TECHNICAL AND COMPLIANCE COMMITTEE
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EXECUTIVE DIRECTOR'S OVERVIEW REPORT
OF THE WCPFC MCS AND COMPLIANCE PROGRAMMES

Paper prepared by the Secretariat

Purpose

1.   This paper presents the Executive Director's Overview Report of the WCPFC Monitoring, Control and Surveillance (MCS) and Compliance Programmes. The Report provides a consolidated overview of the key issues and challenges confronting each of the compliance tools and programmes that constitute the Commission's integrated MCS and Compliance programme. The details of each of the compliance tools and programmes are the subject of other working papers. The structure of the Report reflects the priorities and their order of significance as contained in the TCC Workplan 2019 – 2021. (TCC16 agenda number and referenced working papers are provided in brackets and in italics for ease of reference).[1]

2.   This is the first Report after the Commission at the Regular Annual Session in Port Moresby noted the Secretariats Corporate Plan 2020 – 2023 as a living document to guide the work of the Secretariat. Noting the Corporate Plan 2020 – 2023 is considered an internal planning document for the Secretariat, this Report document the Secretariats delivery during 2019/20 of Corporate Plan *Objective 2.1: Effectively administer the WCPFC's MCS and Compliance Programmes and activities*. The Report also provides some updates on MCS and Compliance-related activities covered by Corporate Plan **Goal 3: To manage the collection and dissemination of data and information related to the work of the WCPFC"**, specifically under Corporate Plan *Objective 3.1 Collect and disseminate relevant data and information to facilitate the work of the WCPFC and its CCMs in accordance with applicable rules*, and Corporate Plan *Objective 3.2 Acquire and maintain reliable, cost-effective and secure IT systems and infrastructure to ensure the integrity of and access to WCPFC data and information.*

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 report, much of the work of the Secretariat through 2020 was progressed electronically. The Secretariat has prepared a paper that sets out the measures taken to prevent the spread of the COVID-19 on fishing vessels, and on travel and port entry restrictions in CCMs (TCC16-2020-14).

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[1] TCC16 Provisional Agenda as at 8 September 2020 and TCC16 Provisional List of Topics for eTCC16 online discussion forum as at 8 September 2020

Priority Issues forwarded from the Commission

4.   The work of the TCC is also guided by directives from the Commission. At the WCPFC16 the Commission tasked TCC16 to consider, inter alia, the following matters:

   i.   review updates on the streamlining of annual reporting initiatives, including trial publishing 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), and incorporating streamlining suggestions into Annual Report Part 2 [*Agenda 5.3(a)*];

   ii.   explore feasibility and costs of suggestions from CCMs to facilitate improvements to the online Compliance Case file system [*Agenda 5.3(b)*];

   iii. to recommend a proposed list of obligations to be assessed in 2021 (covering 2020 activities) for consideration by WCPFC17 in 2020 [*Agenda 5.4*];

   iv.   to consider the Note prepared by the Secretariat on the measures taken to prevent the spread of the COVID-19 on fishing vessels and on travel and port entry restrictions in CCMs [*Agenda 6*];

   v.   to consider the outcomes of the VMS-Small Working Group (SWG) to address the VMS data gap and improve the number of vessels reporting to the Commission VMS [*Agenda 7.1*]; and

   vi.   to consider the outcomes of the TCC Working Group on flow of observer reports and observer conduct in particular on potential: (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 minimus* violations to reduce the number of observer report requests and the associated workloads for ROP Providers and CCMs [*Agenda 7.2*].

Suggested Action:
   5. TCC16 will be asked, at the appropriate point of the agenda to consider, alongside the existing priorities as identified in the TCC Workplan, the above priority issues with the view to advise WCPFC17.

The WCPFC Compliance Monitoring Scheme

[Agenda 5 - TCC16-2020-08A, 08B, IP01_rev1, IP02, IP03, IP04, IP05, IP06, IP08, IP09]
[eTCC16 online discussion forum topic C1 – C4]

The draft Compliance Monitoring Report
6.   The draft Compliance Monitoring Report (CMR) to be prepared and issued by the Secretariat in late July each year, is one of the key inputs to the WCPFC Compliance Monitoring Scheme.

7.   Thirty-seven (37) CCMs and one collective group of Members received draft CMRs from the Secretariat on 30 July 2020 which highlighted approximately 131 potential issues. The full draft CMR, which incorporated replies from twenty (20) CCMs, and highlights 69 potential issues, was made available to CCMs on 8 September 2020.

8.   The Secretariat's strategy to managing the work requirements of producing on schedule the draft CMR, has continued to include careful work planning; continued efforts to incrementally build and enhance the WCPFC Information Management System (IMS) hosted databases for

centralizing records of CMM reporting; and the development of integrated MCS analytical tools at the Secretariat.

9.   The draft CMRs also reviewed a significant amount of information from multiple legitimate sources that can usefully inform the TCC's review of the technical and compliance matters under existing CMMs during the 2019 calendar year. There are also other meeting papers that provide information and perspectives that may support reviews of technical and compliance matters arising under existing CMMs and in respect of the Commission MCS programmes. The TCC HOD meeting on 5th September 2020 confirmed that the draft CMR would be considered by TCC in plenary using the Zoom Platform.

Updates on the online compliance case file system and streamlining of annual reporting initiatives

10.   Approximately 4,171 cases related to alleged infringements (excluding pre-notification issues that are not observer obstruction issues) are presently notified in the online WCPFC Compliance Case File system for 2015 – 2020. Each individual case has information about the alleged infringement and the status of the investigation undertaken by the flag CCM and any findings. At the time of writing flag CCMs have advised the Secretariat that they consider investigation completed for approximately 2,050 cases. A paper that overviews the Secretariat support to the Compliance Monitoring Scheme, including the associated online annual reporting and online Compliance Case File systems is provided in TCC16-2020-08A. The paper is for noting.

11.   The Compliance Case File system has increased the Compliance Monitoring Scheme workload for the Secretariat and CCMs, but this potentially provides an additional source of information that is relevant to TCCs priority tasks with respect to the monitoring and review of compliance and implementation of cooperative MCS and enforcement. The findings of the review of the Compliance Case File system which was commissioned by the Secretariat in 2020 to explore the feasibility and costs of suggestions from CCMs to facilitate improvements to the system, is presented in TCC16-2020-12. This information provides some suggested next steps to improve the Compliance Case File System based on the 'user experience' of both CCMs and the Secretariat (also refer to page 11 of this paper).

12.   In 2020, a paper has been jointly prepared for TCC16 by the Secretariat and SPC-OFP that provides an update on the two streamlining of annual reporting initiatives that were first implemented this year in 2020 (TCC16-2020-10). This update was initially provided to the SC16 meeting. Firstly, the Commission approved the trial of WCPFC Annual Catch and Effort Estimate (ACE) Tables so as to allow CCMs through SC and TCC, to explore a streamlining suggestion for the Annual Report Part 1. Secondly, in preparing the Annual Report Part 2 online interface that was used in 2020, the Secretariat has incorporated some streamlining suggestions, including the "hold on file" of CCMs responses to implementation-type obligations that applied in prior years.

13.   Since 2012, the Commission has maintained an annual budget of $100,000 for IMS developments and a modest provision of $18,000 for online publishing through the website. These budgetary resources that have been used to develop and enhance the WCPFC IMS hosted databases for CMM reporting at the Secretariat, to develop the WCPFC online reporting systems and more recently the online WCPFC Compliance Case File System. The services provided by these improvements to the IMS and the online Compliance Case File system have been fully utilized by CCMs and has helped CCMs submit their annual reports on schedule. These efforts have assisted the Secretariat with meeting the deadline for issuing the draft CMR. The Secretariat acknowledges the ongoing support from IMS contractor Taz-E and website contractor Eighty Options to assist the Secretariat with the development and ongoing support provided to the Commissions integrated MCS/Compliance Information Management System and associated online IT tools to date.

14.   The Secretariat also acknowledges the contribution of SPC-OFP colleagues as a source of information for the draft CMRs. SPC-OFP continues to provide advice on the completeness of

scientific data provision by CCMs, ROP data submission and available information on purse-seine and longline observer coverage, bycatch fishery interaction estimates summarized in the ROP Annual Report and catch and effort table summaries for tropical tuna CMMs (CMM 2018-01) and south Pacific albacore (CMM 2015-02). Since 2016, SPC-OFP colleagues have also continued to provide considerable assistance to the Secretariat so that ROP-data can continue to be used as a source in the online Compliance Case File system. These contributions by SPC-OFP to the Compliance Monitoring Scheme and TCC priority work is funded in part through the Scientific Services (SPC) and ROP Data Management budget line items in the Commission budget.

Suggested Action:

15. TCC16 is expected to spend considerable time of its online meeting to review the draft CMR with the view to recommend a provisional CMR to WCPFC17.

16. The outcome of these discussions could also usefully inform potential TCC-related priorities for 2021.

The IUU Vessel List

[Agenda 3 – TCC16-2020-06]

17.   The WCPFC IUU Vessel List for 2020 includes three (3) vessels that are maintained from the previous year's list and there was one intersessional update for one of these vessels. One vessel was included on the draft IUU vessel list for consideration by TCC16. TCC16 will also review the vessels currently on the IUU vessel list.

Review of Cooperating Non-Member applications

[Agenda 4 – TCC16-2020-07_rev1]
[eTCC16 online discussion forum topic B]

18.   Ten (10) requests have been received for renewal of Cooperating Non-Member (CNM) status in 2020, eight (8) were from current CNMs and two (2) are requests from CNM applicants that are not currently CNMs. The supporting paper TCC16-2020-07_rev1 provides the dates of receipt of each request, the status of financial contributions and includes as attachments copies of letters and communications related to the requests. TCC HOD meeting on 5th September 2020 established a CNM Small Working Group who will assist TCC16 with the review of these requests with the view to advise the WCPFC17 on those applications.

Monitor obligations relating to Small Island Developing States and territories

[Agenda 5 and 8 – TCC16-2020-RP01-08, 08A, 08B, RP10]

19.   Working paper TCC16-2020-08B summarizes Capacity Assistance needs identified by CCMs, based on this year's Annual Report Part 2 and the draft CMRs. There are no additional requests from a developing CCM for consideration of Capacity Assistance Needed score in this year's draft CMR.

20.   There was a 2020 budgetary allocation of $130,000 for Regional Capacity Building Workshops, with a note that in 2020 FFA and SPC would advise on the use of these funds in 2020. The Commission also administers special funds that are to be used for capacity assistance

including: the Special Requirements Fund; Japan Trust Fund and Chinese Taipei Trust Fund. The WPEA project provides dedicated assistance to Philippines, Indonesia and Vietnam in data collection as well as other related areas.

21.   The Secretariat continued to assist CCMs with the compilation of their Annual Part 1 and 2 Reports in the usual FFA/SPC regional workshops, like the FFA MCS Working Group meeting and the SPC Tuna Data Workshop, which in 2020 were hosted online. In addition, throughout the year the Secretariat was able to work with and assist many CCMs electronically with their Annual Reports Part 2, draft CMR reporting and WCPFC online Compliance Case File system-related work. This will continue into the next year as CCMs continue to familiarize themselves with this system and the changes being made to the improve its usefulness and ease of use based on CCM feedback.

22.   In late 2019 the Secretariat continued to support observer and de-briefer trainings, and assistance was given on request to help CCM programmes with observer training and VMS training. The Secretariat continued to provide advice to national and sub-regional agencies in relation to Commission MCS programme matters, RFV and charter notification updates, transhipment reporting queries, Commission minimum standards and related issues. In 2020, much of the assistance has shifted to being completed where practicable online.

> **Suggested Action:**
> 23. TCC16 will be invited, at the appropriate point in the agenda, to consider the capacity assistance needs of CCMs.

The WCPFC Integrated MCS Programme
[eTCC16 online discussion forum topic A]

24.   The TCC HOD meeting on 5th September 2020 confirmed that the various annual reports required by the CMM and rules that regulate the operations of the various MCS tools would be taken as read. Those annual reports and specific working papers are tabled separately and provide details on the programmes, however, for the purpose of this overview report the subsequent paragraphs will provide a snapshot overview of those various reports. All reports were available for viewing and comment on the online discussion forum until 18th September 2020.

Vessel Monitoring System (VMS) is presented in TCC16-2020-RP01.

25.   As at 31 July 2020, there were 2,669 vessels that were considered activated to report to the Commission VMS. In 2019/20 the Commission continued its association with the FFA and the Pacific VMS for Commission VMS services. The Pacific VMS ensures the FFA VMS and Commission VMS operate as two separate and distinct entities to protect the integrity of the Commission VMS data. The 2020 budget allocated for Commission VMS services was $468,000.

26.   Since TCC15 (September 2019) three (3) new MTUs have since been added through the intersessional process in the VMS SSPs to the List of WCPFC Approved MTUs/ALCs (SKYMATE m1600, Insight X2 EMTU and iFleetONE). In February 2020 the inclusion of SRT VMS-100 on the WCPFC Approved MTU List was deferred for consideration by TCC16 and the Secretariat has recommended the removal of ORBCOMM ST6100 and Skywave IDP-690 MTUs from the WCPFC Approved MTU/ALC list (TCC16-2020-15 and *eTCC16 online discussion forum topic J*).

27.   The VMS reporting status tool is presently live and available to all authorized users of CCMs at this link: https://www.wcpfc.int/ccm-vessel-monitoring-system. There are two parts to the VMS Reporting Status tool:

i. "All Vessels" VMS Reporting Status report which is accessible by all authorized CCM users provides some general information about VMS reporting status for each vessel in the Record of Fishing Vessels (this has been available since 2017); and

ii. The "CCM Vessels" VMS Reporting Status report which provides relevant flag CCMs with more detailed information for their vessels (this became available in April 2020).

CCMs are also able to download a copy of the relevant report in CSV format.

28. The successful delivery of the automated "CCM Vessels" VMS Reporting Status report involved collaborative work over an extended period of time and required the development of new WCPFC IT infrastructure to support its delivery as an automated solution. The development was led by the Secretariat with support from WCPFC IT contractors, Eighty Options and Taz-E. The Secretariat is also grateful to the FFA Secretariat and to WCPFC Trackwell for their assistance in working with the WCPFC to establish *Application Programming Interface* (API) technical solutions that provide automated delivery of FFA Good Standing data and other WCPFC VMS data-related APIs for the online VMS Reporting Status Tool. The Secretariat intends to keep working to refine and enhance the system, including taking into consideration flag CCM feedback.

29. In March 2020, the Secretariat prepared a paper for the VMS-SWG providing an overview of the background to the Commission VMS and the status of associated IT tools for CCMs use when accessing or viewing WCPFC VMS data. The paper also documents the Secretariats current work activities to address the VMS data gap with the objective to improve the number of vessels reporting to the Commission VMS. A copy of the paper prepared by the Secretariat can be accessed from the VMS-SWG webpage: https://www.wcpfc.int/2020_vms-swg

Regional Observer Programme (ROP) is presented in TCC16-2020-RP02.

30. The ROP is comprised of 25 observer programmes of Members and sub-regional agencies. In 2019/20 most ROP observers for the 100% observer coverage on purse seiners were sourced from the Pacific Island Observer Programmes. Pacific Island observer programmes continued to supply most observers to meet 100% high seas transhipment on carriers and some of the 5% ROP longline coverage rate requirement. There is often an attrition rate in observer programmes, so training is required for most observer programmes on an ongoing basis. The Secretariat continues to support observer and debriefing training, and assistance was provided on request using an approved budget of $10,000 in 2020. Non-Pacific Island countries of the Commission also have available observers that are being used in ROP trips to collect data as required by the Commission.

31. The Secretariat continues to receive requests for additional IATTC/WCPFC cross endorsement training, and IATTC has confirmed their willingness to continue to support these trainings. The approved budget was $10,000 in 2020, which contributed to the costs of the workshop held in February in Port Moresby.

32. A report on the ROP observer safety CMM (CMM 2017-03) and the Secretariats support to observer programmes implementation of the ROP safety minimum requirements is included in TCC16-2020-RP02. CMM 2017-03 Para 14 states that "The Technical and Compliance Committee and the Commission will review this Conservation and Management Measure no later than 2019, and periodically thereafter. Notwithstanding this provision CCMs may submit a proposal to amend this CMM at any time."

33. The third phase of audits of ROP programmes commenced in 2019, with the programmes that were last audited in 2014 (Solomon Islands, FFA and Vanuatu). In 2020, an online audit procedure has been developed and three audits have been completed, whilst this is not the same as a face to face visit to discuss the programme and any issues involved in the operations, training and observer safety of the observers in the respective programmes, this online procedure does nonetheless assist as an interim solution. The annual budget for the Audits was $15,000 in 2019.

A report of the ROP data management is provided in TCC16-2020-IP03, the budgetary allocation in 2020 was $923,904.

34.   Concern over the potential impact of COVID-19 on the health and safety of observers and of Pacific Island populations led the FFA to adopt measures with respect to observers. This was the initial catalyst for the intersessional decision of the Commission to temporarily suspend certain provisions of CMMs relating to observer coverage on purse seine vessels. The decision relating to observers on purse seine vessels was then followed by decisions to temporarily suspend certain provisions relating to at-sea transhipment for purse seine vessels and at-sea transhipment observers. The three decisions taken due to COVID-19 conditions, currently suspends the requirement to carry an ROP observer until 31 October 2020.

35.   The results of a survey of observer providers into the number of ROP observers repatriated and awaiting repatriation following the introduction of the COVID-19 decisions and the status of their current employment is presented in TCC16-2020-RP02. Most ROP observers have been repatriated. There are 9 observer providers plus the IATTC, who together have a total of 72 observers who have not been repatriated. Of these, the majority of observers remain on board vessels, including carrier vessels, either to continue their duties, or pending suitable arrangements for repatriation. Most other observers are awaiting repatriation in another country and a few have been there for lengthy periods. The report may assist CCMs to consider what measures could assist in addressing information/monitoring needs that are impacted by prolonged operation under COVID-19 related intersessional decisions.

36.   A report from the TCC Working Group on flow of observer reports and observer conduct will also be presented to TCC16.

Transhipment Reporting is presented in TCC16-2020-RP03.

37.   In 2019 there were a record 1,472 high seas transhipment events reported to the WCPFC Secretariat in accordance with CMM 2009-06 (compared to 1447 in 2018); 26 receiving vessels and 503 offloading vessels from 7 CCMs were involved in these reported transhipments. Advance notifications and post-transhipment declaration reporting by CCMs of high seas transhipment events continues to improve and is complete in 2019 for some CCMs. From 1 Jan – 30 June 2020, 725 high seas transhipment events were reported involving 22 receiving vessels and 368 offloading vessels from 7 CCMs. In 2019, the Secretariat continued to provide early advice to flag CCMs of high seas transhipment declaration and notification gaps. In 2020 the Secretariat has continued its preliminary analysis of WCPFC VMS data using the WCPFC Transhipment Analysis Tool and this confirms that further work is required to refine the analysis tool and the way in which data is selected for analysis across the VMS and other datasets. The outcome is presented in TCC16-2020-RP03.

38.   The Decision on at-sea transhipment for purse seine vessels, provides that "without prejudice to the provision that 'transhipment at sea by purse seine vessels shall be prohibited' as stipulated by paragraph 25 of CMM 2009-06, if it is not feasible for a purse seine vessel to tranship in port despite its best efforts due to port closures and relevant access restrictions related to the prevention of COVID-19, that particular vessel may transship at sea in an area under the jurisdiction of a Port State". It also provides that the flag State CCM of any such authorised purse seine vessel is to notify the Executive Director that the vessel is authorised to engage in transhipment outside of port. As at 31 August 2020 CCMs have implemented the authorisation of at-sea transhipment for purse seine vessels in different ways. As only five CCMs have notified the Executive Director of their vessels which are authorised to tranship outside of port, it is assumed that other flag CCMs are continuing to tranship in port.

39.   The requirement to have an observer on board either the carrier vessel or the fishing vessel to observe transhipments has been temporarily suspended as a result of the COVID-19 related decisions. The Secretariat is to provide to TCC16 a summary of at-sea transhipments without

observers under this temporary suspension. Of the 409 reported transhipments that took place between 1 April and 18 August 2020, only 11 (around 3 %) were not observed on any of the vessels engaged in the transhipment. This may be due in part to the information from observer providers and summarized in the Annual Report on the Regional Observer Programme, that some observers on carrier vessels have not yet been repatriated. As repatriations continue, there are likely to be fewer observed transhipments until such time as observers can be redeployed.

40.   A report on progress from the IWG to review CMM 2009-06 will also be presented to TCC16.

High Seas Boarding and Inspection Scheme (HSBI) is presented in TCC16-2020-RP04.

41.   In 2019 there were four (4) members that conducted 112 high seas boarding and inspection activities in the Convention Area. From 1 Jan – 31 July 2020, two (2) members had conducted nineteen (19) high seas boarding and inspection activities in the Convention Area is fewer than in the previous year. A total number of 131 vessels were boarded from 1 Jan 2019 – 31 July 2020. From a total of 131 high seas boarding and inspection activities, 84 boarding's led to requests for flag CCM investigations pursuant to Convention Article 25(2) are recorded in the online compliance case file system during 2019/20 period. There were several different types of violations encountered through 2019 high seas boarding and inspection activities in the Convention Area with the highest number of violations relating to: vessel's and their licences/authorizations (CMM 2018-06 04); the requirements for ALC's and their reporting of data to the Commission (CMM 2014-02 9a and VMS SSPs); and to a lesser extent, the reporting of daily catch and effort (CMM 2013-05 01, 02, 04). The bulk of violations in relation to authorization and VMS reporting were resolved as "No Infraction".

42.   Some of the more recent HSBI activities in 2020 are reported as "interrogations", as compared with the boarding of vessels. This suggests that some adjustment is being made to standard HSBI procedures in response to COVID-19.

43.   The Register of authorized inspection vessels and the Authorities of fishing vessel are publicly available on the website at http://www.wcpfc.int/register-inspection-vessels and https://www.wcpfc.int/authority-fishing-vessel respectively.   The list of vessels previously inspected under the HSBI has been published to the secure side on the website and viewable to authorized users at https://www.wcpfc.int/ccm/hsbi-report and is exportable in MS Excel and CSV format.

Record of Fishing Vessels (RFV) is presented in TCC16-2020-RP05.

44.   As at 31 July 2020, thirty-one (31) CCMs (including seven (7) CNMs) had submitted 3,503 records of their respective fishing vessels to the Executive Director. The RFV is continuously publicly available via the WCPFC web site as required by paragraph 9 of CMM 2014-03.

45.   Summary tables and graphs of information contained in the RFV continue to be available on the website at https://www.wcpfc.int/vessels/charts. These summary statistics, presented as graphs and tables, are automatically updated, as the RFV changes and is reflective of what is in the RFV at that point in time. A full version of RFV including all historical information is periodically updated and also available from https://www.wcpfc.int/vessels/

Eastern High Seas Pocket Special Management Area (EHSP-SMA) is presented in TCC16-2020-RP06.

46.   From 7 February 2017, CMM 2016-02 and updated management arrangements for the EHSP came into effect. The Secretariat's 'live list' of all fishing vessels present in the EHSP

continues to be available through the secure pages on the WCPFC website as required by the measure.

Port Inspections and Implementation of Port State Minimum Standards for Port State Measures is presented in TCC16-2020-RP07.

47.   In 2020, the Conservation and Management Measure on Minimum Standards for Port State Measures (CMM 2017-02) has been in force for more than two years. CMM 2017-02 specifies that a review will be undertaken within two years of its entry into force. To date seven CCMs have submitted advice of designated ports as per CMM 2017-02, and there have been no requests for port inspection under CMM 2017-02. No (0) requests for flag CCM investigations pursuant to Convention Article 25(2) are recorded in the online Compliance Case File system during the 2019/20 period.

48.   The suspension of purse seine observer coverage and the requirement for transhipments to be observed increase the risk of IUU fishing. The exemption enabling purse seine vessels to tranship at-sea may also mean that fewer vessels will seek entry to ports and are therefore less readily available for inspection. Port inspections are also likely to be impacted as a result of standard operating procedures for preventing the spread of COVID-19 through person-to-person contact.

Administration of the WCPFC data access rules and procedures is presented in TCC16-2020-RP08.

49.   In 2019/20 the Secretariat has maintained its system of controls over approvals for access to WCPFC data and information. In 2019/20, the Secretariat received and processed seventy-five (75) requests from Members and others for specific WCPFC data, some of which related to multiple types of WCPFC non-public domain data.

The independent review of the Secretariat's VMS data, and the integrity of the IMS and RFV, by Deloitte & Touche LLP Guam.

50.   This is an annual requirement as per the VMS SSPs, and the budgetary allocation in 2019 was $8400. The 2019/20 audit is expected to be tabled for TCC16.

Performance of the E-reporting standards and their application is presented in TCC16-2020-RP10.

51.   This is an annual requirement as per the E-reporting SSPs. To date the Commission has adopted three sets of E-reporting standards:

   i.   In December 2016 *E-reporting standards for operational catch and effort data* (WCPFC13 Summary Report paragraph 584 and Attachment T);

  ii.   In December 2017 *E-reporting standards for observer data* (WCPFC14 Summary Report paragraph 401 and Attachment T); and

 iii.   In December 2018 *Standards for E-reporting of high seas transhipment declarations and transhipment notices* (WCPFC15 Summary Report Attachment S).

52.   Irrespective of the effective date, it should be noted that the various E-reporting standards are voluntary until such time the Commission decides to make them mandatory (*refer* E-reporting SSPs paragraph 3). In 2019/20 uptake of electronic reporting tools in WCPFC is continuing and some key developments are outlined in TCC16-2020-RP10.

53.   A positive report of progress on the uptake by two Members of the WCPFC High Seas Transhipment E-reporting Application (TSER) since February 2020 and September 2019 respectively is presented in TCC16-2020-RP10. The Secretariat has developed a system to support E-reporting, and provides the WCPFC with a base infrastructure that could be easily modified to collect other types of E-reported data in the future.[2] Currently the WCPFC E-reporting system can receive E-reported data as per the WCPFC high seas transhipment declaration and notices E-reporting standards. An application developed by WCPFC to support CCMs implementation of the E-reporting Standards for high seas transhipment declarations and transhipment notices is now operational. It is available for Windows, Android and Apple iOS operating systems. The Secretariat has been using the Windows version since November 2018 to enter high seas transhipment notifications and declarations submitted by email to WCPFC. In 2019, three CCMs received introductions to the high seas transhipment E-reporting Application, and any other interested CCMs may request training through the Secretariat.

54.   In response to the task from WCPFC15, the Secretariat completed work involving CEFACT/FLUX in the last quarter of 2019. Based on the documentation provided by the European Union technicians, WCPFC developed a proof of concept enhancement to the WCPFC high seas transhipment e-reporting data receipt module. The findings are presented in TCC16-2020-RP10 the findings from investigations that reviewed the FLUX protocol, the FLUX transport layer, and developed a proof of concept, the Secretariat recommends WCPFC not to directly adopting FLUX support into the WCPFC managed high seas transhipment E-reporting system.

55.   The COVID-19 related Decisions relating to at-sea transhipments also provide for applicable MCS measures. Where at-sea transhipments by purse seine vessels take place, they are to comply with binding requirements using all MCS tools available. CCMs are also encouraged to implement additional MCS measures and to follow-up transhipments through inspections, observation or electronic monitoring if available during the application of these arrangements.

Online solutions for CCMs and other stakeholders and future IMS priorities

56.   In 2020, the Secretariat confirms the delivery of the following online technical solutions including:

 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 transhipment notifications and high seas transhipment declarations as received by WCPFC, including

those reports that have been submitted using the WCPFC High Seas Transhipment E-Reporting System APP - this is available to authorized flag CCM users at link https://www.wcpfc.int/ccm-transhipment. 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.

iii. The trial publishing of WCPFC Annual Catch and Effort Estimate (ACE) Tables ACE Tables on the WCPFC website at https://www.wcpfc.int/ace-by-fleet. The trial was approved for 2020, so as to allow CCMs through SC and TCC, to explore a streamlining suggestion for Annual Report Part 1.

iv. A new structure for Annual Report Part 2 was implemented in 2020 which implements the streamlining suggestion for Annual Report 2, described as the "hold on file of CCMs responses to implementation-type obligations that applied in prior years" and has been achieved by splitting the Annual Report Part 2 online report into two parts: the Annual Report Part 2 (Prior Year Obligations) List; and an Annual Report Part 2 (2019 Specific) List which contains specific reporting requirements related to the 2019 reporting year.

57. In 2020, the Secretariat and SPC-OFP have continued to support streamlining of annual reporting initiatives and the updates are presented in TCC15-2019-10. The Secretariat commissioned a review of the online Compliance Case File system in 2020 to explore the feasibility and costs of suggestions from CCMs to facilitate improvements to the system, the findings and recommendations of these reviews are presented in TCC16-2020-12.

58. The Secretariat maintains that there are five priority work areas for future IMS development within the Secretariat over 2020-2021 and they include:

a) implementing the approved decisions from the Commissions consideration of the suggested approaches to streamline the Commission's reporting requirements with the objective to make annual reporting more manageable and less burdensome;

b) continuing to support ways to improve the collection of accurate and timely data, including through electronic reporting (ER) and electronic monitoring (EM);

c) continuing to expand the analytical capability and business intelligence of the WCPFC IMS, including enhancing GIS/mapping IT tools for displaying and integrating various WCPFC data;

d) improving the access and capability of the Secretariat to review ROP observer data, and ensure that the Secretariat's internal MCS operating procedures and IMS systems adequately cater for record-keeping, handling of evidence and notices to CCMs of possible violations; and

e) review procedures and continue to develop and enhance IT tools, including through the website, so that the Secretariat is better equipped to provide timely access for Members to MCS-relevant information in support of member MCS activities and to share MCS data with authorized entities of CCMs, in accordance with the WCPFC data rules and procedure.

59. The Secretariat observes that the annual budget allocation of $100,000 for IMS development and maintenance, and the annual amount for online publishing through the website, including of Annual Report Part 2 ($18,000), together with in-kind contributions (financial and resourcing) from some Members, has been sufficient to support the Secretariats work to date. Im TCC16-2020-12 it is proposed that in 2021 an additional budget ($50,000) is approved to support the Secretariat making certain changes to improve the online Compliance Case File system usefulness and ease of use based on CCM feedback and considerations of technical feasibility.

Secretariat Resourcing

60.   Eleven of thirteen MCS/Compliance staff positions (4 professional level and 7 locally recruited staff) are in place. In June 2020 the Secretariat staff bid farewell to Ms 'Ana Taholo, the Assistant Compliance Manager, who had been with the Secretariat for the last seven (7) years as the inaugural Assistant Compliance Manager. In late June, the Secretariat welcomed the new Assistant Compliance Manager, Ms Eidre Sharp from Nelson, New Zealand. Eidre has commenced work remotely from her home base as she was not able to travel to take up her role in Pohnpei, FSM because of the travel disruptions impacted by the global COVID-19 pandemic. Within the support staff ranks, Mr Joseph Jack was promoted in March from the VMS Operations Officer position to the vacant position of Compliance Officer after an open recruitment process. In June, Ms Virginia Ezekias was also promoted after a similar recruitment process to the VMS Operations Officer position, after serving as ROP Data Control Technician for the last seven (7) years. Mr Kilafwasru Albert was recently appointed as the second ROP Data Control Technician. Currently the ROP Coordinator, Mr Karl Staisch has been unable to travel back to Pohnpei, FSM because of the travel disruptions impacted by the global COVID-19 pandemic and is working remotely from his home base in Brisbane, Australia.

61.   The staffing levels for the Secretariat in the MCS/Compliance area have not changed since 2012. However over recent years, the Secretariat MCS/Compliance work of the Secretariat has been supplemented through consultancy, secondment and from in-kind assistance. These include legal support services (Dr Penny Ridings) and E-reporting project support services (Mr Kim Duckworth). The future staffing levels of the Secretariat should be considered alongside the future priorities of the Commission in the MCS/Compliance area, and the associated expertise and staffing levels that would be best suited in the Secretariat to adequately support the Commissions priorities and ongoing work.

62.   A list of the travel commitments, including training assistance of the MCS/Compliance staff from October 2019 – September 2020 are listed in *Attachment 1*.

Suggested Action:
    63. TCC16 is expected to take as read the Annual Reports of the various compliance tools that constitute the WCPFC Integrated MCS Programme.

Review the ongoing work of the Intersessional Working Groups (IWG)

[Agenda 7]
[eTCC16 online discussion forum topic E, F, G and H]

64.   Four (4) Intersessional Working Groups are identified in the TCC Workplan 2019 -2021 for TCC to review and contribute to their ongoing work and they include:

    i.   ROP IWG: Review ROP;

    ii.   FAD IWG: Review and develop FAD measures;

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

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

65.   The Commission has agreed to not reconvene the ROP-IWG at this point in time. For the ERandEM IWG the Commission at WCPFC16 supported the continuation of intersessional work, led by the Chair Kerry Smith (Australia) to further develop a draft conservation and management measure on E-monitoring for consideration by the Commission in 2021, and the ERandEM IWG will provide an update under Agenda 7.3. The FAD IWG is expected to provide an update to WCPFC17.

66.   In 2020, three (3) Intersessional Working Groups were tasked by the Commission to progress, primarily through virtual means, priority work during 2020. Each IWG/WG will be providing progress reports to TCC16. The IWGs include:

    i.   VMS SWG to address the VMS Gap and improve the number of vessels reporting to the Commission VMS

    ii. TCC working group on flow of observer reports and observer conduct

    iii. IWG to review CMM 2009-06

    iv. IWG on CMS Future Work

Suggested Action:
>   67. TCC16 will, at the appropriate point in the agenda, receive progress reports from the various IWG/WGs and discuss the way forward for the work of those IWG/WGs.

Conclusion

68.   The TCC Workplan 2019-2021 continues to provide the framework to guide the work and agenda for the TCC meetings for the duration of the workplan and provides some guidance about the requisite intersessional work for the Secretariat and CCMs in support of the Commission's Technical and Compliance programme. The various IWGs/WG reports that will be provided to TCC16 currently forecast additional work commitments for the Secretariat and CCMs in support of the Commission's Technical and Compliance programme.

69.   The Compliance Monitoring Scheme (CMS) is expected to continue to be at the core of the Commission's Technical and Compliance programme. It provides the platform for the TCC to undertake its key task of assessing the level of compliance of CCMs of their obligations under the WCPFC Convention and CMMs. But it is a platform that rests on top of a network of MCS tools and other data collection programmes that furnish the relevant data and information to inform TCC's assessment.

70.   During this year the Secretariat and SPC-OFP have contributed to the continuing work on streamlining annual reporting, a task that was originally included in the list of CMS Future Work tasks. The Secretariat stands ready to support the CMS Future Work tasks towards enhancing the operation of the CMS in 2020/21. As the CMM is only operational until the end of 2021, these future tasks remain essential to the Commission's efforts to enhance the efficiency and effectiveness of the CMS.

71.   Continued improvements to the Secretariat Information Management System (IMS) remain essential to the servicing of the Commission's Technical and Compliance programme. Most of the Secretariats work in support of TCC is necessarily supported from the integrated-MCS IMS-hosted databases and associated reporting tools. TCC and the Commission are strongly urged to continue to adequately resource this area of work of the Secretariat. To this end, the Secretariat has identified additional budget is required in 2021 so that the Secretariat can improve the online

Compliance Case File system usefulness and ease of use based on CCM feedback and considerations of technical feasibility.

72.   The work on electronic reporting and electronic monitoring holds huge potential for enhanced data collection, coverage and quality in the future. The Secretariat has efficiently utilized its limited budget in this area and with the financial assistance provided by New Zealand in 2018 and by the United States in 2019 positive progress on the implementation of the E-reporting high seas transhipment project continues to be reported (TCC16-2020-RP10). More importantly, the project was designed to provide the Secretariat with a base infrastructure that could easily be modified to collect other types of data. With smart investment in this area, the Commission can expedite the development of the necessary framework to operationalize e-reporting and e-monitoring at the Commission level.

73.   The MCS Programme of the WCPFC remains an integrated programme that need to be viewed in its totality taking account of the required priorities, timeframes and available financial and staff resources. As part of internal planning to prepare for TCC16 meetings, the Secretariat intends to carefully consider the anticipated forecast of Secretariat work commitments in 2021/22 alongside the Secretariats Corporate Plan 2020 – 2023 (specifically Corporate Plan *Objective 2.1, Objective 3.1 and Objective 3.2*) and will provide updates to the appropriate agenda items during the TCC16.

Recommendation

> 74. TCC16 is invited to note the report.

Attachment 1 – Meetings attended by senior MCS/Compliance staff from late 2019 – during 2020

A list of the travel and online meetings attended by the senior Compliance/MCS staff from late 2019 and during 2020 are provided below. The travel has included assistance and involvement in sub-regional activities directly related to the WCPFC work areas. Most travel is funded from the *staff travel* line items in Part 1 of the budget and dedicated activity line items in Part 2.3 of the Technical and Compliance Programme.

Papua New Guinea, Port Moresby
- o IATTC/WCPFC Cross Endorsement Training (February 2020) – Regional Observer Programme Coordinator
- o WCPFC16 and associated meetings (December 2019) - Compliance Manager, Assistant Compliance Manager, Regional Observer Programme Coordinator and VMS Manager

Portugal, Porto
- o Joint tuna RFMO Bycatch Meeting (November 2019) – Regional Observer Programme Coordinator

Philippines, Manila
- o WPEA/ROP Observer training (November 2019) – Regional Observer Programme Coordinator

Solomon Islands, Honiara
- o FFA/SPC Data Collection Committee meeting on Electronic Monitoring (October 2019) – Compliance Manager

Tuvalu, Funafuti
- o FFA/SPFC Regional Observer Coordinators Workshop (March 2020) - Regional Observer Coordinator
- o PNA Observer Coordinators Workshop (March 2020) – Regional Observer Coordinator

Vietnam, Nha Trang
- o Support to WPEA Project observer training (October 2019) - Regional Observer Coordinator

Selected Online Meetings
- o Various internal meetings for Review of online Compliance Case File System (April – July 2020)
- o Various meetings with SPC to organise trial of ACE Tables (March - April 2020)
- o SPC Tuna Data Workshop (April 2020) – Compliance Manager, Assistant Compliance Manager
- o FFA MCS Working Group Meeting (May 2020)- Compliance Manager, Assistant Compliance Manager, ROP Coordinator, VMS Manager
- o FFC Officials Meetings (June 2020) – Compliance Manager
- o Joint Tuna RFMO Compliance Officers Meeting (June 2020) – Compliance Manager
- o Online Heads of Delegation Meeting to Consider and Provide Guidance on Meeting Arrangements for Online Commission-related Meetings in 2020 (July 2020) - Compliance Manager, Assistant Compliance Manager, ROP Coordinator, VMS Manager
- o FFC Ministerial and Associated FFC Officials Meeting (August 2020) – Compliance Manager
- o SC16 online meeting (August 2020) - Compliance Manager, Assistant Compliance Manager, Regional Observer Programme Coordinator

- TCC HOD Meeting (September 2020) – Compliance Manager, Assistant Compliance Manager, VMS Manager, ROP Coordinator
- Various meetings on TCC16 online meeting preparations with Acting TCC Chair (August/September 2020)
- Various Meetings with ERandEMWG Chair on online meeting preparations with ERandEMWG Chair (August/September 2020) - Assistant Compliance Manager, Compliance Manager.
- Meeting on WTO Negotiations on Fisheries Subsidies (September 2020) – Compliance Manager
- Briefing for PNA Office on online Compliance Case file system (September 2020) – Compliance Manager
- PEW/ISSF Workshop on RFMO's Best Practices on Compliance (September 2020) – Compliance Manager, Assistant Compliance Manager

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