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OVERVIEW OF COMPLIANCE MONITORING SCHEME MATTERS FOR TCC16

WCPFC-TCC16-2020-08A
17 September 2020

Paper prepared by the Secretariat

Purpose

1. The paper provides an overview report of the WCPFC online reporting systems that support the Compliance Monitoring Scheme. It also includes some observations from the Secretariat on this year's draft Compliance Monitoring Report (CMR). There are five related papers that cover the specific topics of:

- List of Capacity Assistance Requests and Capacity Development Plan (TCC16-2020-08B);
- Summary Tables of Flag CCM responses to alleged infringements notified in the WCPFC online compliance case file system 2020 (TCC16-2020-dCMR02);
- Update on submission of Annual Report Part 1 and Part 2 (TCC16-2020-IP01);
- Update on Streamlining of Annual Reporting Initiatives (TCC16-2020-10); and
- Review of the WCPFC online Compliance Case File System (TCC16-2020-12).

2. TCC16 is invited to consider this paper together with the above related papers on Compliance Monitoring Scheme matters and as appropriate, make necessary recommendations to WCPFC17.

Introduction

3. This paper was also prepared against the backdrop of the COVID-19 global pandemic, which has necessitated the Commission's decision not to have a physical meeting for the 16th Regular Session of the TCC. As documented in this overview, much of the work of the Secretariat through 2020 was progressed electronically.

4. The overview report is structured as follows:

- Introduction
- Background
- 2020 CCM Annual Reports and draft CMR submissions
- WCPFC Online Reporting Systems used to support the Compliance Monitoring Scheme

- Scope of the CMR 2011 - 2020
- WCPFC Compliance Monitoring Scheme outcomes by applicable CCMs under the Compliance Monitoring Scheme (CMS) 2013-2019
- Secretariat Observations
- Recommendation
- Annex
 - Annex 1 - Updated template for 2020 draft Compliance Monitoring Report (based on CMM 2019-06 and WCPFC11 agreed template (Attachment W of WCPFC11 Summary Report))
 - Annex 2 - WCPFC16 Summary Report Attachment R List of Obligations to be reviewed in 2020 Compliance Monitoring Report (covering 2019 activities)

Background

5. The Commission has been implementing the WCPFC Compliance Monitoring Scheme (CMS) since 2011. Its current purpose is described in paragraphs 1 and 2 of CMM 2019-06 *Conservation and Management Measure for the Compliance Monitoring Scheme*, as follows:

1. *The purpose of the WCPFC Compliance Monitoring Scheme (CMS) is to ensure that Members, Cooperating Non-Members and Participating Territories (CCMs) implement and comply with obligations arising under the Convention and conservation and management measures (CMMs) adopted by the Commission. The purpose of the CMS is also to assess flag CCM action in relation to alleged violations by its vessels, not to assess compliance by individual vessels.*

2. *The CMS is designed to:*

- (i) *assess CCMs' compliance with their WCPFC obligations;*
- (ii) *identify areas in which technical assistance or capacity building may be needed to assist CCMs to attain compliance;*
- (iii) *identify aspects of CMMs which may require refinement or amendment for effective implementation;*
- (iv) *respond to non-compliance by CCMs through remedial and/or preventative options that include a range of possible responses that take account of the reason for and degree, the severity, consequences and frequency of non-compliance, as may be necessary and appropriate to promote compliance with CMMs and other Commission obligations¹;*
and
- (v) *monitor and resolve outstanding instances of non-compliance by CCMs with their WCPFC obligations.*

Footnote 1: In accordance with the process for identifying corrective action, as provided for in paragraph 46(iv).

6. The Compliance Monitoring Scheme was reviewed by Members during 2017 and 2018.¹ In April 2017, an Independent Panel was appointed and the final report from the Panel was issued

¹ A background note about the Review of the CMS can be found at this link: <https://www.wcpfc.int/node/31880>

on 7 March 2018 for consideration by Members (TCC14-2018-10C). At WCPFC14 (2017), the Commission established an Intersessional Working Group on the Review of the Compliance Monitoring Scheme (CMS IWG) to facilitate consideration of the Report from the Independent Review of the CMS and develop a proposed CMM for the Compliance Monitoring Scheme for consideration at WCPFC15 (2018). At WCPFC15 the Commission agreed to CMM 2018-07 and within Section IX of the CMM, Members committed to a series of future work tasks to enhance the CMS.

7. At WCPFC16 the Commission agreed to CMM 2019-06, which replaced CMM 2018-07 and is effective until December 2021. The key changes include the removal of “Flag State Investigation” Compliance Status from the Table in Annex I of CMM 2019-06, and in the development of the Provisional Report, TCC shall not assess compliance by individual vessels (paragraph 32 (ii) of CMM 2019-06). The revised CMM includes clarifiers about how the aggregate report (drawing from the online compliance case file system) should be structured and its intended purpose (see paragraph 26(ii) and Annex II of CMM 2019-06). Paragraphs 33 and 34 of CMM 2019-06 provide direction to TCC on how the aggregate report described in paragraph 26 (ii) is to be considered by TCC alongside the draft CMR. The revised CMM also directs that a new section to provide aggregate data based on the online Compliance Case File system will be included in the Provisional CMR(see paragraph 38 and Annex III of CMM 2019-06).

2020 CCM Annual Reports and draft CMR submissions

8. Key dates for CCM annual reporting, draft CMRs and the associated WCPFC online systems in 2020 were as follows:

- i. **7 February:** Fish/did not fish template (CMM 2018-06 09) sent out to CCMs, which is more than five (5) months in advance of the reporting deadline of 1 July;
- ii. **4 March:** A questionnaire was issued via *WCPFC Circular 2020/13* to facilitate the collation of CCM feedback in support of the review of the WCPFC online Compliance Case file system;
- iii. **13 March:** *2020 Suggested Checklist for Reporting Requirements and Annual Report Part 1 updated template* was published to WCPFC website;
- iv. **13 March:** Annual Report Part 2 online system was made available for CCMs use, which is over four (4) months in advance of the reporting deadline of 1 July. (Notification to CCMs was via *WCPFC Circular 2020/16* and this included a 24-page quick guide to assist CCMs with completing Annual Report Part 2 and Managing Compliance Cases. CCMs were also reminded that the list of significant dates, which includes key reporting deadlines, is maintained through the calendar on the website. CCMs were also advised of the commencement of the trial of WCPFC Annual Catch and Effort (ACE) tables and were introduced to the streamlined Annual Report Part 2 online report format);
- v. **24 April:** CCMs were advised via *Circular 2020/30* that additional 2017, 2018 and new 2019 alleged infringements based on ROP observer data that had been included in the online Compliance Case File system and that five additional questions had been included in the Annual Report Part 2 to address an inadvertent omission for reporting under CMM 2017-04 *Marine Pollution*;

- vi. **4 June:** A questionnaire was issued to CCMs via *Circular 2020/50* to facilitate CCM feedback on Streamlining Annual Reporting 2020;
- vii. **1 July:** Deadline for Annual Report Part 2 and Fish/did not fish template submissions from CCMs (CMM 2018-06 09);
- viii. **12 July:** Deadline for Annual Report Part 1 submissions from CCMs;
- ix. **28 July:** Issuance by the Secretariat and SPC-OFP of a SC16 information paper (SC16-2020-GN-IP-07) providing an update on, and a summary of, the CCM feedback received in response to the delivery of two streamlining of annual reporting initiatives that were first implemented in 2020. These were the trial of WCPFC Annual Catch and Effort Estimate (ACE) Tables which allowed CCMs, through SC and TCC, to explore a streamlining suggestion for the Annual Report Part 1, and the implementation of some streamlining of Annual Report Part 2, including the “hold on file” of CCMs responses to implementation-type obligations that applied in prior years. In addition, this paper also responded to the Commission’s tasking for the Secretariat to prepare a paper in conjunction with SPC-OFP that reviews the experiences and outcomes of the trial ACE Tables and its cost and resources implications for SC16 and TCC16 consideration and advice to WCPFC17 (TCC15 Summary Report paragraph 142). On **24 August** the paper with updates on the SC16 outcomes was tabled as a TCC16 paper (TCC16-2020-10).
- x. **30 July:** The Secretariat issued draft CMRs for thirty-seven (37) CCMs and one collective group of Members for individual CCM review. The online system for CMR was updated by the Secretariat considering the WCPFC16 agreed list of obligations and the requirements of CMM 2019-06. In response to the requirement of CMM 2019-06 paragraph 26 (ii), CCMs were also advised that *the aggregate report providing a summary of flag CCM responses to alleged infringements notified in WCPFC online compliance case file system* was posted to the secure pages of the WCPFC website (TCC16-2020-dCMR02). CCMs were also advised that additional 2017, 2018 and new 2019 alleged infringements based on ROP observer data that had been included in the online Compliance Case file system. (Notification to CCMs was via *WCPFC Circular 2020/76* - which included an 18-page quick guide to assist CCMs with submitting replies to the draft CMR online and Managing Compliance Cases, and with accessing the aggregate report providing a summary of flag CCM responses to alleged infringements notified in WCPFC online compliance case file system);
- xi. **25 August:** The Review of the online Compliance Case File system was tabled as TCC16-2020-12. The paper presents the findings of the review of the WCPFC online Compliance Case file system (CCFS) commissioned by the Secretariat in 2020.
- xii. **26 August:** The cut-off date for CCM replies to their draft CMR which allows for the CCM responses to be considered in the full draft CMR prepared by the Secretariat for consideration by TCC (refer to *CMM 2019-06 para 28*); and

- xiii. **8 September:** The full draft CMR was made available for all CCMs review, in advance of TCC16 (Notification to CCMs was via *WCPFC Circular 2020/99*). The Secretariat will separately post any additional CCM replies received on the draft CMR prior to the start of TCC16 (refer to *CMM 2019-06 para 31*).

9. In accordance with CMM 2019-06 paragraph 28, the Secretariat does intend to issue a revision 1 of the aggregate report drawing from the WCPFC online Compliance Case File system as TCC16-2020-dCMR02_rev1 prior to the commencement of TCC16. At the time of issuing this paper, the responses from CCMs up to and including the date of 8th September had been reviewed by the Secretariat, however the development of the updated paper format was in progress. While the new expanded format for the aggregate tables is supported by a database, it presently is a large undertaking, because it is a manual process to transfer the relevant tabular outputs into the paper format of TCC16-2020-dCMR02. Note that the aggregate summary tables were a topic that is considered in the Report from the Review of the WCPFC online Compliance Case File system. Further guidance from CCMs would assist the Secretariat to identify ways to simplify this process (refer to TCC16-2020-12 page 30).

WCPFC Online Reporting Systems used to support the Compliance Monitoring Scheme

10. As has been the case since 2013, the WCPFC Compliance Monitoring Scheme continues to be supported by the WCPFC online reporting systems.

11. In 2020, the WCPFC online reporting systems used to support the Compliance Monitoring Scheme was comprised of nine (9) lists that are hosted on the WCPFC Intranet using a Microsoft Sharepoint web application platform namely:

- i. **Addressing CMR-2018 Issues:** This list is part of the 2020 Annual Report Part 2 and was relevant to only those CCMs who had a score of “Non-Compliant”, “Priority Non-Compliant”, “Flag State Investigation” or “Capacity Assistance Needed” in the Final CMR Report adopted by WCPFC16. CMM 2019-06 paragraph 45 says: *“Each CCM shall include, in its Part II Annual Report, any actions it has taken to address non-compliance identified in the Compliance Monitoring Report from previous years.”*
- ii. **Annual Reports Part 2 (2019 Specific):** this online list contains specific reporting requirements related to the 2019 reporting year. Substantive answers are expected from CCMs for new implementation-type obligations that applied for the first time in 2019. In response to questions on Quantitative Limits, where applicable in addition to reporting on compliance with the limit, CCMs are expected to provide verifiable data confirming a quantitative limit was not exceeded. Substantive reports are also expected for questions related to implementation of CMM 2013-07 and certain required reports on MCS and fishing activities related to 2019. Other questions are included within a reporting checklist section and CCMs are requested where applicable to confirm that a required report or data submission has been made (eg in Annual Report Part 1) or certain WCPFC online published content has been checked. Within this list, the previous year’s approach to pre-populate “N/A” (Not Applicable) answers in Annual Report Part 2 has again been applied for SIDS CCMs in respect of certain obligations that the Secretariat understands do not apply to small island developing States, and for

those CCMs who in 2019 did not have any vessels listed on the RFV and in respect of obligations only applying to flag CCMs.

- iii. **Annual Reports Part 2 (Prior Year Obligations):** contains only implementation-type obligations that CCMs have reported on previously. This list was pre-populated by the Secretariat based on CCM responses submitted in 2019 (covering 2018 activities). This part of the Annual Report Part 2 is intended to comprise the “hold on file” of all CCMs responses to the implementation-type obligations that applied in prior years. CCMs were expected to check and as needed update, their national statements of implementation and confirm that the information therein was current for this reporting year.
- iv. **MTU Audit Inspections:** This list is relevant to CMM 2014-02 9a VMS SSPs 7.2.2 and CMM 2014-02 9a VMS SSPs 7.2.4 (Annual Report (RY 2019) Q-027(R)). All CCMs that answered “YES” to one or both questions in Annual Report Part 2 should have completed this section. This list can be accessed by CCMs throughout the year, and is not time-limited;
- v. **01-July-2020 Reporting Deadline Checklist:** The checklist is designed as a tool to allow CCMs to confirm to the Secretariat that they have completed one or more of the relevant annual reporting online lists for Annual Report Part 2. It also reminded CCMs about CMM 2018-06 paragraph 9 reporting requirement (Fished/Did Not Fish report) which was also due on 1 July 2020, and which is an important report for draft CMR reviews;
- vi. **WCPFC Online Compliance Case File system:** This system is to track individual alleged violations and flag CCM responses (for further details please refer to TCC16-2020-dCMR02); and
- vii. **Compliance Monitoring Reports (2019):** The template was based on the WCPFC11 agreed template and CMM 2019-06 (Annex I presents the template for 2020 draft Compliance Monitoring Report). CCM reported information that is completed in the online reporting system for Annual Report Part 2 (YES/NO/not applicable and any explanations) and online reporting system for submitting replies to the draft CMR, assists the Secretariat with accurately transferring the CCM reported information into the full Compliance Monitoring Report (2019). The Compliance Monitoring Report template (2019) also collates information CCMs have submitted as part of draft CMR replies of Capacity Development Plans as stipulated under CMM 2019-06 paragraphs 14 - 15.
- viii. **CMR Potential Issues – 2019:** Provides for each relevant CCM the list of potential issues identified by the Secretariat in the initial draft CMR. This was available to receive CCMs replies from 30 July – 25 August 2020.
- ix. **Full dCMR potential issues – 2019:** Provides the list of all potential issues in the full draft CMR. This was made available from 8 September 2020 and is intended to be used by the Secretariat to record any updates from the Secretariat and any additional information that CCMs may provide after 8 September 2020.

12. **Annex I** to this paper provides the template for 2020 draft Compliance Monitoring Report. **Annex II** to this paper provides the list of CMM paragraphs that were included in the 2019 draft CMR.

13. In 2020, the Secretariat has also continued the practice of using the individual CCM portal page on the secure section of the WCPFC website ensuring each CCM has access to their own CCM portal, and not that of others. This facilitates the dissemination of additional supporting information relevant to draft CMRs. As in past years, the Secretariat commenced posting supporting information relevant to draft CMR in March 2020 and periodically throughout 2020 (*WCPFC Circular 2020/16*).

14. Additionally, in 2020, relevant CCMs were able to access two online technical solutions that should support and assist flag CCMs with routinely checking the compliance of their flagged vessels with VMS and high seas transshipment reporting. These were:

i. As part of the VMS reporting status tool, the "CCM Vessels" VMS Reporting Status report provides relevant flag CCMs an automated solution in response to the WCPFC14 task, as a "CCM Vessels" VMS Reporting Status report. The "CCM Vessels" VMS Reporting Status report is delivered to relevant flag CCMs through their CCM portal. The Status report provides CCMs with a daily snap-shot of whether each of their vessels on the Record of Fishing Vessels is expected to be meeting its Commission VMS requirements through the FFA VMS (based on FFA Good Standing List) or if not, whether WCPFC has completed the necessary steps to activate the vessels MTU to report to the Commission VMS, and if so provide a generic vessel status for each of their vessels and a daily VMS-reporting status (how many position reports are transmitted by each vessel each day for the past 14 days). Authorised CCM users are also able to access "CCM Vessels" VMS Reporting Status report for their flagged vessels on the secure section of the WCPFC website: <https://www.wcpfc.int/ccm-vessel-monitoring-system> CCMs are also able to download a copy of the relevant report in CSV format.

ii. Online access to Authorised Flag CCM users to their high seas transshipment notifications and high seas transshipment declarations as received by WCPFC, including those reports that have been submitted using the WCPFC High Seas Transshipment E-Reporting System APP - this is available to authorized flag CCM users at link <https://www.wcpfc.int/ccm-transshipment>. Authorised flag CCM users only have access to the submissions made by or on behalf of their vessels, and not those submitted by another CCM.

15. The successful delivery of the WCPFC online systems continue to be a result of the combined efforts of the WCPFC Secretariat Compliance and IT staff, IMS contractor Taz-E P/L and website contractor Eighty Options. The Secretariat also acknowledges the contribution of SPC-OFP colleagues in 2019/2020 who continued to provide considerable assistance to the Secretariat so that ROP-data could continue to be used to support the online Compliance Case File system.

16. In 2020, the Secretariat also received assistance from contractor Kapiti Apps, specifically with the Review of the online Compliance Case File system and continued to provide support to the Secretariat for the WCPFC high seas transshipment electronic reporting application.

Scope of the CMR 2011 - 2020

17. One of the key inputs to the CMS since its implementation has been the draft CMR which the Secretariat is tasked to prepare and issue around late July/early August each year. In the early years of CMS implementation (2011 -2013), the scope of the draft CMR was a compilation of information received through Part 1 and 2 Annual Reports, other reporting obligations, the transshipment program, the regional observer program, the Vessel Monitoring System and any other data collection programs of the Commission.

18. Since 2014, the scope of the draft CMR was expanded to reflect what was contained in paragraph 22 of CMM 2017-07:

“22. Prior to the annual meeting of the TCC, the Executive Director shall prepare a Draft Compliance Monitoring Report (the Draft Report) that consists of individual draft Compliance Monitoring Reports (dCMRs) concerning each CCM and a section concerning collective obligations arising from the Convention or CMMs related to fishing activities managed under the Convention. Each dCMR shall reflect information relating to the relevant CCM’s implementation of obligations as reflected in paragraph 3 or modified by paragraph 15, as well as any potential compliance issues, where appropriate. Such information shall be sourced from reports submitted by CCMs as required in CMMs and other Commission obligations, such as Parts 1 and 2 of the Annual Reports as well as information available to the Commission through other data collection programs, including but not limited to, high seas transshipment reports, regional observer program data and information, Vessel Monitoring System information, High Seas Boarding and Inspection Scheme reports, and charter notifications; and where appropriate, any additional suitably documented information regarding compliance during the previous calendar year. The Draft Report shall present all available information relating to each CCM’s implementation of obligations for compliance review by TCC.”

19. Since 2019, the scope of the draft CMR is as follows...

“22. Prior to the annual meeting of the TCC, the Executive Director shall prepare a Draft Compliance Monitoring Report (the Draft Report) that consists of individual draft Compliance Monitoring Reports (dCMRs) concerning each CCM and a section concerning collective obligations arising from the Convention or CMMs related to fishing activities managed under the Convention.

23. Each dCMR shall reflect information relating to the relevant CCM’s implementation of obligations as identified under paragraph 6 as well as any potential compliance issues, where appropriate. Such information shall be sourced from reports submitted by CCMs as required in CMMs and other Commission obligations, such as:

i information available to the Commission through data collection programmes, including but not limited to, high seas transshipment reports, Regional Observer Programme data and information, Vessel Monitoring System information, High Seas Boarding and Inspection Scheme reports, and charter notifications;

- ii information contained in an Annual Report which is not available through other means; and
- iii where appropriate, any additional suitably documented information regarding compliance during the previous calendar year.

24. The Draft Report shall present all available information relating to each CCM’s implementation of obligations for compliance review by TCC.”

20. In response to the scope of the draft CMR, the breadth and depth of analysis undertaken by the Secretariat in preparation of draft CMRs has been expected to incrementally expand over the years of implementing the Compliance Monitoring Scheme. The Secretariat’s response to the draft CMR task has included careful work planning and efforts to build and enhance WCPFC IMS hosted databases for centralizing records of CMM reporting and development of integrated MCS analytical tools at the Secretariat.

21. **Table 1** below provides as a comparison, the key statistics related to each year’s draft CMR report. **Annex II** provides the list of the CMM paragraphs and Convention provisions which were agreed by WCPFC16 to be included in the full draft CMR in 2020.

Table 1. Summary of key statistics for the draft CMRs prepared by WCPFC Secretariat 2011 - 2020

Date of CMR review	CMS CMM ref.	Covering year	# of draft CMR sections	Number of CMMs which were covered by the draft CMR	# CCMs	Rows per CCM in draft CMR	Total number of rows for full draft CMR
2011	2010-03	2010	5	14 + Scientific Data to be Provided <i>(list by Secretariat and guided by para 3 of CMM 10-03)</i>	37	75	2775
2012	2011-06	2011	5	14 + Scientific Data to be Provided <i>(list by Secretariat and guided by para 3 of CMM 11-06)</i>	33	74	2442
2013	2012-02	2012	5	17 + Scientific Data to be Provided <i>(list by Secretariat and guided by para 3 of CMM 12-02)</i>	39	62	2418 (1048 were “applicable”)
2014	2013-02	2013	8	25 CMMs, Convention and Scientific Data to be Provided <i>(list by Secretariat and guided by para 3 of CMM 13-02)</i>	38	132	5019 (2300 were “applicable”)
2015	2014-07	2014	7	13 CMMs, Convention and Scientific Data to be Provided <i>(Commission agreed 3-year multi-year list of obligations to be assessed in CMR)</i>	36	107 -111	3861 (1671 were “applicable”)
2016	2015-07	2015	8	19 CMMs, Convention (4) and Scientific Data to be Provided (4) <i>(Commission agreed 3-year multi-year list of obligations to be assessed in CMR)</i>	37	120	4442 (1879 were “applicable”)

Date of CMR review	CMS CMM ref.	Covering year	# of draft CMR sections	Number of CMMs which were covered by the draft CMR	# CCMs	Rows per CCM in draft CMR	Total number of rows for full draft CMR
2017	2015-07	2016	8	23 CMMs, Convention (6) and Scientific Data to be Provided (4) <i>(Commission agreed 3-year multi-year list of obligations to be assessed in CMR)</i>	37	124	4590 (2017 were “applicable”)
2018	2017-07	2017	8	12 CMMs and Scientific Data to be Provided (4) <i>(WCPFC14 agreed to list of obligations for CMR)</i>	37	91	3369 (1422 were “applicable” of which 29% were section vii issues)
2019	2018-07	2018	4	12 CMMs and Scientific Data to be Provided (4) <i>(WCPFC15 agreed to list of obligations for CMR)</i>	36	83	3071 (1379 were “applicable” of which 27% were report deadline issues)
2020	2019-06	2018	4	12 CMMs and Scientific Data to be Provided (4) <i>(WCPFC16 agreed to list of obligations for CMR)</i>	37	85	3146 (1390 were “applicable” of which 26% were report deadline issues)

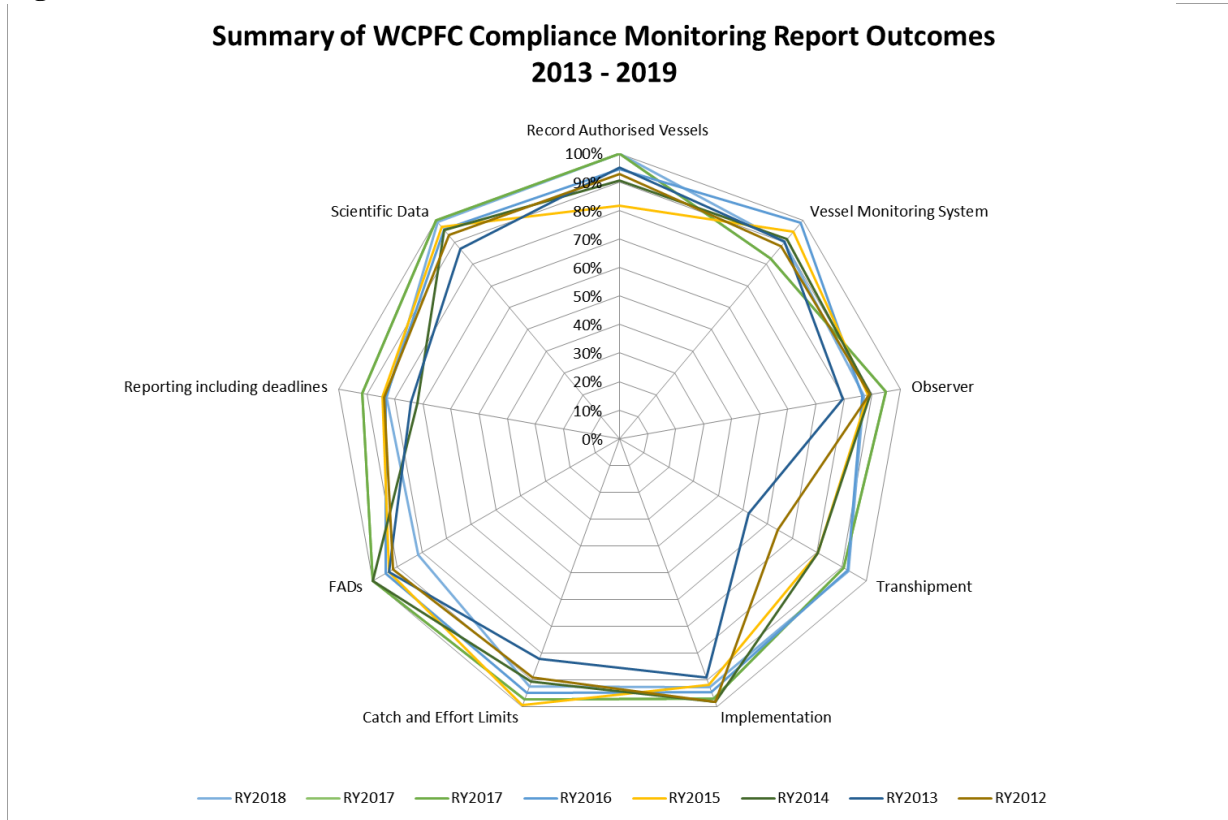
WCPFC Compliance Monitoring Scheme outcomes by applicable CCMs under the Compliance Monitoring Scheme (CMS) 2013-2019

22. Since 2018, the Secretariat has included ‘spider chart’ presentations of the CMR outcomes. Figure 1 below, is based on a similar graphic used in IOTC. The chart summarizes the result of evaluations of the obligations under the CMS since 2013 (covering reporting year 2012 (RY2012) to RY 2018)). This spider chart represents the proportion of applicable CCMs which were scored as having fully implemented an obligation in the final CMR for each of the relevant obligations included in the category. “Fully Implemented” means the score for a CCM for the obligation that was not Flag State Investigation, Capacity Assistance Needed, Non-Compliant nor Priority Non-compliant.

23. Figure 1 shows a general trend of improvement over time in implementation by applicable CCMs with the various groups of obligations included in the categories of obligations as evaluated by the Commission in the CMS. For example, there were general improvements over time by applicable CCMs in the outcomes from the CMS for transshipment-related obligations, Record of Fishing Vessels and Scientific Data decision. There has been some improvement, but applicable CCMs are facing ongoing challenges in meeting other reporting obligations including deadlines.

24. In each of this year’s regular Annual Report on MCS programmes (WCPFC-TCC16-2020-RP01 – RP06), the Secretariat has again included topic specific spider charts to demonstrate trends in the outcomes from the Compliance Monitoring Scheme.

Figure 1



****The % value shown is an average of the proportion of applicable CCMs which were assessed to have “fully implemented” the group of obligations within that category across the final CMR scores e.g. 100% = in that reporting year, all CCMs to whom the relevant group of obligations within that category were applicable, were assessed by the Compliance Monitoring Scheme to have fully implemented the obligations. The proportion of these scores amongst the applicable CCMs may differ amongst the various obligations within that category e.g. some obligations could have 100% compliant scores for applicable CCMs and others could include 30%). The obligations were for: Record of Authorized Vessels: CMM 2009-01, CMM 2014-03, CMM 2013-10, CMM 2013-03 and CMM 2018-05; Vessel Monitoring System: CMM 2007-02 and CMM 2014-02; Observers: includes coverage requirements in CMM 2007-01 and other CMMs; Transshipment: CMM 2009-06; Implementation: Various obligations that involve CCMs undertaking implementation (CMM 2013-05, CMM 2006-08) Catch and effort limits: includes most CMR section (i)/quantitative limit requirements where there is a clear catch, effort and/or capacity limit; FAD: FAD provisions - generally from the tropical tuna CMM and includes both reporting and FAD use restrictions; Scientific data: Decision on scientific data submission obligations; Reporting: All reporting (CMR section vii) and other reporting requirements in various CMMs.**

Secretariat Observations

25. The Secretariat makes the following observations on the CMS:

- a. In 2020, the Compliance Case File system has continued to expand with additional Article 25(2) and updated ROP data covering 2017/19 periods;
- b. The preparation and posting to CCM portals of WCPFC VMS reporting supporting files, supplemented by the launch in April 2020 of the "CCM Vessels" VMS Reporting Status report as part of VMS Reporting Status Tool does support improved communications between the Secretariat and relevant flag CCMs regarding the VMS reporting status for their vessels;
- c. The content and depth of analysis undertaken by the Secretariat in preparation of draft CMRs has been maintained and was supported by previous years and 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;
- d. In response to the tasks in CMM 2019-06, and its earlier iterations, the Secretariat MCS/compliance staff carefully structure and manage their work program and timelines during the period of February through the end of September, to meet the specified draft CMR deadlines and TCC annual meeting commitments and deadlines;
- e. The new expanded format for the aggregate tables, while supported by a database, presently is a significant undertaking for the Secretariat, because it currently is a manual process to transfer the relevant tabular outputs into the paper format of TCC16-2020-dCMR02. Note that the aggregate summary tables are a topic that is considered in the Report from the Review of the WCPFC online Compliance Case File system. Further guidance from CCMs would assist the Secretariat to identify ways to simplify this process (refer to TCC16-2020-12 page 30);
- f. The delivery by the Secretariat of the streamlined Annual Report Part 2 incorporating the (prior year obligation list), does require additional preparations by the Secretariat each year as part of Annual Report Part 2 online template preparations, but was an initiative that received support from all 19 CCMs that responded to the survey on streamlining Annual Report initiatives (refer to TCC16-2020-10 page 13);
- g. The Commission continuing its practice of approving a list of obligations to be assessed under CMR (WCPFC16 Summary Report Attachment R) continues to assist the Secretariat tremendously allowing it to maintain: (i) early issuance of the online Annual Report Part 2 system for CCMs (4 months in advance of the deadline); (ii) provide notes to remind CCMs of the obligations that will be reviewed in the draft CMR in a particular year in AR Pt 2 template; (iii) its own internal preparations of the online systems for Compliance Monitoring Report development; and (iv) forward planning of the investigation of analytical approaches and scheduling the development of IT tools needed to support draft CMR preparations;
- h. The additional efforts that many CCMs have made to continue earlier annual report submissions has been appreciated by the Secretariat and in 2020 assisted the Secretariat with meeting the draft CMR issuance deadline in CMM 2019-06 (see *TCC16-2020-IP01*);

- i. As a result of the changes made to CMM 2019-06 and continual improvements in the completeness of CCMs annual reporting, there are considerably fewer potential issues identified by the Secretariat in this year's draft CMR compared to previous years;
- j. Looking towards to 2021 and onward, the CMS-related tasks for the Secretariat will be dependent on the outcome of the CMS Future Work and the related-TCC workplan priority tasks, noting that CMM 2019-06 paragraph 48 says that the CMM on CMS may be enhanced in 2020 as determined by progress with Section IX future work; and
- k. All general Annual Report Part 2 and draft CMR inquiries and requests for assistance should be copied to the email address: contact.ar@wcpfc.int.

Recommendation

26. TCC16 is invited to note the paper.

Updated template for 2020 draft Compliance Monitoring Report (based on CMM 2019-06 and WCPFC11 agreed template (Attachment W of WCPFC11 Summary Report))

CCM	
CMR Section	<i>Based on CMM 2019-06 paragraph 7 and Annex I,</i>
CMM Paragraph	<i>The list of CMM paragraphs as agreed by WCPFC16 (WCPFC16 Summary Report Attachment R)</i>
CCM Assessment	<p><i>CCM advice in Annual Report part 2:</i></p> <p><i>* YES (fully implemented),</i></p> <p><i>* NO (not fully implemented)</i></p> <p><i>*N/A (not applicable)</i></p>
CCM Implementation	<p><i>May include as appropriate:</i></p> <p><i>CCM explanation from Annual Report Part 2</i></p>
Potential Issue	<p>choice of:</p> <p><i>*no issues detected;</i></p> <p><i>*additional information;</i></p> <p><i>*potential compliance issue.</i></p>
Secretariat Explanation	<i>text explanation as the basis for the identification of a potential issue by WCPFC Secretariat</i>
CCM Additional Information	<i>The equivalent of para 28 of CMM 19-06</i>
Capacity Building Requested	<i>The equivalent of para 27(iii) of CMM 19-06</i>
Capacity Development Plan	<i>Applicable if CCM submitted a reply to draft CMR under heading of "Capacity Development Plan" (CMM 19-06 para 14 and 15)</i>
Potential Issue – TCC Assessment	To be completed by TCC based on the equivalent of Annex I in CMM 2019-06
TCC Explanation	To be completed by TCC (and will include notation about whether additional information may be provided up to 21 days after TCC (CMM 19-06 para 40))

ANNEX II - WCPFC16 Summary Report Attachment R

LIST OF OBLIGATIONS TO BE REVIEWED IN 2020 COMPLIANCE MONITORING REPORTS (COVERING 2019 ACTIVITIES)

Each obligation to be assessed is listed with notes on criteria set out in paragraph 7 and considering Annex I of CMM 2019-06

Sci Data 1-3 & 5 (catch est, active vessels, op data, size data)

SciData 01	report	2018-06 & 2014-03 RFV & RFV SSPs	
SciData 01	deadline	CMM 2018-06 02	implementation
SciData 02	report	CMM 2018-06 03	implementation
SciData 02	deadline	CMM 2018-06 04	implementation
SciData 03	report	CMM 2018-06 07	implementation
SciData 03	deadline	CMM 2018-06 07	deadline
SciData 05	report	CMM 2018-06 09	report
SciData 05	deadline	CMM 2018-06 09	deadline
		CMM 2018-06 17	implementation

2018-05 ROP

CMM 2018-05 10	implementation
CMM 2018-05 15 (g)	implementation
CMM 2018-05 Annex C 06	implementation
CMM 2018-05 Annex C 06	deadline

2014-02 VMS

CMM 2014-02 9a	implementation
CMM 2014-02 9a VMS SSPs 2.8	implementation
CMM 2014-02 9a VMS SSPs 7.2.2	report
CMM 2014-02 9a VMS SSPs 7.2.2	deadline

2009-06 Transshipment

CMM 2009-06 11	report
CMM 2009-06 11	deadline
CMM 2009-06 13	implementation
CMM 2009-06 29	Limit
CMM 2009-06 34	Limit
CMM 2009-06 35 a (ii)	report
CMM 2009-06 35 a (iii)	report
CMM 2009-06 35 a (iii)	deadline
CMM 2009-06 35 a (iv)	report
CMM 2009-06 35 a (iv)	deadline

2018-01 Tropical Tuna

CMM 2018-01 16	implementation
CMM 2018-01 17	implementation
CMM 2018-01 17	report
CMM 2018-01 17	deadline
CMM 2018-01 23	implementation
CMM 2018-01 25	Limit
CMM 2018-01 25	deadline
CMM 2018-01 26	Limit
CMM 2018-01 27	implementation

CMM 2018-01 31	implementation
CMM 2018-01 33	implementation
CMM 2018-01 34	implementation
CMM 2018-01 35	implementation
CMM 2018-01 39	Limit
CMM 2018-01 41	report
CMM 2018-01 41	deadline
CMM 2018-01 43	Limit
CMM 2018-01 45	Limit
CMM 2018-01 47	Limit
CMM 2018-01 48	Limit
CMM 2018-01 51	Limit
CMM 2018-01 52	report
CMM 2018-01 54	report
CMM 2018-01 Att 2 03	report
CMM 2018-01 Att 2 03	deadline
CMM 2018-01 Att 2 05-06	implementation
CMM 2018-01 Att 2 08	implementation

2005-03 North Pacific Albacore

CMM 2005-03 02	Limit
CMM 2005-03 04	report

2015-02 SP Albacore

CMM 2015-02 01	Limit
CMM 2015-02 04	report

2018-02 PBF

CMM 2018-02 02 (1)	Limit
CMM 2018-02 02 (2)	Limit

CMM 2018-02 03	Limit
CMM 2018-02 04	report
CMM 2018-02 10	report

2010-07 Sharks

CMM 2010-07 09	implementation
CMM 2010-07 12	deadline

2011-04 Oceanic Whitetip sharks

CMM 2011-04 01	implementation
CMM 2011-04 03	report
CMM 2011-04 03	deadline

2013-08 Silky shark

CMM 2013-08 01	implementation
CMM 2013-08 03	report
CMM 2013-08 03	deadline

2010-01 Striped Marlin

CMM 2010-01 05	Limit
CMM 2010-01 08	report

CMM 2016-05 Charter notification

CMM 2016-05 02	report
CMM 2016-05 02	deadline
CMM 2016-05 03	report
CMM 2016-05 03	deadline
CMM 2016-05 07	report