the FFA position that this will mean that some parts of the Part 2 report will need to be in the public domain.

109. TCC supported, as a guide, the use of the list of principles set out in paragraph 73 (page 28 of TCC15-2019-10) in furthering the work to streamline the Commission's reporting requirements with the objective to make annual reporting more manageable and less burdensome.

110. The Chair sought comments on the specific suggestions in the TCC15-2019-10 (*Streamlining WCPFC Reporting Requirements Discussion Paper (TCC Workplan 2019-2021 project related to the WCPFC CMS)*). The synopsis paper (**TCC15-2019-10A**) provided guidance for these discussions.

Progressing suggestions from the review of reporting requirements related to quantitative limits in CMMs

111. China stated it could agree with the principle, that CCMs subject to an applicable quantitative limit provide the supporting details that confirm an applicable quantitative limit was not exceeded. However, the "supporting details" as mentioned should be clarified.

112. Canada agreed with China, stating that it has a quantitative limit, as do others, and needed an understanding of what additional information it would be providing, either through the report, or perhaps through ISC for some CCMs.

113. The EU stated in some assessments the limits are not defined clearly enough to allow the assessments to be streamlined. The EU suggested that the Commission be made aware that when limits are adopted these must be clear enough to allow TCC to make its assessments. The Chair observed that this could be helpful, and could possibly be applied through the audit points.

114. Several CCMs sought clarification regarding ISC's role in WCPFC, as referenced by Canada. The Executive Director stated that ISC is the recognised Scientific Services Provider for the NC, and their advice comes through the NC to the Commission. There is a role for the ISC, in that all recommendations tendered through the NC are usually vetted by the ISC.

115. In reference to the suggestion to amend CMM 2005-03 to remove duplicative reporting, China stated that procedurally speaking the suggestions regarding northern stocks should go through the NC. The EU questioned the need for this, stating that they were being reviewed by TCC, and that similar comments were raised during many TCC meetings. It inquired if this was formally needed? China stated that based on the Rules of Procedure any measures that relate to northern stocks should be first be raised in the NC. Canada stated that at the most recent meeting, which would be continued in Port Moresby, there was a discussion on the issue of annual reporting, and the recommendation was made to move forward (as is done at IATTC) with annual reporting. This has been considered by NC and would ideally be adopted and presented to WCPFC16.

116. Australia stated that regarding reporting under the swordfish measure (CMM 2009-03), it had an interest in not losing qualitative information in the ability to understand each other's fisheries. In considering the two options presented in the paper, it suggested a preference for option 1 to require submission in Annual Report Part 2 because it advantage is in streamlining reporting. Australia noted that option 2 (to remove the reporting requirement (paragraph 8 in CMM 2009-03)) may be worth considering provided that information submitted under the scientific data provision is made available for CCMs to use in making Commission decisions. Australia noted that it will be important, in considering either option, to ensure that information remains publicly available to inform decision making. Japan also voiced support for option 1, noting this was consistent with reporting in Annual Report Part 2 the supporting details to confirm that an applicable limit was not exceeded.

117. Japan stated that several CMMs (e.g., for North Pacific albacore and North Pacific bluefin tuna) have stand-alone reporting requirements which increase the reporting burden for CCMs.

118. Korea requested clarification of CCM reporting obligations on those CMMs, stating their understanding that logsheet and operational data could be a tool for verifying those reports. Korea inquired if the Secretariat or SPC needed further information to verify the reports, and what that would be? The Compliance Manager noted that Table 2 (*Summary of reporting requirements that are related to each CCM-level or collective quantitative limit and notes on the present availability of data for verifying the CCMs report on implementation against the limit*) in TCC15-2019-10, documents, from the Secretariat's perspective, the extent to which the Secretariat has sources of data available to verify the CCMs own report against a limit, so as to support the reviews of information related to quantitative limits that the Secretariat prepares for the dCMR. Some quantitative limits require dedicated reports in CMMs, in other cases SPC can provide the Secretariat with summary statistics based on operational level catch and effort data submissions that can be used to verify a CCMs own report. So, in summary for some quantitative limits, there are limited or no additional data presently available to WCPFC to verify the CCM's report of implementation against the limit. The Table may provide some information of interest to the Audit points IWG.

119. Australia noted the importance of ensuring the Commission could verify information regarding quantitative limits, and stated that it was very important that Table 2 be referred to the Commission for consideration. It raised the issue of how this linked to other work done under the Commission (e.g. Audit Points and Project 93) and whether there was other work the Commission could consider in conjunction with Table 2.

120. The United States agreed with Australia that Table 2 was helpful, but suggested more context and information (e.g., existing data sources or additional information) would be useful to assisting the Commission in understanding the information summarised in the Table 2.

121. China noted it agreed with the principle in No. 9. Regarding additional reporting (such as from log sheet or operational data), it stated that they normally use transshipment reported data and international trade

data required by CITES or CDS, which have their own verification obligations. It suggested that Table 2 should clarify which “other data” are being referred with regard to report verification.

122. The EU noted that Table 2 should be updated to include that the Commission lacks data to verify the implementation of CMM 2017-01 51. It suggested that the list of CCM’s to whom a quantitative limit applies should also be better defined in CMMs.

123. The Compliance Manager offered to update Table 2 to reflect that there also is limited data to assess CMM 2017-01 51. Furthermore if TCC agrees to forward Table 2 to the Commission, the Secretariat would develop a cover note that provides some explanatory notes and context to assist the Commissions consideration of the information in the Table.

124. TCC referred Table 2 of TCC15-2019-10 (Summary of reporting requirements that are related to each CCM-level or collective quantitative limit and notes on the present availability of data for verifying the CCMs report on implementation against the limit) to the Commission for their consideration (**Attachment C**).

125. TCC noted that there are presently nine quantitative limits where there are limited or no additional data presently available to WCPFC to verify the CCM’s report on their implementation against the limit. [CMM 2005-03 02 (NP albacore), CMM 2006-04 01 (SW Striped Marlin), CMM 2009-03 01, 02 (Swordfish), CMM 2010-01 05 (NP striped marlin), CMM 2017-01 45, 47, 48 (Tropical tuna vessel limits), CMM 2017-01 51, CMM 2017-08 (Pacific Bluefin)]. TCC recommended that the Commission consider whether additional reporting or revised formulations of quantitative limits should be considered so that WCPFC has more ready access to data that can be used to verify a CCM’s implementation of a quantitative limit.

126. TCC requested that the Northern Committee meeting at WCPFC16 recommend that CMM 2005-03 (North Pacific Albacore) be amended to remove paragraph 3, because it is duplicative with the paragraph 4 report requirement.

127. TCC recommended that CCMs consider if paragraph 8 of CMM 2009-03 (Swordfish) should be amended to require submission in Annual Report Part 2.

Progressing suggestions to streamline Annual Report Part 2 reporting during 2020

128. United States stated that the suggestions related to handling of CCMs previous statements for implementation for prior year obligations could be very helpful in easing reporting burdens, and to simply provide updates was appropriate, and voiced its support.

129. The EU fully concurred that this would alleviate the workload of all CCMs. It suggested considering the idea expressed by China regarding the CMR process — that each CCM provide the relevant legislation that should accommodate the obligation. Australia queried whether this should consist of actual copies of the relevant legislation? The EU stated it had no strong views on this, and suggested that a link to the legislation could be used. New Zealand supported comments and suggestions by the EU and United States, while encouraging as much detail as possible with regard to any legislation. China concurred with that there was a need for detail to be provided.

130. TCC supported the streamlining suggestions for reporting on implementation-type reporting requirements set out in Paragraph 38 and Table 3 (pg 13-14 of TCC15-2019-10) and recommended that WCPFC16 approves the proposed approach to streamline Annual Report Part 2 be implemented in 2020, subject to available budget. TCC tasked the Secretariat to provide to FAC and WCPFC16 the full cost and resource implications of this recommendation and to use Annex II (streamlined Annual Report Part 2 for 2020, covering 2019 activities) and Annex III (“Report on implementation for obligations in RY 2019 that also applied in prior years”) as guidance for this task.

Progressing suggestions to streamline Annual Report Part 1 reporting during 2020

131. China voiced support for the concept that SPC-OFP, with input from relevant CCMs, could prepare and publish summary tables of essential fisheries information and annual catch estimates based on scientific data submissions. In response to a query about the expected budgetary requirements, the Compliance Manager stated that this was not expected to entail a large amount of work. SPC agreed, with the exception that setting it up would entail some additional work in the first year.

132. Canada inquired if CCMs that submit data to ISC could avoid having to make duplicative submissions to WCPFC.

133. Japan noted it would want to have advice from SC16 on this item, and on the suggestions as proposed.

134. The United States noted its support in general. It stated that some measures have limits on fishing effort targeting certain species, and wondered how this would be captured by SPC with respect to some species. SPC stated that most of the data is currently in Part 1 reports, but these may not include reporting on effort. SPC would have to consider what operational data is available — if full operational data are not available, there would be an expectation for a CCM to still report on the effort measures. The Compliance Manager noted that it would be useful if some trial work could be undertaken by SPC in 2020 to explore some of these questions, and to have a sample of what this would look like available for SC16 and TCC16 to consider.

135. The EU noted it was unsure what SC would be asked to do, given that there was no request that the data to be provided to the Commission should be modified. Japan stated that scientists provide data by end of April, with some subsequent updates involving communications between the Secretariat and national scientists. If SPC or the Secretariat are tasked to do this automatically, this may entail additional communication. Currently Part 1 reports are a one-time effort, but if ongoing updates are needed it may be burdensome for scientists. In addition, there are some gaps in the operational data. Thus, advice is needed from scientists whether this is practical not. The Compliance Manager clarified that the suggestions are that Annual Report Part 1 would still be an optional report for interested CCMs. SPC further clarified that the suggestions are not expected to substantively change the current processes that SPC uses for receiving scientific data, and receiving and preparing summary tables of annual catch estimates for scientific and compliance work of the Commission. At present SPC, receives advice from CCMs in their April 30 submissions, and reviews the Part 1 report and look for differences between the report and the WCPFC catch databases, and this would continue to be done.

136. Canada stated it would also want to see that ISC data is also captured, so that separate reporting to ISC is not needed. It noted the comment from SPC, but observed that would not actually reduce their

reporting burden, if it provided their information to ISC but did not submit an Annual report Part 1 and thus had to make other data submissions to SPC or WCPFC. SPC acknowledged the need to ensure that ISC was involved. The Compliance Manager stated they did not have a specific suggestion, but could look into the issue. At present only the NC published information papers are used routinely. Canada acknowledged the clarifications, and stated that through the NC they were working with ISC to clarify the NC/ISC relationship and develop a better process, and would try and ensure lines of communication were as robust as possible.

137. China inquired whether, if the suggested process was approved by the Commission, there would also need to be amendments agreed by the Commission to the relevant CMMs and/or agreement on some exemption for applicable CCMs from the CMM-specified annual reporting requirements. A new version of the Annual Report Part 1 may also need to be developed. It suggested if this was the case, that more precise language was needed that clearly specifies the steps in the process and the decisions that need to be taken by the Commission. The Compliance Manager agreed, stating this was a sequencing issue, and would require the Commission to take decisions on the CMM.

138. The EU inquired if this would apply only to those CCMs that supply full operational level catch and effort data? The Compliance Manager confirmed that consideration is needed in the eventual decisions to ensure that the Commission continues to receive the data that some CCMs are only providing in Part 1.

139. In reference to the streamlining suggestions related to the shark-related CMMs, Japan noted that this item would also requires some input from scientists, and should be reviewed at SC16.

140. In response to a request from the United States for clarification, the Compliance Manager stated that currently annual reporting by CCMs on ROP longline observer coverage (CMM 2007-01 Attachment K Annex C 06 and CMM 2009-06 paragraph 11), are required to be reported in Annual Report Part 1. The suggestions in the paper are two-fold, first that CCMs would report the information in Annual Report Part 2 as the information relates to implementation of CMMs, and second, that the classification of these reports could be maintained as public domain data. If these two suggestions were approved, the Secretariat would receive the reports in Annual Report Part 2, and then need to ensure that relevant extracts of the reporting by CCMs can be still be accessible publicly either through the usual papers to SC or TCC and/or in a dedicated place on the WCPFC website.

141. Most CCMs supported the streamlining suggestions for reporting related to scientific data set out in Table 4 and Paragraph 46-47 (pg 17-18 of TCC15-2019-10), while other CCMs preferred that the proposed approach is further reviewed by the Scientific Committee.

142. TCC recommended that WCPFC16 tasks the Secretariat and Scientific Services Provider (SPC-OFP) to trial in 2020 publishing on the WCPFC website, of Annual Catch and Effort (ACE) tables (Essential Annual Fisheries Information Tables I – IV and Tabular Annual Fisheries Information Tables 1-5 and Figures 1-3 from Annual Report Part 1) that are based on April 30 scientific data submissions (Table 4 and Paragraph 46-47 (pg 17-18 of TCC15-2019-10)). TCC further recommended that WCPFC16 tasks the Secretariat to prepare a paper in conjunction with SPC-OFP on the experiences and outcomes of the trial and its cost and resources implications for SC16 and TCC16 consideration and advice to WCPFC17.

143. TCC requested that the Secretariat and SPC-OFP consult with ISC/NC to explore approaches that could streamline scientific data submissions by relevant CCMs, that are presently reported by relevant CCMs to both ISC and WCPFC.

c. the development of audit points to clarify the Commission’s obligations assessed under the CMS, as well as the development of a checklist to be used by the proponents of any proposal to include a list of potential audit points for the consideration of the Commission

144. The Chair of the IWG to develop Audit Points for the Compliance Monitoring Scheme (FSM) submitted an initial report on the work of the IWG to TCC (**TCC15-2019-16**), and stated that comments received on the paper, in combination with the outcomes of the informal face to face discussions on 28 September as well as discussions in plenary at TCC15, reinforced the linkages between the work on the audit points and the streamlining of reporting.

145. Following discussions at TCC15, and at the request of the IWG Chair, the Legal Adviser prepared a draft of a template for developing the audit points, and some accompanying example audit points. The IWG Chair noted that the IWG participants were considering using the draft audit point template for a subset of obligations, and which could be used as guidance in preparing audit points for a complete list of obligations. The Chair of the Audits Points IWG provided an update on the use of the templates or checklists, as contained in **TCC15-2019-16 Supplemental**. The five templates review how compliance should be assessed for each Commission obligation in the following five categories: Report Deadline, Report, Implementation, Quantitative Limit, Other. The IWG Chair stated that some IWG participants found the templates to be a useful guide for reviewing how obligations should be assessed for compliance, while others were comfortable working directly from the Secretariat’s spreadsheet. The IWG Chair further noted that there are over 83 obligations under the purview of the IWG, and while members would prefer to have these all assessed prior to WCPFC16, some may have to be addressed in 2020, along with the an estimated 100+ additional obligations that require review. Therefore he proposed that a new technical working group be authorised, with a mandate to continue into 2020, with representation from CCMs, and the PNA, SPC and FFA secretariats. This would require financial resources, although an attempt would be made to convene the working group in the margins of other regional meetings. This would hopefully enable all CCM obligations to be evaluated and a paper prepared for WCPFC17. The Audit Points IWG Chair noted he hoped to convene an Audit Points IWG meeting in December to finalize its report prior to submission to WCPFC16. He noted that the checklist attached to **TCC15-2019-16 Supplemental** could also be used as a basis for evaluating any new proposed CMMs. He noted the IWG also suggested that TCC15 recommend that the Commission adopt TORs for the proposed technical working group that cover the linkages between audit points, the risk-based assessment framework and streamlined reporting to ensure that these related CMS enhancement tasks are progressed in a complementary manner.

146. Cook Islands on behalf of FFA members thanked FSM for leading the intersessional process and also thanked those CCMs and Observers who contributed to the work. This task was significantly aided by the use of the Secretariat’s existing evaluation criteria that it uses to develop the dCMR. Those criteria are the result of several years of review and refinement by CCMs through TCC’s dCMR review process. FFA members supported the proposed approach that came out of the informal IWG discussion, as outlined by the IWG Chair.

147. Solomon Islands, on behalf of PNA members, thanked FSM for the work undertaken, and supported the FFA statement, including the proposal for this work to be adequately supported. PNA members called for identification of audit points with an input and identification for the CMS review team, and an input and starting point for the catch documentation scheme; and looked forward to progress on this work.

148. The EU thanked FSM for their excellent work on this issue. It asked for clarification how obligations beyond the 83 relating to the current CMR framework would be addressed. FSM indicated the 83 obligations had been identified as a starting point, and that while it remained open to receiving suggestions for more, additional obligations would constitute an additional task, which could have financial

and time implications. FSM proposed that a stand-alone (face to face) session of the IWG could be used to consider these additional obligations, but at present the IWG was focussed on the identified 83 obligations.

149. Australia welcomed the enthusiasm regarding the audit points and the template, and agreed with the general intent of progressing the issue incrementally, noting there is still some uncertainty around how this issue will look in practice.

150. The EU stated that it would prefer not to adopt the checklist, but to first test it, and then provide feedback to the IWG chair. It also expressed reservations regarding the creation of a new technical working group, and stated their preference to use the existing IWG. The IWG Chair clarified that the checklists or templates attached to TCC15-2019-16_Supplemental were simply proposals that CCMs might find useful, and that he welcomed feedback by October 31, which could then be submitted to the Commission for its consideration. Regarding the future of the IWG, he noted that the existing group had been convened only for 2019, and there was agreement among participants that there were too many CMMs to assess before the end of the 2019, and thus the recommendation was to have a very focussed technical working group that would assess these audit points, but such a decision would be up to the Commission.

151. Canada observed that direction from the Commission was not needed to continue the IWG currently underway. It also noted the interest in a face-to-face meeting to finalize work in 2020.

152. The United States suggested that CCMs could be confusing different groups, noting that one Commission IWG was tasked to address the CMS review, but that group had completed its work. It observed that only the IWG-ROP is “permanent”, and that FSM volunteered to lead the Audit Points IWG work, which was a TCC IWG, and not convened by the Commission. The United States observed that the Audit Points IWG Chair was proposing establishment of a technical working group at the Commission meeting to continue work on the audit points. It noted the concern with establishing a large working group with a broad mandate, but supported a tasking from the Commission to have a technical working group to make further progress on audit points in 2020.

153. TCC15 acknowledged that the development of audit points for reviewing compliance with obligations is the responsibility of CCMs. Several years of CMS implementation experience by the Commission has revealed the importance of transparent audit points developed by CCMs for robust compliance review.

154. TCC15 recommended that the Commission adopt a “CMM Audit Point Checklist” to be used by proponents of new measures for consideration alongside proposed new obligations, beginning in 2020. TCC15 agreed to use the draft Audit Point Checklist, in addition to the spreadsheet circulated by the CMS Audit Point IWG Chair, as a basis for the development of audit points on the initial list of 83 obligations. CCMs and Observers will coordinate with the Chair of the CMS Audit Point IWG to determine which obligations they will review.

155. TCC15 recommended that WCPFC16 convene a small working group to finalize any recommended audit points and to discuss the broad suite of CMS future work outlined in Section IX of CMM 2018-07 with a view to develop a clear approach to completing the various work areas in a complementary manner, in accordance with the CMMs established timeframes.

156. TCC15 noted that a Technical Working Group may be needed for 2020, comprised of a group of CCM officials, to review audit points for any remaining Commission obligations that are not adopted by WCPFC16. Representatives of Observer organizations as well as

representatives from the WCPFC Secretariat (including SPC-OFP as the Scientific Services Provider), the FFA Secretariat, and the PNA Office, may also participate. Consideration should be given to the Technical Working Group holding at least one face-to-face meeting in 2020 to review any remaining Commission obligations and report its outcomes to TCC16 for consideration. A finalized set of audit points for all the Commission's obligations will be presented to WCPFC17 for adoption.

157. TCC15 noted that an adequate budget to support at least one face-to-face meeting of the Audit Points Technical Working Group may be needed. Consideration should be given to this meeting being held in conjunction with another regional meeting, such as TCC16 or WCPFC17, where many of the same officials will be in attendance.

d. the development of a risk-based assessment framework to inform compliance assessments and ensure obligations are meeting the objectives of the Commission

158. New Zealand, on behalf of FFA members, stated that they viewed the development of a risk-based framework to be a key component of CMM 2018-07 and the programme of work to enhance the CMS. It noted that the work is critical to ensure that the CMS is consistent with the Commission's shared objectives as set out in the Convention and within the Commission's many CMMs, and that there is a need to take a strategic approach to the obligations that lie at the heart of the Commission's objectives. This involves addressing the issues that are most likely to occur and will have the greatest consequences. This risk-based approach goes hand-in-hand with the other initiatives to improve the CMS, such as the work on audit points and streamlining reporting requirements, and will require prioritising the Commission's compliance assessment work appropriately. New Zealand stated FFA members are concerned that no progress has been made on the work during the past year, and noted that while they are eager to be directly involved, this area of work could lend itself to some external and independent advice, particularly given the different priorities across the WCPFC membership. New Zealand sought to ensure that adequate resources are set aside for inputs to this work during 2020.

159. Canada stated that, based on discussions at TCC15, this was identified as a key priority, and suggested it should be looked at as an important part of the TCC workplan to ensure that important items are reflected in the draft workplan plan that is being developed. It stated that a decision needed to be made whether these will be done independently or sequenced in some fashion, and these issues could be pursued through an IWG, such as the CMS IWG led by Glen Joseph (RMI) that reported to WCPFC15.

160. Japan stated that in the last year there were three consultations through the IWG CMS process, with a good exchange of information, in what was quite a successful process, and stated a preference to continue such as process to promote this important task rather than using an external consultant.

161. The United States stated that it also preferred to progress these efforts through intersessional working groups rather than outside consultants, stating that at a minimum, before committing funds, better agreement would need to be reached regarding the task. The United States stated its preference was to pursue the work through an IWG, with very clear guidelines and tasking. The EU supported the comments by the United States, and also noted that the tasking should be better defined before committing Commission resources. China agreed with the United States and Japan that an external consultant may not be appropriate. Chinese Taipei also supported the comments from the United States.

162. Australia acknowledged the United States' point about needing a clearly defined scope for the risk-based framework and noted that FFA members (through New Zealand) could put some thought into

what that tasking would be. Whether done at TCC15 or prior to WCPFC16, it would be useful in determining how we progress this work next year.

163. Korea stated that the term “risk-based assessment” was somewhat vague, and stated it would be helpful to refer to the situation of other t-RFMOs, if they have already developed such an assessment.

164. New Zealand stated that FFA members would like to be directly involved in this work, and that New Zealand had developed high-level TORs that address several aspects of the CMS reform; it proposed to consult with FFA regarding these, with a view to submitting a paper for the consideration of WCPFC16.

165. TCC15 noted that New Zealand proposes to circulate a draft terms of reference related to the development of a risk-based assessment framework for the CMS for consideration by WCPFC16.
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e. explore investment in technology solutions to facilitate improvements to the compliance case file system (CCFS)

166. Fiji, on behalf of FFA members, stated strong support for this work, and noted the huge potential for better operation of the CCFS through improved technology and information management. The CCFS is central to the CMS reforms, ensuring that individual compliance cases are captured, reported and followed up on while also providing the basis for aggregated information that can indicate systemic issues in the implementation of an obligation by a CCM. Fiji stated that FFA members look forward to further developments in this regard; noting the funding that was allocated for this purpose, they encouraged an emphasis on “user-centred design” as further enhancements are made to the CCFS. For example, it would be helpful if CCMs could be sent a notification when something is added to the CCFS that directly relates to them. An alert system would be hugely beneficial and reduce response times considerably.

167. Canada suggested that, reflecting on Fiji’s comments, this would in part would depend on what happens to paragraph 7 of CMM 2018-07 with respect to Flag State Investigation versus CCM implementation of the measure, which would have an impact on any information technology solutions implemented in the CCFS.

168. The EU agreed with the need to look technology solutions, while noting it would want to see the costs related to any potential investments.

169. Indonesia supported in principle support work on technology solutions, albeit with concerns about the cost.

170. The Compliance Manager thanked CCMs for their comments, noting that in the Secretariat’s view the CCFS was closely linked to how the Commission plans to further enhance the CMS, and how it plans to use compliance cases. She noted that the outcome from the CMS Future work task to develop a process for assessing CCM actions in response to alleged infringements (Flag State Investigations) would help to confirm the formal outputs that were needed from the CCFS and that it might be preferable understand the core requirements of the CCFS before looking to include enhancements. She clarified that updates to the CCFS based on ROP data are presently only able to be issued 3 or 4 times per year, and these updates are always announced to all CCMs via WCPFC Circular. Whereas the cases that are included in the Article 25(2) list are based on email communications between the inspecting Member and the flag State, so the CCFS summarises the email communications that are exchanged between CCMs. She also noted the need to have an outcome on CMM 2018-07 paragraph 45(i) task to replace paragraph 27, adopted prior to progressing this issue.

171. The Cook Islands stated that some nations seemed to have recurring issues with obtaining data, and suggested the need for a way to measure status, such as “non-compliant for a particular year”. It supported Fiji’s suggestion regarding an alert system.

172. The Compliance Manager stated the Secretariat could be tasked with assessing the options of implementing a notification system, and associated costs. She stated that while the Secretariat had explored the use of the Secretariats existing software platforms, it would be happy to further consider the issue.

173. FSM supported the comments by Fiji, stating that it had used the system and found it helpful. FSM mentioned some technical issues (some browsers are unable to export data, and filtering cases by location is not successful). The Compliance Manager explained that for certain functionalities, such as export to MS Excel, the Sharepoint software requires the use of Internet Explorer rather than other browsers.

174. The United States recommended that CCMs provide suggestions to Secretariat so that responses could be provided prior to WCPFC16, and considered then. The Executive Director noted that this was challenging because the Secretariat’s new IT manager does not begin work until mid-November. However, the information could be provided to TCC16.

175. TCC15 recommended that WCPFC16 tasks CCMs to provide the Secretariat with any suggested improvements to the online compliance case file system, so that the Secretariat can provide a paper for TCC16 that outlines the feasibility and costs, as well as any implications from potential resolution of paragraph 27 of CMM 2018-07.

f. the development of the guidelines for participation of observers in closed meetings of the Commission and its subsidiary bodies which consider the Compliance Monitoring Report

176. Vanuatu, on behalf of FFA members, stated that the development of guidelines for the participation of observers in the CMS process was another key piece of work proposed by FFA members when they put forward suggested revisions to the CMS in 2018. That work is scheduled for 2020-2021, by which time WCPFC will have hopefully consolidated the new CMS process, ensuring that it is effectively focused on supporting CCMs to implement and comply with their obligations under the Convention and measures of the Commission.

177. United States noted that in 2017 (when serving as TCC Chair) it sought to develop guidelines on observer participation in closed sessions, but did not reach agreement. It stated they would be happy to update that paper if needed and recirculate it for Commission discussions, noting the importance of the issue to the United States.

178. Canada thanked the United States for volunteering, stating that with the comments received at TCC15, there appeared to be a clear path forward. Canada, the EU and Indonesia endorsed the process suggested by the United States.

179. Palau on behalf of FFA members thanked United States for their offer, stating they recognised and appreciated the important role that observers play in the work of the Commission, as well as the importance of transparency for ensuring accountability. As with the work on audit points being led by FSM, they welcomed inputs from observers in their work to enhance the operation of the CMS, but seek to ensure that the CMS process is operating effectively and fairly, and that the rules for participation are clearly set out, before the actual process of assessing individual CCMs compliance with measures is opened up to non-

State actors. FFA members also consider it necessary to assess any potential impacts of observer participation in future CMS processes.

180. TCC15 noted the United States offer to recirculate and refine an earlier paper (WCPFC Circular 2017/40) on the guidelines for participation of observers in the Compliance Monitoring Scheme.

g. provide advice on other future work to enhance the CMS during 2020-2021

181. There was no discussion under this agenda item.

5.4 Supporting the CMS (TCC Workplan 2019–2021)

a. Consider options to mitigate the impacts of an unscheduled disruption to Secretariat services on the CMS

182. The Chair noted that although there was no paper prepared on this item, it was related to a priority project specific task included in the approved TCC workplan 2019-2021.

183. Niue, on behalf of FFA members, acknowledged the importance of mitigating any unscheduled disruptions to Secretariat services on the CMS. Unscheduled disruptions, such as loss of key personnel, is an issue faced by all CCMs, but particularly an issue for smaller administrations, and one they continue to grapple with. Niue stated that FFA members support potential solutions to address the problem of ‘key person risk’, and welcomed input from other CCMs and the Secretariat as to solutions that have been considered and/or successfully implemented.

184. In response to queries from several CCMs regarding the need for and scope of disruption mitigation, the Compliance Manager stated that the task originated with the independent review panel report, and was incorporated into the TCC workplan. She noted with respect to “key person risk” that if a program (such as the TCC CMS) is run by a few people, and something happens to them, it may not be possible to run the scheme in its current form. The United States suggested this could possibly be alleviated to some degree through development of manuals and other materials that can be passed on, and inquired if there were resource needs that need to be filled to enable this. The Executive Director clarified that personnel risk was only one aspect of potential disruption of operations and stated that the Secretariat does not have operational manuals of the type described by the United States. He noted that the issue does apply across the organisation.

185. PNG suggested that TCC approve a recommendation that the Secretariat develop a contingency plan to mitigate impacts of unscheduled disruptions to Secretariat services on the CMS, among other core functions of the Secretariat, in support of the work of TCC.

186. TCC recommended that the Secretariat develop a contingency plan to mitigate impacts of unscheduled disruptions to Secretariat services on the CMS, among other core functions of the Secretariat in support of the work of TCC.

5.5 Provide advice on the expiry of CMM 2018-07 at the end of 2019 (CMM 2018-07, para. 48)

187. The Chair noted that CMM 2018-07 will lapse at the end of 2019.

188. China suggested that the CMM should be extended for another year to allow involvement by NC and SC in deliberations regarding CMM 2018-07.

189. EU agreed that this was an ongoing process that the Commission would not be able to finish at WCPFC16, and recommended that CCMs consider extending the measure for 1 or even 2 years.

190. Palau stated that PNA Members agreed with extending the CMM for 1 year, to the end of 2020, but no longer than that.

191. TCC15 recommended that WCPFC16 extends CMM 2018-07 for another year.

AGENDA ITEM 6 — STATUS OF FISHERIES PRESENTATION (SPC-OFP)

192. Dr Stephen Brouwer (SPC-OFP) presented a summary of the stock status and main fishery trends for the WCPO. The provisional total tuna catch in the WCPO for 2018, was 2,716,841 mt. The purse seine catch (which represents 70% of the catch) totalled 1,910,725 mt; longline catch (9%) totalled 254,802 mt; the pole-and-line fishery landed 170,532 mt (6%); 14 % of the catch came from Indonesia and the Philippines other fisheries and <1% from the troll fishery. Provisional tropical longline catch of both bigeye and yellowfin has fluctuated without trend between 20°N and 10°S. Effort has increased, however, so the catch per unit effort (CPUE) has declined for both species in this area. In the southern longline fishery (south of 10° south), effort and catch showed notable increases particularly since 2000, while catch rates have declined continuously over this period. For the purse seine fishery, the number of sets increased slowly from 1990 to 2009, after which the number of unassociated sets increased markedly. The number of associated sets increased from 2017 to 2018, while the number of free school sets declined slightly.

193. The catch trends and current assessment status of each of the ‘key’ tuna species was summarised. All four stocks were considered by SC15 not to be overfished, nor subject to overfishing. The overall catch of bigeye tuna increased by 13% when compared to 2017. The assessment for bigeye tuna used 36 models to provide management advice in 2018. Bigeye was assessed to not be overfished nor subject to overfishing, although there was a 6% probability (2 out of 36 models) that the recent fishing mortality was above F_{MSY} with 0% probability that the stock was below the adopted Limit Reference Point (LRP). Projecting the stock, assuming 2018 fishing conditions and the recent positive recruitments, there was 0% probability that the stock would decline below the LRP by 2020. For yellowfin tuna, using 48 model runs, the stock was on average not overfished and overfishing was not occurring, although there was an 8% probability that overfishing was occurring. Projected stock status to 2020 under 2018 fishing conditions suggested a 6% probability that the stock would fall below the LRP by 2020. For skipjack tuna the assessment (performed in 2019) indicated that the stock was not overfished and overfishing was not occurring, and the stock was below the interim target reference point. The projection indicated a short-term decline, but no model runs fell below the limit reference point. For South Pacific albacore tuna, the assessment performed in 2018 indicated the stock was not overfished and overfishing was not occurring, but that the stock was below the Target Reference Point (TRP). Projection analyses for this stock indicated that the stock is expected to decline further below the TRP. The stock status of sharks, billfish and non-SPC assessed stocks was also summarised, including silky and oceanic whitetip sharks; striped marlin and swordfish; as well as north Pacific albacore and Pacific bluefin tuna.

194. Kiribati, on behalf of PNA members, thanked SPC for the presentation, stating that the PNA considers that the positive status of the four major stocks indicates the effectiveness of the measures in place for the management of the tropical tuna fisheries in the WCPO. Kiribati stated that this is encouraging for TCC, especially as the WCPO is the only region where this is the case, and noted that TCC15-2019-

DP01 highlights the substantial role that the VDS is playing in contributing to the positive status of the tropical stocks by effectively regulating purse seine effort.

195. Australia stated that it had noted to WCPFC15 its concern regarding the management of South Pacific swordfish. While the stock was assessed in 2017 as not overfished nor subject to overfishing, SC noted a rapid decline in biomass from the 1990s through 2010, and a consistent gradual decline in biomass since then. Australia considered the current measure to be relatively weak, with little capacity to prevent substantial future increases in fishing mortality across the area of the stock, which presents a real risk for the stock's future. As noted to WCPFC15, Australia is exploring options for strengthening management of south Pacific swordfish, and will submit an information paper for discussion at WCPFC16. Australia welcomed the opportunity to discuss this with interested CCMs in the margins of TCC15, and in the lead up to and during WCPFC16.

196. The EU requested that more information be presented on northern stocks, and in particular stocks that were depleted (e.g., bluefin tuna and North Pacific striped marlin).

197. TCC15 noted the status of stocks presentation by SPC-OFP.
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AGENDA ITEM 7 — SPECIAL REQUIREMENTS OF DEVELOPING STATES

7.1 Monitoring Obligations Relating to SIDS and Territories (TCC Workplan 2019–2021)

198. In accordance with Rule 2 (h) of the WCPFC Rules of Procedure, the TCC Chair noted that consideration of the special requirements of developing states pursuant to Part VIII of the WCPFC Convention was a standing agenda item for TCC. The approved TCC Workplan 2019–2020 identified that a TCC priority specific task is to “Monitor obligations relating to, and support building the capacity of, SIDS and territories.” Two CMMs were approved at WCPFC10: CMM 2013-06 *Conservation and Management Measure on the Criteria for the Consideration of Conservation and Management Proposals* and CMM 2013-07 *Conservation and Management Measure on the Special Requirements of SIDS and Participating Territories*. A Strategic Investment Plan was approved at WCPFC15 and will be updated by the Secretariat with consideration of any “Capacity Needs” and “Capacity Assessment Needed” scores in the provisional CMR.

199. Two related documents submitted to TCC15 were highlighted: **TCC15-2019-11**, *Summary from Part 2 CMM 2013-07 paragraph 19 Annual Reports*, and **TCC15-2019-8b**, *List of Capacity Assistance Needs Identified*, which provides a list of the CMM paragraphs noted by CCMs in their Annual Report Part 2 or replies to draft CMRs as areas where CCMs need capacity assistance. The paper also summarises the Capacity Development Plans submitted by CCMs pursuant to CMM 2018-07.

200. Niue on behalf of FFA members thanked the Secretariat for the ongoing website development for the Article 30 dedicated page. Niue noted that monitoring the impact of obligations on SIDS and territories remains of vital importance, and stressed that it is essential that all CCMs consider and understand the impact and challenges that SIDS face at the national level as a result of implementing Commission MCS measures. Niue also stated that FFA members are encouraged by the various work areas and CMM provisions that show and require a commitment to SIDS, but again stressed the importance of requirements such as the 2013-06 assessments and associated templates, as well as the operation of CMM 2013-07 find it very hard to actively participate in virtual working groups, meaning that face-to-face discussions are much more likely to achieve progress. At the same time, there are too many demands on the time of regional fisheries managers, and face-to-face discussions require more investment. For this reason, Niue noted that

small working groups may have to meet for short periods during other meetings, and share drafts online, in order to make progress.

201. The United States thanked the Secretariat for the work on the website page for Article 30 of the Convention. One element highlights contributions received to the Special Requirements Fund; the United States stated its view that it is a priority to continue contributions, noting it contributed \$30,000 in 2018 and another \$50,000 in 2019.

202. The EU outlined that in accordance with discussions held in WCPFC15 a table should be included with all budget items related to WCPFC activities, whether funded by WCPFC or other development agencies. This would make the global picture clearer with regards to special requirements of developing States and contribute to clarify some doubts on the implementation of Article 30 of the Convention. The Secretariat explained that the current content of the Article 30 page presently reflects the WCPFC15 decision, and information on voluntary funding to the WCPFC budget is presented in papers to the FAC meeting.

AGENDA ITEM 8 — CORE MCS ACTIVITIES

8.1 Vessel Monitoring System (VMS)

203. The Chair referenced the *VMS Annual Report (TCC15-2019-RP01)* and explained that in the interests of time all required reports by the Secretariat would be taken as read.

204. Cook Islands, on behalf of FFA members, stated that integrated IMSs, including a centralised VMS, are core components of an effective fisheries management regime, and that integrating within and between national and regional governmental organisations and RFMOs is essential for collaborative management of highly migratory fish stocks, and enables MCS tools to be tailored and made responsive for the prevention, detection and elimination of IUU fishing activities. The data collected by the WCPFC VMS is used by CCMs to demonstrate compliance with relevant CMM obligations, inform and support MCS activities, and underpins fisheries scientific analysis and sound fisheries management decision-making in the WCPFC Convention Area. Timely availability and provision of such data and other relevant information is essential. Article 24(8) of the WCPFC Convention obliges each member of the Commission to require its fishing vessels to use mobile transceiver units (MTUs) that meet agreed WCPFC VMS standards, specifications and procedures (SSPs) while operating in areas covered by the Commission VMS within the WCPFC Convention Area. VMS non-reporting to the Commission VMS has been a long-standing issue and is discussed at length at each TCC. Cook Islands stated that it appears to FFA members that the problem is worsening, with FFA patrols detecting significant numbers of vessels that are not reporting to the Commission VMS. Under Commission rules there maybe IUU fishing taking place, but without good systems in place, including timely notifications to flag States when vessels cease reporting, it is difficult for flag States or coastal States to be able to take decisive action. Cook Islands stated that FFA members feel the time has come for the Commission to collectively address these VMS issues. If additional resources are required for the Secretariat to be able to follow up on cases of non-reporting then those resources should be made available. But CCMs also need to take action to ensure their flag vessels report to the Commission VMS. This fundamental requirement of the Convention cannot be fulfilled because of inadequate systems and processes. Cook Islands stated that FFA members recommend that the Secretariat, in close consultation with members, develop appropriate solutions for CCMs to ensure their flagged vessels continue to report to the Commission VMS while operating in the Convention Area, and consider what additional resources could be required for the Commission's VMS team to ensure alerts and notification are sent out to flag

States as soon as vessels stop reporting. It is no longer enough to simply assume a vessel is in port or out of the Convention Area.

205. Australia thanked the Secretariat for the paper, and recommended the Commission provide conditional approval for new units subject to those units (i) subsequently meeting the SSPs, and (ii) being confirmed as capable of reporting to the Commission VMS. New units will only be listed on the WCPFC Approved MTU list once they are proven to be capable of reporting to the Commission VMS without limitations. Preference should be given to those units that are capable of continuously reporting globally once activated. Australia stated that FFA members also ask that CCMs that nominate additional MTUs to be included on the WCPFC approved MTU list seek prior commitment from the Manufacturer/MTU providers for cooperation with the WCPFC Secretariat and VMS Services Provider in the development process of the necessary gateways, so that positional data from these units can be successfully received and processed within the WCPFC VMS. Prior to nominating additional MTUs, CCMs should also be mindful of the available services in the region to ensure vessels are not constrained to port in the event that a unit requires maintenance or replacement.

206. Canada stated it shared some of the frustrations expressed by FFA members regarding the complex and arcane system employed for VMS data, which is a key to the functioning of the Commission. Canada faces a situation in which Canadian vessels cannot operate in the Convention Area because of equipment-related problems, and stated it would look at various options to comply with the intent of the measure. Canada stated it would undertake to ensure CCMs are aware of vessels operating in the area that can not get their units operating except to their national VMS, and would continue working on other options. Canada emphasised that while it had knowledge of the vessels — it knows where they are, and can inform WCPFC — there is no mechanism by which to do this.

207. New Zealand noted the Secretariat's very useful report. On behalf of FFA members, it referenced Table 2 in the VMS Annual Report (TCC15-2019-RP01), which provides a summary for 2018: the number of vessels by flag CCM listed in the RFV, the number of vessels for which the Secretariat has recorded Vessel Tracking Agreement Form information, the number of vessels that CCMs have indicated 'fished', the number of vessels that were registered with FFA, and the number of vessels monitored by the WCPFC VMS. Based on the 2018 figures only, 87.2 % of the vessels that reported as 'Fished' were monitored on the WCPFC VMS. New Zealand stated that FFA members recommend that for TCC16, the Secretariat further improve the information provided in this table to make it more useful by:

- providing an additional column for 'Manual Position Reports Received'.
- removing the column for 'Did Not Fish Cnt', and
- for each flagged CCM, providing the Gear Type.

208. The United States thanked the Secretariat for preparing the report, and supported the interventions by FFA members and Canada, noting that work was needed to reduce the number of "dark" vessels in the Commission VMS. The United States suggested several options available to TCC to progress this effort: (i) convene an IWG to develop recommendations for TCC16; (ii) support work by the United States and other interested CCMs to develop a specific proposal; or (iii) suggest a new review of the Commission VMS, similar to the prior Joint WCPFC-FFA Review of the WCPFC VMS (**WCPFC8-2011-27**).

209. The Cook Islands supported the suggestion from the United States to form an IWG. China noted that there are many issues with respect to the VMS, and inquired what aspects would be covered by the proposed review. Cook Islands stated it wanted to be able to address the issues raised in the preceding discussion regarding the VMS.

210. The United States stated that their understanding was that CCMs seek to address the issue highlighted by the VMS Annual Report: the persistence of dark vessels that do not report on the

Commission VMS, noting that 332 vessels were dark in the VMS in 2018. The United States stressed that the issue is not improving on its own over time. The goal would be to increase the monitoring of vessels that should be reporting, but do not.

211. TCC15 recommended that WCPFC16 establishes an intersessional group to develop specific recommendations on the VMS to address the VMS data gap and improve the number of vessels reporting to the Commission VMS for consideration by TCC16.

a. Consider proposals for inclusion of additional ALCs on the WCPFC approved ALC/MTU list (VMS SSPs Section 2.7)

212. The Compliance Manager noted that Section 2.7 of the VMS SSPs was updated by the Commission based on a TCC14 recommendation. Paragraph 20 of **TCC15-2019-RP01** details two requests for inclusion of new MTUs on the WCPFC approved list since the WCPFC15 updated VMS SSPs provisions took effect; the Secretariat had recently notified CCMs by Circular of its intention to include the SKYMATE m1600 unit on the List of WCPFC Approved MTU/ALCs. The request related to the SRTVMS-100S unit was still being considered by the Secretariat and as per the VMS SSPs. She explained that the information is for noting.

213. Australia noted that the SKYMATE M1600 MTU is already Type Approved by the United States for the fisheries in the Western and Central Pacific. Similarly, this unit has also gone through the FFA approval process and is now Type Approved. Australia stated that it is critical that MTUs meet the minimum WCPFC standards and have the ability to successfully report to the Commission VMS. FFA members supported the inclusion of the SKYMATE M1600 MTU to the WCPFC approved ALC/MTU list on 11-Sep-2019 subject to the unit being proven to be capable of reporting to the Commission VMS.

214. The Compliance Manager confirmed that based on the Secretariat's assessment and the VMS SSPs Section 2.7, the SKYMATE M1600 MTU was included on the WCPFC Approved list on 16 September 2019 (WCPFC Circular 2019/44).

b. Support efforts by CCMs and the Secretariat to continue technical work intersessionally to optimize TCC's efficiency evaluating CCM's VMS compliance –(TCC Workplan 2019-2021)

215. FSM, stated on behalf of FFA members, that technology advancements should make it possible for automated notifications to be enabled (messages via emails/alerts) to notify users when new cases have been added, or a case status has changed (e.g., Closed, Pending, Ongoing). When considering implementing further enhancements and/or improvements to any of the existing online tools, consideration should be given to involving the end users for testing or conducting the necessary trials.

c. Update of Standard Operating Procedures (VMS SSPs Section 6.9)

216. The Chair noted the *Proposed Revisions to the Commission VMS Standard Operating Procedures (TCC15-2019-12)*. The current version of the Commission VMS Standards Operating Procedures was approved by the Commission in December 2018 (WCPFC15). The edits are to reflect subsequent WCPFC15 decisions including to the VMS SSPs.

217. Vanuatu stated that FFA members approve of the updated version of the Commission VMS SOPs (TCC15-2019-12) subject to the following amendments to sections 4.5 and 4.6. FFA members recommend

that in Section 4.5: Routine Reports from the Secretariat on VMS reporting anomalies and WCPFC VMS, the frequency of the reports on VMS reporting anomalies made available for CCMs for their flagged vessels be reviewed by the Secretariat on a weekly basis, rather than 4-6 weeks. FFA members recommended that Section 4.6: Proposals for Inclusion of Additional ALC makes and models on the Approved ALC/MTU List, be modified to require the Secretariat establish a physical ALC/MTU testing process and a checklist as part of the WCPFC ALC/MTU approval process, in order to confirm that the unit is capable of reporting successfully to the Commission VMS. FFA members further stated that the Secretariat needs to ensure that:

- the MTU vendor and the Mobile Communications Services Provider cooperate with the Secretariat and the VMS Service Provider in getting the necessary gateways developed in order to receive the positional data from the MTU; and
- unnecessary delays in developing the gateways (as currently being experienced with SkyWave, SASCO, ROM Communications, MetOcean Telematics) be avoided.

FFA members also noted that the last sentence in section 4.6 (Page 9) seems incomplete and has some missing words and should end as: ‘.....to be borne by the proposing entity.’

218. Canada noted the edits being proposed, while suggesting this could be taken up under the United States’ proposal on how vessels could report more effectively.

219. The Compliance Manager noted that some of the additional edits proposed appear substantive and expressed support to Canadas suggestion that these matters would be better dealt with through the proposed VMS IWG.

220. The Philippines notified CCMs that their existing VMS would be supplanted by a hybrid VMS/AIS system, which will apply to all Philippine vessels.

221. Japan stated that at WCPFC14, notice was given that four ARGOS MTUs will be phased out from use to report to the WCPFC VMS and this becomes effective on January 1 2023. It noted that a number of Japanese vessels are currently using these, and that the units will be gradually replaced by approved units.

d. A proposed research project to compare WCPFC VMS data and AIS data in the WCPFC high seas

222. Japan presented TCC15-2019-DP03: A proposed research project to compare WCPFC VMS data and AIS data in the WCPFC high seas, stating that Japan’s Fisheries Research and Education Agency, the Australian National Centre for Ocean Resources and Security (ANCORS) at the University of Wollongong and Global Fishing Watch (GFW) have entered into a collaborative partnership agreement to investigate IUU fishing and strengthen transparency and governance of fisheries. Japan drew attention of CCMs to a research project proposed by GFW and ANCORS, which intends to compare AIS data and aggregated WCPFC high seas VMS data. The research project seeks to estimate AIS data coverage, identify data gaps in WCPFC VMS data, and estimate total fishing effort in the WCPFC high seas area. Japan stated that the proposed project would increase the transparency of high seas fishing activities and enable the further development of methodologies for estimating and verifying fishing effort estimates, which would bring significant benefits to the understanding of high seas fishing operations and improve the accuracy of AIS data used for scientific studies. Japan proposed that the project be conducted as a WCPFC project because the project needs to have access to VMS data, and the results would be beneficial to all CCMs. The project proposes to conduct analysis in March-July 2020, with a preliminary report presented to SC16, and a final report submitted to WCPFC17. Japan stated that, consistent with the rules and procedures for access to high seas VMS data for scientific purposes, Japan would include in their Part 2 Annual Report to the Commission information on the domestic measures that they have taken to ensure the confidentiality of the data and

information received pursuant to the data rules and procedures, and detail compliance with the data retention and destruction requirements in the data rules. Japan noted that no request for funding was being made. Japan reiterated that data would be handled strictly in accordance with WCPFC data rule and procedures, stating that while it could do undertake the project solely as a Japanese effort, it would prefer, in the interest of being fully transparent, to undertake it as a WCPFC project.

223. The Philippines welcomed Japan's proposal, stating the project could provide additional information to enable accurate tracking of its vessels, including small commercial vessels in the Philippines. The Philippines stated it would share data as soon its new vessel tracking system was operational. Indonesia also supported Japan's proposal. While noting that no Indonesian vessels were currently operating in the high seas, it stated that the project would serve as a good example for Indonesia, with possible application in the Indian Ocean. China supported Japan's proposal, and Canada stated that it also sees value in the project, which could inform work on other compliance measures. New Caledonia stated it was highly involved in surveillance of its EEZ, and is developing new tools that use both AIS and VMS. It fully supported Japan's proposal.

224. Niue stated that AIS data used on its own is not reliable but that it can be used to complement VMS data, and that their view was the project could be useful. Not all vessels operate continuously on VMS, and this could assist in identifying gaps, and providing information on vessel reporting, especially in High seas and buffer areas. Niue observed that it would good to have an assurance that the VMS is working well.

225. Chinese Taipei encouraged members to conduct more research on relevant matters, but suggested that the project appeared to involve scientific research, which is not under the purview of TCC, and suggested SC should review the purpose or methodology.

226. Australia welcomed the proposal, noting the advice from Japan regarding the intent to ensure data is handled in compliance with WCPFC data rules. Australia asked the Secretariat how this would be handled under the data rules, noting the requirement for a 2-year lag in data.

227. The EU welcomed the initiative, which it described a very important, but asked why it was restricted to the high seas, and not being applied in EEZs. The EU stated that the project would use confidential data, which can relate to fishing strategies, and inquired how what steps would be taken to ensure that data is not used for means other than proposed in the project?

228. Japan expressed its thanks for the support expressed by CCMs. Regarding the use of EEZ data, Japan stated that only high seas VMS data would be used because under the 2009 data rules,¹ Section VI, only high seas data can be disseminated for scientific purposes. Japan stated that the aggregated data would be handled very carefully by Japan's national institute, and that an MOU would be drawn up to address handling of the data to ensure that WCPFC's rules and procedures for data control are followed. Japan noted that the project outcomes would be relevant for both scientific and MCS purposes, and that the outcomes would be presented to both SC and TCC. Japan stressed their intent to conduct the project in an open manner.

229. PNG asked Japan to clarify its research question. Japan stated that in recent years a number of organisations have used AIS data to try and gain a more complete picture of fishing activity in the high seas. Japan is concerned about the accuracy of the AIS data, in part because vessels easily cease AIS

¹ Rules and Procedures for the Protection, Access to, and Dissemination of High Seas Non-Public Domain Data and Information Compiled by the Commission for the Purpose of Monitoring, Control or Surveillance (MCS) Activities and the Access to and Dissemination of High Seas VMS Data for Scientific Purposes, 2009

transmissions. The project is intended to compare the AIS and VMS data to assess how accurate the AIS data are.

230. The Compliance Manager stated that under the 2009 Data Rules, Members can submit a request for access to high seas VMS data for scientific purposes. Japan's request would have to fit under Para. 35 (g) of those rules "Any other scientific purpose as decided by the Commission". Japan stated that this was its understanding as well, and indicated it was seeking TCC's support for its access to this type of data, noting its desire to be consistent with the data access rules. Japan indicated it would be presenting a paper to WCPFC16 for approval by members, and sought to confirm that it had general support from TCC members for its proposal.

231. Australia stated it would welcome seeing the proposal at WCPFC16.

232. PNG suggested that Japan provide a more detailed articulation of what the research intends to do when presenting it to WCPFC16.

233. Korea stated that it had bilateral informal talks with Japan regarding the proposal, and had mentioned its view that the purpose of the proposal is somewhat unclear; Korea reserved its position, and stated it would provide its views on the proposal to be submitted at WCPFC16.

234. The EU inquired why Japan had not consulted SC on the proposal, in light of Japan's views regarding consultation with SC as expressed during the discussion on the issue of streamlining of reporting obligations. Japan stated it would submit a proposal at WCPFC16, and that if at that time CCMs feel the proposal should first be evaluated by SC, Japan would do so. Japan looked forward to discussions at WCPFC16.

235. TCC15 noted Japan's paper TCC15-2019-DP03. There was general support from most members for the proposal.

8.2 Regional Observer Programme

236. The Chair noted the *ROP Annual Report (TCC15-2019-RP02)* and confirmed it would be taken as read.

237. Tonga on behalf of FFA members thanked the Secretariat for the ROP Annual Report, stating that the report provides useful information on the ROP and its effectiveness, and that they supported the ongoing effort to address observer issues, especially the safety of observers, which is a priority area of work for FFA members. Tonga stated that FFA members continue to progress this work within their membership, including through ongoing work on the development of insurance coverage requirements. FFA members will continue working with the Commission and other CCMs to ensure FFA members meet their observer programme ROP minimum standards on observer safety, and encouraged other CCMs to do the same.

238. The United States thanked the Secretariat for the report, noting it was pleased to see continuing improvement in longline observer coverage, with most CCMs meeting the 5% level. It also noted the positive news in the timelines of purse seine observer data, and the fact that the 23 observer programmes that are part of the Commission ROP are operating routinely within the standards required by the Commission. However, the United States raised the continuing and very serious problem with respect to flag states and observer providers finding a way to share observer reports. Analysis of TCC15-2019-RP02 Table I (Counts of all alleged infringement cases) in Annex A in the report, for 2015-2018, indicates there

are a total of 3,593 unresolved cases (those marked as “flag CCM notified” or “flag CCM investigation in progress”). The United States observed that some are doubtless false positives, but how many is unknown; in addition a number of these involve observer safety. It stated that this is an important issue, and expressed distress that the Commission cannot find a way to progress on these issues. By comparison, only 1,409 cases have been completed during 2015-2018. The United States stated it would be very hesitant to adopt any future CMM that used observer reports for enforcement, stating that in 2008 it had pushed for a full FAD closure, and agreed to the existing measure only because of the 100% observer coverage that is in place. The United States stated the Commission is not doing what it needs to do to ensure that the data are getting where they need to and are used as they should be. The United States stressed that CCMs must find a path forward, observing that the situation as documented in the table is a shameful one for the Commission.

239. WWF, on behalf of WWF, Pew, and ISSF, expressed its concerns with respect to ongoing challenges to ensure timely delivery of information necessary for the investigation and prosecution of compliance breaches, particularly as it applies to the provision of observer reports. WWF stated that it is critically important for the TCC to agree on a way to ensure the timely provision of information contained in observer reports because of the impact it will inevitably have on FSIs and charges related to non-compliance, emphasizing that fisheries observer safety and security should not be compromised by the disclosure of information that could put the observer at risk. WWF further noted that there are over 3,500 compliance cases currently open, with a majority likely dependent on observer reports to verify allegations; over 100 cases directly relate to observer harassment or intimidation. Given the heavy reliance on information collected by observer for compliance purposes, WWF urged TCC to take action and recommend an appropriate solution to the WCPFC that meets the objectives of providing adequate information for compliance investigations, ensuring the safety and security of fisheries observers, and respecting the authority of coastal states to effectively manage and maintain fisheries information. WWF referenced suggestions proposed by CCMs during the Observer IWG, such as:

- providing full, but redacted reports;
- maintaining bilateral agreements among countries to ensure data integrity and security similar to arrangements under the South Pacific Tuna Treaty;
- providing a clear protocol for the initial provision of relevant information, followed by a request for a full report if necessary; and
- potentially establishing a separate compliance section or annex as part of documentation already submitted by the observer in other parts of the workbook.

WWF suggested a way to resolve the issue through compromise exists, and while fully supportive of the primacy of ensuring the safety and security of fisheries observers and the desire of coastal states to maintain and manage fisheries data, stated their view that members should be allowed to access necessary information to complete compliance investigations. Absent a resolution, the process will devolve into a circular compliance scenario that is completely undermined by indefinite FSIs that cannot be concluded because information is not provided that might be necessary to close those investigations, rendering the FSI designation, and consequently the CMS process, meaningless. In conclusion, WWF stated that the reliance of the Commission on fisheries observers to record information on non-compliance means that, if the appropriate level of information is not provided to CCMs seeking to investigate non-compliance, it must be viewed as a critical failure of the Commission to fully execute and operationalize the CMS.

240. FSM, on behalf of PNA members, supported the FFA statement and thanked the Secretariat for its ROP report. PNA members agreed with the FFA statement on the priority to be attached to issues related to observer safety. PNA members stated they were pleased to see (i) the general improvement reported in the timeliness of the provision of purse seine data, and that this is improving the data available for scientific and compliance work; and (ii) in IP04, that there is now a very high degree of compliance with the 5% ROP coverage requirement. At the same time, as all are aware, the 5% ROP coverage is insufficient for scientific

or compliance purposes, and coverage needs to be increased. In this respect, PNA members welcomed the reporting by SPC on longline e-monitoring (EM) coverage, stating that implementation of EM on longline vessels is a high priority for PNA members.

241. Kiribati stated that the safety of its observers is paramount in both its national laws and observer policies. It stated that observer reports that were shared with Kiribati were shared with its companies, and used to help verify the information from those companies, prior to reaching conclusions on cases; Kiribati stressed it is not solely dependent on observer reports when addressing issues, and as a flag state had full control over its vessels. Kiribati stressed its willingness to assist with information regarding infringements, but observed that information was often provided to Kiribati late. Limited capacity and short time frames are also issues.

242. The EU stated that the observer coverage requirement for the longline fleet remained an issue, despite being a longstanding requirement, and noted that this has an important impact on stock assessments and the ability to carry out scientific work. The EU inquired whether incentives and penalties were needed, observing that this is a fundamental requirement, and asked SPC for clarifications regarding estimated purse seine trips and trips of unknown status (in Table 1 of TCC15-2019-IP04). SPC stated that the discrepancy in columns 1 and 2 of Table 1 stemmed from the fact that purse seine trips are calculated using VMS data, but this requires identifying which VMS trips are fishing trips. SPC has recommended that it receive lists of observer placements, which would allow it to understand who has placed an observer on a vessel. SPC looked forward to progress on this. Other columns show gaps in the data received, which may reflect in-country issues, and lags in data provision; SPC has seen considerable improvement in addressing the lags and obtaining data.

243. New Zealand noted that in the observer report some tables (such as TCC15-2019-RP02 Table 8 for oceanic whitetip) show a trend in observed releases, but such tables are not present for seabirds, turtles, etc, and inquired whether this data was accessible, and if so whether such tables that show trends could be assembled in the future for other species (e.g., seabirds and sea turtles). The Secretariat indicated this could be done for seabirds and turtles, and stated that although the issue was not simple, it could likely be accomplished, with data made available via the WCPFC website. New Zealand agreed to consider its specific interest and discuss the issue further with the Secretariat.

244. FSM stated that CMM 2018-01 Attachment 2 provides clear measures that the Philippines has to comply with for its purse seine activities in high seas pocket (HSP) No. 1. Paragraphs 5 and 6 cover the observer requirements. In particular, para. 6 has specific requirements to ensure that preference and priority is given to observers from other CCMs, which relates to the principle of “impartiality” enshrined within the ROP measure. Para 6 requires the Philippines and the Secretariat to inform CCMs (and adjacent Coastal States) of deployment needs and the deployment date at least 60 days prior to expected departure. The Secretariat and relevant CCM must inform the Philippines of the readiness and availability of an ROP observer at least 30 days prior to the deployment date. Only then may the Philippines deploy its own regional observers if no others are available. FSM noted the WCPFC Circular distributed by the Secretariat on 13 September, and sought clarification from the Secretariat regarding the dates and associated requirements. Specifically: it includes the Philippines’ notification dated 6 August; it was received by the Secretariat on 9 September; CCMs received it via circular on 13 September; the Philippines requested confirmation of availability of observers before 15 Sept; and the Philippines intended trip departure date was 25 September. FSM sought clarification from the Secretariat and the Philippines as to the notification dates, and how the 60-day requirement was met. Based on FSM’s reading and receipt of notifications, CCMs were only given 2 days within which to notify the Philippines of available observers. FSM stated it was unclear how non-Philippines observers could have been mobilised in time, as contemplated by the measure. FSM stated that the placement of independent observers is critical, and requested that this issue be resolved.

245. The Secretariat confirmed the dates within Circular 2019-50 are correct and accurate.
246. RMI supported the statement by FSM, and asked if the Philippines could resolve the issue as a matter of priority.
247. The Philippines confirmed the dates as stated by FSM, and apologized for their mistake. It welcomed observers from other ROP programs in the Pacific.

248. TCC15 recommended that WCPFC16 tasks the Secretariat to work with interested parties during the intersessional period with the view to producing additional tables in the ROP annual report showing at least five-year trends on non-fish bycatch as reported by observers.

a. Review CMM 2017-03 (CMM 2017-03 paragraph 14) Protection of WCPFC Regional Observer Programme Observers

249. There was no discussion under this agenda item.

b. Report from TCC Intersessional Working Group on flow of observer reports and observer conduct (WCPFC15 Summary Report para. 364)

250. Tom Graham, Chair of the TCC Observer IWG on flow of observer reports and observer conduct, presented an initial update on the work of the IWG, noting that WCPFC15 adopted the recommendations made by TCC14 regarding observer conduct. Subsequently, the IWG has focussed on access to observer reports to support CMS investigations. He stated the IWG had worked electronically since December, and met twice at TCC15 with a focus on developing minimum standards for procedures to request observer reports and for providers to respond. IWG members had reached agreement that procedures would be useful and were continuing to work on an agreement regarding the standards content.

251. The EU expressed its eagerness to participate in the next session of the IWG to see if agreement could be reached on minimum standards. It wondered about establishing an annex to observer reports including the compliance cases only, but noted this would be complicated, observing that reaching agreement on minimum standards alone would be significant.

252. PNG stated it had not authorized release of full observer reports, and inquired whether the United States had received any PNG observer reports in the course of its investigations, and if so under whose authorization? The United States stated that it would have to check to determine if PNG observer reports were received in the course of its investigations, but stated that the release of observer reports would be governed by the terms of the South Pacific Tuna Treaty between the United States and 16 Pacific Island countries, which addresses receipt by the United States of observer reports.

253. The TCC Observer IWG Chair provided an update, stating that after further discussions in the margins of TCC15 and consideration of several drafts, the working group was unable to reach agreement on an ROP Minimum Standard on the flow of observer reports for the purpose of supporting investigations by CCMs. The working group recommended to TCC15 that the IWG's work continue, and that as part of the tasks identified by the Commission in paragraph 364 of the WCPFC15 Summary Report, the IWG consider in particular: (i) improvements to the tracking of observer report requests and responses in order to better identify impediments to the flow of observer reports; and (ii) methods to filter out "false-positive" and *de minimis* violations to reduce the number of observer report requests and the associated workloads for ROP Providers and CCMs.

254. PNG thanked the TCC Observer IWG Chair, and noted that PNA members were still reviewing some issues which they would discuss with managers and service providers. PNG stated the PNA would provide feedback prior to WCPFC16.

255. The United States welcomed the intervention from PNG on behalf of the PNA, and stated it was optimistic agreement could be reached prior to WCPFC16. It reiterated its concern regarding the large number of unresolved cases, and while acknowledging the likelihood of many false positives and *de minimis* issues, the United States stated a failure to reach an agreement would impact on its ability to agree to CMMs that rely on observers to evaluate compliance.

256. The EU concurred with the United States, and noted its disappointment with TCC15's failure to reach agreement on the issues before the IWG. The EU voiced its appreciation for the work done by CCMs, and the Chair in particular, but stated that it was difficult to make progress, in part because of an evident environment of mistrust and suspicion. The EU sought more feedback from those who held differing views on the issues discussed by the IWG, and encouraged everyone to compromise.

257. Various CCMs looked forward to further progress at WCPFC16.

258. TCC15 agreed that the group's work continue, and that as part of the tasks identified by the Commission in paragraph 364 of the report of WCPFC15, the group consider in particular: (a) improvements to the tracking of observer report requests and responses in order to better identify impediments to the flow of observer reports; and (b) methods to filter out "false-positive" and *de minimis* violations to reduce the number of observer report requests and the associated workloads for ROP Providers and CCMs.

8.3 High Seas Transshipment Monitoring

259. **TCC15-2019-RP03**, *High Seas Transshipment Monitoring Annual Report* was noted by TCC.

260. The United States thanked the Secretariat for **TCC15-2019-RP03**, the *Annual Report on WCPFC Transshipment Reporting*, stating that a major objective of the transshipment measure is to fulfil Convention Article 29's task of developing procedures to obtain and verify data on the quantity and species transhipped, both in port and at sea in the Convention Area. The measure has been in effect for 10 years, with mixed results. The United States noted that information on the frequency and importance of at-sea transshipment appeared reasonably good: there were about 1,400 reported transshipments on the high seas in 2018. However, the number of transshipments, combined with the large proportions of tropical tuna catches that are being transhipped at sea (e.g., about 38% of the 2018 bigeye tuna catch was transhipped on the high seas), demonstrates the need for thorough reporting and secondary sources of monitoring to allow reported activity to be verified. Several of these secondary sources appear wanting. The summary information on transshipments provided by CCMs in their Annual Reports Part 1 can be used to cross-check the data collected through the pre-transshipment notifications and post-transshipment declarations. However, the Annual Report Part 1 summaries indicate that in 2018 only 838 high seas transshipment events were reported by flag State CCMs, which totals less than 60% of the 1,409 events indicated by notifications and declarations. Several flag CCMs failed to report on transshipments in their Annual Reports, or haven't submitted their Annual Reports to provide this secondary source of validation. This failure is particularly concerning because those annual reports are the Commission's only source of data for in-zone and at-port transshipments. Observer data are another critically important source of transshipment information and the measure provides for 100% coverage of at-sea transshipments. The United States inquired whether the

Secretariat had received any observer data specific to the 1,409 reported high seas transshipments in 2018, while noting that the Commission will not benefit from such observer information until it develops protocols, data forms, and a database tailored to monitoring transshipments, as called for in the TCC work plan.

261. New Zealand, on behalf of FFA members, referenced prior comments by the United States and FFA colleagues (FSM, in their opening remarks on the Executive Director's Report) that 2018 saw the highest number of high seas transshipment events reported since CMM 2009-06 came into effect (and possibly the highest ever), which raises the question: how are CCMs complying with their obligation under Article 29(1) of the Convention to encourage their fishing vessels to conduct transshipment in port? Further, Article 29(3) of the Convention requires the Commission to develop procedures to obtain and verify transshipment data. Presently transshipment activity is not verified with any of the independent monitoring data collected by ROP observers. While the Transshipment Analysis Tool attempts to use VMS data to verify potential transshipment events, the results from the tool have significant room for improvement, placing the Commission in a situation where monitoring and regulation of high seas transshipment activity is deficient. New Zealand stated this responsibility fell on the entire Commission, and that FFA members are committed to addressing it.

262. RMI on behalf of PNA members supported the FFA statement on the need for improved regulation of transshipment from longliners in the high seas, noting it was clear that the Commission is failing in one of its core responsibilities to control high seas transshipment by longliners. Article 29 of the Convention requires the members of the Commission to encourage their fishing vessels, to the extent practicable, to conduct transshipment in port. The data in the tables in the Transshipment Report show, very clearly, that there is no substantial effort by CCMs with major longline fleets to encourage their vessels to tranship in port. Most longline vessels are authorised to tranship in the high seas and high seas transshipment is continuing to increase. In addition, Figures 5 and 6 of the Annual Transshipment Report show that the high seas transshipments are taking place mainly in the high seas just outside EEZs. These transshipments are not taking place because it is impracticable for longliners to tranship in port, but are taking place in the high seas in many cases to avoid comprehensive monitoring.

263. The EU expressed its concern that an issue that was conceived as an exception was instead becoming a rule, noting that it is very difficult to inspect and observe transshipment at sea. In addition, transshipment at sea does not contribute to development of ports in developing countries in region. Most problematically, this opens the way for infringements and IUU activities, because inspection activities are very difficult, making it possible to cover up IUU activities. The EU hoped that the work of the IWG on transshipment if not leading to a ban on transshipments at sea, at least would help to improve and to increase the level of inspection and control of transshipment, and possibly decrease the number of transshipment events to the point that they are the exception.

264. Cook Islands stated that the review of CMM 2009-06 could not come at a more critical time, and that the review must address the existing gaps in the WCPFC's transshipment regulatory framework, many of which are identified in the Transshipment Annual Report.

265. China thanked the Secretariat for the report, and emphasized the importance of transshipment for distant water fishing nations. China stated that it encouraged its vessels to land at SIDS ports, including by helping to finance construction of ports, but stated that increased landing fees at SIDS ports resulted served to discourage in-port transshipment. China stated it would continue to work with other CCMs to further strengthen monitoring of high seas transshipment.

266. United States inquired of the Secretariat whether any data had been provided on the approximately 1,400 high seas transshipments. The United States also recalled the lengthy discussions from TCC14, noting

it was a very important issue with a disparity of views, and indicated **TCC15-2019-OP04** and **TCC15-2019-OP05**, prepared by Pew, could inform the discussion. The Compliance Manager stated that the Secretariat had occasionally received copies of reports from observer providers who had placed observers on carrier vessels (approximately one for 2018 and one for 2019). She also noted that there is no requirement regarding what fields should be provided in ROP observer collected data, and stated that information had been received from observer providers on a voluntary basis. It was also not obvious to the Secretariat, and given the presently limited coverage of high seas reported transshipments, what type of review should be undertaken of the data that have been received.

267. Japan stated that there was 100% monitoring by observers of legal transshipment activities in the WCPFC Convention Area, and that many carrier vessels have observers; if observers from IATTC are included, coverage may be over 100%. Japan stated it would welcome detailed examples of illegal activities it, and stated if illegal transshipment activities were being conducted outside the framework of the WCPFC, Japan would be willing to work with other CCMs to address these.

268. Australia on behalf of FFA members, thanked Pew for the transshipment analysis. Australia stated it is encouraging to see CCMs and observers submitting useful and considered transshipment analyses to the Commission. It is essential that the Commission, TCC and the Transshipment IWG are in the most informed position when considering the current effectiveness of CMM 2009-06, as that will enable the Commission to clearly identify what steps to collectively take to improve the situation. Pew's transshipment analysis outlines the importance of fully understanding carrier vessels' operational patterns, particularly in light of the current high seas transshipment regulatory framework. Australia welcomed comments regarding strengthening this, and thanked all CCMs that have submitted analyses of transshipment-related data, including analyses completed by the WCPFC Secretariat, other CCMs (such as Japan and RMI), and also observers (WWF and IELP). Australia stated that FFA members will engage closely with all other CCMs to consider these analyses, and in the transshipment IWG.

269. Chinese Taipei stated it was aware of the increase in high seas transshipment, and had expressed concern to its industry, but noted that high seas transshipment is well monitored. Chinese Taipei also indicated that high seas transshipment by its vessels was discouraged, and detailed a number of requirements in place for its vessels that engage in high seas transshipment. It looked forward to working with other CCMs in the IWG to address the matter.

270. Korea stated its agreement with the views of China, Japan and Chinese Taipei, emphasizing that while there may be a need for improved monitoring of high seas transshipment, it did not agree this is a bad practice, and stated the focus should be on detecting and engaging with IUU activities. Korea stated that transshipment is an essential part of longline operations, but that it encouraged its vessels to tranship in port when possible.

271. Vanuatu aligned with the views expressed by Japan, and stated that it would review inconsistencies in the number of reports, some of which could be related to activity in the IATTC Convention Area. Vanuatu stated it would work with FFA to reconcile the data, and noted its vessels had submitted much missing data from 2018, and would continue to do so. Vanuatu stated it was working to improve observer placement on longline vessels to improve transshipment reporting, and was not relying solely on observers on carrier vessels.

272. PNG supported the comments by Korea regarding the need to increase the ability to detect IUU on the high seas, which requires improved high seas monitoring, and looked forward to working with other CCMs to achieve this.

273. WWF, also on behalf of IELP, ISSF, and Pew, thanked the Secretariat for its report on High Seas Transshipment Monitoring. As noted by CCMs, the report documents troubling trends: increases in the number of transshipment events and increases in the catch of some stocks on the high seas, indicating the urgent need for progress in the transshipment IWG. Two areas where the IWG can make progress is with respect to observer reporting obligations and improved data sharing with the IATTC and North Pacific Fisheries Commission (NPFC). With respect to observer reporting, and as noted in TCC15-2019-OP06, CMM 2009-06 lacks clarity as to the type of information that the observers must report and fails to require observers to submit their observer reports to the Secretariat. WWF noted that the other t-RFMOs clearly specify what information must be recorded and reported, and specifically require observers to submit reports to the relevant secretariat, so that the reports can be assessed and the information submitted by RFMO members can be verified. TCC could recommend to the Commission that it follow the lead of the other t-RFMOs by amending paragraph 14 of CMM 2009-06 to clarify the responsibilities of observers, and recommend development of standardized protocols for observer training and data collection. The TCC could also recommend to the Commission that the Secretariat develop data sharing arrangements with IATTC and NPFC. The information generated by these actions would improve the quality of information available to the IWG.

a. Further development of protocols, observer data forms including electronic forms and the database, as needed, to better monitor transshipment s at sea, particularly in the high seas (TCC Workplan 2019-2021)

274. PNG, on behalf of FFA members, stated that they consider that the further development of protocols and observer data forms to be of critical importance to ensure sufficient and appropriate monitoring, reporting and validation of high seas transshipment events. The development of ROP minimum data fields for monitoring of transshipment events is essential to address current deficiencies in high seas longline transshipment monitoring, and in combination with ensuring that there is a logical and clear regulatory framework requiring the provision of observer reports to the Secretariat, would help enable verification of high seas transshipment activity. FFA members strongly supported the WWF paper (TCC15-2019-OP06, *Observer Reporting of Transshipments in the WCPFC*, which clearly outlines the current data gaps in high seas transshipment monitoring, noting that the timely analysis would inform the Transshipment IWG regarding areas of CMM 2009-06 (and the WCPFC transshipment regulatory framework) that require immediate strengthening. PNG indicated FFA members are currently undertaking work to assist in the development of ROP minimum data fields for observed high seas transshipment events, including development of an observer workbook (protocols with required data fields) for observers on carrier vessels, and associated Pacific Islands Regional Fisheries Observer standards. Field work is underway, and outcomes will be reported to the Commission and the Transshipment IWG.

275. Japan agreed with some of the views provided by PNG, stating the Commission must establish minimum data fields for observer monitoring of transshipment activities and that if these had been in place in the past, much useful information would have been produced.

276. The Compliance Manager noted that if TCC recommended that additional ROP data was to be collected and analysed by the Secretariat, it would be helpful if additional resourcing was also considered to ensure that the Secretariat is able to undertake the necessary tasks.

b. Report from the IWG to review CMM 2009-06 (WCPFC15 Summary Report para 380)

277. Sam Lanwi, a co-chair of the Transshipment IWG, informed TCC that the IWG adopted its TORs, which were circulated to IWG members. The co-Chair would be in contact intersessionally with details on the scope of the proposed work.

278. In response to inquiries regarding the need for TCC to endorse the IWG TORs, the Legal Adviser stated that the Commission had agreed to review the measure through an IWG, with the intention that the review take place in 2019. She advised that the IWG could proceed without formal endorsement of the TORs. Canada suggested that for transparency it would be beneficial if the TORs were shared with TCC focal points and available through the WCPFC website. The Compliance Manager stated that the TORs would be posted on the Transshipment IWG webpage on the WCPFC website (<https://www.wcpfc.int/iwg-transshipment>).

279. TCC15 noted the intersessional activity report from the IWG to review CMM 2009-06, and that the IWG participants have finalized and adopted a terms of reference for its work.

8.4 High Seas Boarding and Inspection (HSBI) Scheme

280. The Chair noted the High Seas Boarding and Inspection (HSBI) Annual Report (TCC15-2019-RP04).

281. The Cook Islands, on behalf of FFA members, thanked the four Members that undertook HSBI inspection activities during this report period, and stated that HSBI activities undertaken by WCPFC members provide a mechanism to assist flag CCMs to check implementation by their vessels of several CMMs that are in force. FFA members are concerned that the majority of reported alleged infringements were VMS-related issues, and a high percentage of alleged infringements were determined by flag CCMs as to be “no infractions”, with the lame explanation that the VMS is reporting to national VMS centres, and the use of ON/OFF switch is to protect the ALC from damage caused by instantaneous current fluctuation. FFA members reminded flag CCMs of their obligation under paragraph 9 of CMM 2014-02 that “each flag CCM shall ensure that fishing vessels on the high seas in the Convention Area comply with the requirements established by the Commission for the purposes of the Commission VMS and are equipped with ALCs that shall communicate such data as determined by the Commission”. FFA members noted that during this HSBI activity a number of vessels were alleged to have not recorded sea turtle interactions on their vessels as per the measure, even though it was clear these interactions had taken place. There does appear to be a misunderstanding as to what constitutes an ‘interaction’, as vessels that caught sea turtles but cut them off the line alive (and did not bring them on board) were in some cases not recording these instances, as they were not considered interactions.

282. China noted that one Member that was actively involved in HSBI was not present at TCC15. China suggested that all Members conducting HSBI should send a delegation to attend the TCC meeting, asking that if they failed to do so, how could they guide their officers in conducting a HSBI? The EU concurred with China regarding attendance at TCC15 it suggested “encouraging” all CCMs to comply with the obligation to participate in TCC meetings.

283. New Zealand thanked Australia, France and the United States on their excellent work in executing Operation Nasse, stating it was an example of how members of the WCPFC could work together in executing the principles of the Commission. Palau agreed with the intervention by New Zealand, noting Palau lacks capacity for surveillance, and acknowledged the support from the United States, France, Australia and New Zealand.

284. The United States thanked Australia, France, and New Zealand for their contribution in conducting a total of 123 HSBI under the WCPFC HSBI authority, the highest to date. Of these, 71 were conducted by U.S. inspectors, its highest since United States inspections began in 2008. The 2018 U.S. boardings consisted of 68 longline, 2 purse seine, and 1 bunker vessel. Vessel flags included Chinese Taipei (31),

China (9), Japan (17), Korea (9), Federated States of Micronesia (1), Solomon Islands (1), Fiji (2), and Panama (1). Thirty-one of the 2018 HSBI (44%) noted potential WCPFC Conservation and Management Measure (CMM) violations. These potential violations were primarily related to vessel monitoring systems (20), sea turtles (9), vessel markings (6), catch logs (5), and sharks. Twenty-five of the HSBI with potential violations have flag-State responses; of those, 13 confirmed violations, with penalties ranging from warnings to sanctions. The United States also overviewed Operation North Pacific Guard 2018. The focus of the operation was to detect, deter, and eliminate IUU fishing activity on the high seas of the North Pacific Ocean, including identifying large-scale high seas driftnet fishing activity. The results of North Pacific Guard 2018 efforts showcased a successful multi-mission effort between the USCG, NOAA, five Pacific Rim countries and three RFMOs. From May to August 2018, the USCG dedicated 91 surface days and 262 aerial patrol hours conducting surveillance activities in the North Pacific, including 9 WCPFC HSBI (including 6 with potential violations) and the first seizure of an IUU/high seas drift net vessel in 4 years. In conclusion, the United States requested that the Secretariat make available the graphic/list (similar to what is found on the secure WCPFC server for HSBI) of locations and list of vessels found to not be in compliance by their flag state, so that HSBI members are more aware of the information available.

285. Canada supported comments by CCMs regarding the importance of HSBI, and of what has been found during the inspections. Canada noted that in 2018 it supported HSBI in the North Pacific, and in 2019 it had also undertaken some support for HSBI in the South Pacific as well.

286. Australia introduced **TCC15-2019-DP06_Rev 1**, *Information Paper on a Cooperative Monitoring, Control and Surveillance Activity in the Western and Central Pacific Fisheries Commission Convention Area: Operation Nasse*. Australia expressed its appreciation to partners for working collaboratively. Australia noted the key observations as outlined in the paper: (i) the benefits of sustained, cooperative HSBI through and for improved compliance with key CMMs; (ii) the ongoing focus on the misreporting of catch and by-catch related data (and the value of DNA testing in this regard), and the need for improved bycatch and incident reporting; and (iii) improvements in the use and design of turtle and seabird mitigation devices. Australia noted the value in working closely with flag States and pointed to the multi-language translation cards that proved very useful when engaging with fishing crews during Operation Nasse 2019. Australia also noted the cooperation by the fishing crews that were boarded during Operation Nasse 2019, and stated education was a large component of HSBI activities. Participants also noted the importance of timely and reliable information to inform MCS operations, particularly VMS. Australia observed that the operation continues to demonstrate the benefits of working cooperatively to enhance fisheries management of highly migratory stocks and bycatch species.

287. New Caledonia thanked the United States, Australia, New Zealand and France for their HSBI activities, especially during Operation Nasse in the high seas pocket located south of New Caledonia's EEZ. It encouraged members to share the results of this operation prior to the TCC meeting in the future.

288. The United States reiterated that, on the secure side of the website, the Secretariat could make available a graphic/list (similar to what is found on the secure WCPFC server for HSBI) of locations and a list of vessels with potential violations so that HSBI members are more aware of the information available. China was reluctant to agree, stating that after a HSBI, the information should be sent back to the flag state, which will then investigate. During that process, the information should be shared only between the boarding party and the flag state. China expressed concern with opening this to other CCMs, and suggested the need to check the Convention text on this issue. Japan and Chinese Taipei expressed similar concern to that of China, and Chinese Taipei wished to join discussions on drafting relevant text.

<p>289. TCC15 commended the Members conducting HSBI and encouraged them to send delegates to attend TCC meetings.</p>

8.5 Record of Fishing Vessels (RFV)

290. The Chair referenced **TCC15-2019-RP05** the *Record of Fishing Vessels (RFV) Annual Report*.

291. FSM, on behalf of FFA members, encouraged all flag CCMs to ensure complete vessel details are provided that meet the structure and format specifications of Attachment 1 of CMM 2014-03 (RFV SSPs) including updating the expired authorisation period dates for their vessels in the RFV. FFA members noted that the coverage for the IMO number for vessels 100 gross register tons (GRT) and above is about 90%, and requested that any CCMs that have not obtained IMO numbers for their relevant vessels to do so immediately in accordance with the RFV CMM, and advise the Secretariat accordingly. They encouraged all flag CCMs obtain IMO numbers for all motorized inboard fishing vessels less than 100 GRT (or 100 gross tons) down to size of 12 meters in length overall (LOA) that operate beyond national jurisdiction as this will be effective from 1-Apr-2020.

292. Fiji on behalf of FFA members sought clarification from China, noting that there are some 130 vessels flagged to China listed on the WCPFC RFV with an Authorisation Expiry Date of 31-Mar-2099 (about 80 years), and inquired if this was an error. China confirmed this was a result of a computer error.

293. Pew, on behalf of Pew, the IELP, ISSF and WWF, stated that in 2018 the Commission took the important decision to expand IMO number requirements to cover a wider range of vessels, which will facilitate stronger oversight over fishing operations. Although the new requirements are not yet in place, Pew stated it was encouraged by the progress flag CCMs are making in obtaining IMO numbers for their vessels, and noted many have already achieved full (or nearly full) compliance with the revised measure. Obtaining IMO Numbers for eligible vessels has become easier as the managers of the IMO number work closely with flag States to help them fill their data gaps and obtain numbers for their fleet, in bulk. Pew offered assistance to any delegates that required further information on obtaining IMO Numbers, or getting in direct contact with the managers of the IMO Number.

8.6 Eastern High Seas Pocket Special Management Area (EHSP-SMA)

294. The Chair noted **TCC15-2019-RP06_rev 1**, *Annual Report on Eastern High Seas Pocket (EHSP) Special Management Area*. The report provided a summary on the activities occurring in the EHSP Special Management Area (EHSP-SMA) based on data held by the Secretariat. The management and reporting arrangements for the EHSP were originally established through CMM 2010-02; CMM 2016-02 brought into effect updated management arrangements from 7 February 2017. Annex 1 provides a summary of CCMs response in Annual Report Part 2 related to CMM 2010-02 paragraphs 2 and 6.

295. The Cook Islands, on behalf of FFA members, stated that the transshipment ban in the SMA requires active monitoring, and FFA members urged the Commission to ensure the ban is properly monitored through the use of the Commission's integrated MCS tools. FFA members encouraged CCMs to continue to utilise current monitoring mechanisms such as HSBI and reporting of sightings of fishing vessels to enhance the integrity of the SMA. They noted that entry and exit alert in the EHSP-SMA and the live list of vessels present in the EHSP-SMA is generated mainly through the Commission VMS. Relevant CCMs must ensure vessels they are responsible for comply with the Commission VMS reporting requirements. Vessels are frequently detected operating in the EHSP without reporting on WCPFC VMS. It is imperative that flag States actively monitor their vessels and ensure, at a minimum, that their vessels are reporting on the WCPFC VMS.

296. China stated that 2019 is the last year for the implementation of the CMM, and suggested it should not be discussed in 2020 because the measure would not apply. Cook Islands stated its understanding that

the measure remains in place, and their concern that a high proportion of vessels do not report (about 25%). Cook Islands welcomed an update each year, even if just a brief statement.

8.7 Port State Minimum Standards

297. The Chair opened discussion regarding **TCC15-2019-RP07**, *Port State Minimum Standards Annual Report*.

298. Tonga, on behalf of FFA members, thanked the Secretariat for the report and update on the implementation of CMM 2017-02, and stated that since the adoption of the measure, FFA members have spent significant time and resources to strengthen the port State controls of FFA members; this includes developing an FFA Regional PSM Framework, an area of work endorsed by FFA's governing body, with the aim of harmonising the region's port State measures (PSM) in a manner consistent with the context of member's fisheries, port controls and existing MCS measures. This regional framework was specifically designed to accommodate CCMs' potential obligations under CMM 2017-02. FFA members noted that the measure is currently under review and, considering the broader areas of work that FFA members are implementing, stated they would like more time to fully engage with the measure. In this regard, they noted that paragraph 25 of the measure requires the Commission to develop a funding mechanism to support SIDS implementation. This funding mechanism has not yet been developed and FFA members noted their understanding that further time is needed to allow the Commission to develop this.

299. Solomon Islands, on behalf of PNA members, supported the FFA Statement, noting that CMM 2017-02 has been in place for just 2 years. It was established, with the full support of PNA members, as an appropriate measure for the Commission, because it takes into account their capacity as SIDS and their relationships with vessels that come to their ports. Solomon Islands noted that there have been no apparent incidents requiring inspections to be requested, and that in their view, the measure should be retained in its current form at present.

300. New Zealand stated that the implementation of PSM is an integral tool in the MCS toolbox that not only helps combat IUU fishing but equally provides for robust verification of the fisheries supply chain. Effective PSM will also ultimately support any Catch Documentation Scheme that is adopted in the WCPFC. New Zealand noted that many FFA members are already implementing stringent PSM that in some cases go beyond what is required in the FAO PSMA, which should be recognised. CMM 2017-02 specifies that a review will be undertaken within 2 years of its entry into force (CMM 2017-02 as a decision from WCPFC14, entered into force on 6 February 2018). New Zealand noted the text from paragraph 28 and 29 of CMM 2017-02, as follows:

“28. The Commission shall review this measure within 2 years of its entry in to force, which shall include but not be limited to an evaluation of its effectiveness, and any financial and administrative burdens associated with its implementation.

29. In the review of this measure, the Commission may consider additional elements such as notification requirements, port entry, authorization or denial, use of ports, and additional inspection requirements.”

a. Proposal to Amend CMM 2017-02: Conservation and Management Measure on Minimum Standards for Port State Measures

301. Canada presented **TCC15-2019-DP04_rev1**, *Proposal to Amend CMM 2017-02: Conservation and Management Measure on Minimum Standards for Port State Measures*, and acknowledged that, in light of the views of FFA members, amendments to CMM 2017-02 would not progress at TCC15. Canada stated it would seek to take account of comments it had received, and was interested in continuing the dialogue with other CCMs.

302. Tokelau, on behalf of PNA members, thanked Canada and supported the FFA statement on Canada's proposal, including the need for a more thorough application of the requirements of CMM 2013-06. Tokelau stated that PNA members needed more time to consider Canada's proposal, but did not expect to support any changes to CMM 2017-02 until the measure has been given more time to work.

303. The EU supported Canada's proposal, but suggested it should go further, stating that it is important that all CCMs ratify the FAO PSMA and try to apply it. The EU stated that criticism is often target toward transshipment at sea, but that there are no alternative PSM to improve MCS measures generally in the WCPFC. The EU noted the need to seek to improve PSM, and supported the proposal as a partial solution.

304. Pew, on behalf of IELP, ISSF and WWF, strongly supported the proposal to improve PSM within WCPFC, noting that while adoption of CMM 2017-02 was an important step 2 years ago, its requirements lag behind the general level of port controls globally, and stated incremental changes are needed to obtain the desired effect of pushing illegal operators out of ports and out of the market. Pew also encouraged all port CCMs to begin implementing the measure, or reporting their implementation if already in place, noting the measure is not obligatory, and will not become obligatory even if the proposed revisions are adopted, but that PSM offer an effective and cost-efficient form of control, especially combined with MCS and risk assessment efforts already underway. Pew noted that many port CCMs have already committed to these same requirements within other RFMOs or by becoming Party to the PSMA, and they have reported a better level of implementation in other fora. Many port CCMs have also started to receive, or can expect to receive, support to implement PSM through the FAO capacity development programme for the PSMA and the FFA Pacific Islands Port State Measures Project. Pew recognised there is work to be done, stated their belief that conditions are right to enable the necessary improvements, and offered their support if and where possible.

305. Australia stated that it is one of a number of parties in the region that has ratified the PSMA and concurred with other CCMs on the value of PSM as one of a suite of monitoring tools. Australia noted the positive and ongoing development of PSM in the region, consistent with national objectives and CMM2017-02. Australia noted that it is a member of a number of RFMOs where PSM have been adopted and urged harmonisation of reporting obligations and time frames to ensure a consistent approach and support implementation at the operational level.

306. Canada noted the comments from Australia regarding harmonization, as well as FFA's comments. It asked CCMs how to reflect on the issues that had been raised (e.g. harmonization), and asked CCMs to provide feedback so that the issues could be discussed at WCPFC16.

<p>307. TCC15 noted DP04_rev1 and requested CCMs with any comments to provide them to Canada, so that Canada can consider them and prepare a revised CMM proposal as appropriate.</p>

AGENDA ITEM 9 — DATA PROVISION AND DATA GAPS

308. The Chair noted **TCC16-2019-IP03_rev1**, *Scientific data available to the Western and Central Pacific Fisheries Commission*, and **TCC16-2019-IP04_rev1**, *Status of observer data management*, stating these updated versions of papers presented to SC15 were used as reference documents for the dCMR.

9.1 Information about scientific data provision (TCC Workplan 2019–2021)

309. Nauru, on behalf of FFA members, noted that WCPFC is currently engaged in two data-related reviews:

- (i) under the CMS, streamlining the process by which CCMs provide information to the Commission, in which FFA members particularly look forward to eliminating the duplication between Part 1 annual reporting and data that is routinely provided to the Commission through other processes; and
- (ii) Project 93, which addresses and matches the Commission's current data needs to its available data sources, and identifies the priority reporting gaps that can be most cost-effectively filled by electronic monitoring.

Nauru noted that during discussions on **SC15-ST-WP-01** *Scientific data available to the Western and Central Pacific Fisheries Commission* a number of weaknesses were highlighted (e.g., tightening of charter notifications), and stated that FFA members continued to support the outcomes of the SC15 discussion (under SC15 agenda item 3.1.1). FFA members also congratulated Hawaii, American Samoa, Korea and Chinese Taipei for using the Commission ER fields for observer data submission, and Japan for embarking on the process of alignment, stating these actions would help increase the efficiency of WCPFC's data-maintenance.

9.2 Consideration of the outcomes of the review of the Commission's data needs and collection programmes (SC Project 93) (TCC Workplan 2019-2021)

310. Tim Adams (FFA Director of Fisheries Management) presented **TCC15-2019-14**, *SC Project 93*, on behalf of the FFA, SPC, PNAO and WCPFC Secretariats. He explained that the effort originated because of a lack of agreement regarding objectives at the ERandEM IWG 3rd meeting, when it was suggested to itemize the primary data needs and thus provide information to clarify Commission priorities. The review of data needs under Project 93 differs from the effort that resulted in **TCC15-2019-10** (presented under Agenda item 5.3b), which was a review of Commission reporting requirements to inform compliance monitoring, while the intent of the work underlying **TCC15-2019-14** is to examine scientific data gaps that can be addressed through ER and EM. SC14 developed TORs for the effort, while TCC14 recommended that WCPFC prioritize the use of EM in areas where data collection is low and there are data gaps, which is what Project 93 was intended to do. The Project 93 TORs were adopted by WCPFC15, which asked SC and TCC for priorities and asked the ERandEM IWG to develop a draft CMM for 2020. The secretariats involved in Project 93 met in Noumea for 2 days to develop the tables contained with TCC15-2019-14. These were presented to SC15, and an informal SWG was convened to discuss them. A circular was sent out for feedback, but little was received. Discussions were held with various WCPFC members, including SIDs, Australia and New Zealand, and one suggestion that resulted was that TCC15 recommend that other CCMs send information on their programs to the Commission. Overall, Project 93 concluded that there are no major gaps in purse seine fisheries, because of the high observer coverage, while longline fisheries do have major gaps that can be addressed by EM. The work was conducted on behalf of the ERandEM IWG, and will be considered at their next meeting; the IWG has been asked to deliver to a draft EM CMM prior to WCPFC17.

311. FSM, on behalf of FFA Members supported the conclusions of Project 93: that the biggest remaining data gaps lie in the high seas longline fishery, and that EM can play a valuable role in addressing these gaps and improving reporting compliance. FFA members supported the Project 93 recommendations.

312. The EU stated that it would look to SC for technical feedback, and suggested the need to take into account what is done elsewhere (e.g., by other t-RFMOs), and to consider existing standards, especially at the United Nations level. The EU noted it had forwarded the document to its experts, and would submit any forthcoming comments regarding the recommendations. The EU also stressed that it was equally important to continue to work on ERandEM for the purse seine fishery, as it could supplement and facilitate the work of observers and allow them to concentrate on critical tasks; EM could also provide a secondary source of verification. The EU noted that EM records are used for some EU purse seine vessels, with observer reports

to cross check and validate data when undertaking investigations, including in the case of compliance monitoring.

313. Australia thanked the staff from the four secretariats for the document, stating that the report provides useful guidance in capturing the various data needs of the Commission and various data collection and verification tools available. Australia also noted, as mentioned in the paper, that technology is evolving and that the list may need to be reviewed over time as CCMs consider how to cost-effectively meet various data needs at the national level. As the ERandEM Chair, Australia asked that of CCMs had further comments on Project 93 outcomes that they be provided to enable the IWG to progress the valuable work.

314. Tuvalu, on behalf of PNA members, supported the FFA statement on Project 93, and thanked the team involved in preparing the report, which clearly identifies the potential role of EM. PMA members believe the paper would help identify the objectives of a WCPFC EM program, and agreed with the recommendations, including the priority for EM in the longline fishery. PNA members did note that the identification of observers as the main source of information on FAD attributes in the purse seine table failed to take into account the decision of the Commission to develop a FAD logsheet through which the vessel operator would become the main source of information on FAD attributes, and the role of the observers would shift to monitoring. They suggested this be covered in a footnote to the purse seine table. Similarly, PNA members suggested that as ER develops, vessel operators should be the main source of data on bycatch, catch and fate, gear attributes and other elements in both the purse seine and longline fisheries, with data from observers and EM used for verification.

315. The United States thanked the contributors for their efforts. Noting that the Commission is still developing EM standards, the United States suggested exploring if some issues could be addressed through improvement and updating of ROP minimum data standard data fields, and stated that that the Commission should develop a process to update these on a regular basis in the future.

316. New Caledonia stated it had been involved in a trial of imaging, but that this had not been very successful. However, ER is now in use on 3 vessels, with full ER coverage of New Caledonia's fleet planned for 2020. It expressed agreement with the views expressed by the EU, but noted that a lack of observer coverage for the high seas could not be mitigated through EM, stressing that EM would never replace onboard observers, and should not be used as an excuse to not have onboard observers.

317. Japan stated that EM can be an effective tool to monitor activities on fishing vessels, but that consideration must be given to developing appropriate minimum standards for, and the feasibility and cost effectiveness of, an EM system. Japan looked forward to working with other CCMs, especially Pacific Islands states, to develop approaches.

318. PNG fully supported New Caledonia's remarks, and sought to clarify whether Project 93 looked at the total requirements for data, and the different streams for which data are collected, which should be distinct from minimum ROP data fields. The FFA Secretariat noted that this was a job for the ERandEM IWG, rather than Project 93, stating that how to fill the identified gaps was a topic for all CCMs to discuss through the IWG. This view was supported by the WCPFC Secretariat.

319. In response to queries from CCMs regarding the basis for the list of longline fishery data needs identified (para. 7.c.ii in TCC15-2019-14), the Compliance Manager stated that a list of data that came through existing WCPFC programs was used, which includes data collected through the RFV, and via observers. The FFA Secretariat noted that some data gaps were identified as "emerging data gaps", some of which relate to Commission resolutions rather than CMMs, but are nevertheless issues on which the Commission will need to have information to fulfil its obligations, and for which it was preferable to have verifiable information. All identified data gaps would be addressed through the ERandEM IWG, where it

could be decided if these could and should be pursued. SPC stated that some of the identified gaps (e.g., paragraph 7.c.ii.g and h) were included in the ROP minimum data standards; electronics data (referenced in paragraph 7.c.ii.h) is used by SPC in CPUE standardization analyses.

320. CCMs held an extended discussion to consider recommendations related to the report on Project 93. The EU stated that with respect to the report on Project 93, observer safety was identified as an area where EM could play an important role, including for purse seine vessels, despite the 100% observer coverage requirement, and suggested this should be reflected in the TCC recommendations. Nauru fully supported the suggestion from the EU, noting the importance of observer safety, past observer harassment issues, and an experience in which an observer was lost at sea, which was captured identified through EM. Nauru emphasised there is a need for EM even on purse seine vessels. Japan stated that the 100% human observer coverage requirement made installation of EM systems on purse seine vessels unnecessary. Palau supported Japan's intervention, and stated the focus should be on identified reporting gaps. The EU acknowledged that CCMs might not agree on the need for EM on purse seine vessels, but stated it was discussing the results of work undertaken for Project 93, and seeking to ensure the key findings were reflected in the outcomes from TCC15. The EU stated that TCC15-2019-14 indicated the potential for EM to benefit observer safety, which was reinforced by actual experience as described by Nauru. Korea agreed with the views expressed by the EU, and suggested EM could also be useful in documenting observer misconduct and misbehaviour, and alleged crew harassment. PNG suggested a need to prioritize the work, which should focus on the longline fishery, while acknowledging the comments from Nauru, and those from Palau regarding data gaps. China and FSM agreed with PNG that the priority should be to fill data gaps in the longline fishery. Canada suggested ER and EM could be beneficial in other respects (e.g., monitoring transshipment), and suggested CCMs not preclude any discussions on how ERandEM could be useful. New Caledonia sought to remind CCMs EM was not a solution to resolve the gap in high seas monitoring, and that all CCMs should respect the requirements of CMM 2018-05 with regard to the 5% observer coverage requirement.

321. TCC15 requested that CCMs with established or emerging national or subregional EM standards or specifications communicate them to the Chair of the ER&EM WG as soon as possible;

322. TCC15 supported the conclusions from Project 93 to inform the Commission of the current status of WCPFC data collection programmes and associated data gaps and needs;

323. TCC15 recommended that WCPFC16 considers the conclusions from the Project 93 analysis in respect of CMM2018-05;

324. TCC15 recommended that the conclusions from Project 93 be considered by the next meeting of the ERandEM Working Group in the establishment of priorities and objectives for the development of regional EM standards;

325. TCC15 recommended that the conclusions from Project 93 be considered by the IWG to review CMM 2009-06.

9.3 Report on the performance of the Electronic Reporting Standards and their application (E-reporting SSPs, paragraph 7 (c))

326. The Chair referenced **TCC15-2019-RP10**, *Annual Report on the performance of the E-reporting standards*.

327. Samoa, on behalf of FFA members, stated that they recognise the numerous benefits of having a standardised reporting format for data exchange in the Commission, and find the annual report very useful. Samoa noted that ER has become the norm rather than a future aspiration, and that FFA members are pleased to see increased uptake of ER tools among CCMs continues, with many CCMs providing data to SPC in a form consistent with adopted ER standards. FFA members were in particular pleased to see:

- the high level of operational data being submitted to SPC in accordance with the ER standards – particularly for the purse seine fleet;
- the 100% coverage of purse seine data held in ROP database that aligns to the ER standards;
- the vast improvement of longline observer data aligned to the ER standards; and
- that significant longline ER data have been submitted to SPC that conforms with the ER SSPs for observer data.

FFA members supported ongoing use by CCMs of the ER SSPs adopted by the Commission and thanked SPC for their ongoing work in facilitating and monitoring this.

328. New Caledonia thanked SPC for its excellent work on ER, and noted that by 2020 it sought to have all of its fleet using ER.

AGENDA ITEM 10 — INTERSESSIONAL ACTIVITIES

329. The Chair noted the TCC Workplan 2019 -2021 identifies four IWGs as requiring review of their ongoing work by TCC: the ROP-IWG, FAD-IWG, Catch Documentation Scheme (CDS) IWG, and ERandEM IWG.

10.1 Intersessional activity report from the ERandEM-IWG Chair

330. The Chair noted that at WCPFC15 the Commission supported the continuation of intersessional work, led by the ERandEM-IWG Chair Kerry Smith (Australia) to further develop a draft conservation and management measure on E-monitoring for consideration by the Commission in 2020. The ERandEM-IWG Chair was tasked to provide a report on progress to WCPFC16 in 2019.

331. The Chair of the ERandEM-IWG provided a brief verbal report. The third meeting of the ERandEM-IWG in Busan considered a concept paper for EM that pulled together the relevant principles and procedures for a standards-based approach to EM at the Commission level; such an approach does not intend to prescribe how a national program is to be run, but rather ensure that national programs are recognised as meeting minimum standards. The concept paper draws on familiar approaches and decisions of the Commission such as the ROP and VMS and sets out the draft minimum standards under broad headings (program, technical, logistics, data analysis). The concept paper envisages a regional EM program that follows a similar approach to the ROP, whereby a national or subregional program can be accredited against agreed minimum standards. The concept paper also set out a suggested implementation schedule. The concept paper generated a valuable discussion regarding EM objectives and scope. Many CMMs noted that EM technologies can support a number of objectives, but that further work was needed to better understand the suite of data collected against the available data collection tools. This discussion led to Project 93 (discussed under Agenda Item 9.2). The report of the ERandEM-IWG was endorsed at WCPFC15 and it was agreed that the concept paper was a useful general framework and could be used as

a basis for future work. The Commission also agreed to a 2-year EM workplan that would seek to develop minimum standards in 2019, and a draft CMM in 2020. The ERandEM-IWG chair noted the discussion on the outcomes of Project 93 at both SC15 and TCC15, and advised that she intended to circulate a revised version of the concept paper, and report to WCPFC16 on progress against the ERandEM-IWG workplan. The Commission also agreed to a physical meeting of the ERandEM-IWG in 2020. In response to a question around length of a physical meeting, the ERandEM-IWG chair noted that an agenda had not been developed but that she would look to develop such a draft agenda to assist discussions at FAC in December.

332. Solomon Islands on behalf of FFA members thanked the IWG Chair for the update and for her ongoing work and leadership. As discussed under Agenda Item 9.2, FFA members support the conclusions and recommendations of Project 93, which provides a useful baseline for the Commission's data and information needs, how existing monitoring programs are used, and gaps that need to be addressed. With respect to the ERandEM IWG, it provides a good basis for the Commission to decide where EM can be used within existing data collection and verification processes. The largest data gaps are in the longline fishery particularly on high seas, and verification gaps exist for datasets not currently collected by observers. The Project 93 analysis indicates that ER can address many of these gaps, and help improve reporting compliance. FFA members supported the work and encouraged the Commission to use it to inform the desired objectives of EM in the Commission context. They looked forward to working with other CCMs to progress the work. Finally, in relation to the ER SSPs, FFA members supported the continued development and implementation of ER SSPs in the Commission, noting that the standards-based approach facilitated the uptake and implementation of a new aspiration for the Commission, without undermining national programs or operations, by setting out a useful and necessary platform for required commonality throughout all CCMs.

333. The ERandEM WG Chair urged members with comments to reconcile those with other parties and provide them to the IWG.

334. Canada noted that requests had also been made by other IWGs to meet in person prior to TCC16, and that this could be addressed through the workplan.

335. In response to a query from WWF regarding the best metrics to choose for longline effort when collecting data, SPC stated that it was clear that the most reliable unit of effort is hooks, and that it was the main unit of effort used in the Commission stock assessments, as it has the least bias.

336. TCC15 noted that the ERandEM IWG Chair will provide a revised EM concept paper to WCPFC16 taking into consideration Project 93 discussions and any input from members.

337. TCC15 recommended that WCPFC16 notes the progress against the ERandEM IWG workplan and agrees to a physical meeting for the IWG in 2020 prior to TCC16.

AGENDA ITEM 11 — REVIEW OF EXISTING CMMS, INCLUDING ANY PROPOSED AMENDMENTS

11.1 Bigeye, Yellowfin and Skipjack (CMM 2018-01, CMM 2009-02)

338. The WCPFC Science Manager presented an overview of **TCC15-2019-IP14, *Report of the 2nd Meeting of the Joint Tuna RFMOs Working Group on FADs***. He noted that all documents relating to the meeting were available on the IATTC website. He stated that the Joint t-RFMO FAD Working Group report

contained 30 recommendations, 4 or 5 which were directed to the science committees of the t-RFMOs. SC15's response to the recommendations was included in the SC15 Summary Report.

339. The EU voiced its support for the work being done by the Joint t-RFMO FAD WG, and stated that the outcomes should be carefully taken into account when the Commission considers issues concerning FADs. The EU suggested that the WCPFC FAD-IWG could provide feedback on the recommendations from the Joint t-RFMO WG, observing that in the absence of feedback from the t-RFMOs, the process would have no meaning. The EU stated its preference that the FAD-IWG also inform the WCPFC of its views on these recommendations, preferably prior to WCPFC16, as this could help inform CCMs, as well contributing to any future proposals on FADs, even if these were not considered in 2019.

340. PNG stated that stated if the outcomes from the Joint t-RFMO FAD WG were to be considered by WCPFC it should be by the FAD-IWG, and not TCC.

341. Korea voiced its appreciation for the work done by the Joint t-RFMO FAD WG, and the presentation by the Secretariat, and voiced their continuing interest in addressing the definition of FADs, suggesting it should be clear and easy to operationalize so that CCMs could better implement regulations on FADs. Korea noted that an interim measure defining FADs was adopted in 2018, and stated it was important that t-RFMOs have harmonised definitions to the extent possible; Korea looked forward to working with other CCMs on the issue.

342. Palau noted that at SC15, PNA members asked that the Joint t-RFMO FAD WG report be noted only, with no recommendations offered.

343. The United States stated that it found the Joint t-RFMO FAD WG meeting useful. The United States also recognized the issue raised by Korea regarding the definition of FADs. The United States noted two enforcement and technical issues relating to CMM 2018-01, which it is advocating. One relates to the FAD definitions, where the United States stated there is a need from an enforcement perspective to define what is meant by "small garbage". The United States noted that defining the term in its regulations would not resolve the issue, but that a common understanding is needed across the Commission. The United States stated it would support extension of the measure for 1 year, with better definitions of the terms. It also raised the issue of vessels setting within 1 nautical mile of a FAD, because in practical terms, vessels cannot see a FAD from a distance of 1 nautical mile. The United States suggested this be changed to ½ nautical mile, which could provide greater clarity and comfort to vessels. It welcomed discussion on these suggestions, both at TCC15 and WCPFC16.

344. Indonesia provided a revised longline bigeye catch total of 1,255 tons; SPC stated Indonesia's figures were received after the data cut-off date, and relevant tables would be revised for WCPFC16.

345. FSM, on behalf of PNA members, thanked SPC and noted that SC15 had identified some elements of CMM 2018-01 for specific analysis, as referred to in para. 147 of the SC15 Outcomes Document. PNA members stated they saw no scientific basis for the issues identified by SC to be analysed by SPC, and therefore requested that the SPC analysis cover all special provisions in the measure, including the high seas purse seine effort limits set for the EU and the United States, the special provision (CMM 2017-01 paragraph 29) for the United States' purse seine fleet to transfer some of their days to U.S. territories, and the special provision that resulted in the United States' longline fleet taking a lower reduction in longline bigeye catch limits than other fleets. The EU stated it was unclear regarding the connection between para 147 from the SC Outcomes Document and the catch of the EU, or location of EU vessels on the high seas. Furthermore, the EU highlighted that analysis of the level of catches/effort limits of Tropical Tunas should be undertaken comprehensively, including EEZs and high seas fisheries.

346. Australia noted TCC had held lengthy discussions in prior years regarding evaluation of compliance with regard to limits related to the other commercial fisheries for bigeye, yellowfin and skipjack tuna, and noted that this would be further considered in reviewing the provisional Compliance Monitoring Report. Australia considers that this is an important issue for WCPFC16 to consider and noted that the ongoing work of the West Pacific-East Asia (WPEA) project could provide some clarity and suggested that TCC15 could task the Scientific Services Provider to work with Indonesia and the Philippines to bring a paper to WCPFC16. Australia welcomed the constructive discussions in the margins with Indonesia, the Philippines, SPC and New Zealand on this issue. The United States supported the suggestions from Australia, which it stated could help clarify the purpose of the paragraphs in question. The EU also supported the suggestions by Australia, while noting that based on the information provided to TCC, it might not be possible to have reliable data to identify levels of catch for the reference years, so for one of the two concerned CCMs, additional guidance from SPC regarding alternative reference years might be needed to make the proposal workable. SPC concurred, and stated it would try and capture these issues in the proposed working paper.

347. TCC15 acknowledged ongoing difficulties in evaluating compliance with limits related to the other commercial fisheries for bigeye, yellowfin and skipjack tuna (paragraph 51 of CMM 2017-01, subsequently replaced by CMM 2018-01). TCC15 noted that the fisheries are complex and available data for these fisheries are limited which has led to uncertainties and difficulties in determining appropriate limits, including in determining which fisheries should be included. TCC15 recognised that significant work is underway under the continuation of the West Pacific East Asia (WPEA) project and acknowledges the generous support of New Zealand to facilitate this work through WPEA-ITM.

348. TCC15 tasked the Scientific Services Provider to develop a working paper in conjunction with Indonesia and the Philippines to assist WCPFC16 to interpret (and if necessary clarify) paragraph 50 and 51 of the tropical tuna measure (CMM 2018-01) in a way that makes it possible to evaluate compliance with the purpose of paragraph 51, which is: to ensure that in other commercial fisheries, the total catch of a CCM's bigeye, skipjack and yellowfin catch does not exceed either the average level for the period of 2001-2004 or the level of 2004.

a. Annual review of information reported by CCMs pursuant to these measures

349. The Chair referenced **TCC15-2019-IP07**, **TCC15-2019-IP08**, **TCC15-2019-DP01-PNA**, and **TCC15-2019-RP02** (Annex A-table V1). There was no discussion.

11.2 South Pacific Albacore (CMM 2015-02)

a. Annual review of CMM 2015-02 based on advice from SC (paragraph 5 of CMM 2015-02)

350. The United States noted SC's advice that WCPFC16 consider establishing a measure to further reduce total catch or effort of South Pacific albacore in order to reverse the projected decline in the vulnerable biomass and ultimately achieve the TRP. It stated that TCC's role in this effort is to ensure that limits are designed in a way that is enforceable and that allows for ready assessment of CCMs' compliance with the limits; TCC should be prepared to undertake that work as a new CMM is developed, but since that effort will probably take several years, the United States noted that it is also important that TCC make

appropriate recommendations to strengthen the existing measure, or at least to develop information and advice to promote compliance with the measure, a topic it looked forward to discussing under sub-agenda item (c).

351. Tonga, on behalf of FFA members, stated that CMM 2015-02 is not fit for the purpose of conserving and managing the South Pacific albacore tuna stock, and thus FFA members do not wish to spend too much of the valuable time of the Commission in reviewing it, but would rather concentrate on developing a new CMM based on the harvest strategy approach, along the lines of the advice provided by SC15. A process is already set up for doing this work — the South Pacific Albacore Roadmap — and CCMs will be working through this intersessional process. Reviewing compliance with the provisions of CMM 2015-02 can be left mainly to the CMR process. However, FFA members highlighted that while there are weaknesses in the language within CMM 2015-02 that have made it difficult to assess compliance against the South Pacific albacore measures since the first measure was adopted in 2005, the intent of the measure has always been clear: to avoid an increase in catch and effort targeting SP albacore south of 20° S. FFA members stated that it is also clear that the intent of the measure has not been followed by all CCMs.

b. Intersessional activity report on south Pacific Albacore Roadmap virtual IWG

352. The Chair noted that WCPFC15 tasked the South Pacific Albacore-IWG, led by New Zealand, to continue work intersessionally to develop the Roadmap for Effective Conservation and Management of South Pacific Albacore.

353. New Zealand, which formerly chaired the IWG, thanked CCMs for their efforts in developing a roadmap for effective conservation and management of South Pacific albacore. On behalf of FFA members, the former Chair noted a significant achievement in work towards a harvest strategy for South Pacific albacore, with agreement on both an LRP and the TRP. SPC has provided a range of options to reverse the declining trend in biomass, and restore the stock to the TRP within 20 years. Discussions at SC15 indicated that at least one major fishing CCM shares the desire to achieve the transition back to the TRP as quickly as possible. New Zealand emphasised the importance of protecting the albacore fisheries of vulnerable SIDs, and stated FFA members would be discussing how to proceed, and would develop a proposal for resuming the work of the IWG. FFA members looked forward to agreeing on a new CMM by WCPFC17, which should include a TRP-based objective; a stock-wide harvest control rule to achieve that TRP by 2040; and limits on southern albacore fishing opportunities to apply in high seas and within EEZs.

354. The United States looked forward to working with FFA members and other CCMs on a new measure to be adopted in 2020.

c. Develop information and advice to promote compliance with the south Pacific Albacore CMM (2015-02 and successor measures) and improve its effectiveness, including providing technical and compliance advice for the development and implementation of south Pacific albacore roadmap (TCC workplan 2019-2021)

355. The United States noted the Commission's efforts in recent years to provide more rigor regarding limits on the numbers of vessels that may actively fish for albacore south of 20° S. To gain a common understanding of how many vessels are fishing for albacore, as well as how many fished for albacore during the baseline period, the CMM was amended to require vessel-level reporting of catch composition by species group. Based in part on those reports, SPC prepared **TCC15-2019-IP15** (a version was first made available at TCC14). The paper gives, for each CCM and each year, the number of vessels whose catch was predominantly albacore. The United States proposed that TCC use this information in its assessment of CCMs' compliance with the limits on numbers of fishing vessels.

356. Tuvalu, on behalf of FFA members, reiterated that little could be done to improve the effectiveness of the current south pacific albacore measure without completely modernising and replacing it. However, FFA members acknowledged the following lessons: (i) the use of a reference period to verifiably limit the number of vessels requires knowledge of the number of vessels operating during that reference period; and (ii) defining applicable vessels as those that "actively fishing" for a certain stock requires a definition of "actively fishing". FFA members observed that the Commission wasted 10 years trying to recover from these fundamental flaws, and that this continued, although SPC made a valiant effort to answer some of these questions using newly-provided data. **TCC14-2018-IP14** gave an indication of the levels of active albacore fishing capacity in previous years, although it was not precise enough for full compliance monitoring.

357. China stated it also sought to establish a comprehensive CMM for South Pacific albacore, and the sooner the better. It noted that the CMM adopted in 2018 has a specific timeframe for recovery of albacore stocks, and that early action would help in meeting that time frame. China stated that discussions at WPCFC16 would hopefully lead to development of a CMM for South Pacific albacore. It also stated that there was no scientific basis for using 20° S as a geographic delineation in the measure. It also stated that the current measure should be automatically replaced by a new measure. China looked forward to more consultations with FFA to progress management of these very important fish stocks.

358. Australia thanked the United States, and noted the usefulness of the analysis in terms of highlighting the issues with this measure. Australia supported the comments made by Tuvalu and suggested that this analysis may be useful in considering new management arrangements for this stock, in particular in considering how to assess compliance. Australia looked forward to reviewing an updated version at WCPFC16, and noted the potential links with the audit points under the CMS review.

359. TCC15 requested that the Science Provider prepare an update of TCC15-2019-IP15 *Assessment of the number of vessels fishing for South Pacific Albacore south of 20S* each year to support the Secretariat's and TCC's roles in compliance monitoring. TCC15 also requested that the Secretariat use the information in those updated reports in its preparation of the dCMR each year, as well as to advise TCC of any improvements that should be made to the information in those updated reports. TCC agreed to use, in future years, the information in those updated reports, in addition to other relevant information, in its compliance reviews of obligations under the SP albacore measure.

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

a. Annual review of information reported by CCMs pursuant to these measures

360. The Chair referenced **TCC15-2019-RP02** (Table 2a, 2b ,5,6,7,8, Annex A-table II and III).

361. The EU stated that in 2018 and 2019, implementation of the finning ban (CMM 2010-07 para 7) was not assessed by TCC because it was not on the list of obligations to be assessed, while there is ongoing discussion regarding a comprehensive shark CMM. SC15 again noted to TCC15 and WCPFC16 that it has been unable to make an assessment of the fin-to-carcass ratio because there is insufficient information available.

b. Consider outputs of the shark IWG, and provide advice related to the development/implementation of a consolidated Sharks measure (TCC workplan 2019-2021, WCPFC15 Summary Report para 341)

362. The Chair invited the representative of the Shark-IWG Chair to introduce the latest draft of the comprehensive Shark CMM that was prepared by the Shark IWG for this agenda item (**TCC15-2019-15_rev1**), noting that WCPFC15 the Commission received a report from the IWG, and further deliberations occurred in the margins. Japan, on behalf of the Shark-IWG Chair, thanked CCMs for their efforts, noting discussions that were held during TCC14 and WCPFC15. Japan stated that addressing acceptable approaches to “Fins naturally attached” was the sole remaining issue. It presented three options: (i) store fins and carcass in the same bag; (ii) bind fins and carcass with rope and wire; or (iii) attach tags to fins and carcass. Japan proposed evaluating the effectiveness of these three approaches for several years (either 2 or 3 years), and noted there might be feedback from CCMs regarding the acceptability of option (iii). Japan looked forward to comments so that revised text could be submitted to WCPFC16.

363. The EU stated that while Japan’s paper integrates comments made intersessionally, there was no feedback regarding enforcement of the options proposed. The EU stated it would prepare comments regarding enforcement and MCS, and stated that only biodegradable material should be used for the options described. It also stated that the measure should apply up to landings, and suggested that alternative measures should be implemented as a pilot project, with a final decision based on the conclusions of the pilot. The EU remarked on the need to facilitate inspections through the use of scanning mechanisms. It expressed a preference for a 2-year trial period.

364. Australia recognized the work led by Japan. On behalf of FFA members, Australia supported adoption of the consolidated measure by WCPFC16, and hoped remaining issues could be resolved, including the issue of full retention, to ensure shark bodies are landed along with fins. Australia recalled that the position of FFA members is that fins should not be detached from the bodies of sharks, but recognized the need to compromise in seeking to progress shark management at WCPFC. Australia stated that FFA members are concerned about creating a measure that could only be enforced on a vessel (rather than CCM) basis, and would be seeking to address that issue at WCPFC16.

365. RMI on behalf of PNA members, supported the FFA statement by Australia and their position that fins should not be detached from the shark body onboard. As a compromise, PNA members would support the alternative approach on removal of fins, proposed by Japan, for a 3-year period. However, PNA proposed two changes to Annex 2 on Reporting: First, add the words, “as appropriate” to the end of para 2, because the reference to NPOAs needs to make it clear that the reporting of NPOAs is voluntary. And second, para 4 of Annex 2 needs to be removed, as it is a duplicative reporting requirement because para 20 already requires the submission of data on key shark species in accordance with the Scientific Data Rules.

366. China thanked Japan for their work. Regarding paragraph 2 of Annex 2, China agreed with the PNA. China also agreed with Australia regarding the vessel vs. CCM basis, stating that if a flag state choose one option, it should be carried out throughout the fleet.

367. Japan expressed appreciation for the positive comments, and noted that the Shark-IWG Chair had worked hard on proposal. It clarified that Japan has not yet adopted the measures, but would do so once the CMM is adopted. Japan stated that with regard to monitoring and control, para. 9 stipulates that CCMs report each year on how compliance can be monitored. CCMs can report to TCC on difficulties with any alternative measures. The proposal that provides three alternative measures is a compromise and should improve the effectiveness of the 5% fins to carcass ratio. Japan stated it would continue to work with other interested CCMs to develop the final text for the Comprehensive Shark CMM.

368. The EU encouraged CCMs to evaluate the alternatives proposed by Japan.

369. Pew, on behalf of the Pew Charitable Trusts, ISSF and WWF, appreciated the work of the Chair of the shark IWG and all delegations to progress the comprehensive shark measure, and hoped a measure could be adopted at WCPFC16. Pew recalled that the WCPFC Convention mandates the Commission to manage all highly migratory fishery resources, including those shark species listed on Annex 1 of the UN Law of the Sea Convention, but stated its concern regarding the oceanic whitetip shark stock assessment presented at SC15, which concluded there is a substantial risk of effective extinction in the long-term under current levels of fishing mortality. Oceanic whitetip continues to experience overfishing, at a level more than double that of MSY, with spawning biomass just 4% of unfished biomass. SC15 recommended additional measures to reduce fishing mortality. Therefore, the consolidated CMM for sharks should prohibit both the use of shark lines and wire traces, which **SC11-EB-WP-02** estimated would reduce fishing mortality more than current measures. In addition, improved safe handling techniques, such as cutting the trailing gear as close to the hook as possible and keeping the shark in the water alongside the vessel, are also needed to further reduce mortality. Furthermore, to aid in data collection, SC15 noted the need to increase observer coverage on longline vessels.

370. TCC commended the work done by the Shark IWG and gave general support for the current text to be considered at WCPFC16 with necessary amendments.

371. TCC recommended that WCPFC16 notes that the obligation under CMM 2010 07 para 7 has not been assessed under the CMS process during the last two years.

372. TCC15 encouraged any CCM with information on alternative options to submit any relevant supporting information to WCPFC16 for its consideration.

373. TCC15 encouraged CCMs to provide any comments on the proposed options to the Shark IWG Chair ahead of WCPFC16.

11.4 Sea turtles (CMM 2008-03/CMM 2018-04)

a. Annual review of information reported by CCMs pursuant to this measure

374. There was no discussion under this agenda item.

11.5 Seabirds (CMM 2017-06)

a. Annual review of any new information on new or existing mitigation measures or on seabird interactions from observer or other monitoring programmes

375. The Chair noted the information in **TCC15-2019-RP02** (Tables 3a and 3b).

376. New Zealand, on behalf of FFA members, commended those involved in the delivery of Project 68, which provides the first comprehensive review of seabird interactions with longline vessels across the WCPFC Convention Area. Importantly, and of concern, it confirms much higher seabird interaction rates

at high latitudes when mitigation measures are not practised. In particular, FFA members are concerned that longline fisheries north of 20° N accounted for approximately two-thirds of the estimated total mortality while longline fisheries south of 30° S accounted for approximately one-quarter of the estimated mortalities. New Zealand has the highest global diversity of albatross and petrel species in the world, with several species assessed as being at high or very high risk from commercial longline fisheries bycatch. Accordingly, FFA members encouraged all flag States fishing in these high-risk zones to improve the implementation and reporting of seabird mitigation measures. With regard to CMM 2018-03, they reminded CCMs about the new requirement to use at least one form of mitigation on the high seas between 30°S and 25°S from 1 January 2020, and called on CCMs to ensure their vessels include seabird interactions as part of their operational data on fishing. Currently, there is no requirement for vessels to record seabird interactions on their logsheets; New Zealand stressed that if the Commission is serious about reporting, this needs to be added to the logsheet, like other bycatch. Improved observer reporting, EM and vessel reporting will result in more accurate data on seabird interactions. Requiring EM across all longliners as soon as possible will make a significant difference. In particular, New Zealand also called attention to the proposed seabird safe handling guidelines, which SC15 recommended be adopted by WCPFC, and hoped CCMs will support the adoption of these guidelines to help mitigate the impact of longline fishing on seabirds, and then take active steps to promote the guidelines amongst their fishing sector.

377. The EU inquired regarding CMM 2018-03, and whether there was any information from CCMs regarding seabird interactions in areas south of 25° S who are exempted from applying mitigation measures, but which CCMs were encouraged to monitor when operating in those areas.

378. New Caledonia stated that its vessels had no fishing effort south of 25° S; with respect to the portion of para. 4 of CMM 2018-03 encouraging CCMs to implement seabird mitigation measures when they operate within their EEZs, New Caledonia stated that its fishermen could benefit from information on how to release seabirds, as suggested by New Zealand.

11.6 Purse Seine Interactions with Cetaceans (CMM 2011-03)

a. Annual review of information reported by CCMs pursuant to this measure

379. There was no discussion under this agenda item.

11.7 Others

380. There was no discussion under this agenda item.

AGENDA ITEM 12 — PROPOSALS FOR NEW CMMS

12.1 Proposal for a Conservation and Management Measure for Protection of Marine Mammals from longline fishing operations DP02_rev1

381. The Chair noted that the proposal was introduced under Agenda item 1.4.

382. Korea thanked CCMs for the initial discussion, and stated it was undecided whether to submit the matter to the WCPFC16, but welcomed continued discussion with CCMs, and with SPC and the Science Adviser.

12.2 Information paper for a draft conservation and management measure on Mobulid rays caught in association with fisheries in the WCPFC Convention Area.

383. Australia introduced **TCC15-2019-DP05_rev1** *Information paper for a draft CMM on Mobulid rays caught in association with fisheries in the WCPFC Convention Area*, noting that the paper was put forward as a discussion paper, and that it welcomed comments. Australia stated that little information is available on Mobulid rays, but concerns have resulted in listing of Mobulid rays on CITES and CMS. Australia noted other RFMOs have adopted similar measures seeking to protect mobulid rays, including the IOTC, in which Australia was a strong proponent for these measures. This measure would implement a prohibition on targeting and retaining mobulid rays, and require the prompt release of unintentionally caught rays using best practice handling practices. This measure has been drafted using the IOTC measure as a basis, noting some WCPFC members are also members of that forum. In its consultations on DP05 Australia received very useful comments, and welcomed feedback during October 2019. Australia stated it was considering whether to submit an updated version of the paper to WCPFC16.

384. The EU supported the contents of the paper, and inquired whether the measure was similar to that adopted in other t-RFMOs. Australia stated that the CMM was similar, but translated from the Indian Ocean context to the Pacific context. Australia acknowledged the work done by Pew on the issue.

385. Japan stated that although the measure is similar to that adopted by the IOTC, the Annex in the proposal differed. Japan stated the need to examine the measure from the perspective of crew safety and practicability, and proposed that Australia make a presentation on that issue.

386. Tuvalu thanked Australia for the proposal, and stated that PNA members might seek to include the CMM in the comprehensive shark CMM under development, expressing the hope it could be adopted at WCPFC16. PNA members supported the views of FFA members, agreeing that it is time to introduce specific measures for the protection of Mobulid rays, which are extremely vulnerable to overfishing. They noted the importance of the rays to many Pacific Island countries, culturally and economically (for tourism). Tuvalu noted that guidelines for the safe release of rays are already included in proposed comprehensive shark CMM.

AGENDA ITEM 13 — OTHER MATTERS REQUIRING TCC ADVICE

13.1 Consideration of other SC15 and NC15 outcomes related to TCCs work

387. There was no discussion under this agenda item.

13.2 2020 Graduate School of World Fisheries University (WFU) Pilot Program (Korea)

388. Korea presented TCC15-2019-DP07, *Applications open for 2020 graduate school of World Fisheries University Pilot Program*. One of the objectives of the FAO WFU Pilot Programme is to provide education on the fisheries industry and science to contribute to the enhancement of fisheries resources, fisheries, aquaculture and fisheries economics and policies. The WFU will be hosted in Pukyong National

University located in Busan, Korea. 30 participants from developing states will be selected to take the 18-month pilot programme, which will start in March 2020. Expenses of the students will be fully covered and those who complete successfully the academic programme will obtain a master's of science degree in fisheries. The deadline for applications is October 31, 2019.

389. Canada noted the value of the initiative, which is undertaken jointly by Korea and FAO, and looked forward to seeing the program continue to develop. A member of Canada's delegation took part in the first pilot program as a professor during 2017–2019, and noted that while many students were present from Africa, Southeast Asia, and South Asia, there were no SIDs students. He stated that learning takes place both through the academic program and via interaction with other students, and that there was an opportunity for students to bring a Pacific and SIDs perspective to the program. The priority is to be given to students who have experience working in fisheries administrations in their home countries, as these types of students did well in the pilot. He encouraged members to consider if they had staff who would benefit from the program.

390. Indonesia thanked Korea for working with FAO to provide this opportunity, which they stated was attracting significant interest in Indonesia.

AGENDA ITEM 14 — ADMINISTRATIVE MATTERS

14.1 TCC Workplan 2019–2021

391. The Chair of the TCC Workplan SWG and TCC Vice-Chair (Canada) presented a summary of the work achieved by the TCC Workplan IWG.

392. The United States expressed thanks to the TCC Vice-Chair for his efforts and suggestions for the revised workplan, while noting that further consideration was needed; it voiced some concern on the shift to the new proposed outline in terms of considering future TCC workloads (beyond 1 year). The United States suggested the workplan be considered further by CCMs, for adoption at WCPFC16. The EU and PNG expressed agreement with the United States.

393. TCC15 noted that additional time is needed to complete the draft TCC workplan. CCMs are encouraged to provide additional comments on the draft TCC workplan (**Attachment D**) to the TCC Vice-Chair by 31 October 2019 and the TCC Vice-Chair will collate those comments and submit the draft TCC workplan for the consideration of WCPFC16.

14.2 Administration of the Data Rules and Procedures, including Report on WCPFC Security Audit 2018/2019

394. The Chair noted the information in **TCC15-2019-RP08**.

395. TCC15 noted the Secretariats update that the 2018/19 Review of integrity of Secretariat's VMS data and Secretariats review of integrity of IMS and RFV will be delayed.

14.3 Secretariat IMS, Website Development and Online Reporting Systems

396. The Chair noted that updates on this agenda item were provided in the Executive Director’s Annual Report (TCC15-2019-05, pages 9–10), and discussed under Agenda item 5.1.

14.4 Election of Officers

397. The Chair noted that Rule 8 of the WCPFC Rules and 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 2 years, and shall be eligible for re-election. Mr Laurence Edwards II (RMI) commenced as TCC Chair in December 2018 (WCPFC15) and Dr Robert Day (Canada) commenced as TCC Vice-Chair in December 2018 (WCPFC15) so their terms of appointment remain valid until December 2020.

14.5 Next meeting

398. TCC recommends that TCC16 be held on Wednesday 23 – Tuesday 29 September 2020, and that the venue is in Pohnpei, Federated States of Micronesia.

AGENDA ITEM 15 — CLEARANCE OF TCC15 RECOMMENDATIONS

399. The TCC15 recommendations were cleared (TCC15-2019-outcomes).

AGENDA ITEM 16 — CLOSE OF MEETING

400. The Executive Director congratulated the TCC Chair and TCC delegates for completing its assigned tasks, which looked daunting at the outset, and congratulated the Chair for his effective guidance. He noted that the deliberations and clear recommendations from TCC to the WCPC16 in strong support of the current CMS measure would allow assessment of the performance of the measure, and in combination with the enhancement work that is being done would strongly support the Commission’s efforts to devise a new measure in 2020. He also expressed gratitude to TCC for its work on streamlining of reporting requirements, and data gaps in terms of compliance tools, with strong recommendations on how to progress the issue, including through the recommended IWG. He noted that TCC had also done good work in identifying areas where high seas transshipment monitoring can be enhanced, and agreed on effective TORs for the IWG tasked with addressing the transshipment measure. He stated that for the Secretariat it had been a very productive week, and in no small part as a result of the Chair’s guidance and stewardship. He acknowledged the work of the Secretariat staff, and in particular the Compliance Manager in supporting the work of the Committee.

401. Cook Islands, on behalf of FFA members, thanked TCC participants, the Chair, and the Secretariat and its support staff for a very effective meeting. The United States also thanked the Secretariat, and support provided by FSM, and commended the TCC Chair for an excellent job. It also wished the Executive Director and others from Tuvalu a happy independence day. The EU also commended the Chair for his leadership, and acknowledged the Secretariat and in particular the Compliance Manager for their excellent support. New Caledonia joined the EU in their statement, and commended the Chair for his strong yet supportive management of the meeting.

402. FSM, on behalf of NORMA, thanked members for the confidence they have shown in allowing FSM to host the Secretariat and TCC meeting, and looked forward to seeing everyone in Port Moresby for WCPFC16.

403. The Chair stated his appreciation to the Chair and Vice-Chair of the Commission for attending TCC, and to the entire Secretariat staff for their hard work, in particular the Executive Director, Compliance Manager, and assistant Compliance Manager. He also thanked the Legal Adviser and the TCC15 Rapporteur. He expressed thanks as well to the Director and hardworking staff of NORMA, and the people of FSM for hosting TCC. He also thanked the TCC Vice-Chair, and all members and observers for their contributions to the meeting.

404. The Chair declared the 15th session of the Technical and Compliance Committee closed at 3:20 pm.

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Meeting Attendees

Chair of Meeting

Laurence Edwards II
Legal Advisor
Marshall Islands Marine Resources
Authority
PO Box 860
Majuro, MH 96960 Republic of the
Marshall Islands
(692) 625-8262/5632

Member - Australia

Mat Kertesz
Assistant Director, Regional Fisheries
Department of Agriculture
GPO Box 858, Canberra ACT 2601
Australia

Chanelle Fitzgerald
Legal Advisor
Department of Agriculture
GPO Box 858, Canberra ACT 2601
Australia

Jacob Tapp
Policy Officer, Regional Fisheries
Department of Agriculture
GPO Box 858, Canberra ACT 2601
Australia

Kerry Smith
Senior Manager, Foreign Compliance
Australian Fisheries Management
Authority (AFMA)
PO Box 7051, Canberra BC, ACT 2601
Australia

Emily Lawson
International Compliance - Senior Policy
Officer
Australian Fisheries Management
Authority (AFMA)
PO Box 7051 Canberra BC, ACT 2601
Australia
+61 429876035

Member - Canada

Robert Day
Director, International Fisheries
Management and Bilateral Relations
Fisheries and Oceans Canada
200 Kent Street, Mail Stop 13S029
Ottawa, Ontario K1A 0E6 Canada
+1-613-993-7979
robert.day@dfo-mpo.gc.ca

Dale Marsden
Senior Policy Advisor, International
Fisheries Management
Fisheries and Oceans Canada
200 Kent Street, Mail Stop 13S029
Ottawa, Ontario K1A 0E6 Canada
+1-613-949-8599
dale.marsden@dfo-mpo.gc.ca

Sean Wheeler
Senior Compliance Program Officer,
International
Fisheries and Oceans Canada
4250 Commerce Circle
Victoria, BC V8Z 4M2 Canada
+1-250-363-0225
Sean.Wheeler@dfo-mpo.gc.ca

Member - China

Zhao Gang

Secretariat General
China Overseas Fisheries Association
Room1216, Jingchao Mansion, No.5
Nongzhanguan Nanlu
Chaoyang District, Beijing 100125
010-65854085

Liu Xiaobing

Visiting Professor
Shanghai Ocean University

Dr. Xiaojie Dai

Professor
Shanghai Ocean University
999 Hucheng Huan Road
201306 Shanghai
86-15692165351

Qingbai Chen

General Manager
Liancheng Overseas Fishery
(shenzhen) Co., Ltd

Li Yan

Coordinator
China Overseas Fisheries Association

Member - Cook Islands

Andrew Jones

MCS Manager
Cook Islands Ministry of Marine
Resources
Box 85 Rarotonga
Cook Islands
+682-28721
a.jones@mnr.gov.ck

Maeva-Leigh Herman

Policy and Legal Officer
Ministry of Marine Resources
Box 85 Rarotonga
Cook Islands
+682 28721
m-leigh.iro@mnr.gov.ck

Member - European Union

Orlando Fachada

Head of the EU delegation to WCPFC
European Commission, Directorate-
General for Maritime Affairs and
Fisheries
Rue Joseph II, 1000 Brussels
Belgium
Orlando.Fachada@ec.europa.eu

Stamatis Varsamos

International Relations Officer
European Commission
European Commission, Directorate
General for Maritime Affairs and
Fisheries
Rue Joseph II 1000 Brussels Belgium
stamatios.varsamos@ec.europa.eu

Juan Ignacio de Leiva

Attaché Fisheries
Delegation of the European Union for
the Pacific
Level 6, Tappoo City Complex
Corner of Scott & Usher Streets Suva,
Fiji
+679 331 3633
ignacio.de-leiva@eeas.europa.eu

Javier Fernandez Quevedo

Asia Pacif Director
TH Marco
Zhongshan xi road 1878 building 1
room 802
008615000328971
j.fernandez@thsa.com

Member - Federated States of Micronesia

Eugene Pangelinan

Executive Director
National Oceanic Resource
Management Authority (NORMA)
PO Box PS 122, Palikir
Pohnpei 96941 Federated States of
Micronesia

Justino Helgen

Acting Assistant Director of Fisheries
Compliance Division
National Oceanic Resource
Management Authority (NORMA)
PO Box PS 122, Palikir
Pohnpei 96941 Federated States of
Micronesia
320-2700/5181
justino.helgen@norma.fm

Naiten Bradley Phillip Jr.

Assistant Director Fisheries Science
Division
National Oceanic Resource
Management Authority (NORMA)
PO Box PS 122, Palikir
Pohnpei 96941 Federated States of
Micronesia
bradley.phillip@norma.fm

Limanman Helgenberger

Assistant Director of Management
Division
National Oceanic Resource
Management Authority (NORMA)
PO Box PS 122, Palikir
Pohnpei 96941 Federated States of
Micronesia

Okean Ehmes

Project Coordinator
FSM National Oceanic Resource
Management Authority (NORMA)
PO Box PS 122, Palikir
Pohnpei 96941 Federated States of
Micronesia
691-320-2700
okean.ehmes@norma.fm

Alfred Lebehn Jr

IT Manager
National Oceanic Resource
Management Authority (NORMA)
PO Box PS 122, Palikir
Pohnpei 96941 Federated States of
Micronesia
+691-320-2700
alfred.lebehnj@norma.fm

Miorida Yee Ting

Manager Licensing
National Oceanic Resource
Management Authority (NORMA)
PO Box PS 122, Palikir
Pohnpei 96941 Federated States of
Micronesia
320-2700
miorida.yeeting@norma.fm

Tosuo Irons jr

Debriefer
National Oceanic Resource
Management Authority (NORMA)
PO Box PS 122, Palikir
Pohnpei 96941 Federated States of
Micronesia
(691) 320-2700
tosuojr.irons@norma.fm

Yvonne Falieapiy

Statistics & Compliance Analyst
National Oceanic Resource
Management Authority (NORMA)
PO Box PS 122, Palikir
Pohnpei 96941 Federated States of
Micronesia
(691) 320-2700/5181

Ronna Albert

Licensing Officer
National Oceanic Resource
Management Authority (NORMA)
PO Box PS 122, Palikir
Pohnpei 96941 Federated States of
Micronesia
6913202700

Prileen Martin

Tuna Data Specialist
National Oceanic Resource
Management Authority (NORMA)
PO Box PS 122, Palikir
Pohnpei 96941 Federates States of
Micronesia
(691) 320-2700/5181

Jean Welles

VDS Administrator
National Oceanic Resource
Management Authority (NORMA)
PO Box PS 122, Palikir
Pohnpei 96941 Federates States of
Micronesia
320-2700

Josephine Leben James

Assistant Attorney General
FSM Department of Justice
PO Box PS-105, Palikir
Pohnpei 96941 Federated States of
Micronesia
(691)320-2608/2644
jjj.fsm@gmail.com

Steve George

Assistant Attorney General
FSM Department of Justice
PO Box PS 105, Palikir
Pohnpei 96941 Federated States of
Micronesia
320-1156/2644

Whylik Alfons

VMS Manager
FSM National Police Maritime Wing Unit
PO Box 1874, Kolonia
Pohnpei 96941 Federated States of
Micronesia
926-1094

John Waayan

Chairman, BOD
Diving Seagull, Inc.
PO Box 1036, Colonia
Yap 96943 Federated States of
Micronesia

Leelkan Dabuchren

Legal Counsel
Diving Seagull, Inc.
PO Box 1036, Colonia
Yap 96943 Federated States of
Micronesia
6913504796
car@mail.fm

John Fathal

Board of Director
Diving Seagull Inc.
PO Box 1036, Colonia
Yap 96943 Federated States of
Micronesia
6913504796
fathalj@yahoo.com

Carmen Kigimnang

General Manager
Diving Seagull, Inc.
PO Box 1036, Colonia
Yap 96943 Federated States of
Micronesia

Member - Fiji**Leba Dranivesi**

Fisheries Officer
Ministry of Fisheries
Level 2 Motibhai Building, Walu Bay,
Suva
Fiji
+679 3225700

Shelvin Sudesh Chand

Fisheries Officer
Ministry of Fisheries
Level 4 Motibhai Building, Walu Bay,
Suva
Fiji
679 3225700

Member - Indonesia**Trian Yunanda**

Deputy Director of Fish Resources
Management in Indonesian EEZ and
High Seas
Ministry of Marine Affairs and Fisheries
Mina Bahari Building 2, 14th Floor
Jl. Medan Merdeka Timur No. 16
Jakarta Pusat Indonesia
+62-21-3453008
tryand_fish@yahoo.com

Fayakun Satria

Senior Researcher, Research Institute
For Marine Fisheries
Ministry of Marine Affairs and Fisheries
Komplek Raiser Ikan Hias Jl. Raya
Bogor KM 47
Nanggewer Mekar, Cibinong, Bogor
Indonesia
+62-21-64700928

Putuh Suadela

Capture Fisheries Production Functional
Officer
Ministry of Marine Affairs and Fisheries
Mina Bahari Building 2, 14th Floor
Jl. Medan Merdeka Timur No. 16
Jakarta Pusat Indonesia
+62-21-3453008
sdi.djpt@yahoo.com

Member - Japan

Takumi Fukuda

Fisheries Negotiator, International
Affairs Division
Fisheries Agency of Japan

Hirohide Matsushima

Assistant Director, International Affairs
Division
Fisheries Agency of Japan

Ryo Omori

Assistant Director, International Affairs
Division
Fisheries Agency of Japan

Akira Bamba

Section Chief, International Affairs
Division
Fisheries Agency of Japan

Akihito Fukuyama

Executive Secretary
Japan Far Seas Purse Seine Fishing
Association

Fuyuki Hayashi

Assistant Director
Japan Tuna Fisheries Co-operative
Association

Hikaru Hamaguchi

Business Support Division
Overseas Fishery Cooperation
Foundation of Japan

Kazushige Hazama

Chief
National Offshore Tuna Fisheries
Association of Japan

Kikuko Sakai

Resident Representative, FSM Office
Overseas Fishery Cooperation
Foundation

Shunji Fujiwara

Adviser, Environmental Management
Unit
JANUS

Yuka Murayama

Environmental Management Unit
JANUS

Member - Kiribati

Mbwenea Teioki

Principal Compliance Officer
Ministry of Fisheries and Marine
Resources Development
PO Box 64, Bairiki, Tarawa
Republic of Kiribati
(686) 75021099

Uati Tirikai

Senior Compliance Officer
Ministry of Fisheries and Marine
Resources Development
PO Box 64, Bairiki, Tarawa
Republic of Kiribati
(686) 75021099

Member - Nauru

Ace Capelle

Senior Fisheries Officer Observer
Coordinator
Nauru Fisheries and Marine Resources
Authority
Denig District
Republic of Nauru
+674 557 3911

Camalus Reiyetsi

Senior Oceanic Fisheries Officer
Nauru Fisheries Marine Resources
Authority
Uaboe District
Republic of Nauru
+674 556 4944

Jasmina Giouba

Policy & Legal Manager
Nauru Fisheries and Marine Resources
Authority
Anibare District
Republic of Nauru
+674 554 0775

Julian Itsimaera

Oceanic Enforcement Officer
Nauru Fisheries and Marine Resources
Authority
Anabar District
Republic of Nauru
(674) 558 2066
julian.itsimaera2016@gmail.com

Member - New Zealand

Andy Wright

Compliance Advisor
Ministry for Primary Industries
Charles Ferguson House, Wellington
New Zealand
021523811

Heather Ward

Principal Adviser
Ministry for Primary Industries
P O Box 2526, Wellington
New Zealand
0064-4-819 4745
heather.ward@mpi.govt.nz

Jonathan Rex Muliaga

Legal Adviser
Ministry of Foreign Affairs and Trade
195 Lambton Quay, Wellington, 6011
New Zealand
044598547
jonathan.muliaga@mfat.govt.nz

Member - Niue

Josie M Tamate

Director-General, Ministry of Natural
Resources
Government of Niue
PO Box 40, Alofi
Niue Island
+6834712

Member - Palau

Kathleen Sisor

Fisheries Lic./Rev. Officer II
Ministry of Natural Resources,
Environment and Tourism
No.1 Street Peched
4884938

Persis Omelau

Fisheries Specialist
Ministry of Natural Resource,
Environment and Tourism
PO Box 1655, Koror 96940
Palau
6804884394

Member - Papua New Guinea

Gisa Komangin

Executive Manager, MCS
National Fisheries Authority
2nd Floor, Harbourside East, Stanley
Esplanade
Port Moresby, NCD Papua New Guinea
3090400
skomangin@gmail.com

Brian Kumasi

Executive Manager, Fisheries
Management
National Fisheries Authority
Douglas Street, 11th Floor Kina House,
Port Moresby
Papua New Guinea
3090400
bkumasi@fisheries.gov.pg

Adrian Nanguromo

Observer Programme Manager
National Fisheries Authority
2nd Floor, Harbourside East, Stanley
Esplanade
Port Moresby, NCD Papua New Guinea
3090400
ajnanguromo@gmail.com

Joseph Kendou

Senior Compliance Officer
National Fisheries Authority
2nd Floor, Harbourside East, Stanley
Esplanade
Port Moresby, NCD Papua New Guinea
3090400
jkendou@gmail.com

Mathlina Somo

Senior Foreign Service Officer
Department of Foreign Affairs and
International Trade
mathysomo@gmail.com

Nancy Pogla

Senior Legal Officer
Department of Justice and Attorney
General
Nancy.Pogla@justice.gov.pg

Arnel Muallil Gonato

Managing Director
RD Fishing PNG Ltd.
Portion 1352, RD Wharf Vidar, North
Coast Road
PO Box 1254 Madang Papua New
Guinea
+67 571034521
amgonato@rdfishing-png.com

Sisenio Jhun Pagalan Jr

International Business Officer
TPJ Fishing Corp
+639 175458053
slp@tuna.com

Member - Philippines

Asis Perez

Adviser
South Cotabato Purse Seiners
Association
Market 3 Hall, General Santos City
Fishport Complex
Tambler, General Santos City
Philippines

Atty. Benjamin S. Tabios, Jr.

Attorney V
Bureau of Fisheries and Aquatic
Resources
PCA Building, Elliptical Road,
Diliman, Quezon City Philippines 1101
6329299597

Atty. Gladly Mae S. Talan

Attorney III
Bureau of Fisheries and Aquatic
Resources
PCA Building, Elliptical Road
Diliman, Quezon City Philippines 1101
6329299597

Rafael V. Ramiscal

Chief, Capture Fisheries Division
Bureau of Fisheries and Aquatic
Resources
PCA Building, Elliptical Road
Diliman, Quezon City Philippines, 1101
6329299597

Marlo B. Demo-os

Observer Coordinator
Bureau of Fisheries and Aquatic
Resources
PCA Building, Elliptical Road
Diliman, Quezon City Philippines, 1101
6329299597

Rosanna Bernadette Contreras

Executive Director
Socskargen Federation of Fishing and
Allied Industries Inc.
Market 3 Hall, General Santos City
Fishport Complex
Tambler, General Santos City
Philippines

Ireneo Z. Heraldo

Director Business Development -
Philippines
SRT Marine PLC.
Wireless House, Westfield Industrial
Estate
Midsomer Norton, Bath BA34BS
England, UK
+639178879996
ireneo.heraldo@srt-marine.com

Jean-François Bonnin

Product Management Director
SRT Marine Systems plc
Wireless House, Westfield Industrial
Estate
Midsomer Norton
+33640799680

Marcel Roderick C Chiu

Adviser / Secretary
World tuna Purse seine Organization
17 Floor Frabelle Business
Centre, 111 Rada Street, Legas
Philippines
+63 9179469370

Member - Republic of Korea

Bongjun Choi

Assistant Manager
Korea Overseas Fisheries Association
bj@kosfa.org

ILkang Na

International Cooperation Specialist
Ministry of Oceans and Fisheries
ikna@korea.kr

Kun Jae Kwak

Director
Dongwon Industries Co., Ltd.
kwak1225@dongwon.com

Jae Hwa (Jay) Lee

Assistant Manager
Dongwon Industries Co., Ltd.
jhlee33@dongwon.com

Mingoo Kang (Lonnie)

Manager
SILLA Co., Ltd
mgkang@sla.co.kr

Seung chul You (Peter)

Staff
SILLA Co., Ltd
ysc@sla.co.kr

Kwangho Tae

Korea
Sajo industries
157 Chungjeong-ro 2-ga, Seodaemun-
gu, Seoul korea
+82-10-2062-2719
pure3130@gmail.com

Seolmin Park

Pohnpei, FSM
Dongwon Industries Co., Ltd

Member - Republic of Marshall Islands

Samuel K. Lanwi, Jr.

Deputy Director
Marshall Islands Marine Resources
Authority
PO Box 860
Majuro, MH 96960 Republic of the
Marshall Islands

Marcella Tarkwon

Compliance Officer
Marshall Islands Marine Resources
Authority
PO Box 860
Majuro, MH 96960 Republic of the
Marshall Islands
692 6258262
mtarkwon@mimra.com

Beau Bigler

Fisheries Officer
Marshall Islands Marine Resources
Authority
PO Box 860
Majuro, MH 96960 Republic of the
Marshall Islands

Makbi Bwijko

Observer Compliance and Debriefing
Officer
Marshall Islands Marine Resources
Authority
PO Box 860
Majuro, MH 96960 Republic of the
Marshall Islands
(692) 625-8262/456-3457
mbwijko@mimra.com

Orlando Paul

Manager
Koo's Fishing Company
PO Box 321
Majuro MH 96960 Republic of the
Marshall Islands
456-7776
Opaul29@gmail.com

Chengxu Li (William)

Assistant General Manager
Pan Pacific Fishing(RMI)Inc
PO Box 1289 Delap Village
Majuro, MH 96960 Republic of the
Marshall Islands
692 4558968
lxcgy2012@gmail.com

Wanjun Yang (Young)

General Manager
Pan Pacific Fishing (RMI) Inc
PO Box 1289, Delap Village
Majuro, MH 96960 Republic of the
Marshall Islands
692 4555558
ywj_tuna@163.com

Member - Samoa

Ueta Jr. Faasili

Principal Fisheries Officer
Ministry of Agriculture and Fisheries
Apia
Samoa
+685 20369
ueta.faasili@maf.gov.ws

Lorian Daniella Finau

Fisheries MCSE Officer, Fisheries
Officer
Ministry of Agriculture and Fisheries
Vaivase-Uta, Apia
Samoa
+(685)-7587694
lorian.finau@maf.gov.ws

Tamaleaoa Leilua

Snr Fisheries Officer
Ministry of Agriculture and Fisheries
Apia
Samoa
685 7722559

Member - Solomon Islands

Francis Tofuakalo

Deputy Director Offshore
Ministry of Fisheries and Marine
Resources
PO Box G2, Honiara
Solomon Islands
(677) 39143
ftofuakalo@fisheries.gov.sb

Charles Edward Tobasala

Chief Fisheries Officer Compliance
Solomon Islands Fisheries
Ministry of Fisheries and Marine
Resources
PO Box G02, Honiara Solomon Islands
(677) 39143/7402404
ctobasala@fisheries.gov.sb

Maebiru Marsh

Senior Compliance Officer
Solomon Islands Ministry of Fisheries
and Marine Resources
PO Box G2, Prince Philip Highway,
Honiara
Solomon Islands
+677 7723164
MM@fisheries.gov.sb

Charlyn Grace Golu

Compliance and Enforcement Officer
Ministry of Fisheries and Marine
Resources
PO Box G2, Kukum Highway, Honiara
Solomon Islands
+677 7361274

Amanda Hamilton

Senior Manager - Fisheries Policy &
Regulation
Tri Marine International
Honiara
Solomon Islands

Angelina Tan

Assistant Manager - Fisheries Policy &
Sustainability
Tri Marine International
Honiara
Solomon Islands

Member - Chinese Taipei

Annie Wen-Ying Wang

Section Chief
Fisheries Agency, Council of Agriculture
wenying@ms1.fa.gov.tw

Joy Hsiang-Yi Yu

Secretary
Fisheries Agency, Council of Agriculture
hsiangyi@ms1.fa.gov.tw

Joseph Chia-Chi Fu

Director
Overseas Fisheries Development
Council
joseph@ofdc.org.tw

Shirley Shih-Ning Liu

Secretary
Overseas Fisheries Development
Council
shirley@ofdc.org.tw

Yun-Hu Yeh

Dean
Department of Marine Police, Central
Police University
una108@mail.cpu.edu.tw

Ming-Hui Lin

Secretary
Coast Guard Administration, Ocean
Affairs Council
hwei52@cga.gov.tw

Tony Han-Yu Lin

Senior Officer
Taiwan Tuna Association
tony@tuna.org.tw

Wen-Chih Chiang

Specialized Assistant
F.C.F. Fishery Co., Ltd

Member - Tonga

Poasi Ngaluafe

Deputy Chief Executive Office For
Fisheries
Ministry of Fisheries
PO Box 87, Nuku'alofa
Tonga
67621399
poasi66@hotmail.com

Losaline Savelini Lotoahea

Principal Fisheries Officer
Ministry of Fisheries
PO Box 87, Nuku'alofa
Tonga
67621399
losilini@gmail.com

Amelia Taholo

Law student
Ministry of Fisheries
PO Box 871, Nuku'alofa
Tonga
miataholo@gmail.com

Member - Tuvalu

Samasoni A Finikaso

Director of Fisheries
Ministry of Fisheries and Trade
Fisheries Department
Teone, Funafuti
Tuvalu
+688 710 4141
samfinikaso70@gmail.com

Manuao Taufilo

SFO MCS
Tuvalu Fisheries Department
TFD Building, Teone, Funafuti
Tuvalu
+ 688 20343
mtaufilo@gmail.com

Saifoloi Talesi

VMS officer
Tuvalu Fisheries Department
TFD Building, Teone, Funafuti
Tuvalu
688 20343
kctsaifoloi@gmail.com

Member - United States of America

Alexa Cole

Acting Director
NOAA Fisheries Office of International
Affairs and Seafood Inspection
US Department of Commerce
1315 East West Highway SSMC3 -
Suite 15750 Silver Spring, MD 20910
+1 301 427 8266

Bill Pickering

Assistant Director
NOAA Office of Law Enforcement
NOAA OLE - IRC
1845 Wasp Blvd., Bldg. 176 Honolulu,
Hawaii 96818
808/725-6100
bill.pickering@noaa.gov

Elizabeth O'Sullivan

Enforcement Attorney
NOAA GCES
US Department of Commerce
NOAA, Office of General Counsel 1845
Wasp Boulevard, Building 176
Honolulu, HI 96818
808-798-5912
elizabeth.osullivan@noaa.gov

Emily Crigler

Fishery Policy Analyst
NOAA Fisheries
+1 808-725-5036
emily.crigler@noaa.gov

Eric K Kingma

Executive Director
Hawaii Longline Association
1131 N. Nimitz Hwy, Honolulu, HI 96816
8083892653

Gregory Wong

Analyst
NOAA Office of Law Enforcement
NOAA OLE - IRC
1845 Wasp Blvd., Bldg. 176 Honolulu,
Hawaii 96818
808/725-6100
Gregory.Wong@noaa.gov

Jason W. Holstead

District Fourteen Living Marine
Resource officer
United States Coast Guard
300 Ala Moana Blvd 9-232
Honolulu, HI 96850
808-535-3371
Jason.W.Holstead@uscg.mil

L. Alex Kahl

International Fisheries Division
NOAA - Pacific Islands Regional Office
alex.kahl@noaa.gov

Mark Young

Senior Manager, Ending Illegal Fishing,
International Fisheries
The Pew Charitable Trusts
901 E Street NW
Washington DC 20004
202-420-9488
msyoung@pewtrusts.org

Michael Abbey

NOAA Fisheries
Foreign Affairs/Asia Pacific
1315 East-West Highway, Cubicle
10644
Silver Spring, MD 20910
michael.abbey@noaa.gov

Stuart Chikami

Manager
Western Pacific Fisheries, Inc.
4395 S. Cameron Street Unit C
Las Vegas, NV 89103
702 588 45743
schikami@westpacfish.com

Terry Boone

VMS Program Manager
NOAA Office of Law Enforcement
NOAA OLE - IRC
1845 Wasp Blvd., Bldg. 176 Honolulu,
Hawaii 96818
808/725-6100
Terry.Boone@noaa.gov

Tom Graham

Chief, International Fisheries Division
NOAA NMFS
Pacific Islands Regional Office
1845 Wasp Boulevard, Bldg 176
Honolulu, Hawaii 96818
+1 808 725 5032
tom.graham@noaa.gov

William Gibbons-Fly

Executive Director
American Tunaboat Association
1 Tuna Lane, Suite 1
San Diego, CA 92101
+1 410-940-9385

Member - Vanuatu

Lucy A. Joy

Principal Data Officer - National
Vanuatu Department of Fisheries
PMB 9045, Port Vila
Vanuatu
+678 23119

Jino Suaki

Vessel Monitoring & Surveillance Officer
Vanuatu Fisheries Department
PMB 9045, Port Vila
Vanuatu
+678 23119; +678 7342551

Participating Territory - French Polynesia

Joufoques Vaiana

Fisheries Officer - Data Manager
Marine Resources Department of
French Polynesia
BP 20 Papeete 98713
Tahiti - Polynésie Française
vaiana.joufoques@drm.gov.pf

Participating Territory - New Caledonia

Manuel Ducrocq

Deputy Head of Fisheries and Marine
Environment Department
Maritime Affairs
B.P. 36
98845 Noumea Cedex New Caledonia
+687 270 693
manuel.ducrocq@gouv.nc

Participating Territory - Tokelau

Feleti Tulafono

Director
Tokelau Fisheries Management Agency
(FMA)
Fale, Fakaofu Island
Tokelau
69023113
ftulafono@gmail.com

Solomua Ionatana

Fisheries Offshore Access Manager
Tokelau Fisheries Management Agency
(FMA)
Nukufou Village, Fakaofu Island
Tokelau
69023269
tualen@gmail.com

Cooperating Non-member - Ecuador

Jose Isidro Andrade

Fisheries Zonal Coordinator
Vice Ministry of Fisheries and
Aquaculture
Puerto Artesenal de San Mateo, Manta
Ecuador
+593 999367346
jandrade@produccion.gob.ec

Cooperating Non-member - El Salvador

Antonio Carlos Vasquez
WCPFC Commissioner
CENDEPESCA
Final 1a Avenida Norte y Manuel
Gallardo
Santa Tecla, La Libertad, El Salvador
Central America
+503 2210-1961

Cooperating Non-member - Panama

Raul Delgado
Director General of International
Cooperation
Authority of Aquatics Resources of
Panama
Calle 45, Bella Vista, Edificio Riviera.
Rep. of Panama

Cooperating Non-member - Thailand

Jaruwan Songphatkaew
Bangkok, Thailand
Department of Fisheries
50 Pahonyothin Rd., Ladyao,
Chatuchak, Bangkok
Thailand 10900
+66895925143
ying_blackydot@hotmail.com

Sawitre Yawanopas
Bangkok Thailand
Department of Fisheries
50 Pahonyothin Road, ladyao,
Chatuchak, Bangkok, Thailand 10900
(+066)25580190
sawitre_yawa@hotmail.com

Cooperating Non-member - Vietnam

Vu Duyen Hai
Deputy Director
Vietnam Directorate of Fisheries
Directorate of Fisheries, No. 10 Nguyen
Cong Hoan
Vietnam
+84 913364925

Observer - International Environmental Law Project

Chris Wold
Director of Counsel
International Environmental Law Project
10015 SW Terwilliger Blvd.
Portland, Oregon 97219 USA
5037686734
wold@clark.edu

Observer - International Seafood Sustainability Foundation (ISSF)

Claire van der Geest
Policy Advisor
ISSF
claire.vandergeest@gmail.com

Observer - Pacific Islands Forum Fisheries Agency (FFA)

Matthew Hooper
Deputy Director General
Pacific Islands Forum Fisheries Agency
1 FFA Road, PO Box 629
West Kola'a, Honiara Solomon Islands
matt.hooper@ffa.int

Dr Tim Adams
Director Fisheries Management
Pacific Islands Forum Fisheries Agency
1 FFA Road, PO Box 629
West Kola'a, Honiara Solomon Islands

Allan Rahari
Director Fisheries Operations Division
Pacific Islands Forum Fisheries Agency
1 FFA Road, PO Box 629
West Kola'a, Honiara Solomon Islands
+677 7496736
allan.rahari@ffa.int

Ramesh Chand
Manager Vessel Monitoring System
Pacific Islands Forum Fisheries Agency
1 FFA Road, PO Box 629
West Kola'a, Honiara Solomon Islands
+ 677 21124 ext 213
ramesh.chand@ffa.int

Pio Manoa
Legal Counsel
Pacific Islands Forum Fisheries Agency
1 FFA Road, PO Box 629
West Kola'a, Honiara Solomon Islands
+677 21124
pio.manoa@ffa.int

Vivian Fernandes
Compliance Policy Adviser
Pacific Islands Forum Fisheries Agency
1 FFA Road, PO Box 629
West Kola'a, Honiara Solomon Islands

Observer - Parties to the Nauru Agreement (PNA)

Ludwig Kumoru
Director
Parties to the Nauru Agreement

Sangaalofa Clark
Policy Advisor
Parties to the Nauru Agreement
sangaa@pnatuna.com

Observer - Pew Charitable Trust

Dave Gershman
Officer, International Fisheries
The Ocean Foundation
Honolulu, Hawaii
202-748-6649

Dawn Borg Costanzi
Officer, Ending Illegal Fishing,
International Fisheries
The Pew Charitable Trusts
0044 207 535 4237
dborgcostanzi@pewtrusts.org

Observer - Secretariat of the Pacific Community (SPC)

Peter Williams

Principal Fisheries Scientist (Data
Mgmt.)
SPC
BP D5, Noumea Cedex 98848
New Caledonia
+687 260157
peterw@spc.int

Stephen Brouwer

Senior Fisheries Scientist (National and
Sub-Regional Team Leader)
SPC
BP D5, Noumea Cedex 98848
New Caledonia
+687 262000

Timothy Park

Observer Programme Advisor
SPC
BP D5, Noumea Cedex 98848
New Caledonia
+687 262000

Aurelien Panizza

Observer Data Manager
SPC
BP D5, Noumea Cedex 98848
New Caledonia
aurelienp@spc.int

Observer - World Wide Fund for Nature (WWF)

Bubba Cook

Western and Central Pacific Tuna
Programme Manager
World Wide Fund for Nature
49 Boulcott Street
Level 6, Davis Langdon House
Wellington, 6035 New Zealand
+64 (0)27 833 0537

Secretariat

Jung-re Riley Kim

WCPFC Chair
WCPFC
+82 44 200 5398

Feleti Teo

Executive Director
WCPFC Secretariat
PO Box 2356 Kaselehlie Street
Pohnpei, FM 96941 Federated States of
Micronesia
(691) 320-1992/1993

Penelope Ridings

Legal Advisor
WCPFC Secretariat
pennyridings@yahoo.com

Mark Smaalders

Rapporteur
WCPFC Secretariat
mark.smaalders@wcpfc.int

Dr. SungKwon Soh

Science Manager
WCPFC Secretariat
PO Box 2356 Kaselehlie Street
Pohnpei, FM 96941 Federated States of
Micronesia
(691) 320-1992/1993

Aaron Nighswander

Finance and Administration Manager
WCPFC Secretariat
PO Box 2356 Kaselehlie Street
Pohnpei, FM 96941
(691) 320-1992/1993

Dr Lara Manarangi-Trott

Compliance Manager
WCPFC Secretariat
PO Box 2356 Kaselehlie Street
Pohnpei, FM 96941
(691) 320-1992/1993

'Ana F. Taholo

Assistant Compliance Manager
WCPFC Secretariat
PO Box 2356 Kaselehlie Street
Pohnpei, FM 96941
Ana.Taholo@wcpfc.int

Albert Carlot

Vessel Monitoring System Manager
WCPFC Secretariat
PO Box 2356 Kaselehlie Street
Pohnpei, FM 96941
(691) 320-1992/1993

Karl Staisch

ROP Coordinator
WCPFC Secretariat
PO Box 2356 Kaselehlie Street
Pohnpei, FM 96941
(691) 320-1992/1993
karl.staisch@wcpfc.int

Elaine Garvilles

Assistant Manager Science
WCPFC Secretariat
PO Box 2356, Kaselehlie Street
Pohnpei, FM 96941
(691) 320-1992/1993

Lucille A. Martinez

Administrative Officer
WCPFC Secretariat
PO Box 2356 Kaselehlie Street
Pohnpei, FM 96941
(691) 320-1992/1993

Arlene Takesy

Executive Assistant
WCPFC Secretariat
PO Box 2356 Kaselehlie Street
Pohnpei, FM 96941
(691) 320-1992/1993

Donald David

Data Quality Officer
WCPFC Secretariat
PO Box 2356 Kaselehlie Street
Pohnpei, FM 96941
(691) 320-1992/1993

Samuel Rikin

IT Officer
WCPFC Secretariat
PO Box 2356 Kaselehlie Street
Pohnpei, FM 96941
(691) 320-1992/1993
Samuel.Rikin@wcpfc.int

Milo Abello

VMS Operations Officer
WCPFC Secretariat
PO Box 2356 Kaselehlie Street
Pohnpei, FM 96941
(691) 320-1992/1993

Jeannie Nanpei

RFV Officer
WCPFC Secretariat
PO Box 2356 Kaselehlie Street
Pohnpei, FM 96941
(691) 320-1992/1993

Joseph Jack

VMS Operations Officer
WCPFC Secretariat
PO Box 2356 Kaselehlie Street
Pohnpei, FM 96941
(691) 320-1992/1993

Virginia Ezekias

Data Control Technician
WCPFC Secretariat
PO Box 2356 Kaselehlie Street
Pohnpei, FM 96941
(691) 320-1992/1993

Rosalin George

Support Staff
WCPFC Secretariat
PO Box 2356 Kaselehlie Street
Pohnpei, FM 96941
(691) 320-1992/1993

Virgilio San Jose

Support Staff
WCPFC Secretariat
PO Box 2356 Kaselehlie Street
(691) 320-1992/1993



TECHNICAL AND COMPLIANCE COMMITTEE
Fifteenth Regular Session
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Pohnpei, Federated States of Micronesia

AGENDA

AGENDA ITEM 1 OPENING OF MEETING

- 1.1 Welcome
- 1.2 Adoption of agenda
- 1.3 Meeting arrangements
- 1.4 Introduction of Proposals: new CMMs or draft revisions to current CMMs

AGENDA ITEM 2 ANNUAL REPORT OF THE EXECUTIVE DIRECTOR

Overview report of the WCPFC MCS and Compliance Programmes

AGENDA ITEM 3 IUU LIST

AGENDA ITEM 4 CNM REQUESTS

AGENDA ITEM 5 COMPLIANCE MONITORING SCHEME

- 5.1 CMS Process
 - (a) Review Capacity Assistance Needed statuses assessed in prior years, and associated Capacity Development Plans
 - (b) Review Flag State Investigation statuses assessed in prior years
 - (c) Review of Draft Compliance Monitoring Report
 - (d) Respond to capacity assistance needs identified through the CMS process, including through annual consideration of implementation plans (other than Capacity Assistance Needed statuses) identified in prior years (TCC Workplan 2019-2021)
 - (e) Provide advice on CMMs that need revision to improve compliance and monitoring, including those for which interpretation issues have been identified through the CMS process (TCC Workplan 2019-2021)
- 5.2 Provisional Compliance Monitoring Report and Executive Summary
- 5.3 Enhancing the CMS (CMM 2018-07 para 45, TCC Workplan 2019-2021)
 - (a) development of a process for assessing CCM actions in accordance with para 7(ii)(b) to replace para 27 of CMM 2018-07

- (b) comprehensive review of all the Commission reporting requirements, with recommendations to remove duplicative reporting as well as ensure the Commission's data and information needs are met
- (c) the development of audit points to clarify the Commission's obligations assessed under the CMS, as well as the development of a checklist to be used by the proponents of any proposal to include a list of potential audit points for the consideration of the Commission
- (d) the development of a risk-based assessment framework to inform compliance assessments and ensure obligations are meeting the objectives of the Commission
- (e) explore investment in technology solutions to facilitate improvements to the compliance case file system
- (f) the development of the guidelines for participation of observers in closed meetings of the Commission and its subsidiary bodies which consider the Compliance Monitoring Report
- (g) provide advice on other future work to enhance the CMS during 2020-2021.

5.4 Supporting the CMS (TCC Workplan 2019-2021)

- (a) Consider options to mitigate the impacts of an unscheduled disruption to Secretariat services on the CMS

5.5 Provide advice on the expiry of CMM 2018-07 at the end of 2019 (CMM 2018-07, paragraph 48)

AGENDA ITEM 6 STATUS OF FISHERIES PRESENTATION (SPC-OFP)

AGENDA ITEM 7 SPECIAL REQUIREMENTS OF DEVELOPING STATES

- 7.1 Monitor obligations relating to, and support building the capacity of, SIDS and territories – (TCC Workplan 2019-2021)

AGENDA ITEM 8 CORE MCS ACTIVITIES - *discussion of technical issues or requirements*

8.1 Vessel Monitoring System (VMS)

- (a) Consider Secretariat recommendations related to the WCPFC approved ALC/MTU list (VMS SSPs Section 2.7)
- (b) Support efforts by CCMs and the Secretariat to continue technical work intersessionally to optimize TCC's efficiency evaluating CCM's VMS compliance (TCC Workplan 2019-2021).
- (c) Update of VMS Standard Operating Procedures (VMS SSPs Section 6.9)
- (d) A proposed research project to compare WCPFC VMS data and AIS data in the WCPFC high seas

8.2 Regional Observer Programme

- (a) Review CMM 2017-03 (CMM 2017-03 paragraph 14)
- (b) Report from TCC Working Group on flow of observer reports and observer conduct (WCPFC15 Summary Report para 364)

8.3 High Seas Transshipment Monitoring

- (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 2019-2021)

(b) Report from the IWG to review CMM 2009-06 (WCPFC15, para 380)

8.4 High Seas Boarding and Inspection (HSBI)

8.5 Record of Fishing Vessels (RFV)

8.6 Eastern High Seas Pocket Special Management Area (EHSP-SMA)

8.7 Port State Minimum Standards

(a) Proposal to Amend CMM 2017-02: Conservation and Management Measure on Minimum Standards for Port State Measures

AGENDA ITEM 9 DATA PROVISION AND DATA GAPS

9.1 Review information about scientific data provision (TCC Workplan 2019-2021)

9.2 Consideration of the outcomes of the review of the Commission's data needs and collection programmes (Project 93) (TCC Workplan 2019-2021)

9.3 Report on the performance of the Electronic Reporting Standards and their application (E-reporting SSPs, paragraph 7(c))

AGENDA ITEM 10 INTERSESSIONAL ACTIVITIES

10.1 Intersessional activity report from the ERandEM-IWG Chair

AGENDA ITEM 11 REVIEW OF EXISTING CMMs INCLUDING ANY PROPOSED AMENDMENTS

11.1 Bigeye, Yellowfin and Skipjack (CMM 2018-01, CMM 2009-02)

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

11.2 South Pacific Albacore (CMM 2015-02)

(a) Annual review of CMM on the basis of advice from SC (para 5 of CMM 2015-02)

(b) Intersessional activity report on south Pacific Albacore Roadmap virtual IWG

(c) Develop information and advice to promote compliance with the south Pacific Albacore CMM (2015-02 and successor measures) and improve its effectiveness, including providing technical and compliance advice for the development and implementation of south Pacific albacore roadmap (TCC workplan 2019-2021)

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

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

(b) Consider outputs of the shark IWG, and provide advice related to the development/implementation of a consolidated Sharks measure (TCC workplan 2019-2021, WCPFC15 Summary Report para 341)

- 11.4 Sea turtles (CMM 2008-03/CMM 2018-04)
 - (a) Annual review of information reported by CCMs pursuant to this measure
- 11.5 Seabirds (CMM 2017-06)
 - (a) Annual review of any new information on new or existing mitigation measures or on seabird interactions from observer or other monitoring programmes
- 11.6 Purse seine interactions with Cetaceans (CMM 2011-03)
 - (a) Annual review of information reported by CCMs pursuant to this measure
- 11.7 Others

AGENDA ITEM 12 PROPOSALS FOR NEW CMMs

- 12.1 Proposal for a Conservation and Management Measure for Protection of Marine Mammals from longline fishing operations
- 12.2 Information Paper for a draft Conservation and Management Measure on Mobulid Rays caught in association with fisheries in the WCPFC Convention Area

AGENDA ITEM 13 OTHER MATTERS REQUIRING TCC ADVICE

- 13.1 Consideration of other SC and NC outcomes related to TCCs work
- 13.2 2020 Graduate School of World Fisheries University (WFU) Pilot Program (Korea)

AGENDA 14 ADMINISTRATIVE MATTERS

- 14.1 TCC Work Plan 2019 - 2021
- 14.2 Administration of the Data Rules and Procedures, including update on WCPFC Security Audit 2018/19
- 14.3 Report on Secretariat IMS and website development and online reporting systems
- 14.4 Election of Officers
- 14.5 Next meeting

AGENDA 15 CLEARANCE OF TCC15 RECOMMENDATIONS

(As per usual practice full TCC15 report will be cleared intersessionally)

AGENDA 16 CLOSE OF MEETING

Summary of reporting requirements that are related to each CCM-level or collective quantitative limit and notes on the present availability of data for verifying the CCMs report on implementation against the limit (Table 2 of TCC15-2019-10¹)

Supporting note

1. The Commission has adopted CMMs that specify for certain CCMs the quantity of catch of a species or a stock which may be caught, and/or the levels of fishing effort that are permitted within the Convention Area or subparts thereof. If CCMs are subject to an applicable quantitative limit, they are required and expected to provide in Annual Report Part 2 the supporting details that confirm an applicable quantitative limit was not exceeded. CMM 2018-07 paragraph 7 states that through the Compliance Monitoring Scheme the annual assessment of compliance for quantitative limits, shall be based on verifiable data indicating that a limit has not been exceeded.
2. There are nineteen (19) obligations that have been classified within the grouping of “Quantitative Limit: CCM-level or collective” in this year’s Annual Report Part 2 report covering 2018 activities.² The table below lists in the first column each of the nineteen quantitative limit-related obligations and a brief description of the obligation. The table below provides notes on the present availability of data that can be used to verify a CCM’s report on implementation for each of the nineteen quantitative limits.
3. *Annual report expected in Annual Report Part 2 (ARPt2)?* The third column confirms that for each of the nineteen obligations, each CCM is expected to provide an annual statement of YES/NO/not applicable and those CCMs to whom a quantitative limit applies is expected to provide additional information / details providing verifiable data applicable to the reporting year that confirms the applicable limit was not exceeded.
4. *Dedicated required report on implementation of a limit?* Some CMMs that specify quantitative limits also oblige that CCMs annually report data to the Commission related to the CMM and its quantitative limit. Ten (10) quantitative limit obligations have related CMM-required reports and some individual reports provide data and information that could be related to more than one specified quantitative limits (eg different paragraphs within the same CMM).³ The pairing of the nine (9) CMM-required reports to their corresponding quantitative limit is shown in the fourth column of the table (below).
5. The inclusion of CMM-required reporting requirements was common in CMMs with limits that were adopted in the earlier years of the Commission. In part this was because at that time

¹ **WCPFC-TCC15-2019-10 STREAMLINING WCPFC REPORTING REQUIREMENTS DISCUSSION PAPER - A TCC Workplan 2019 – 2021 project related to the WCPFC Compliance Monitoring Scheme** paper by the Secretariat (20 September 2019)

² In 2019, the Commission agreed that sixteen (16) of the nineteen (19) obligations will be reviewed through the Compliance Monitoring Scheme (the limits in CMM 2006-04 south-west Pacific striped marlin and CMM 2009-03 Swordfish were not included in the list of obligations to be assessed by the CMS in 2019).

³ Some suggestions and options to streamline these reporting requirements can be found in **WCPFC-TCC15-2019-10** pages 7 – 10.

most major flag CCMs were recognized as having domestic legal constraints that prevented them from submitting operational level catch and effort data to the Commission. Such dedicated required reports were intended to ensure a flow of data and information to support reviews of the quantitative limit, including to establish baselines and to monitor an individual CCMs compliance with the applicable quantitative limits.

6. *Does WCPFC routinely use other data to verify a CCMs report on its implementation of a quantitative limit?* For all quantitative limits a principal source of information on its implementation of a quantitative limit, is the CCMs own report of implementation in Annual Report Part 2. However, there are some differences in the availability of additional data to verify the CCMs report on their implementation against a quantitative limit.

7. In recent years improvements that CCMs have made in their reporting of operational level catch and effort data and other WCPFC records, has meant that WCPFC routinely receives and is able to use WCPFC data to verify a CCMs report on its implementation of a quantitative limit. For example, purse seine EEZ limits (CMM 2017-01 25), high seas purse seine limits (CMM 2017-01 26 and bigeye longline catch limits (CMM 2017-01 39 and 43).

8. In other instances, dedicated reporting requirements have been included in a CMM because a limit was phrased as “fishing for a species or stock” and it was recognized that there were some limitations on the use of operational catch and effort data as the sole verification tool used to review CCMs compliance with the applicable quantitative limits. For example, CMM 2015-02 includes a reporting requirement set out in CMM 2015-02 04 and similarly the annual report for CMM 2017-01 39 “limit” includes a monthly reporting requirement CMM 2017-01 41.

9. There are presently nine quantitative limits where there are limited or no additional data presently available to WCPFC to verify the CCM’s report on their implementation against the limit. [CMM 2005-03 02 (NP albacore), CMM 2006-04 01 (SW Striped Marlin), CMM 2009-03 01, 02 (Swordfish), CMM 2010-01 05 (NP striped marlin), CMM 2017-01 45, 47, 48 (Tropical tuna vessel limits), CMM 2017-01 51, CMM 2017-08 (Pacific Bluefin)]. TCC has recommended that the Commission should consider whether additional reporting or revised formulations of quantitative limits should be considered so that WCPFC has more ready access to data that can be used to verify a CCM’s implementation of a quantitative limit.

10. The fifth and sixth columns in the table below highlights the quantitative limits where there are some data that can be used verify implementation of a quantitative limit, and those quantitative limits which rely solely on the CCMs own report of implementation in Annual Report Part 2.

TCC15-2019-10 Table 1. Summary of reporting requirements that are related to each CCM-level or collective quantitative limit and notes on the present availability of data for verifying the CCMs report on implementation against the limit

Quantitative Limit	Brief Description {ARPt2 SeqNo}	Annual report expected in ARPt2?	Dedicated required report on implementation of a limit?	Does WCPFC routinely use other data to verify the report?	Notes
CMM 2005-03 02	CCMs take measures to ensure level of fishing effort by vessels fishing for North Pacific albacore tuna is not increased {Q-003(L)}	✓	CMM 2005-03 03 CMM 2005-03 04 SUBMISSION TO SECRETARIAT	x	I. a.
CMM 2006-04 01	Limit number of fishing vessels fishing for striped marlin S 15 S, to 2000 – 2004. {Q-006(L)}	✓	CMM 2006-04 04 SUBMISSION TO SECRETARIAT	x	I. a.
CMM 2009-03 01	Limit number of vessels fishing for Swordfish S20S to the number in any one year between 2000-2005 {Q-038(L)}	✓	CMM 2009-03 08 SUBMISSION REQUIRED IN ARPt1	x	I. a.
CMM 2009-03 02	Limit the catch of Swordfish by its vessels in area S20S to the amount in any one year during 2000-2006 {Q-039(L)}	✓	CMM 2009-03 08 SUBMISSION REQUIRED IN ARPt1	x	I. b.
CMM 2009-06 29	Limit on purse seine vessels transshipment outside of port to vessels that have received an exemption from the Commission. Where applicable, flag CCM authorisation should be vessel-specific and address any specific conditions identified by the Commission. {Q-047(L)}	✓	x	✓	III(ii) e.
CMM 2009-06 34	Ban on high seas transshipment, unless a CCM has determined impracticability in accordance with para 37 guidelines, and has advised the Commission of such. {Q-048(L)}	✓	x	✓	III(ii). e.
CMM 2010-01 05	Catch limits applicable to CCMs with vessels fishing in the Convention Area north of the equator: commencing 2011{Q-054(L)}	✓	CMM 2010-01 08 SUBMISSION REQUIRED IN ARPt2	x	I. b.
CMM 2015-02 01	Limit on number of vessels actively fishing for SP ALB in area S 20 S above 2005 or 2000-2004 levels {Q-100(L)}	✓	CMM 2015-02 04 SUBMISSION TO SECRETARIAT And/or Operational data submitted to SPC-OFP	✓	III(i)
CMM 2017-01 25	Purse seine EEZ limits (for skipjack, yellowfin and bigeye tuna) and advice from other coastal CCMs of EEZ limits to be applied{Q-108(L)}	✓	x	✓	III(i)
CMM 2017-01 26	High seas purse seine effort limits applying 20N to 20S{Q-109(L)} includes CMM 2017-01 Att 2 10 Effort limit for PH flag vessels operating in the HSP-1 {Q-114(L)}	✓	x	✓	III(i) III(ii)b. d.
CMM 2017-01 39	Bigeye longline catch limits for 2018 and adjustment to be made for any overage{Q-121(L)}	✓	CMM 2017-01 41 (monthly report) SUBMISSION TO SECRETARIAT	✓	III(i)

Quantitative Limit	Brief Description {ARPt2 SeqNo}	Annual report expected in ARPt2?	Dedicated required report on implementation of a limit?	Does WCPFC routinely use other data to verify the report?	Notes
CMM 2017-01 43	Bigeye longline catch limits by flag for certain other members which caught less than 2000t in 2004 {Q-122(L)}	✓	x	✓	III(i)
CMM 2017-01 45	Limit by flag on number of purse seine vessels >24m with freezing capacity between 20N and 20S{Q-123(L)}	✓	x	partial	II. c.
CMM 2017-01 47	Limit by flag on number of longline vessels with freezing capacity targetting bigeye above the current level (applying domestic quotas are exempt) {Q-125(L)}	✓	x	partial	II. c.
CMM 2017-01 48	Limit by flag on number of ice-chilled longline vessels targetting bigeye and landing exclusively fresh fish above the current level or above the number of current licenses under established limited entry programmes (applying domestic quotas are exempt) {Q-126(L)}	✓	x	partial	II. c.
CMM 2017-01 51	Limit on total catch of certain other commercial tuna fisheries (that take >2000Mt of BET, YFT and SKJ) {Q-126(L)}	✓	x	x	I.
CMM 2017-08 02 (1)	Total effort by vessels for Pacific Bluefin limited to 02-04 level N20N {Q-157(L)}	✓	CMM 2017-08 04 SUBMISSION TO SECRETARIAT	x	I. a.
CMM 2017-08 02 (2)	Catches of Pacific bluefin tuna less than 30kg shall be reduced to 50% of 2002-04 level. Overage to be deducted from following year {Q-158(L)}	✓	CMM 2017-08 04 SUBMISSION TO SECRETARIAT	x	I.
CMM 2017-08 03	Every possible measure to be taken not to increase catches of BFT >30kg from 2002-04 levels{Q-159(L)}	✓	CMM 2017-08 04 & 10 SUBMISSION TO SECRETARIAT	x	I.

Tier score related to the present availability of data that can be used to verify the CCMs report on implementation against the limit

- I. Limited or no data is presently available to WCPFC to verify the report on implementation against the limit
- II. Partial data is available to WCPFC to verify the report on implementation against the limit
- III(i). Operational data held by **SPC-OFP** and that is regularly compiled into a report for **WCPFC**, is used to verify the report on implementation against the limit
- III(ii). Some data based on WCPFC held records is available to verify the report on implementation against the limit

Notes on any data/information needs and reporting formats for verifying the report

- a. The limit refers to “vessel fishing for”, so there are limitations on use of operational data or VMS data as a verification tool
- b. Operational level catch and effort data held by **SPC-OFP** could be compiled into a report for **WCPFC** as additional verification of the CCMs report
- c. Partial information from **WCPFC records**, specifically RFV records, but there are limitations on their use as verification of the CCMs report
- d. Some information from **WCPFC records**, specifically CMM 2017-01 Att 2 03 entry and exit reports and high seas VMS records
- e. Some information from **WCPFC records**, specifically RFV & high seas transshipment reports

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Attachment D



TCC WORK PLAN ~~2019~~ - ~~2021~~

TCC Priorities

1) Priority core business tasks (standing Agenda Items)

- a. Monitor and review compliance with conservation and management measures and other obligations stemming from the Convention.
- b. Assessment of IUU fishing vessel nominations and review of fishing vessels currently on the IUU list
- c. Review of Cooperating Non-Member applications.
- d. Monitor obligations relating to Small Island Developing States and territories.
- e. Review the implementation of cooperative measures for monitoring, control, surveillance and enforcement adopted by the Commission and make such recommendations to the Commission as may be necessary.
- f. Review Annual report(s) of the WCPFC Secretariat, which should address relevant technical and compliance issues, which may include HSBI, ROP, VMS, RFV, Data Rules, transshipment, port State measures, and note the Executive Director's report on these matters and other issues as appropriate.
- g. Provide technical and compliance-related advice to support the development of harvest strategies, including consideration of the implications of harvest control rules.
- h. Review the ongoing work of the Intersessional Working Groups (IWG) noted in Section 3.
- i. Review information about technical and compliance matters arising under existing CMMs.
- j. Make technical and compliance related comments on proposed CMMs.

2) Priority project specific tasks

- a. Undertake a comprehensive review and compilation of Commission reporting requirements and provide advice to the Commission on removing duplicative reporting while ensuring the Commission's data needs are met.
 - i. Consider and provide advice to the Commission on the outcomes of the review of

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- the Commission's data needs and collection programmes (Project 93).
- b. Develop audit points to clarify the assessment of existing Commission obligations, and develop a new proposal checklist to ensure that new proposals adopted by the Commission include clear audit points for assessment.
 - c. Review transshipment measure (CMM 2009-06) [IWG task, TCC task]
 - d. Develop responses to non-compliance / develop corrective actions to encourage and incentivize CCM's compliance with the Commission's obligations, where non-compliance is identified. [TCC task]
 - e. Develop a multi-year program of obligations to be assessed under the CMS, which ensures that all obligations are assessed over time / Develop a risk-based assessment framework to inform compliance assessments and ensure obligations are meeting the objectives of the Commission. [TCC task]
 - f. Provide advice on CMMs that need revision to improve compliance and monitoring, including those for which interpretation issues have been identified through the CMS process. [TCC task]
 - g. Respond to capacity assistance needs identified through the CMS process, including through annual consideration of implementation plans. [TCC task] \$
 - h. Support building the capacity of SIDS, which may include:
 - i. implement observer programs, including training and data management
 - ii. develop and implement the MCS Information Management System at a national level
 - iii. improve bycatch reporting, in particular sharks
 - iv. set up a system or process for reports on transshipment activities and MTU inspections
 - v. implement minimum standards for Port State measure
 - i. Further develop port-based initiatives as part of the suite of MCS tools and a summary of port state measures undertaken by members. [TCC task]
 - j. Review information about scientific data provision. [TCC task, Secretariat task to prepare papers]
 - k. Provide technical and compliance advice to ensure the effective monitoring of CMMs related to sharks, including developing alternatives to the current fins-to-carcass ratio [TCC task]
 - l. Development, improvement and implementation of the Commission's measures for observer safety and related issues [TCC task]
 - m. Further development of protocols, observer data fields/forms including electronic data fields and databases, as needed, to better monitor transshipments at sea, [TCC task, Secretariat task] \$
 - n. Enhance how CCM's and Secretariat's practices integrate to facilitate ongoing

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monitoring and compliance with CMM 2014-02 (VMS) [TCC task with assistance from Secretariat] \$

- o. Analyze framework for the management and control of chartered vessels to promote compliance with CMMs, clarify flag and chartering CCM’s control of chartered vessels, and clarify attribution of catch and effort. [TCC task]
- p. Develop information and advice to promote compliance with the south Pacific albacore CMM (2015-02 and successor measures) and improve its effectiveness, including providing technical and compliance advice for the development and implementation of the south Pacific albacore roadmap. [TCC task, with support from SPC]
- q. Develop improved mechanisms for the flow of observer information from ROP Providers to CCMs needing such information for their investigations. [TCC task]
- r. Develop a mechanism to facilitate observer participation in the compliance review process. [TCC task]
- s. Continued development of the Commission’s IMS to support implementation of the Compliance Monitoring Scheme and support MCS activities, including exploration of IMS data submission and extraction tools. [TCC task, Secretariat task] \$
- t. Continued development of training resources and learning aids for the IMS [Secretariat task] \$?
- u. Consider options to mitigate the impacts of an unscheduled disruption to Secretariat services on the Compliance Monitoring Scheme [TCC task, Secretariat task]
- v. Review and consider updates to improve the effectiveness of CMMs related to transshipment at sea and compliance with their provisions

3) Interessional working groups *Budgets and timeframes to be assessed separately*

ROP IWG: Review ROP.

FAD IWG: Review and develop FAD measures.

CDS IWG: Develop and implement a Catch Documentation Scheme for WCPFC species.

EM and ER IWG: Continue the development of standards, specifications and procedures for e-technologies.

CMS IWG:

Develop a multi-year workplan to enhance the CMS and undertake compatible efforts to enhance implementation of the CMS, as may be identified in a revised CMM for the CMS or as otherwise tasked by the Commission.

Commented [DR1]: Is this a sufficient description or is it discussions on approach to provide ROP observer reports to CCMs for flag State investigation?

Commented [DR2]: Any progress to note here?

Commented [DR3]: Any update on this work?

Commented [DR4]: Any specific goal for coming year (s)

Commented [DR5]: Is this still active?

4) Priority Issues forwarded from the Commission (pending Commission meeting) TCC Score Board

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<u>Priority</u>	<u>Lead</u>	<u>WCPFC 16</u>	<u>Goal for TCC 16/ WCPFC 17</u>	<u>Future Objective TCC 17 / WCPFC 18</u>	<u>Future Objectives TCC18 / WCPFC 19</u>
<u>CMS refinement</u>	<u>CMS IWG RMI Glen Joseph</u>		<u>Guidance on implementation including Option (s) to replace para 27</u>	<u>Guidance on implementation</u>	<u>Guidance on implementation</u>
<u>Audit Points</u>	<u>FSM Eugene Pangelinan</u>		<u>Trial on a small selection (2 or 3) CMM and develop clear audit points that reflect the CMM but that may be specifically designed to address the effective monitoring of the measure.</u>	<u>Options paper for audit points taking into account possible cyclical review</u>	
<u>Risk Based approach to evaluating compliance / CMS</u>	<u>Create IWG Risk Based Assessment NZ Lead</u>		<u>Develop approach for risk based assessment approach including option for cyclical assessment taking into account the development of audit points</u>	<u>Implement risk based assessment approach including option for cyclical assessment taking into account the development of audit point</u>	

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<u>Priority</u>	<u>Lead</u>	<u>WCPFC 16</u>	<u>Goal for TCC 16/ WCPFC 17</u>		<u>Future Objective TCC 17 / WCPFC 18</u>	<u>Future Objectives TCC18 / WCPFC 19</u>
<u>Assessment of VMS implementation</u>	<u>Create IWG VMS? US lead? Terry</u>		<u>Assessment of VMS implementation</u>			
<u>Response to non- compliance and incentives</u>	<u>None identified</u>				<u>Start work on options for non- compliance / incentives taking into account audit points and risk based assessment?</u>	<u>Finalize work on non-compliance / incentives</u>
<u>Regional Observer Program</u>	<u>IWG ROP US Tom Graham</u>		<u>Plan for provision of observer reports</u>			
<u>Case Management Technology Solution</u>	<u>Secretariat based on outcomes from update to CMS CMM and its implementation as well as aspects that are more immediate.</u>		<u>Implement Case management technology solution – notably automated updates to CCMs if any updates made as well as for VMS</u>		<u>Consider additional refinements to the case management IT as work on audit points, risk based assessments, and replacement para 27 in 2018-07 is done</u>	<u>Consider additional refinements to the case management IT as work on audit points, risk based assessments, and replacement para 27 in 2018-07 is done</u>

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<u>Priority</u>	<u>Lead</u>	<u>WCPFC 16</u>	<u>Goal for TCC 16/ WCPFC 17</u>		<u>Future Objective TCC 17 / WCPFC 18</u>	<u>Future Objectives TCC18 / WCPFC 19</u>
<u>Observer participation in CMS CMR discussions</u>	<u>USA – Alexa Cole</u>	<u>Discussion on approach for admission of observers</u>	<u>Admission of observers to dCMR discussion - dependent on presentation of options paper presented to WCPFC 16 for admission of observers to dCMR discussion and consideration of criteria / timing.</u>			
<u>Reporting streamlining</u>	<u>Is it the secretariat?</u>	<u>Agreement on initial elements from Secretariat options approach</u>	<u>Additional consideration for report streamlining</u>		<u>Consideration of implementation of streamlining approach</u>	
<u>Review of Transshipment Measure</u>	<u>IWG Transshipment US – Alex</u>	<u>Approval of Scope of Work</u>	<u>Advance work through a one day TSIWG at the</u>		<u>Consideration of next steps arising from TCC16 and COM17.</u>	<u>Consideration of next steps</u>

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<u>Priority</u>	<u>Lead</u>	<u>WCPFC 16</u>	<u>Goal for TCC 16/ WCPFC 17</u>		<u>Future Objective TCC 17 / WCPFC 18</u>	<u>Future Objectives TCC18 / WCPFC 19</u>
	<u>RMI - Sam</u>	<u>during small working group on margins of WCPFC16.</u>	<u>beginning of TCC16 and consider whether other face-to-face meeting is needed.</u> <u>Develop a prioritized list of discrete items / advice /options for TSIWG for discussion at TCC16 - based on paragraph 11 of the TOR</u>			
<u>Use of Chartered Vessels</u>	<u>Lead?</u>		<u>Clarify flag vs chartering CCM responsibilities and clearly articulate catch attribution</u>			
<u>ER and EM</u>	<u>IWG EREM Australia – Kerry Smith</u>		<u>Develop CMM on EREM taking into account outcomes of project 93.</u>			

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<u>Priority</u>	<u>Lead</u>	<u>WCPFC 16</u>	<u>Goal for TCC 16/ WCPFC 17</u>		<u>Future Objective TCC 17 / WCPFC 18</u>	<u>Future Objectives TCC18 / WCPFC 19</u>
<u>VMS</u>	<u>Combine into one IWG? IWG USA</u>		<u>Develop recommendations on VMS related to annual report persistence of dark vessels and consider update to SOP/SSP.</u>			
<u>VMS</u>	<u>Combine into one IWG discussion?</u>		<u>Improve evaluation of VMS CMM including assessment of para 9a and as noted in p-CMR exec summary (para 26)</u>	<u>Possibly done in audit point and / or VMS WG</u>		
<u>ROP</u>	<u>Add to ROP IWG?</u>		<u>Additional tables / web reporting showing at least 5 year trends on non-fish bycatch</u>	<u>Add to ROP IWG?</u>		
<u>ROP</u>	<u>Improve data collection for transshipment and bycatch</u>	<u>Add to ROP IWG?</u>				

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<u>Priority</u>	<u>Lead</u>	<u>WCPFC 16</u>	<u>Goal for TCC 16/ WCPFC 17</u>		<u>Future Objective TCC 17 / WCPFC 18</u>	<u>Future Objectives TCC18 / WCPFC 19</u>
	<u>and regular process for update data fields</u>					

2019	2020	2021	2022
Article 14(1)(a) Priority tasks with respect to the provision of information, technical advice and recommendations			
Provide advice on CMMs that need revision to improve compliance and monitoring, including those for which interpretation issues have been identified through the CMS process.	Provide advice on CMMs that need revision to improve compliance and monitoring, including those for which interpretation issues have been identified through the CMS process.	Provide advice on CMMs that need revision to improve compliance and monitoring, including those for which interpretation issues have been identified through the CMS process.	Provide advice on CMMs that need revision to improve compliance and monitoring, including those for which interpretation issues have been identified through the CMS process.
Technical and compliance related advice to support the development of harvest strategies, including consideration of the implications of harvest control rules	Technical and compliance related advice to support the development of harvest strategies, including consideration of the implications of harvest control rules	Technical and compliance related advice to support the development of harvest strategies, including consideration of the	Technical and compliance related advice to support the development of harvest strategies, including

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2019	2020	2021	2022
		implications of harvest control rules	consideration of the implications of harvest control rules
Advice related to the {development}/[implementation] of a consolidated sharks measure.	[implementation of consolidated sharks measure]		
Review Commission reporting requirements and provide advice to the Commission on removing duplicative reporting while ensuring the Commission's data needs are met, including: <ul style="list-style-type: none"> • Consideration of the outcomes of the review of the Commission's data needs and collection programmes (Project 93). 	[Implementation of refined reporting structure that is streamlined, automated where possible and removes duplicative reporting]		
Review transshipment measure (CMM-2009-06), through IWG	Review transshipment measure (CMM-2009-06), through IWG	Finalize review of transshipment measure (2009-06) and report to TCC17 and WCPFC18	Implement updated transshipment measure based on decision at WCPFC18
Provide advice related to technical and compliance aspects of strengthened management of south Pacific albacore under the Roadmap process.	Provide advice related to technical and compliance aspects of strengthened management of south Pacific albacore under the Roadmap process.		

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2019	2020	2021	2022
	Provide advice related to control of and attribution of catch/effort related to chartered vessels.		
Article 14(1)(b) Priority tasks with respect to the monitoring and review of compliance			
Develop audit points for Commission obligations and develop a new proposal checklist to ensure identification of audit points for new proposals.	Develop <u>Implement new</u> audit points for Commission obligations.		
Develop a risk-based framework for prioritizing obligations for assessment.	<u>Implement</u> Develop a risk-based framework for prioritizing obligations for assessment.		
	Develop responses to non-compliance / Develop corrective actions to encourage and incentivize CCM's compliance with the Commission's obligations.	<u>Implement</u> Develop responses to non-compliance / Develop corrective actions to encourage and incentivize CCM's compliance with the Commission's obligations.	
Respond to capacity assistance needs identified through the CMS process, including through annual consideration of implementation plans and budgetary requirements. \$	Respond to capacity assistance needs identified through the CMS process, including through annual consideration of implementation plans and budgetary requirements. \$	Respond to capacity assistance needs identified through the CMS process, including through annual consideration of implementation plans and budgetary requirements. \$	<u>Respond to capacity assistance needs identified through the CMS process, including through annual consideration of implementation plans</u>

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2019	2020	2021	2022
			and budgetary requirements.
Review information about scientific data provision	Review information about scientific data provision	Review information about scientific data provision	Review information about scientific data provision
Develop a mechanism to facilitate observer participation in the compliance review process.	Finalize discussions on observer participation and present to TCC16 and provide advice to WCPFC17.		
Consider options to mitigate the impacts of an unscheduled disruption to Secretariat services on the CMS.			
Article 14(1)(e) Priority tasks with respects to implementation of cooperative MCS & E			
Implement observer programs, including training, and data management and consideration of budgetary costs.	Implement observer programs, including training, data management and consideration of budgetary costs.	Implement observer programs, including training, and data management and consideration of budgetary costs. (\$)	Implement observer programs, including training, data management and consideration of budgetary costs.
Support efforts by CCMs and the Secretariat to continue technical work intersessionally to optimize TCC's efficiency evaluating CCM's VMS compliance.	Develop and implement the MCS Information Management System at a national level.	Develop and implement the MCS Information Management System at a national level.	

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2019	2020	2021	2022
	Develop and implement the MCS Information Management System at a national level and consider budgetary requirements	Develop and implement the MCS Information Management System at a national level and consider budgetary requirements.	
Develop improved mechanisms for the flow of observer information from ROP providers to CCMs needing such information for their investigations.	Continue discussions for the flow of observer information from ROP providers to CCMs needing such information for their flag State investigations.	Implement improved mechanisms for the flow of observer information from ROP providers to CCMs needing such information for their flag State investigations.	
IMS development and budgetary implications \$	IMS development and budgetary implications \$	IMS development and budgetary implications \$	

Commented [DR6]: Separated onto a separate line from more specific VMS aspect.

LIST OF ABBREVIATIONS

ALC	–	Automatic Location Communicator
ANCORS	–	Australian National Centre for Ocean Resources and Security
CCM	–	Members, Cooperating Non-members and participating Territories
CCFS	–	Compliance Case File System
CDS	–	catch documentation scheme
CMM	–	Conservation and Management Measure
CMR	–	Compliance Monitoring Report
CMS	–	Compliance Monitoring Scheme
CNM	–	Cooperating Non-Member
CNMI	–	Commonwealth of the Northern Mariana Islands
the Convention	–	The Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean
CPUE	–	catch per unit effort
EEZ	–	exclusive economic zone
EM	–	electronic monitoring
ER	–	electronic reporting
ERandEM	–	electronic reporting and electronic monitoring
ERA	–	ecological risk assessment
EHSP-SMA	–	Eastern High Seas Pocket-Special Management Area
EU	–	European Union
F	–	fishing mortality rate
FAC	–	Finance and Administration Committee
FAD	–	fish aggregation device
FAO	–	Food and Agriculture Organization of the United Nations
FFA	–	Pacific Islands Forum Fisheries Agency
F _{MSY}	–	fishing mortality that will support the maximum sustainable yield
FMA	–	fishery management area
FNA	–	fins naturally attached
FSI	–	Flag State Investigation
FSM	–	Federated States of Micronesia
HSBI	–	high seas boarding and inspection
IATTC	–	Inter-American Tropical Tuna Commission
ICCAT	–	International Commission for the Conservation of Atlantic Tunas
IELP	–	International Environmental Law Project
IGOs	–	intergovernmental organizations
IMO	–	International Maritime Organization
IMS	–	information management system
IOTC	–	Indian Ocean Tuna Commission
IPNLF	–	International Pole and Line Foundation
ISC	–	International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean
ISSF	–	International Seafood Sustainability Foundation
IT	–	information technology
IUU	–	illegal, unreported and unregulated
IWG	–	intersessional working group

JTF	–	Japan Trust Fund
LRP	–	limit reference point
M	–	mortality
MCS	–	Monitoring, control and surveillance
MIMRA	–	Marshall Islands Marine Resources Authority
MOC	–	management options consultation
MOU	–	memorandum of understanding
MP	–	management procedure
MSC	–	Marine Stewardship Council
MSE	–	management strategy evaluation
MSY	–	maximum sustainable yield
mt	–	metric tonnes
MTU	–	mobile transceiver unit
NC	–	Northern Committee
NGO	–	non-governmental Organization
NP	–	North Pacific
OM	–	operating model
PBFWG	–	Pacific bluefin tuna working group (ISC)
pCMR	–	provisional Compliance Monitoring Report
PEW	–	The Pew Charitable Trusts
PI	–	performance indicator
PITIA	–	Pacific Islands Tuna Industry Association
PNA	–	Parties to the Nauru Agreement
PNG	–	Papua New Guinea
PRM	–	post-release mortality
PSMA	–	Port state Measures Agreement
RFV	–	Record of Fishing Vessels
ROP	–	Regional Observer Programme
RFMO	–	regional fisheries management organization
RMI	–	Republic of the Marshall Islands
SC	–	Scientific Committee of the WCPFC
SIDS	–	small island developing states
SIP	–	strategic investment plan
SPC	–	Secretariat of the Pacific Community
SPC-OFP	–	The Pacific Community Oceanic Fisheries Programme
SRA	–	spatial risk assessment
SRF	–	Special Requirements Fund
SRR	–	stock-recruitment relationship
SSI	–	species of special interest
SSP	–	standards, specifications and procedures
SST	–	sea surface temperature
SWG	–	small working group
T	–	metric ton
TCC	–	Technical and Compliance Committee
TNC	–	The Nature Conservancy
TOR	–	terms of reference
t-RFMO	–	tuna RFMO
TRP	–	target reference point
UN	–	United Nations
USA	–	United States of America
USD	–	US dollars

VDS	–	vessel day scheme
VID	–	vessel identification (number)
VMS	–	vessel monitoring system
WCPFC	–	Western and Central Pacific Fisheries Commission
WCPFC Convention Area	–	Area of competence of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, as defined in Article 3 of the Convention
WCPFC Statistical Area	–	The WCPFC Statistical Area is defined in para. 8 of “Scientific data to be provided to the Commission” (as adopted at WCPFC13)
WCNPO	–	Western and Central North Pacific Ocean
WCPO	–	western and central Pacific Ocean
WG	–	working group
WPEA	–	West Pacific and East Asian Seas
WPO	–	Western Pacific Ocean
WPFMC	–	Western Pacific Regional Fishery Management Council
WTPO	–	World Tuna Purse Seine Organisation
WWF	–	World Wide Fund for Nature

