Western and Central Pacific Fisheries Commission

Online TCC Heads of Delegation Meeting to Provide Guidance on Meeting Arrangements for the Online TCC16.

[On the 5 September 2020 from 10.00am to 1.00pm Pohnpei time]

Reference Paper by the Secretariat
[Dated 27 August 2020]

Purpose

1. The purpose of this paper is to provide a reference document to facilitate the discussions at the online TCC16 Heads of Delegation (HOD) meeting called by the Acting TCC Chair under Circular 2020/88 of 24 August 2020. The objective of the TCC16 HOD meeting is to consider and provide guidance on the online TCC16 this year.

Background

2. Due to the disruptive impacts of the ongoing global COVID-19 pandemic on international travels and border closures, the member countries which offered to host the WCPFC-related meetings in 2020 have all withdrawn their offers. On 10 August 2020 the Commission formally decided to convene TCC16 meeting electronically between the 23rd to 29th September 2020 taking into account the guidance provided by the online HOD meeting held on 15th July 2020.

3. As the Acting TCC Chair clarified in Circular 2020/88, we are in an unusual environment that means guidance to TCC participants will be essential to allow us to move the key items in the TCC16 agenda forward, including consideration of the dCMR, review of CNM applications and draft IUU list. To achieve this more efficiently, further consultation with Members on the TCC arrangements has been called for through the online TCC16 Heads of Delegation Meeting to be convened in early September.

4. The Acting TCC Chair has also clarified that the TCC16 HOD meeting is not a decision-making meeting of the Commission, rather a forum to assist in organizing the arrangements for the formal TCC16 meeting and its various components. It is also important to note that the key objective of the TCC16 HOD meeting is to assist in coordinating and organising the work of the TCC16 in light of the new norm of doing business caused by the global COVID-19 pandemic. It is not intended to usurp the proper authorities of the Executive Director and the Acting Chair to confirm and formalise meeting arrangements as stipulated by the WCPFC Rules of Procedure. Members have been flexible in their approach to progressing the Commission's work and this continues to be required as we work together to achieve the necessary TCC outcomes.

Agenda for the Online TCC16 Heads of Delegation Meeting

5. The agenda for the Online TCC16 HOD meeting was circulated on Thursday 27th August under Circular 2020/89 and is set out in *Attachment 1*.

Guidance on the Meeting Format (agenda 2)

6. The Chair's Statement from the WCPFC Online HOD meeting held on 15th July confirmed there was broad understanding among HODs of the limitations of online meetings and the constraints they placed on the participation of CCMs, especially as a result of connectivity issues. The Acting TCC Chair in Circular 2020/88, has recognised that the work of TCC needs to be restructured compared to past practice where we could meet face-to-face. As such the proposed meeting format includes a number of components that is designed to achieve an efficient TCC meeting and allow for effective participation. Under this agenda item, the TCC16 HOD meeting is expected to provide some guidance for each component proposed to support the online TCC16.

Online Discussion Forum

7. The recent SC16 online meeting was the first WCPFC meeting to trial the use of the online discussion forum. The forum was used from August 4 to 10 August 12h00 Pohnpei time primarily to facilitate discussions amongst approved SC16 participants on some agenda items that were omitted from the SC16 abbreviated agenda but required acknowledgment by the SC16 to facilitate their progression in 2020. For online forum topics that also corresponded to an agenda item in the plenary via Zoom, the guidance was that the discussion forum could be used for technical questions and answers to prior to SC16 to efficiently facilitate the plenary discussion. A summary of the online discussion forum was prepared by the Secretariat for the information and noting under SC16 Agenda item "Other Matters". The online discussion forum was also left open for viewing by SC16 participants during the SC16 online meeting but was closed for new comments.

8. In Circular 2020/88, it has been proposed that prior to the formal commencement of plenary, TCC Participants would make use of a TCC16 online discussion forum in place of the regular TCC break-out sessions, to address outstanding issues and help identify recommendations for consideration by plenary via Zoom. The use of the online discussion forum could replicate the work that is regularly undertaken at TCC outside of plenary (e.g., consideration of CNM status, consideration of the work of the SWG, development of the TCC workplan, etc.)

9. On 24 August 2020, a *Draft list of topics for eTCC16 online Discussion Forum* (**WCPFC-TCC16-2020-ODF**) was posted to the TCC16 meeting page. This contains a list of proposed online discussion forum topics for TCC16. Each online discussion forum topic will be opened for discussions as the relevant papers are posted to the TCC16 meeting website commencing from Tuesday 1 September (Pohnpei time). Other discussions can be proposed by CCMs and could address, for example, questions related to the range of annual reports prepared by the Secretariat. It is proposed that all TCC16 online discussion forum topics will be closed at **12h00 on Friday 18 September 2020 (Pohnpei time)**. The Acting TCC Chair or relevant IWG/SWG Chairs', with support from the Secretariat and Rapporteur, will develop a summary of discussions on each topic, and drawing from the

correspondence will propose any draft outcomes for consideration by TCC during the virtual eTCC16 Meeting sessions. Best attempts will be made to circulate this to participants prior to the commencement of the first plenary via Zoom session for TCC.

10. Considering the CCM feedback from the SC16 trial of the online discussion forum, the Secretariat intends to develop enhanced Meeting guidance for WCPFC online meeting participants. This will include guidance on how to access the online discussion forum, and how to subscribe to email notification alerts and the available options to receive alerts, and contacts for assistance with the online discussion forum.

11. Under this sub-agenda item, the TCC16 HOD meeting will be expected to consider the *Draft list of topics for eTCC16 online Discussion Forum* (**WCPFC-TCC16-2020-ODF**) posted on the 24 August and provide some guidance on the particular discussions to occur in the online discussion forum and potential conveners and / or co-conveners to assist in facilitating discussion amongst participants. TCC16 HOD meeting may also seek clarification where required and check that there are not any additional items which should be included.

12. Under this sub-agenda item, the TCC16 HOD meeting is expected to confirm the continued use of the online discussion forum for the TCC16 meeting.

Secure Discussion Forum

13. In Circular 2020/88, it has been proposed that prior to the formal commencement of plenary, TCC Participants would make use of a secure discussion forum to address the dCMR.

14. The *Consultative draft Chairs Proposal for Developing a Provisional Compliance Monitoring Report at TCC16* (**WCPFC-TCC16-2020-09**) posted on the 24 August proposes that TCC's Review of the draft Compliance Monitoring Report could be facilitated through a new "final draft CMR – 2019" list hosted on the WCPFC Intranet. This is similar to the approach in the other online discussion forum and would allow CCMs to submit written comments on the individual potential issues. The starting point for the list of potential issues will be those non-reporting deadline issues raised by the Secretariat in the draft CMR and any others that CCMs formally request to be added to the list. The Secretariat could make this new online facility available when the full draft CMR is issued by **~8 September 2020**. The objective would be for the Acting TCC Chair to facilitate discussion amongst CCMs towards TCC agreed scores based on the Compliance Status Table in CMM 2019-06 Annex I (Compliant, Non-Compliant, Capacity Assistance Needed and CMM Review). The full draft CMR online list will be closed at **12h00 on Friday 18 September 2020 (Pohnpei time)** to give the Acting TCC Chair, with support from the Secretariat, time to prepare draft provisional CMR Appendix 1 and 2 and circulate it for TCC participants to review in advance of start of TCC16 online plenary meeting.

15. The Secretariat can prepare the usual quick guide that is provided to assist CCMs in accessing, reviewing and submitting comments into the secure discussion forum to address the dCMR. Note that because the secure discussion forum to address the dCMR will be hosted on the WCPFC Intranet, it will not be technically feasible for the Secretariat to provide an email alert facility to support this forum (the reasons for this are further

explained in **WCPFC-TCC16-2020-12** *Review of the WCPFC online compliance case file system*).

16. Under this sub-agenda item, the TCC16 HOD meeting will be expected to consider and provide guidance on the proposal to use a secure Discussion Forum to facilitate TCC's review of the draft Compliance Monitoring Report.

Plenary via Zoom

17. In Circular 2020/88, it has been proposed that plenary meeting via Zoom will allow for discussion of outstanding issues and identify recommendations to the Commission based on discussions and input from the various discussion fora. It is expected that the outcomes from the online discussion forum will feed into the plenary sessions so that they can be as expeditious as possible.

18. Under this sub-agenda item, the TCC16 HOD meeting will be expected to consider and provide guidance on the overall meeting format considering the need for an efficient and effective meeting.

Guidance on the TCC16 Provisional Agenda (agenda 3)

Background

19. Rule 2 of the Rules of Procedure (RoP) sets out clearly the procedures on the drawing up of the provisional agenda for a regular session and vests that responsibility in the Executive Director and the Chair of the meeting. The same rule also provides guidance as to what should be included in the provisional agenda. In the absence of specific rules of procedure for the meetings of the subsidiary bodies of the Commission, the RoP apply <u>mutatis mutandis</u> to the proceedings of subsidiary bodies.

20. So, why is the TCC16 HOD meeting required to provide guidance in the setting of the meeting agenda and its content when the RoP is abundantly clear in its guidance as to the process of drawing up the agenda and the content of the agenda?

21. The Chair's Statement from the WCPFC Online HOD meeting held on 15th July confirmed there was broad understanding among HODs of the limitations of online meetings and the constraints they placed on the participation of CCMs, especially as a result of connectivity issues. With respect to the meetings of the subsidiary bodies, HODs appreciated that the subsidiary bodies would be limited in their ability to discuss complex issues and some scaling down of agendas would be necessary. However, there were different views expressed by HODs on scope of the respective agendas, and the scope of agendas for the Commission regular session would need to be set first to further guide what should be included in the agendas for the subsidiary bodies. While it was noted that subsidiary body Chairs should be guided by Commission requirements in drawing up their respective agendas, it was also suggested that there should be a balance struck between the scale of the agendas of the subsidiary bodies and the expected ambition of the Commission for decision-making. HODs agreed that the respective Chair of the meeting concerned, and

the Executive Director should take into account the various perspectives when drawing up meeting agendas.

TCC16 Provisional Agenda

22. On 24 August 2020, a *Consultative draft Provisional Agenda for TCC Electronic Meeting* (**WCPFC-TCC16-2020-02**) was posted to the TCC16 meeting page. Under this agenda item, the TCC16 HOD meeting is expected to consider the Provisional Agenda posted on the 24 August, seek clarification where required and check that there are not any additional items which should be included.

23. Subject to the agreement on the three components that will comprise the TCC arrangements, the TCC16 HOD meeting may also consider and provide some general guidance on the apportioning of the Provisional Agenda amongst the available Plenary via Zoom meeting days for TCC16.

24. Under this agenda Item the TCC16 HOD Meeting would also be expected to consider and provide some guidance on the Process to develop and finalise the Provisional Compliance Monitoring Report Executive Summary. The *Consultative draft Chairs Proposal for Developing a Provisional Compliance Monitoring Report at TCC16* (**WCPFC-TCC16-2020-09**) posted on the 24 August proposes that the Acting TCC Chair will work with the Secretariat to develop an initial draft of the Provisional CMR Executive Summary for consideration by TCC participants. This year the Provisional Compliance Monitoring Report will consist of four parts:
    - Executive Summary
    - Appendix 1 – Traffic Light pCMR matrix
    - Appendix 2 – Tabular version of pCMR outcomes
    - Appendix 3 – aggregated tables based on templates in Annex III of CMM 2019-06

    Best efforts will be made to provide time in the schedule to allow for a period of review by TCC participants.

25. The TCC16 HOD meeting is expected to provide some guidance on the process to finalise the Provisional CMR Report and Executive Summary, for example through a dedicated secure online discussion forum, email correspondence and/or if secure zoom session/s could be considered.

26. Further discussion is needed amongst Members about the Process for TCC to consider the aggregated summary tables alongside the draft CMR (the new feature of CMM 2019-06, specifically paragraphs 33 and 34 of CMM 2019-06). It is important that we assess their use and utility as we evaluate the new approach that was agreed to at WCPFC16. The TCC16 HOD Meeting would also be expected to consider and provide some guidance on whether criteria be proposed/pre-agreed for "identifying implementation challenges for a CCM" and "identify systemic failures to take flag state action in relation to alleged violations"? and how the outcome of TCCs consideration of paragraph 33 and 34 of CMM 2019-06 would be reflected in the Provisional CMR Executive Summary?

Guidance on the Meeting Dates and Scheduling (agenda 4)

27. The Chair's Statement from the WCPFC Online HOD meeting held on 15th July has confirmed the agreement of HODs to the use of Zoom as the online platform for WCPFC meetings. Under this agenda item, the TCC16 HOD meeting is expected to provide some guidance on the dates and scheduling for the TCC Meetings.

   Meeting Dates

28. Consistent with the Commission's intersessional decision in Circular 2020/84 of 11 August 2020, the Commission formally has decided to convene TCC16 meeting electronically between the 23rd to 29th September 2020. These dates include a weekend, Saturday (26th) and Sunday (27th). The TCC16 HOD meeting will be expected to provide some guidance on whether the one or both these days will be considered plenary meeting days for TCC16 based on expectations of what is to be achieve from the meeting.

29. Consistent with past practice, the TCC16 HOD meeting will be expected to provide some guidance on whether a second TCC16 HOD meeting should be scheduled to occur on Tuesday 22 September, immediately prior to TCC plenary via Zoom. Such a decision could provide an opportunity for TCC16 HODs to consider and provide guidance on how the outputs from the online discussion forums would be considered during TCC plenary via Zoom. It could also provide an opportunity for TCC16 HOD to further consider and reflect on the process to develop and finalise the Provisional Compliance Monitoring Report including the Executive Summary and provide guidance prior to the commencement of the first plenary via Zoom session for TCC.

   Scheduling

30. The scheduling of plenary via Zoom has not been an easy matter for WCPFC in light of the multiple time zones involved given the geographical spread of the locations of the CCMs. This is not an easy choice to make by anyone, in particular the Secretariat, so the TCC16 HOD meeting will be expected to provide some guidance on these important meeting logistical issues. For the meeting's reference, a time zone sheet is provided in *Attachment 2* to indicate the times in other major cities of some CCMs compared to the time (hour) in Pohnpei as indicated in the first column under the heading Palikir, the seat of the FSM national government in Pohnpei. The time (hour) in Ottawa is indicated in the 3rd column under the heading Washington DC. This is where the Acting TCC Chair is based.

31. Some CCMs have suggested that the length of daily meeting sessions be limited to 3 hours in duration. The recent SC16 online meeting was held in a 1.5 hour morning session and a 2-hour afternoon session per day with a half hour break in between (4 hours in total). The TCC16 HOD meeting will be expected to consider and provide guidance on this.

Other business (agenda 5)

32. Under this agenda item, the TCC16 HOD participants may raise other matters.

**Online TCC Heads of Delegation Meeting to Consider and Provide Guidance on
Meeting Arrangements for the Online TCC16.**

Held online on Saturday 5 September 2020 from 10.00am to 1.00pm Pohnpei time
(Friday 4 September 2020 2300h – Saturday 5 September 0200h UTC)

Agenda

1. **Opening of Meeting.**

2. **Guidance on the Meeting Format.**
    a. Online Discussion Forum
    b. Secure Discussion Forum
    c. Plenary via Zoom

3. **Guidance on the TCC16 Provisional Agenda.**

4. **Guidance on the Meeting Dates and Scheduling.**
    a. Meeting Dates
    b. Scheduling

5. **Other business.**

6. **Close of Meeting.**

Time Zones Sheet

UTC-time	Palikir	Seoul	Washington DC / Ottawa	Brussels	Honolulu	Tokyo	Beijing	Wellington	Canberra	Jakarta
Tuesday, 14 July 2020, 18:00:00	Wed 05:00	Wed 03:00	Tue 14:00 *	Tue 20:00 *	Tue 08:00	Wed 03:00	Wed 02:00	Wed 06:00	Wed 04:00	Wed 01:00
Tuesday, 14 July 2020, 19:00:00	Wed 06:00	Wed 04:00	Tue 15:00 *	Tue 21:00 *	Tue 09:00	Wed 04:00	Wed 03:00	Wed 07:00	Wed 05:00	Wed 02:00
Tuesday, 14 July 2020, 20:00:00	Wed 07:00	Wed 05:00	Tue 16:00 *	Tue 22:00 *	Tue 10:00	Wed 05:00	Wed 04:00	Wed 08:00	Wed 06:00	Wed 03:00
Tuesday, 14 July 2020, 21:00:00	Wed 08:00	Wed 06:00	Tue 17:00 *	Tue 23:00 *	Tue 11:00	Wed 06:00	Wed 05:00	Wed 09:00	Wed 07:00	Wed 04:00
Tuesday, 14 July 2020, 22:00:00	Wed 09:00	Wed 07:00	Tue 18:00 *	Wed 00:00 *	Tue 12:00	Wed 07:00	Wed 06:00	Wed 10:00	Wed 08:00	Wed 05:00
Tuesday, 14 July 2020, 23:00:00	Wed 10:00	Wed 08:00	Tue 19:00 *	Wed 01:00 *	Tue 13:00	Wed 08:00	Wed 07:00	Wed 11:00	Wed 09:00	Wed 06:00
Wednesday, 15 July 2020, 00:00:00	Wed 11:00	Wed 09:00	Tue 20:00 *	Wed 02:00 *	Tue 14:00	Wed 09:00	Wed 08:00	Wed 12:00	Wed 10:00	Wed 07:00
Wednesday, 15 July 2020, 01:00:00	Wed 12:00	Wed 10:00	Tue 21:00 *	Wed 03:00 *	Tue 15:00	Wed 10:00	Wed 09:00	Wed 13:00	Wed 11:00	Wed 08:00
Wednesday, 15 July 2020, 02:00:00	Wed 13:00	Wed 11:00	Tue 22:00 *	Wed 04:00 *	Tue 16:00	Wed 11:00	Wed 10:00	Wed 14:00	Wed 12:00	Wed 09:00
Wednesday, 15 July 2020, 03:00:00	Wed 14:00	Wed 12:00	Tue 23:00 *	Wed 05:00 *	Tue 17:00	Wed 12:00	Wed 11:00	Wed 15:00	Wed 13:00	Wed 10:00
Wednesday, 15 July 2020, 04:00:00	Wed 15:00	Wed 13:00	Wed 00:00 *	Wed 06:00 *	Tue 18:00	Wed 13:00	Wed 12:00	Wed 16:00	Wed 14:00	Wed 11:00
Wednesday, 15 July 2020, 05:00:00	Wed 16:00	Wed 14:00	Wed 01:00 *	Wed 07:00 *	Tue 19:00	Wed 14:00	Wed 13:00	Wed 17:00	Wed 15:00	Wed 12:00
Wednesday, 15 July 2020, 06:00:00	Wed 17:00	Wed 15:00	Wed 02:00 *	Wed 08:00 *	Tue 20:00	Wed 15:00	Wed 14:00	Wed 18:00	Wed 16:00	Wed 13:00
Wednesday, 15 July 2020, 07:00:00	Wed 18:00	Wed 16:00	Wed 03:00 *	Wed 09:00 *	Tue 21:00	Wed 16:00	Wed 15:00	Wed 19:00	Wed 17:00	Wed 14:00
Wednesday, 15 July 2020, 08:00:00	Wed 19:00	Wed 17:00	Wed 04:00 *	Wed 10:00 *	Tue 22:00	Wed 17:00	Wed 16:00	Wed 20:00	Wed 18:00	Wed 15:00
Wednesday, 15 July 2020, 09:00:00	Wed 20:00	Wed 18:00	Wed 05:00 *	Wed 11:00 *	Tue 23:00	Wed 18:00	Wed 17:00	Wed 21:00	Wed 19:00	Wed 16:00
Wednesday, 15 July 2020, 10:00:00	Wed 21:00	Wed 19:00	Wed 06:00 *	Wed 12:00 *	Wed 00:00	Wed 19:00	Wed 18:00	Wed 22:00	Wed 20:00	Wed 17:00
Wednesday, 15 July 2020, 11:00:00	Wed 22:00	Wed 20:00	Wed 07:00 *	Wed 13:00 *	Wed 01:00	Wed 20:00	Wed 19:00	Wed 23:00	Wed 21:00	Wed 18:00
Wednesday, 15 July 2020, 12:00:00	Wed 23:00	Wed 21:00	Wed 08:00 *	Wed 14:00 *	Wed 02:00	Wed 21:00	Wed 20:00	Thu 00:00	Wed 22:00	Wed 19:00