



TECHNICAL AND COMPLIANCE COMMITTEE
Seventeenth Regular Session
Electronic Meeting
22 – 28 September 2021

ANNUAL REPORT ON WCPFC HIGH SEAS BOARDING AND INSPECTION (HSBI) SCHEME

WCPFC-TCC17-2021-RP04

7 September 2021

Paper by the Secretariat

Purpose

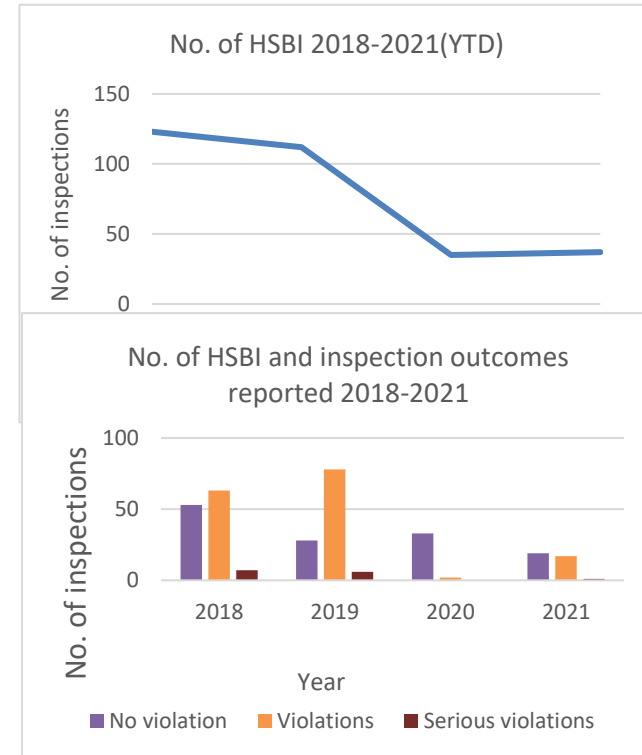
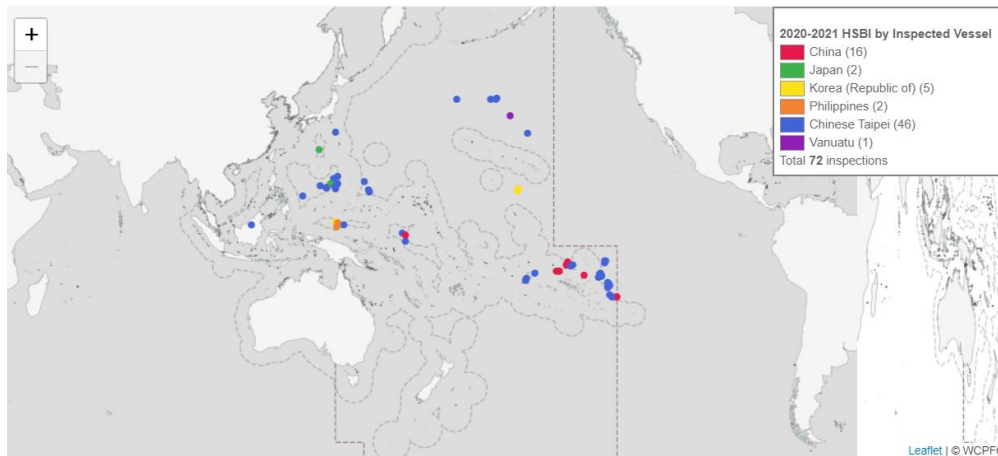
1. This paper presents a summary of High Seas Boarding and Inspection (HSBI) activities for 2020 and the period 1 January 2021 to 30 June 2021 for the consideration and information of TCC17.

Background and Summary

2. WCPFC3 adopted the Western and Central Pacific Fisheries Commission Boarding and Inspection Procedures in 2006 (CMM 2006-08). The following year, WCPFC4 endorsed several procedural specifications which have had some amendments since that time. Examples of procedural specifications include inspection flag and pennant minimum requirements, and the requirement that the Commission maintains a register of authorised inspection vessels.
3. Article 26 of the Convention and CMM 2006-08 paragraph 3 states that the purpose of the HSBI scheme is to establish procedures for boarding and inspection activities on the high seas which ensure compliance with provisions of the Convention, and Conservation and Management Measures. These procedures, which are set out in the measure, enable boarding and inspections of fishing vessels to be undertaken on the high seas in the Convention Area by authorised inspectors from authorised inspection vessels.
4. This report has the following sections:
 - a. Summary of the HSBI Annual Report key points;
 - b. Review of information relating to members authorised for HSBI;
 - c. Review of HSBI activities between 1 January 2020 – 30 June 2021;
 - d. Outcomes of HSBI activities;
 - e. CCMs reporting on implementation of CMM 2006-08; and
 - f. Secretariat comments.
5. Summary information used in this has been available on the WCPFC website since early 2019 (refer to <https://www.wcpfc.int/hsbi-summary-statistics> and <https://www.wcpfc.int/register-inspection-vessels>). These summaries are automatically updated as data are entered into WCPFC databases.

SUMMARY OF THE HSBI ANNUAL REPORT KEY POINTS

- The 14 members that have notified their intent to conduct HSBI have 223 ‘active’ vessels on the Register of Authorised Inspection Vessels
- Inspection levels in 2020 and 2021 (as at 30 June 2021) are around 30% of the number of inspections in 2018 and in 2019.
- The 72 inspections carried out during 2020 and 2021 (as at 30 June 2021) are spread across the convention area and 90-100% of these were of longliners.



- In 2020, inspection reports showed 94% of inspections had no violations and in 2021, 54%. By comparison in 2019 and 2018 there were 26% and 43% respectively.
- The proportion of 2021 inspections with alleged violations is similar to previous years. 2020 is an outlier potentially as most HSBI activity in 2020 did not involve boardings.
- The 2 alleged violations in 2020 related to VMS (result = no violation) and sea turtles (result = violation and sanction).
- Responses to Annual Report Part 2 implementation questions and reviews of implementation carried out in previous years shows most countries have implemented HSBI related obligations.
- Information on WCPFC HSBI requirements, specifications and procedures as well as summary statistics and activities are available on the WCPFC website at [High Seas Boarding & Inspection | WCPFC](#).

Review of Information Relating to Members Authorised for HSBI

6. Fourteen members have notified the Commission of their intention to participate in HSBI activities in the WCPFC Convention Area in accordance with CMM 2006-08 paragraph 6. All except two of these members notified this intent during or before 2010 with Fiji being the most recent, joining in 2019 (refer to Table 1).

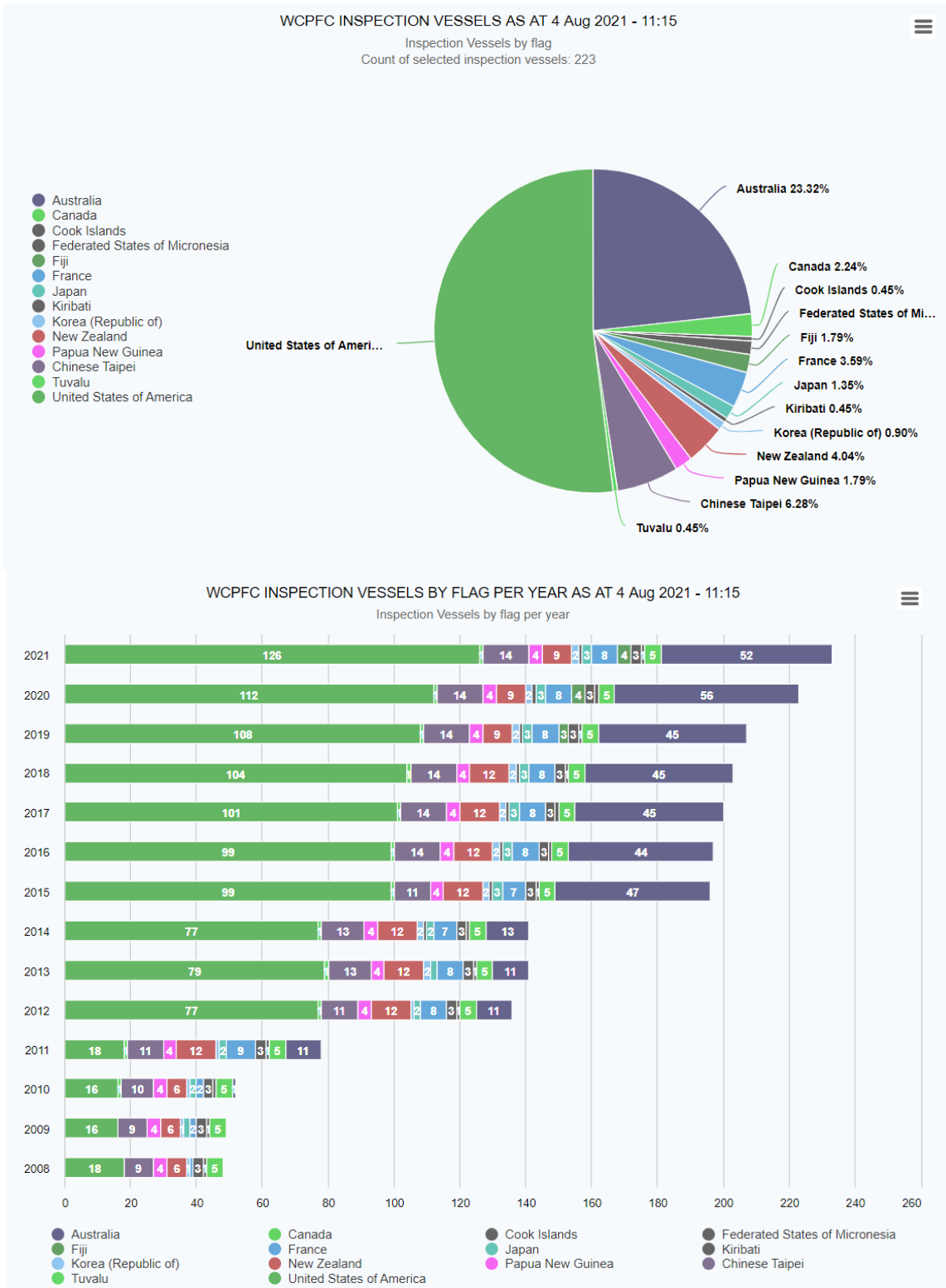
Table 1: Summary of the Members that have notified the Commission of their intention to participate in conducting boarding and inspection activities under the WCPFC HSBI Scheme

	Year notification received	WCPFC notifications received (CMM 2006-08 06)	No. of Vessels on the Register of Authorised Inspection Vessels (as at 4 August 2021)
Australia	2010	YES	52
Canada	2009		5
Cook Islands	2008	YES	1
Federated States of Micronesia	2010		3
Fiji	2019		4
France ¹	2007	YES	8
Japan	2009	YES	3
Kiribati	2014		1
Republic of Korea	2008		2
New Zealand	2008	YES	9
Papua New Guinea	2008		4
Chinese Taipei	2008	N/A	14
Tuvalu	2010		1
United States of America	2009	YES	<u>116</u>
			Total: 223

7. In 2020, Fiji, Australia and the United States notified the Commission of additional inspection vessels to be added to the HSBI register and in some cases, deletions.
8. Collectively, as of 4 August 2021, the participating members have 223 vessels with ‘Active’ status on the WCPFC Register of Authorised Inspection Vessels (Refer **Table 1** above). There has been a progressive increase from almost 50 vessels in 2008 to 223 in August 2021. Changes in the number of inspection vessels by flag each year since 2008 are shown in **Figure 1** below.
9. Information on the inspection vessels is shown on the Register of Authorized Inspection Vessels which is publicly available on the WCPFC website at <http://www.wcpfc.int/register-inspection-vessels>.

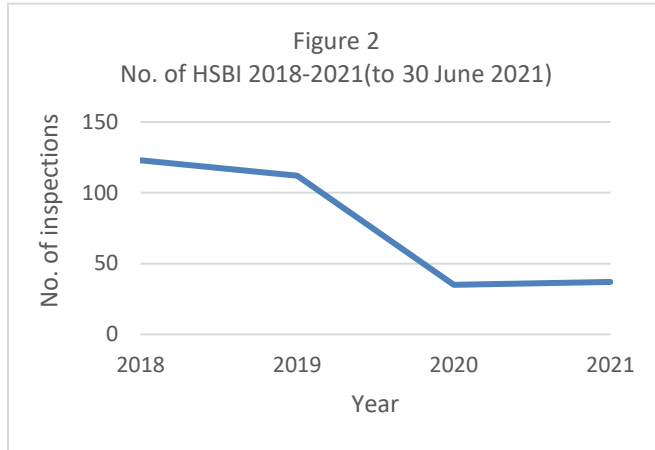
¹ Separate notifications were provided by France for French Authorities that are based in French Polynesia and New Caledonia.

Figure 1: The number of inspection vessels for each member that have ‘active’ status on the Register of Authorized Inspection as at 4 August 2021 (for the latest information, see <https://www.wcpfc.int/register-inspection-vessels>)



Review of HSBI activities between 1 January 2020 – 30 June 2021

10. This section of the report includes information relating to 2018 and 2019 to allow a comparison with pre-COVID-19 HSBI activity.



Numbers of HSBI events

11. **Figure 2** shows the total number of HSBI conducted under CMM 2006-08 for 2018 to 2021 (to 31 July 2021).

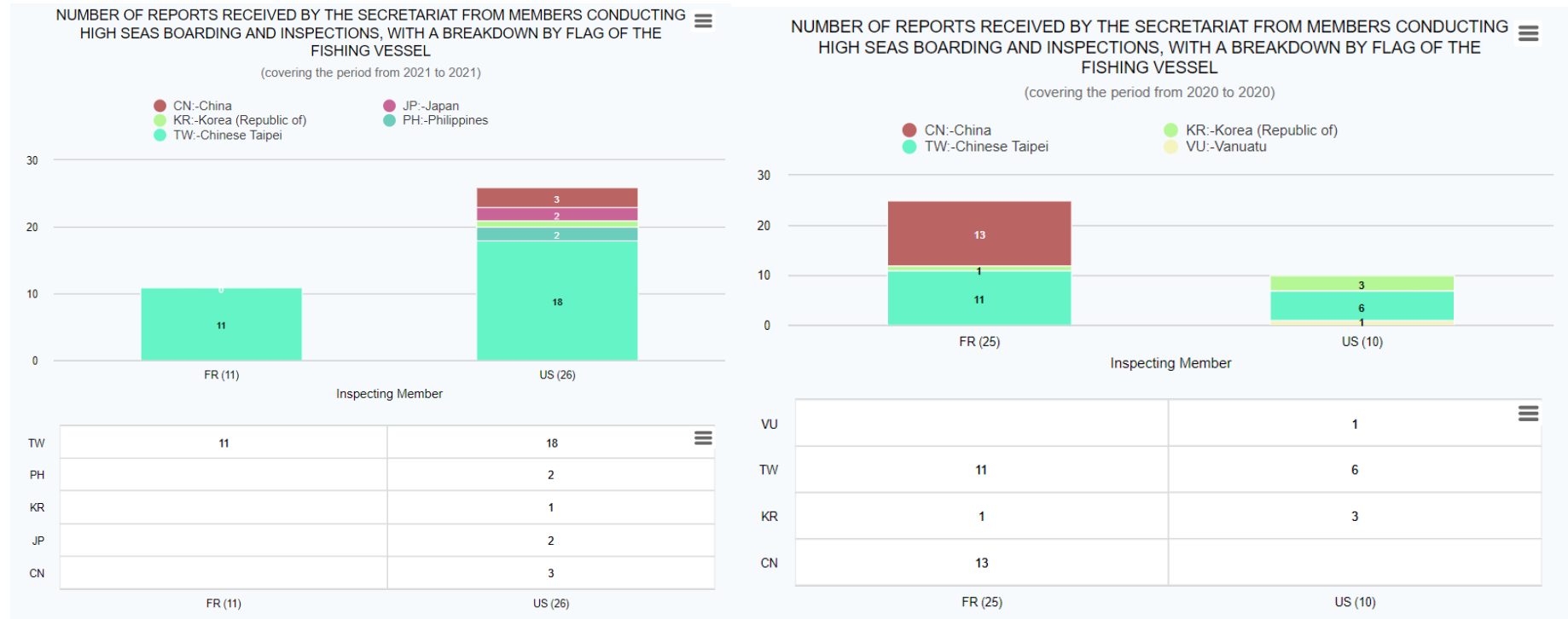
12. The diagrams in Figure 3 give a breakdown of the total number of HSBI for each year from 2018 to 2021 (to 31 June 2021) to show the numbers of reports received from each inspecting member and the flag of inspected vessels.

13. Key points from the diagrams in **Figures 2** and **3** are:

- a. In In 2020 and 2021, two members (the United States of America (US) and France) conducted HSBI in accordance with CMM 2006-08 paragraph 30 compared with four members (Australia, France, New Zealand and the US) in 2018 and 2019.
- b. There were 123 HSBI conducted in 2018 and 112 in 2019. In 2020, HSBI events dropped to 35 but have risen slightly to 37 for the first half of 2021. Overall, the number of HSBI events in 2020 and 2021 are 30% of those in the two previous years.

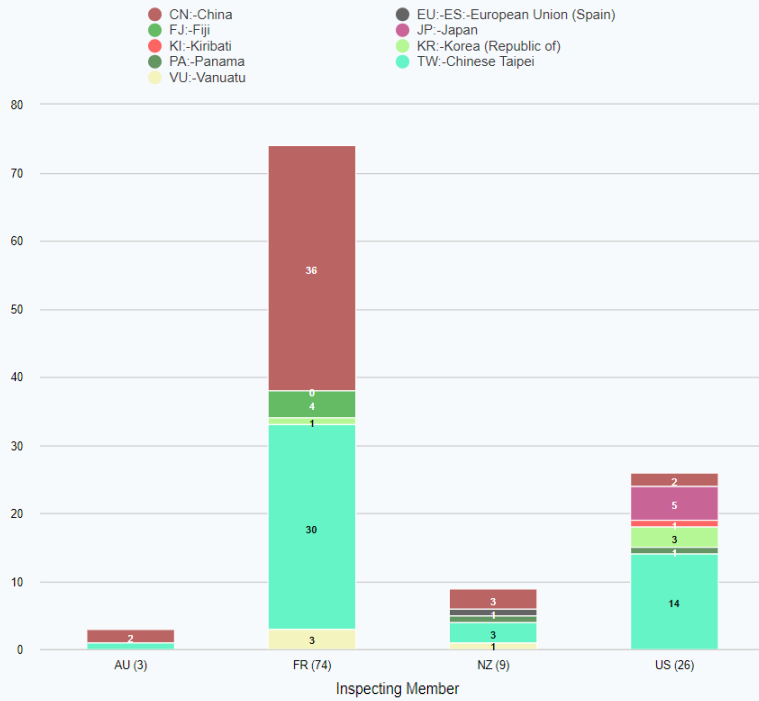
14. The drop in the inspection rate during 2020 is assumed to be the result of the global emergence of COVID-19 and a desire to mitigate the risk to all crews involved. In this vein it is notable that some of the HSBI activities in 2020 are reported as interrogations, indicating the Inspecting Parties have made necessary adjustments to boarding protocols and procedures in response to COVID-19 and either do not board or only board if there is some indication that an inspection is warranted. Boarding procedures evident from some more recent inspection reports indicate targeted inspections that aim to minimise the length of time boarding parties and vessel crew interact as part of new health protocols for inspections at this time e.g. no review of required reporting of catch.

Figure 3: Summary of the number of inspection reports received from each inspecting member and the flag state of the vessel inspected for each year between 2018 and 2021 (to 31 July 2021)



NUMBER OF REPORTS RECEIVED BY THE SECRETARIAT FROM MEMBERS CONDUCTING HIGH SEAS BOARDING AND INSPECTIONS, WITH A BREAKDOWN BY FLAG OF THE FISHING VESSEL

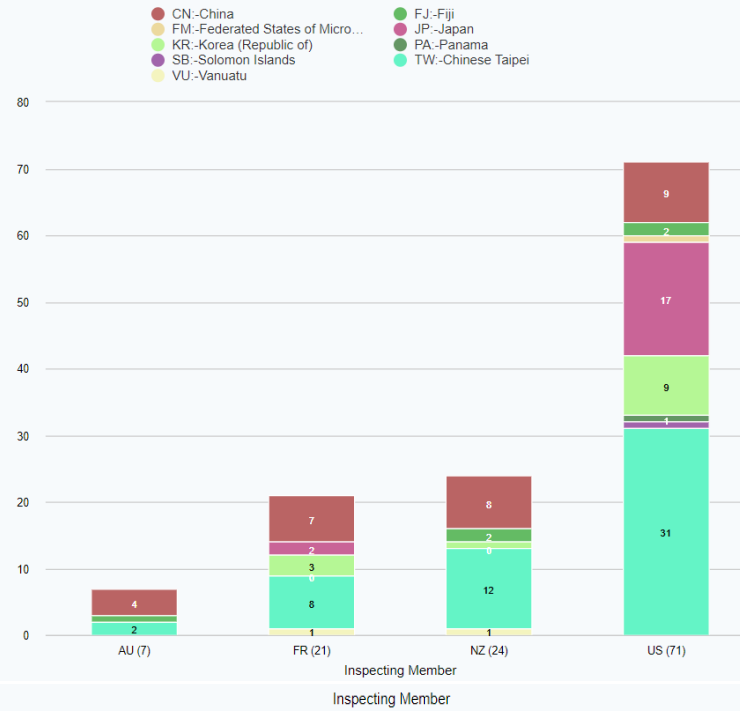
(covering the period from 2019 to 2019)



Flag	AU (3)	FR (74)	NZ (9)	US (26)
VU		3	1	
TW	1	30	3	14
PA			1	1
KR		1		3
KI				1
JP				5
FJ		4		
EU-ES			1	
CN	2	36	3	2

NUMBER OF REPORTS RECEIVED BY THE SECRETARIAT FROM MEMBERS CONDUCTING HIGH SEAS BOARDING AND INSPECTIONS, WITH A BREAKDOWN BY FLAG OF THE FISHING VESSEL

(covering the period from 2018 to 2018)



Flag	AU (7)	FR (21)	NZ (24)	US (71)
VU		1	1	
TW	2	8	12	31
SB				1
PA				1
KR		3	1	9
JP		2		17
FM				1
FJ	1		2	2
CN	4	7	8	9

15. Between 91% and 100% of the vessels inspected over the last 3 ½ years were longliners. Table 2 below shows the number of all vessels by method for 2018-2021.

Table 2: Numbers of vessels by method for each year from 2018-2021 (to 31 July 2021)

Year	Vessel Type						No. of inspections
	Bunkering	Carriers	Longliners	Pole and Line	Purse seiners	Support	
2018	-	2	114	5	2	-	123
2019	1	2	102	4	3	-	112
2020	-	-	35	-	-	-	35
2021	-	2	34	-	-	1	37

16. The list of vessels previously inspected under the HSBI has been published on a secure page on the WCPFC website (<https://www.wcpfc.int/ccm/hsbi-report>) since 2018. Information can be exported in MS Excel and CSV format by authorised users.

17. **Figures 4 a and b** below show where HSBI activities took place in 2020 and in 2021 to 31 July 2021. Annex 1 has comparable information for 2018 and 2019.

Figure 4 a: Geographic distribution of HSBI conducted, by flag of the vessel that was inspected: 1 January – 31 and July 2021

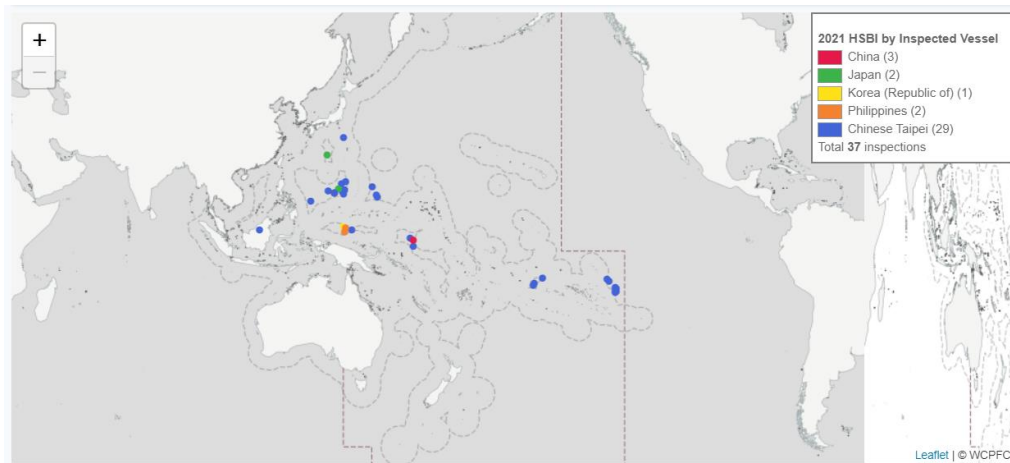
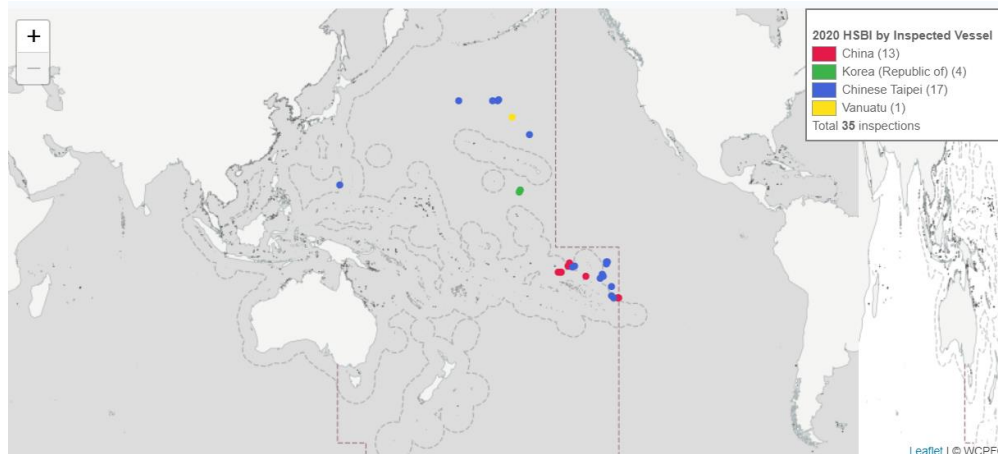
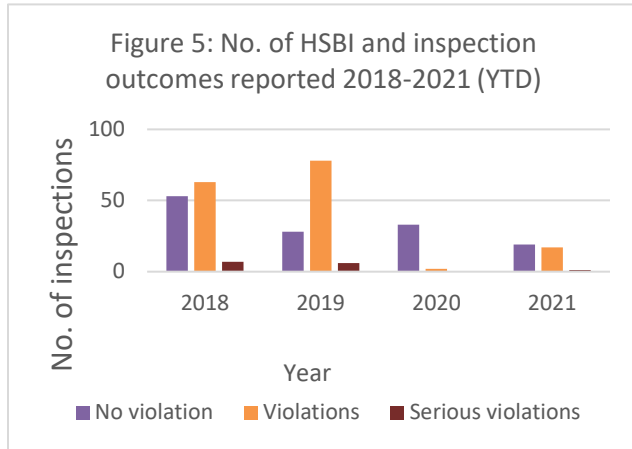


Figure 4 b: Geographic distribution of HSBI conducted, by flag of the vessel that was inspected: 1 January – 31 July 2020



Outcomes of HSBI activities

18. HSBI activities undertaken by WCPFC members provide a mechanism to assist flag CCMs with checking how their vessels are implementing the CMMs that are in force and where further support may assist in reducing infringements detected.



19. **Figure 5** gives a break-down of whether violations were noted in final inspection reports provided to the Secretariat each year between 2018 and 2021.

20. The proportion of HSBI events that have resulted in Article 25 (2) case files being created by the Secretariat has reduced in 2020 and 2021 as shown in **Figure 5** and Table 3 below. However, as noted previously, the number of inspections in 2020/2021 represents only around 30% of the number in 2018 and 2019. Also, most inspections in 2020 did not involve boardings while boardings in 2021, as noted in paragraph 14, are reportedly more limited in scope. It is not clear the extent to which this may be reflected in the scope of alleged infringements seen once

the full 2021 data is available although other factors could also bias this information.

21. The WCPFC Compliance Case File System Article 25(2) list contains records of HSBI events that resulted in a request for flag State investigation pursuant to Article 25(2) of the Convention. Each HSBI event with one or more violations noted, comprises a single compliance case. Copies of relevant correspondence are enclosure with each case along with a summary of the outcomes of the flag CCM investigations. Individual HSBI case files in the Article 25(2) list can be viewed and edited by the relevant Inspecting Member and flag CCM, and by the Secretariat.

Table 3: Counts of WCPFC High Seas Boarding and Inspection events reported per year 2015 – 2021 (to 31 July 2020), with a break-down of whether violations were noted.

	2015	2016	2017	2018	2019	2020	2021
Count of HSBI events reported with No violations noted	50 (71%)	66 (59%)	39 (49%)	53 (43%)	29 (26%)	33 (94%)	20 (54%)
Count of Article 25(2) compliance cases detected through HSBI events	21	46	40	70	84	2	18
Total reported WCPFC HSBI events	70	112	79	123	112	35	37

22. **Table 3** shows that, in 2020, 35 HSBI events were reported, 94% of which did not show any violations. By comparison, in 2019, 26% of inspections showed no violations while 69% showed some violations with 5% serious violations, and in 2018, 43% showed no violations while 51% some violations with 6% serious violations, respectively. The lack of boardings during HSBI events in 2020 will influence these figures which are at odds with years prior to 2020 and with initial data for 2021.

23. **Annex 2** summarises the alleged CMM infringements identified in HSBI reports that have resulted in a request for flag State investigation pursuant to Article 25(2) between 1 January 2015 – 31 December 2020 and the

related outcome of the investigation. All the alleged violations reported from HSBI and entered in the Compliance Case File System as Article 25 (2) cases for 2020 have been investigated and cases completed.

24. There are not enough cases in 2020 and 2021 to identify any issues or trends relative to previous years except that the proportion of inspections resulting in alleged violations in 2021 is, to date, more akin to previous years with 2020 an outlier.

25. Alleged violations in 2020 related to VMS (CMM 2014-02) and sea turtles (CMM 2018-04) requirements. The outcome of investigation showed only the sea turtles resulted in confirmation of a violation and sanction.

CCMs reporting on implementation of CMM 2006-08

Reporting through Annual Report Part 2

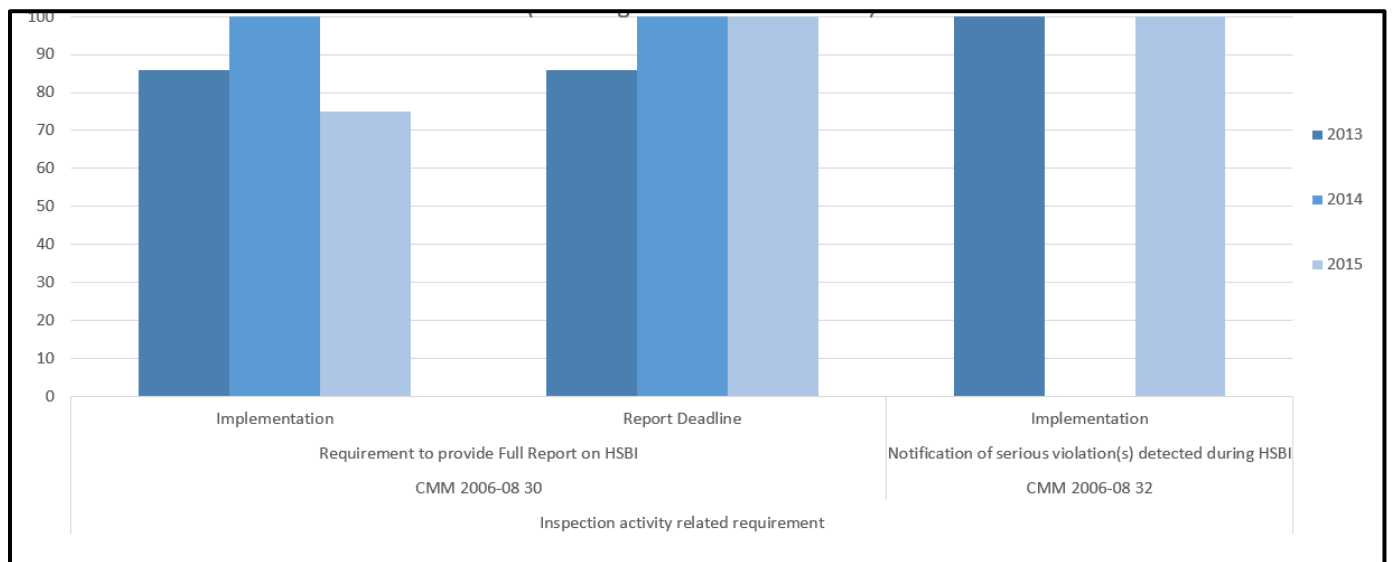
26. The 2021 Annual Report Part 2 template covering 2020 activities included questions relating to their implementation of paragraphs 7, 30, 32, 33, 36, 40 and 41 of CMM 2006-08. CCMs had the choice of answering “Yes” meaning the obligation has been implemented; “No” meaning the obligation has not been implemented; or “N/A” meaning CCM determined that the obligation is not applicable. CCMs also had the opportunity to provide further information on each obligation and attach any supporting documentation. This summary reporting by CCMs in Annual Report Part 2 assists the Secretariat with checking the completeness of the reporting of HSBI activities.

27. **Annex 3** provides a summary of CCMs responses to CMM 2006-08 in Annual Report Part 2 covering activities for 2020. Responses indicate that most countries have implemented the requirements for their fishing vessels in relation to accepting HSBI from authorized vessels including those that do not authorize fishing outside of their national jurisdiction.

Review of implementation by applicable CCMs under the Compliance Monitoring Scheme (CMS) RY2013 - 2015

28. **Figure 6** below provides an overview of the outcome of the evaluation of CMM 2006-08 under the CMS over the years they have been assessed. There was a general trend of improved implementation of the required reporting under CMM 2006-08 by applicable CCMs with most obligations fully implemented by RY2015.

Figure 6: CMR Compliance Score relating to Inspection Activity related requirements over the years it was assessed



Secretariat comment

29. CCMs are reminded that they can directly update their authorities of fishing vessels in the CCMs official contact details through the secure page of the website at <https://www.wcpfc.int/official-circulars>.

30. To assist with the WCPFC Secretariat's record keeping, copies of HSBI reports from Inspecting Members and any replies from the fishing vessel authorities, which are to be submitted to the Commission in accordance with CMM 2006-08, should be sent to the email: HighSeasBoardingInspection@wcpfc.int.

31. CCMs are reminded that, as of 2021, the Compliance Case File System will email an alert to each CCMs nominated email recipient when NEW CASES are created as a result of the information in the final inspection report, and when updates are made by an involved CCM or the Secretariat.

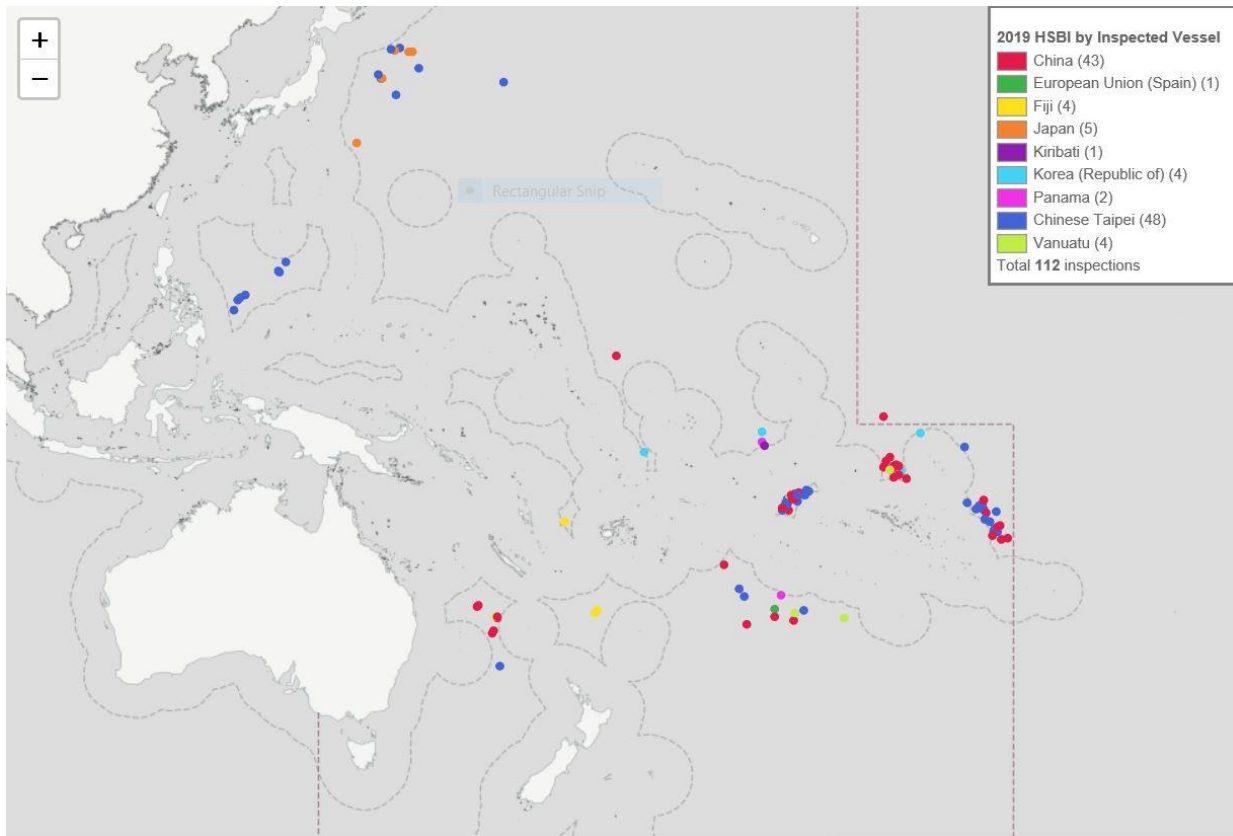
32. CCMs involved in the conduct of HSBI are reminded that CMM 2006-09 paragraph 24 g and 30-31 require the completion of a full boarding report within 3 full days of the completion of the boarding and inspection that provides information to specifics of the violation. Where this timing is not possible, the authorities of the inspection vessel shall provide this information to the authorities of the fishing vessel and specify the time-period within which the report will be provided.

33. To allow the creation of an Article 25(2) case file, the Secretariat is reliant on the timely receipt of full inspection reports that fully describe any alleged violations which will also be critical to allow timely investigations and responses by flag states.

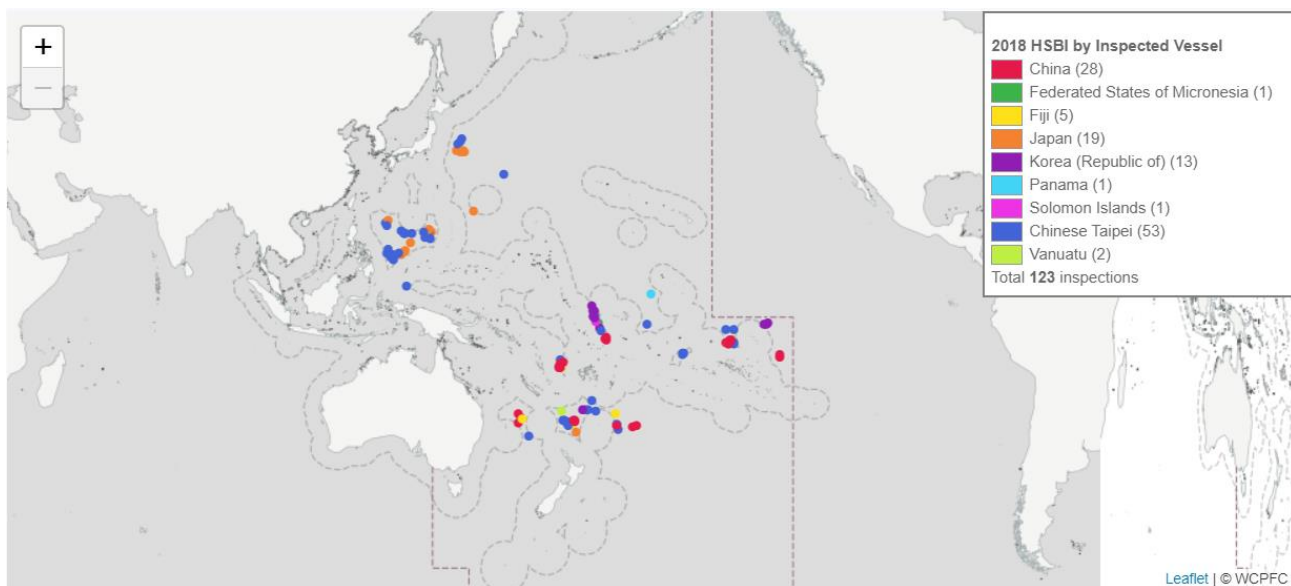
Recommendation

34. TCC17 is invited to note and discuss the recent activities undertaken under the HSBI scheme.
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Annex 1: A) Geographic distribution of HSBI conducted, by flag of the vessel that was inspected: 1 January – 31 July 2019



Annex 1: B) Geographic distribution of HSBI conducted, by flag of the vessel that was inspected: 1 January – 31 July 2018



Annex 2: Summary of outcome of flag CCM investigations of alleged infringements that were notified to WCPFC as Article 25(2) matters, based on High Seas Boarding and Inspection activities (covering the period 1 January 2015 – 31 December 2020)

CMM & paragraph	New Case	Flag CCM Investigation Completed				Flag CCM Investigation Completed Total	Grand Total
		Infraction - no sanction	Infraction - sanction	Infraction - warning	No infraction		
Year							
Vessel & Gear Marking							
CMM 2004-03 02	2	15	10	25	8	58	60
2015		2		3		5	5
2016		7	7	10	3	27	27
2017	1	1	1	3		5	6
2018		4	1	7	4	16	16
2019	1	1	1	2	1	5	6
HSBI procedure							
CMM 2006-08 32	0	3	16	4	9	32	32
2016		1	8		5	14	14
2017			1	2	1	4	4
2018			5		3	8	8
2019		2	2	2		6	6
Sea Turtles							
(CMM 2008-03 04 & 06) now 2018-04	1	4	8	6	9	27	28
2016			4		2	6	6
2017		1	1	2	2	6	6
2018	1	1	2	2	5	10	11
2019		2		2		4	4
2020			1			1	1
High seas transshipment							
CMM 2009-06 13	0	1	2	0	2	5	5
2016		1	2		1	4	4
2017					1	1	1

CMM & paragraph	New Case	Flag CCM Investigation Completed				Flag CCM Investigation Completed Total	Grand Total
		Infraction - no sanction	Infraction - sanction	Infraction - warning	No infraction		
Year							
CMM 2009-06 25					1	1	1
2019					1	1	1
CMM 2009-06 35 a (iii) & (iv)	0	1	3	1	5	10	10
2016		1	2	1	1	5	5
2018					2	2	2
2019			1		2	3	3
Eastern High Seas Pocket SMA							
(CMM 2010-02 02) now 2016-02	0	0	1	0	1	2	2
2015			1			1	1
2016					1	1	1
Sharks							
(CMM 2010-07 06 & 07, CMM 2013-08 01, CMM 2014-05 01) now 2019-04	1	0	9	1	9	19	20
2016			3		2	5	5
2017					3	3	3
2018			4		1	5	5
2019	1		2	1	3	6	7
Seabirds							
(CMM 2012-07 01 & 02, CMM 2015-03 01, CMM 2017-06 01) now 2018-03 02 & 06	0	0	3	2	6	12	12
2015			1			1	1
2016			3		1	4	4
2017				1	2	3	3
2018				1	3	4	4
Daily catch & effort reporting							

CMM & paragraph	New Case	Flag CCM Investigation Completed				Flag CCM Investigation Completed Total	Grand Total
		Infraction - no sanction	Infraction - sanction	Infraction - warning	No infraction		
Year							
CMM 2013-05 01, 02 & 04	1	6	18	18	20	62	63
2015		1	2	3	3	9	9
2016			7	2	1	10	10
2017		1	2	6	4	13	13
2018			5	3	8	16	16
2019	1	4	2	4	4	14	15
Record of fishing vessels (RFV)							
(CMM 2013-10 04) now 2018-06	0	0	1	2	7	10	10
2015					3	3	3
2016			1	2	2	5	5
2017					2	2	2
(CMM 2013-10 17) now 2018-06	0	0	2	0	0	2	2
2016			2			2	2
(CMM 2017-05 04) now 2018-06	0	0	0	1	7	8	8
2018				1	7	8	8
(CMM 2017-05 07) now 2018-06	0	1	1	0	1	3	3
2018			1		1	2	2
2019		1				1	1
CMM 2018-06 03	0	0	0	1	0	1	1
2019				1		1	1
CMM 2018-06 04	2	5	0	3	36	44	46
2019	2	5		3	36	44	46
CMM 2018-06 07				1		1	1
2019				1		1	1
Convention Article 24 (3)	0	0	0	0	1	1	1
2017					1	1	1
CMM 2014-03 02	0	0	0	1	10	11	11

CMM & paragraph	New Case	Flag CCM Investigation Completed				Flag CCM Investigation Completed Total	Grand Total
		Infraction - no sanction	Infraction - sanction	Infraction - warning	No infraction		
Year							
2018				1	10	11	11
Vessel without nationality							
CMM 2009-09 01-05	0	1	0	5	6	12	12
2016				1		1	1
2017				3	4	7	7
2019		1		1	2	4	4
Vessel Monitoring System (VMS)							
CMM 2014-02, 04, 9a & VMS SSPs	5	1	7	9	72	89	94
2015			1		4	5	5
2016			3	1	8	12	12
2017	2			2	15	17	19
2018	3	1	2	4	23	30	33
2019			1	2	21	24	24
2020					1	1	1
Regional Observer Programme (ROP)							
CMM 2018-05 15 (g)	0	0	1	0	0	1	1
2019			1			1	1

Annex 3: Summary of CCMs responses to CMM 2006-08 in 2020 AR Part 2 covering 2020 activities

CMM paragraph and brief	N/A Summary of further information provided	YES Summary of further information provided
<p>CMM 2006-08 07 <i>Fishing vessels to accept HSBI boardings by duly authorised inspectors, and as applicable Members to ensure compliance of its authorised inspectors with the HSBI procedures</i></p>	<p>12 No flag vessel fishing beyond areas of national jurisdiction or in the high seas, flag vessel not allowed to fish on the high seas, no HSBI's conducted</p>	<p>25 Implemented through national legislation (Acts or Regulations), the Niue Treaty Subsidiary Agreement, through Flag Agreement with flag vessels, Plans of Action 1 member responded "No"- not yet implemented with National policies and procedures.</p>
<p>CMM 2006-08 30 <i>Provide Full Report on HSBI</i></p>	<p>25 Have no authorized inspection vessels to carry out HSBI; did not conduct HSBI, no vessels fish beyond national jurisdiction</p>	<p>12 Twelve members either made no comment, have no inspection vessel on the HSBI register or did not conduct any HSBI's in 2020. Two members (NZ, USA) who conducted HSBI's in 2020 state full reports have been sent to flag States of fishing vessels and the WCPFC Secretariat.</p>
<p>CMM 2006-08 32 <i>Notification of serious violation(s) detected by inspection vessels during HSBI</i></p>	<p>25 No HSBI undertaken or no HSBI of member's flagged vessels; no serious violation detected or notified</p>	<p>12 No boardings carried out or received, procedures in place if boarded. Of the boardings that were undertaken, only one member reports finding serious violations, primarily fishing without a licence, permit or authorization issued by the flag member, failure to maintain sufficient records of catch and catch related data, intentional taking or retention of species in contravention of any applicable CMM; multiple violations which taken together constitute a serious disregard of measures in force, and/or using prohibitive fishing gear.</p>

CMM paragraph and brief	N/A Summary of further information provided	YES Summary of further information provided
<p>CMM 2006-08 33 and 36 <i>Response by authorities of the fishing vessel to a serious violation notification</i></p>	<p>22 No serious violation detected; no HSBI of member's flagged vessels; no flag vessels fish on high seas</p>	<p>16 No HSBI conducted or no serious violation notification; several cases remain open but initial responses provided or, if a notification of serious violation is received, CCM respond immediately and internal investigation carried out and outcomes of investigation and case updated, no HSBI conducted, if occurs vessel can be instructed to return to port</p>
<p>CMM 2006-08 40 <i>Annual reporting by members on the HSBI carried out by its authorized inspection vessels.</i></p>	<p>28 Did not conduct any HSBI in 2020; no inspection vessel on the HSBI register, vessels not allowed to fish on the high seas/outside areas of national jurisdiction; No HSBI carried out due to COVID 19 restrictions.</p>	<p>9 CCMs answer YES but only 3 conducted HSBI in 2020 and one of these inspected vessels of their own flag (TW). One member (US) conducted 10 HSBI in 2020 noting violations of CMM.</p>
<p>CMM 2006-08 41 <i>Annual reporting by members on their actions in response to HSBI of their fishing vessels that resulted in observation of alleged violations.</i></p>	<p>29 No HSBI conducted; no flag vessel fishing on the high seas; no flag vessels boarded No cases of violations reported to CCM.</p>	<p>9 CCMs answer YES and provided further information depending on whether the case was still being investigated or had been completed and case files updated.</p>