



TECHNICAL AND COMPLIANCE COMMITTEE

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**AVAILABLE INFORMATION ON IMPLEMENTATION OF AND COMPLIANCE WITH
CONSERVATION AND MANAGEMENT MEASURES**

WCPFC-TCC8-2012/IP04_rev1¹

21 September 2012

Paper prepared by the Secretariat

1. The WCPFC Compliance Monitoring Scheme is still developing, and contributes to ensuring that TCC can fulfill its functions as set out in the Convention, in particular Article 14 (1 a) and b)):

1. The functions of the Technical and Compliance Committee shall be to:

(a) provide the Commission with information, technical advice and recommendations relating to the implementation of, and compliance with, conservation and management measures;

(b) monitor and review compliance with conservation and management measures adopted by the Commission and make such recommendations to the Commission as may be necessary;

This is the second trial year for the WCPFC Compliance Monitoring Scheme (CMM 2011-06). Compliance Monitoring Reports relate to an individual CCM's level of compliance with CMM provisions (catch and effort limits; catch and effort reporting; spatial and temporal closures and FAD restrictions; observer and VMS requirements; and provision of scientific data to the Commission). Annual Report Part 1 and Part 2 remain important information sources for the Compliance Monitoring Reports.

2. For a number of years, the Secretariat has been providing a report "*Review of CCM's Implementation of, and Compliance with, Conservation and Management Measures*", which sought to overview available information in support of TCC's annual review of the level of implementation of and compliance with CMMs. In 2011, the Secretariat sought the views of TCC7 regarding the usefulness of this report. TCC7 acknowledged the usefulness of compliance reporting under the format presented (in WCPFC-TCC7-WP/17a) and recommended that the preparation of reports in this format continue.

3. The principal sources of information for this review are CCMs Annual Reports covering the previous calendar years activities, and individual reports and submissions by CCMs to the WCPFC (or to SPC-OFP as the WCPFC data managers). There has been a continuing trend in 2011 of late submissions of CCMs Annual Reports, and a number of CCMs Annual Report Part 2 were outstanding at the time of writing.

4. This years report has been prepared with these considerations in mind, and is divided into five sections:

¹ Includes correction to paragraph 21, and corrections to Tables 1, 3 and 7.

- i. WCPFC Cooperative Measures for Monitoring, Control and Surveillance (MCS);
- ii. Scientific data provision and Annual Reporting;
- iii. Spatial and Temporal Closures and Gear Restrictions, including the use of FADs;
- iv. Conservation and Management Measures for Target Species; and
- v. CMMs for seabird and sea turtle bycatch mitigation.

The Secretariat would welcome feedback on the usefulness of this report, and any areas for expansion or improvement for future reports.

i. WCPFC Cooperative Measures for MCS

5. The Secretariat confirms that it has no information to report on
 - **CMM 2004-03: Specifications for Marking and Identification of Fishing Vessels**
 - **CMM 2009-05: Data Buoys**
 - **CMM 2009-09: Vessels Without Nationality**
6. The following CMMs are covered by separate TCC8 papers which report on the operation of the WCPFC MCS programmes:

CMM 2006-08: WCPFC Boarding and Inspection Procedures	Summary of HSBI Reports received by WCPFC (WCPFC-TCC8-2012-IP16)
CMM 2007-01: Regional Observer Program	Annual Report by Secretariat on ROP (WCPFC-TCC8-2012-15) ROP data management (WCPFC-TCC8-2012-16)
CMM 2007-02: Commission Vessel Monitoring System	Annual Report on the Commission VMS (WCPFC-TCC8-2012-IP02)
CMM 2007-03: Conservation and Management Measure to Establish a List of Vessels Presumed to Have Carried out Illegal, Unreported and Unregulated Fishing Activities in the WCPO	Draft IUU list and current WCPFC IUU list (WCPFC-TCC8-2012-09)
CMM 2009-01: WCPFC Record of Fishing Vessels and Authorization to Fish	Annual Report on the Record of Fishing Vessels, including review of the Interim Register for non-CCM carrier and bunker vessels (WCPFC-TCC8-2012-IP06)
CMM 2009-06: Regulation of Transshipment	Review of High Seas Transshipment Rules for fishing vessels, other than purse seine vessels (para 37 and 38 of CMM 2009-06) (WCPFC-TCC8-2012-17)
CMM 2009-08: Charter Notification Scheme	Summary of current WCPFC Charter Notifications under CMM 2011-05 and CMM 2009-08 (WCPFC-TCC8-2012-IP08)
CMM 2010-02 Conservation and Management Measure for the Eastern High Seas Pocket Special Management Area	Report on Eastern High Seas Special Management Area (CMM 2010-02) (WCPFC-TCC8-2012-DP03)
Rules and Procedures for the Protection, Access to and Dissemination of WCPFC Non-Public Domain Data	Secretariat report on the administration of the WCPFC data access rules and procedures (WCPFC-TCC8-2012-IP05)

7. Information on compliance by CCMs with Observer, VMS and transshipment requirements are also covered in individual draft Compliance Monitoring Reports prepared by the WCPFC.

ii. Scientific data provision and Annual Reporting

8. Information on compliance by CCMs with Scientific Data provision rules and Annual Reporting requirements are covered in detail in individual draft Compliance Monitoring Reports prepared by the WCPFC. Summary information is also contained in two separate papers:

- WCPFC-TCC8-2012-IP18: Scientific data available to the Western and central Pacific fisheries commission (SC8 referred “data gaps paper”)
- WCPFC-TCC8-2012-IP03: Update on submission of Annual Report Part 1 and Part 2

9. As a general note, the Secretariat has found that some of the more specific reporting requirements in CMMs for annual catch and effort estimates specific to the area to which a CMM applies, are often overlooked or not obvious in many CCMs Annual Report Part 1 or Part 2. The completion of the tables in this paper was often possible because of responses that were obtained in dCMR correspondence.

iii. Spatial and Temporal Closures and Gear Restrictions, including the use of FADs

10. The Secretariat confirms that it has no information to report on

- **CMM 2008-04: Prohibiting the Use of Large Scale Driftnets on the High Seas in the Convention Area**
- **CMM 2009-05: Prohibiting Fishing on Data Buoys in the Convention Area**

CMM 2009-02: Rules for High Seas FAD Closures and Catch Retention

11. Information on the implementation of the high seas catch retention reporting provisions of CMM 2009-02 is provided in Annual Report by Secretariat on ROP (WCPFC-TCC8-2012-15).

iv. Conservation and Management Measures for Target Species

CMM 2005-03: North Pacific Albacore

12. NC8 tentatively adopted tables related to catch and effort data for the North Pacific Albacore CMM, with the understanding that they are subject to future review by the Northern Committee – see separate Attachment to this paper (WCPFC-TCC8-2012-IP04 AttA).

CMM 2006-04: Striped Marlin in the Southwest Pacific

13. CMM 2006-04 requires that CCMs limit the number of their fishing vessels fishing for striped marlin in the Convention Area south of 15S, to the number in any one year between the period 2000 – 2004 (para 1). This does not apply to small Island State and Territory CCMs in the Convention Area and coastal States in respect of development within their fishery waters (para 2). In accordance with paragraph 4, CCMs were to have provided data on the number of vessels that have fished for striped marlin in the Convention Area south of 15S, during the period 2000-2004 and in doing so nominate the maximum number of vessels that shall continue to be permitted to fish for striped marlin in the Convention Area south of 15S. CCMs are also required to provide annual reports to the Commission on catch levels of their fishing vessels that have taken striped marlin as a bycatch as well as the number and catch levels of vessels fishing for striped marlin in the area south of 15S. This paragraph does not apply to coastal State CCMs south of 15S in accordance with para 5. Table 1 collates the reported numbers of vessels and catches and bycatch in accordance with paragraph 4.

Table 1. Numbers of CCM-flagged vessels that have fished for Striped Marlin and catches of CCM-flagged vessels that have taken Striped Marlin as a target species or as bycatch in the Convention Area South of 15°S during the period 2000 – 2011² *Provisional estimates

Year	Australia		Cook Islands		French Polynesia ³		Japan ⁴		Korea ⁵		New Caledonia ⁶		Chinese Taipei ⁷		USA ⁸		Vanuatu	
	Catch (Mt)	# boats	Catch (Mt)	# boats	Catch (Mt)	# boats	Catch (Mt)	# boats	Catch (Mt)	# boats	Catch (Mt)	# boats	Catch (Mt)	# boats	Catch (Mt)	# boats	Catch (Mt)	# boats
2000	619	140				75				22		14		51				
2001	789	159				75				26		13		51				
2002	638	144				75				24		24		52			615	3
2003	638	134				75				28		24		67			1,847	18
2004	450	121				75				28		26		47			3,132	36
2005	355	100				72				7	74						4,924	41
2006	441	55		0		71	162		171	7	54				3	0	3,420	29
2007	358	60		0		64	151		54	7	63				2	0	3,618	41
2008	374	50				68	134		59		103	0			1	0		
2009	325	55				67	153		54*		71	0			2	0		
2010	244	54				61	153		27*		65*	0			2*	0		
2011	287.2	49			105	59			0.135	6	76	0			4*	0		
CCM Limit		159				n/a				28		n/a		67		74		

² The numbers included in years 2000-2004, and CCM limit do not take into account paragraph 2 of CMM 2006-04.

³ Note French Polynesia has no directed fishery for Striped Marlin and figures are bycatch only, recent figures from dCMR. FP considers paragraph 5 applies yet FP wishes to stress the fact that the current management regime of the FP fisheries meet WCPFC requirements.

⁴ Data taken from Pt 1 2011 and represent striped marlin catches “in the WCPFC Statistical Area south of the Equator”

⁵ Recent figures from letter received 27 April 2012.

⁶ Updated by e-mail 14 Oct 2011, noting that New Caledonia has no directed fishery for Striped Marlin. and figures are bycatch only.

⁷ Chinese Taipei prohibits its vessels from targeting MLS. See 2011 Part 2 Report on 2010 activities.

⁸ As per advice from USA to Secretariat to fulfil reporting requirements of CMM 2006-04, dated May 1 2008, which provided the number of and catches by U.S. vessels that fished for striped marlin and bycatch of striped marlin south of 15S in the Convention Area. Letter 26 Apr 2007 advises that the maximum number of longline vessels permitted to fish for striped marlin is 74 vessels. Recent catches in 2010 and 2011 are bycatch and were provided by letter June 29 2012.

CMM 2008-01: Bigeye and Yellowfin Tuna in the WCPO

13. Catch and Fishing Effort Summary tables have been compiled by SPC-OFP, on behalf of WCPFC, and provisional 2011 figures were referenced in draft Compliance Monitoring Reports prepared by WCPFC. The latest version of these summary tables is provided as a separate Attachment to this paper (WCPFC-TCC8-2012-IP04 AttB).

FAD Management Plans (paragraph 23)

“By 1 July 2009, CCMs fishing on the high seas shall submit to the Commission Management Plans for the use of FADs by their vessels on the high seas. These Plans shall include strategies to limit the capture of small bigeye and yellowfin tuna associated with fishing on FADs, including implementation of the FAD closure pursuant to paragraphs 13 and 19 above. The Plans shall at a minimum meet the Suggested Guidelines for Preparation for FAD Management Plans for each CCM (Attachment E).”

14. Table 2 lists the notifications that the WCPFC has received from CCMs for this requirement. Copies of FAD Management Plans and other notifications can be found on the WCPFC website at the following address: <http://wcpfc.int/mcs-scheme/conservation-and-management-obligations-other-data>.

Table 2. List of the notifications that WCPFC has received to date, in response to CMM 2008-01 paragraph 23.

CCM	Submission Date
Australia	5 December 2007
Belize	8 July 2009
European Union	27 October 2010
El Salvador	27 March 2012
Federated States of Micronesia	1 July 2009
Japan	25 January 2008
Korea	11 November 2011
New Zealand	25 September 2008
Papua New Guinea	5 November 2007
Solomon Islands	1 July 2008
Chinese Taipei	1 July 2009
United States of America ⁹	30 June 2010
Vanuatu	30 March 2012

CMM 2009-03: Swordfish

15. CMM 2009-03 requires that CCMs limit the number of their fishing vessels fishing for swordfish in the Convention Area south of 20S, to the number in any one year between the period 2000 – 2005 (listed in Annex 1) (para 1). In addition to the vessel limits, CCMs shall limit the amount of swordfish caught by fishing vessels flagged to them in the Convention Area south of 20S to the amount caught in any one year during the period 2000-2006 (para 2). Further CCMs shall not shift their fishing effort for swordfish to the area north of 20S (para 3). These limits do not apply to small Island State and Territory CCMs in the Convention Area and coastal States in respect of development within their fishery waters (para 5).

⁹ Provided a letter of notification of compatible legislation respecting FADs

Table 3. Reported total catches (mt) and numbers of vessels that fished for Swordfish in the Convention Area South of 20°S (catch/vessel numbers) (* = confidential, see footnote below.) Vessel numbers 2000-2007 and CCM Limit are from Annex 1 of CMM 2009-03. The numbers and CCM limit do not take into account paragraph 5.

Year	Australia ¹⁰		Belize		EU ¹¹		Japan ¹²		Korea ¹³		New Caledonia ¹⁴		New Zealand ¹⁵		Chinese Taipei ¹⁶		USA ¹⁷	
	Catch (Mt)	# boats	Catch (Mt)	# boats	Catch (Mt)	# boats	Catch (Mt)	# boats	Catch (Mt)	# boats	Catch (Mt)	# boats	Catch (Mt)	# boats	Catch (Mt)	# boats	Catch (Mt)	# boats
2000	1927	140		0	0	0	588	61		22		15	974.5	103	54	68		
2001	2089	159		0	0	0	536	68		22		12	716.8	132	208	68		
2002	2163	144		0	0	0	561	75		22		11	617.9	151	233	69		
2003	1929	134		0	0	0	337	64		24		15	446	132	248	84		
2004	1703	121		0	730	8	338	52		22		25	378.7	99	466	64		
2005	1517	100		0	1358	14	246	40		23		15	241.3	57	202	65	0	0
2006	995.5	55		0	3107	15	154	34		6			429.9	55	198	57	29	2
2007	1132.5	54		1	4217	15	141	21		4			276.9	74	217	49	#	2
2008	1240.7				3410	15	148	19					254.9	37	61	53	#	0
2009	1111.7				1721	9	168	20					317.2	40	133	53	<1	0
2010	916.1	54			994	5	(192)	(26)					369.9	44	105	44	#	0
2011	883.3	45			1,152.7	6	(227)	(34)	-	-		0	739	42		69	#	0
CCM Limit	2126	159			3,170.36	14	588	75		24		n/a	1027	151		84		

¹⁰ Catch numbers for 2000-2004 taken from Pt 1 2007 Table 3c. Recent vessel numbers and catches were as reported in recent Pt 1 Pt2 2010,2011,2012. Pt 2 2010 notes that the catch limit of 2126mt was put in place from 30 April 2009, and was the highest catch during 2000-2006 as reported in Pt 1 2007.

¹¹ Catch data for 2004-2010 and vessel numbers for 2006, 2008, and 2009 are taken from Pt 1 2011. 2011 figures and CCM limit (Pt 2 2012 and dCMR 2012).

¹² Recent vessel and catch figures are taken from Pt 1 2010, Pt 1 2011 and Pt 1 2012. Note from Japan 13 Oct 2011, Japan vessels are not fishing for swordfish. The CCM limit is the highest number of boats reported in 2002 (based on Pt 1 reports 2000-2005), and the catch was nominated by letter dated Feb 9 2010

¹³ CCM limit is based on 2003 level, which is the highest of years 2000 – 2005 (letter 3 Sept 2007), no swordfish caught S of 20S in 2011 (dCMR 2012).

¹⁴ Swordfish is bycatch only

¹⁵ Recent catch and vessel figures are from Pt 1 2011 and Pt 1 2012. In 2011, 38 flagged vessels (736.2mt) and 4 chartered vessels (2.8 mt). Nominated catch limit is a within zone catch limit and does not take into account catches historically taken beyond NZ EEZ and non-commercial catches (letter 9 March 2010).

¹⁶ Recent catch and vessel numbers from Pt 1 2011 and Pt 1 2012. 2010 and 2011 data are preliminary. CCM limit is expressed as: Seasonal LL 12 vessels; Non-target large scale 55 vessels and small scale LL vessels 17.

¹⁷ USA provided a report in 2012 AR Part 1 to fulfil the reporting requirements of WCPFC CMM 2009-03 (Table 1h), with the following note provided: “Note the catch is only reported for years when 3 or more vessels fished, although the number of vessels fishing for swordfish may be less than the number that fished. The U.S. does not have any longline vessels operating under charter or lease as part of its domestic fishery south of 20S nor does it have any other vessels fishing within its waters south of 20S.” In Table 5 above, “#” represents the word “confidential” as provided by the U.S. in their AR Part 1.

16. Paragraph 4 states that CCMs were to have nominated, no later than 30 April 2010, the maximum total catch of swordfish that it shall continue to be permitted to fish in the area south of 20S (which is no more than catches in period 2000 – 2006). Paragraph 8 specifies reporting requirements for the annual number of vessels and catches for swordfish, and states that the information should be provided in Annual Report Part 1, and initially provided for the period 2000-2009 and then updated annually. Table 3 collates information with respect to paragraphs 4 and 8 of this CMM.

CMM 2010-01: North Pacific Striped Marlin

17. CMM 2010-01 specifies catch limits that implement a phased reduction of the total catch of North Pacific Striped Marlin from 2011-2013, with the aim that by 1 January 2013 the catch of North Pacific Striped Marlin is 80% of the levels caught from 2000 – 2003 (paragraphs 4-5). The CMM allows flag and chartering CCMs to decide on the measures applicable to their fleet to effect these reductions. The limits and reductions do not apply to small island developing States and territories in the Convention Area (para 3). Paragraph 7 of CMM 2010-01 states “By 30 April 2011, each flag/chartering CCM shall report to the Commission verifiable information regarding its catch of North Pacific striped marlin by its flagged/chartered vessels north of the equator.” The reports that the Secretariat has received are summarized in Table 4.

Table 4. North Pacific Striped Marlin catch (mt) * provisional

Year	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
CT ¹⁸	428	493	690	896	513	792	818	458	477	393	232*	449*
USA ¹⁹	214	393	255	571	400	513	630	280	425	250	135	341
Korea ²⁰											75.8	67,654
Nauru ²¹											0	
Japan ²²								2184	2359	1664	1974*	2,062*

CMM 2010-04: Pacific Bluefin Tuna

18. Paragraph 4 of CMM 2010-04 states “CCMs shall report to (the) Executive Director by 31 July 2011 and 2012 measures they use to implement paragraphs 2, 3, 6 and 7 of this CMM. The Northern Committee shall annually review reports CCMs submit pursuant to this paragraph.” The latter two paragraphs relate to cooperating with IATTC contracting parties on a bilateral basis. The former two paragraphs outline measures to ensure total fishing effort by vessels

¹⁸ Letter from Chinese Taipei dated 26 April 2011, included a table of catches from 2000-2010. 2011 figures were provided in Pt 2 2012.

¹⁹ Letter from United States dated May 5 2011, includes a table of catches from 2000-2010, and notes that the United States has provide information on its catch of N.Pacific striped marlin to the Commission in past annual reports, and the table largely summarises previously provided information.

²⁰ Email submission from Korea on 21 July 2011, 2011 figure is from letter received 27 April 2012.

²¹ Letter from Nauru dated 21st April 2011, advises CMM 2010-01-07, Nauru flag vessels have caught zero Striped Marlin north of the equator in 2010.

²² 2007-2011 figures are combined annual catch estimates (coastal and offshore LL, Gillnet, Setnet and others), for Striped Marlin north of the equator in the WCPFC Statistical Area in Pt 1 2012 (3rd tabled on page 32). dCMR 2012 notes that it is reported to SPC by April 30 and to the Secretariat in Pt 1.

fishing for Pacific Bluefin north of 20°N shall stay below the 2002-2004 level for 2011 and 2012 (excluding artisanal fisheries), and measures to strengthen data collection.

19. In 2012, a list of the reports received in accordance with paragraph 4, are provided in Table 5. Copies of these reports are available on the NC8 meeting page (<http://www.wcpfc.int/node/4588>).

Table 5. Pacific Bluefin Tuna (North of 20°N) – CMM 2010-04

	Date on Letter to the Executive Director
Japan	31 July 2012
Korea	31 July 2012
Philippines	30 August 2012
Chinese Taipei	20 July 2012
United States of America	16 July 2012

CMM 2010-05: South Pacific Albacore

20. CMM 2010-05 requires that CCMs not increase the number of their fishing vessels actively fishing for south Pacific albacore in the Convention Area south of 20S above 2005 levels or recent 2000-2004 levels (para 1). This limit does not apply to small Island State and Territory CCMs in the Convention Area (para 5).

21. Paragraph 4 requires that CCMs report annually to the Commission on the catch levels of their fishing vessels that have taken south Pacific albacore as a bycatch as well as the number and catch levels of vessels actively fishing for south Pacific albacore in the Convention Area south of 20S. Initially this information will be provided for the period 2006 – 2010, and then updated annually. Table 7 collates information with respect to paragraphs 1 and 4.

CMM 2010-07: Sharks

22. CMM 2010-07 paragraph 7 states “CCMs shall require their vessels to have on board fins that total no more than 5% of the weight of sharks on board up to the first point of landing. CCMs that currently do not require fins and carcasses to be offloaded together at the point of first landing shall take the necessary measures to ensure compliance with the 5% ratio through certification, monitoring by an observer or other appropriate measures. CCMs may alternatively require that their vessels land sharks with fins attached to the carcass or that fins not be landed without the corresponding carcass.” Paragraph 11 allows coastal states to apply alternative measures. The most recent result from the 2010 Compliance Review completed March 2012 is shown in Table 6:

Table 6. Excerpts from 2010 Final Compliance Monitoring Report adopted at WCPFC8, and which relate to CMM 2009-04 (covers 27 CCMs)

	Implemented	Potential Implementation issue and explanation identified	Potential implementation issue and more information needed	Implementation needed	N/A
<i>para 7 - Implement 5% fin to weight ratio)</i>	14	2	6	1	4
<i>para 4 - Report retained and discarded catches in AR Pt 2</i>	14	3	6	3	1

Table 7. Numbers of CCM-flagged vessels that have fished for South Pacific Albacore in the Convention Area South of 20°s during the period 2000 – 2011.²³

Year	Australia ²⁴		Belize ²⁵		Canada ²⁶		China ²⁷		New Caledonia ²⁸		New Zealand ²⁹		Chinese Taipei ³⁰		USA ³¹	
	Catch (Mt)	# boats	Catch (Mt)	# boats	Catch (Mt)	# boats	Catch (Mt)	# boats	Catch (Mt)	# boats	Catch (Mt)	# boats	Catch (Mt)	# boats	Catch (Mt)	# boats
2000		139												69		
2001		137									445		81			
2002		135									432		86			
2003		130									361		94			
2004		120		2							333		76			
2005		95							23		267		67			
2006		55							21		182		57	601	8	
2007		61		1				86 LL 10 PS	23		135		49	198	4	
2008		54		2				199 LL 12 PS	23		166		53	150	3	
2009		54		2				219 LL 12 PS	21		162		53	237	4	
2010		51		2				244 LL 12 PS	17		125		44	306	6	
2011		49			0						162	3978	69	321	6	
CCM Limit		132		2	3				n/a		445		81			

²³ The numbers and CCM limit Table 1 do not take into account paragraph 5 of CMM 2010-05.

²⁴ Nominated maximum number of vessels was first provided by Australia in Pt 2 2007, in regards to CMM 2005-02, and was re-nominated in Pt 2 2011 for CMM 2010-05. Estimates from 2010 and 2011 come from Pt 2 2011 and Pt 2 2012 respectively.

²⁵ Data are taken from 2008 Belize Part 2 Report and correspondence with the Secretariat dated 29 April 2008, CCM limit is as set out in WCPFC7 participatory rights and applies for 2011 only

²⁶ From Pt 1 and Pt 2 2012

²⁷ The Part 1 Report for China indicates total number of vessels by fleet type and not by area fished. Further, it notes total catch and percentage of catch by species without indication of north or south of the equator. Catch of albacore has increased to 53.4% total tuna catches by LL.

²⁸ See WCPFC-SC7-AR/CCM-14.

²⁹ Recent figures from Pt 1 2011 and represent vessels which targeted SP ALB south of 20°S (Pt 1 2012). CCM limit is the number of vessels that fished for albacore in 2001, which was 445.

³⁰ Recent figures from Pt 1 2011 and Pt 1 2012, letter sent 11 August 2011 and 29 May 2012.

³¹ Correspondence from USA to the Secretariat dated 8-Jul-2011 and revised figures provided in letter dated April 30 2012. No specific CCM limit has been nominated, but an explanation has been provided in Pt 2 2010 and Pt 2 2012 about measures to ensure compliance with this provision for the two U.S. fleets that operate in the area south of 20S.

v. *CMMs for seabird and sea turtle bycatch mitigation*

23. CMM 2007-04: Conservation and Management Measures to Mitigate the Impact of Fishing for Highly Migratory Fish Stocks on Seabirds and CMM 2008-03: Conservation and Management Measure for Sea Turtles were included in the 2010 Compliance Monitoring Reports. The recent result from the 2010 Compliance Review completed March 2012 for these two CMMs is shown in Table 8.

Table 8. Excerpts from 2010 Final Compliance Monitoring Report adopted at WCPFC8, and which relate to CMM 2007-04 on Seabird Mitigation and CMM 2008-03 on Sea Turtles (covers 27 CCMs)

	Implemented	Potential Implementation issue and explanation identified	Potential implementation issue and more information needed	Implementation needed	N/A
CMM 2007-04: Conservation and Management Measures to Mitigate the Impact of Fishing for Highly Migratory Fish Stocks on Seabirds					
<i>para 9 - Report interactions and by-catches of seabirds in AR Pt 1</i>	15	1	4	5	2
<i>para 1: To use two mitigation measures, one from Column A (side setting, bird curtain and weighted branch lines; night setting – minimum lights; Tori line; Weighted branch lines)</i>	13		5		9
CMM 2008-03: Conservation and Management Measure for Sea Turtles					
<i>paras 2, 5, 7(d) Report progress on implementation of FAO guidelines and information on all interactions with sea turtles in AR Pt2</i>	15	2	5	4	1
<i>para 5: Purse seine mitigation of sea turtle catches – untangle and use of dip nets Para 6: Longline mitigation of sea turtle catches- line cutters and de-hookers Para 7 - Shallow set swordfish gear mitigation of sea turtle catches – large circle hooks, whole finfish as bait, other measures</i>	18		7	1	1

Advice on which seabird mitigation measures are required by CCMs

24. Paragraph 4 of CMM 2007-04 states that “For research and reporting purposes, CCMs with longline vessels that fish in the Convention Area area south of 30°S or north of 23°N shall submit to the Commission in part 2 of its annual report for 2007 (due in 2008) information describing which of the mitigation measures in Table 1 they require or will require their vessels to use, as well as the technical specifications for each of those mitigation measures. Each such CCM shall also include in its annual reports for subsequent years any changes it has made to its required mitigation measures or technical specifications for those measures.” Five CCMs had provided

information specific to this requirement in Pt 2 2007 and Pt 2 2008. Additional information was provided by other CCMs in dCMR covering 2010 activities and more recently in Pt 2 2012. A summary of information available to the Secretariat to date is shown in Table 9.

Table 9. Summary of reporting by CCMs of paragraph 4 of CMM 2007-04, regarding information about the seabird mitigation measures that CCMs require their vessels to use in fisheries operating S of 30S or N of 23N

Information provided	Additional information is needed	Not applicable – no fisheries operating S of 30S or N of 23N
Australia Cook Islands European Union Japan Kiribati Republic of Korea New Zealand Chinese Taipei Tonga United States of America	Papua New Guinea Philippines Vanuatu Indonesia	Canada Federated States of Micronesia Fiji French Polynesia Republic of Marshall Islands Nauru New Caledonia Niue Palau Samoa Solomon Islands Tokelau El Salvador Ecuador Mexico Senegal Thailand Vietnam
Belize		
