



## TECHNICAL AND COMPLIANCE COMMITTEE

### Seventeenth Regular Session

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

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WCPFC-TCC17-2021-05

19 September 2021

### Paper prepared by the Secretariat

#### Purpose

1. This paper presents for the information of TCC17 the Executive Director's Overview Report of the WCPFC Monitoring, Control and Surveillance (MCS) and Compliance Programmes for 2021.
2. 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. (TCC17 agenda number and referenced working papers are provided in brackets and in italics for ease of reference).<sup>1</sup>
3. This is the second Report provided in alignment with the Secretariats Corporate Plan 2020 – 2023 acknowledged by the Commission at WCPFC16 (2019) as a living document to guide the work of the Secretariat. The focus of this report is to document the Secretariat's delivery during 2020/21 of Corporate Plan *Objectives 2.1, 3.1* and *3.2*.<sup>2</sup> There is a related paper that presents the outcomes of this year's preliminary internal planning to forecast the future work commitments of the Secretariat's MCS and Compliance programme in 2022/23 in alignment with the related objectives of the Secretariat's Corporate Plan 2020 – 2023.
4. This paper was also prepared against the backdrop of the second year of the COVID-19 global pandemic, which has necessitated the Commission's decision not to have a physical meeting for the 17<sup>th</sup> Regular Session of the TCC. As documented in this report, much of the work of the Secretariat through 2021 was progressed electronically. The Secretariat has prepared a paper on the impacts and implications of the COVID-19 Intersessional Decisions in 2020/21, including background information on the situation with regard to COVID-19 in the region and potential options relating to the Intersessional Decisions relating to COVID-19 (TCC17-2021-14).

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<sup>1</sup> TCC17 Provisional Agenda as at 14 July 2021 and TCC17 Provisional List of Topics for TCC17 online discussion forum as at 14 July 2021. Copy of TCC Workplan 2019 - 2021 is posted as TCC17-2021-IP12

<sup>2</sup> Objective 2.1: Effectively administer the WCPFC's MCS and Compliance Programmes and activities; 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 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.

## Priority Issues forwarded from the Commission

5. The work of the TCC17 is guided by the directives from the Commission. At the WCPFC17 the Commission specifically tasked TCC17 to consider, inter alia, the following matters:

- i. to advance the work agreed at WCPFC16 concerning the aggregated tables and to consider guidance from intersessional work led by the TCC Chair on how TCC17 would consider the aggregated tables alongside the draft CMR [*Agenda 5.1*];
- ii. to provide WCPFC18 an update on obligations and other matters which would benefit from further consideration by the Commission to assist in assessing compliance and noted that these concerns may also emerge through the Future Work of the CMS on Audit Points [*Agenda 5.2*];
- iii. to review updates on Streamlining of Annual Reporting, specifically the TCC16 requests to expand the Annual Catch and Effort (ACE Tables) to include additional estimates of effort and catch based on the April 30 scientific data submissions [*Agenda 5.3(a)*];
- iv. to review updates on the implementation of proposed enhancements to the online Compliance Case File System (CCFS), including the feasibility of improvements to tracking of observer report requests [*Agenda 5.3(b)*];
- v. to review progress on the Future Work of the CMS through the Compliance Monitoring Scheme Intersessional Working Group (CMS-IWG), noting that the Commission at WCPFC17 had affirmed the importance of all the future work called for in section IX of CMM 2019-06 and supported the prioritisation of four streams of intersessional work for the CMS IWG in 2020/21 and recognised that some elements may extend until 2022:
  - a. the development of a risk-based assessment framework to inform compliance assessments and ensure obligations are meeting the objectives of the Commission;
  - b. the development of audit points to clarify the Commission obligations assessed under the CMS, as well as a checklist to be used by proponents of any proposal to include a list of potential audit points for the consideration of the Commission;
  - c. the development of a process for TCC to consider the aggregated tables alongside the draft CMR (paragraph 33 and 34 of CMM 2019-06); and
  - d. the development of guidance on the participation of observers in the CMS process as outlined in CMM 2019-06. [*Agenda 5.3*];
- vi. to review available information on the implementation of Intersessional Decisions taken in response to COVID-19 in 2020/21 [*Agenda 6*];
- vii. 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
- viii. to review Indonesia and Philippines delegation papers and provide advice to inform a Commission discussion on the application of paragraph 51 of CMM 2018-01 and CMM 2020-01 [*Agenda 7.2*].
- ix. to consider the outcomes of intersessional work to update the TCC Workplan, noting that the TCC Workplan 2019-2021 adopted at WCPFC15 continues until 2021 [*Agenda 9.2*].
- x. to review the draft guidelines for non-entangling and biodegradable FADs prepared by the FAD Management Options IWG [*Agenda 10*].

**Suggested Action:**

6. TCC17 will consider the appropriate response to these tasks at the relevant agenda item .

## **The WCPFC Compliance Monitoring Scheme**

*[Agenda 5 - TCC17-2021-08A, 08B, 10, 12, IP01, IP02, IP03, IP04, IP05, IP06, IP08]  
[TCC17 online discussion forum topic C1 – C3]*

7. 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 for TCC17 noting in TCC17-2021-08A.

### *The draft Compliance Monitoring Report*

8. The draft Compliance Monitoring Report (CMR) was prepared and issued by the Secretariat before the due date on 29 July 2021. It covers 70 obligations (71 rows per CCM) for thirty-seven (37) CCMs and one collective group of Members for individual CCM review (see TCC17-2021-08A Annex 2 for the list of obligations). The full draft CMR was delivered two days after the due date of 15 days prior to start of TCC17 (**9 Sept**) due to other competing commitments.

9. The draft CMRs from the Secretariat highlighted approximately 128 potential issues. The full draft CMR, which incorporated replies from thirty (30) CCMs highlights 39 potential issues for review by TCC.

10. As explained in working paper TCC17-2021-17 Preliminary consideration of the anticipated forecast of Secretariat work commitments for TCC in 2022/23 the Secretariat’s strategy to produce on schedule the draft CMR involved careful planning; enhancement of the WCPFC Information Management System (IMS) hosted databases for centralizing records of CMM reporting and continuous development of integrated MCS analytical tools.

11. 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 2020 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.

### *Annual reporting*

12. The SPC-OFP in 2021 continued to enhance the presentation of the ACE tables, that fully explored the extent to which annual catch and effort estimates derived from operational level catch and effort data submissions to support reviews of CMM implementation for the 2021 list of obligations in the CMS. The enhanced ACE Tables also assisted the Secretariat in completing initial dCMR work in advance of CCMs Annual Report Part 1 submissions that were due in mid-July.

13. Annual Report Part 2 online system was made available for CCMs use on **5 March**, which is over three (3) months in advance of the reporting deadline of 14 June agreed by the Commission at WCPFC17. It includes these features:

- i. The Annual Report Part 2 contained 187 questions, which included the “hold-on file” of CCMs responses to prior year implementation questions (98 questions). The

preparations of the hold on file list were more involved for the Secretariat than in recent years, but this is expected to become more routine. Length of Annual Report Part 2 in 2021, was slightly higher than 2020 which had 170 questions (including 100 “hold on file”) but equivalent to 2019 (187).

- ii. Despite the earlier deadline for Annual Report Part 2 of 14 June, most of the Annual Reports (33 CCMs AR Pt 1 and 30 CCMs AR Pt 2) were received on time. Timeliness of submissions were like 2019 and 2020 (see TCC17-2021-10).

14. The WCPFC CMS webpages ([www.wcpfc.int/compliance-monitoring](http://www.wcpfc.int/compliance-monitoring)) were refined to provide more of a one-stop shop for information, including guidance on annual reporting templates and key dates, and reference documents related to the past and present processes to review and enhance the CMS. In 2021, guidance to CCMs for Annual Report Part 2, online CCFS and CMRs was enhanced through the ‘WCPFC Helpdesk’, created in late 2020. An enhanced Suggested Checklist document was also made available for CCMs on 5 March 2021. The WCPFC calendar of significant dates, which includes key reporting deadlines, continued to be maintained through the website, and that CCMs may access as a ICAL link and CSV export.

15. In working paper TCC17-2021-10, the Secretariat provided further updates on two streamlining of annual reporting initiatives initially implemented in 2020: the Annual Catch and Effort Estimates (ACE) Tables and Annual Report Part 1; and the Annual Report Part 2 online report. The paper also discusses the Secretariat’s preliminary views on ways to enhance reporting processes to better support CMS work. The preliminary suggestions could be further considered in continuing CMS-IWG processes. The paper is for noting.

#### *Online Compliance Case File System (CCFS)*

16. The CCFS has continued to expand with additional Article 25(2) and updated ROP data covering 2017/2019 periods enhanced by SPC’s ability to reduce the backlog of data entry due to the reduced number of new observer reports being received. Approximately 4698 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 2016 – 2021. 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 1,904 cases.

17. The CCFS has increased the CMS 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.

18. A new email alert system and some other CCFS enhancements were delivered from early April 2021. Other planned enhancements were not able to be delivered because ongoing SharePoint development work is no longer feasible using the on-premises platform (see TCC17-2021-12 Update on enhancements to the CCFS). In 2021 the Secretariat has also commenced a workplan of activities to support and implement a redevelopment of the CCFS using the Drupal platform.

### *Support to the CMS-IWG activities*

19. Throughout 2021, the Secretariat has worked closely on CMS Future Work activities with the TCC Chair and TCC Vice-Chair as well as the leads to develop the Risk-based Assessment Framework and CMS Audit Points. In the first quarter of 2021, the Secretariat met and assisted two consultants who has been contracted to assist FFA CCMs with their preparations related to CMS Risk-Based Assessment Framework and CMS Audit Points respectively.
20. The Secretariat's support to the CMS-IWG activities include exploration of the use of thematic categories to support the analysis and presentation of data at across a wider range of levels to reflect systemic, groupings and individual measure level views. The approach is a work in progress, and the Secretariat welcomes feedback on the approach documented in *Annex I*.
21. An enhanced version of the aggregated summary tables produced from the CCFS was released on **13 August** accompanied by the TCC Chair's proposed approach for considering the aggregate tables at TCC17. The approach took into consideration the stated intention of the tables as described in paragraph 26(ii) of CMM 2019-06 and presentation is in MS Excel format, rather than a static pdf file. A revised version of the aggregated summary tables that considers CCMs updates up to 6 September, was issued on 17 September (TCC17-2021-dCMR02\_rev1) with the TCC Chairs paper on proposed process to consider the CMR (TCC17-2021-09)
22. The theme groupings were used to review CMR outcomes covering 2013-2019, and these groups are used in presentation of past CMR outcomes in Secretariat TCC17 annual reports for the integrated MCS programme. Over the period on average, there was relatively higher compliance with quantitative limits and fishing vessel operational requirements, and comparably lower compliance with obligations related to mitigating impacts of fishing and activity related or operational requirements. A closer examination within the theme groups, indicates that applicable CCMs have regularly faced challenges in meeting reporting requirements, particularly report deadlines. (see TCC17-2021-08A page 12 - 14)
23. Looking ahead to 2022 and onward, the scope of Secretariat CMS-related tasks will be dependent on the outcome of the CMS-IWG activities. For 2022/23 the Secretariat is forecasting that there will be greater expectations for analytical work to support the CMS at least over the next couple of years. This will need to, at the same time, be balanced with other TCC-related tasks to the Secretariat, as well as some necessary IT system enhancements to externally facing WCPFC ICT application systems that rely on SharePoint. Secretariat paper TCC17-2021-17 Preliminary consideration of the anticipated forecast of Secretariat work commitments for TCC in 2022/23 is provided for CCMs review and comment through the *TCC17 online discussion forum Topic I* and *TCC17 Provisional Agenda item 9.1*.
24. Under *TCC17 Provisional Agenda item 5.3* TCC17 will consider the progress from the CMS-IWG (TCC17-2021-13A). The update includes a report on progress tabled by the Lead of the Risk-Based Assessment Framework (TCC17-2021-13B) and the discussion paper and supporting spreadsheet is provided for CCMs review and comment through the *TCC17 online discussion forum Topic C3*

**Suggested Action:**

25. TCC17 will consider the draft CMR with the view to submit a provisional CMR to WCPFC18.

### **The IUU Vessel List**

*[Agenda 3 – TCC17-2021-06]*

26. The WCPFC IUU Vessel List for 2021 includes three (3) vessels that are maintained from the previous year's list and there were no intersessional updates for these vessels. TCC17 will review the vessels currently on the IUU vessel list. No vessels were included on the draft IUU vessel list for consideration by TCC17.

27. In mid-August 2021, the Secretariat submitted comments to the European Union in response to Circular 2021-39 on their proposal to amend CMM 2019-07. The Secretariat expressed its support of efforts to address IUU fishing and it stands ready to assist where WCPFC Members feel the Secretariat can best contribute. The comments drew on the Secretariat's observations over the last 12 - 18 months and from informal collaborations with counterparts in RFMO Secretariats in support of their cross-listing procedures for other RFMO IUU Vessel Lists. The comments also noted a concern from FFA members of a potential workload issue for Pacific CCMs. A revised proposal prepared by the European Union has been tabled as TCC17-2021-DP03 and the paper is provided for CCMs review and comment through the *TCC17 online discussion forum Topic K5* and *TCC17 Provisional Agenda item 10*.

### **Review of Cooperating Non-Member applications**

*[Agenda 4 – TCC17-2021-07]*

*[TCC17 online discussion forum Topic B]*

28. Eight (8) requests have been received in 2021 for renewal of Cooperating Non-Member (CNM) status for 2021, all are current CNMs. The supporting paper TCC17-2021-07 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. TCC17 is expected to establish a CNM Small Working Group who will assist TCC17 with the review of these requests with the view to advise the WCPFC18 on those applications.

### **Monitor obligations relating to Small Island Developing States and territories**

*[Agenda 5 and 8 – TCC17-2021-RP01-08, RP10, 08A and 08B]*

29. Working paper TCC17-2021-08B summarizes Capacity Assistance needs identified by CCMs, based on this year's Annual Report Part 2 and the draft CMRs. There are two additional requests from a developing CCM for consideration of Capacity Assistance Needed score in this year's draft CMR.

30. There was a 2021 budgetary allocation of \$260,000 for Regional Capacity Building Workshops, with a note that FFA/SPC are to advise on the use of the funds. In 2021 FFA has recently advised that \$223,373.75 will be utilized to support an Observer Sea Safety Training Project for FFA Members. 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. For further information on available at this WCPFC webpage: Implementation of Article 30 of the Convention.

31. Throughout 2020/21 the Secretariat has continued to assist individual CCMs, on request, with WCPFC reporting requirements, including Annual Report Part 1 and Part 2, online Compliance Case File System guidance, and use of the WCPFC High Seas Transshipment E-Reporting (TSER) system and VMS Reporting Status Tool (VRST). In 2021, advice was also provided on request to CCMs with their consideration and development of Capacity Development Plans as part of replies to the draft CMR. Such assistance from the Secretariat seems to be helpful in circumstances where a CCM national administrations has changes in staff who are involved in

supporting WCPFC matters or where a better understanding of how to use the online system can assist in more efficient processes for CCMs. This will continue into the next year as CCMs continue to familiarize themselves with this system and the changes being made to improve its usefulness and ease of use based on CCM feedback.

32. A new 'WCPFC Helpdesk' available since late 2020 also provides brief reference information for members on how to access and complete reports and to access and make updates to some WCPFC datasets. ([Helpdesk : WCPFC \(freshdesk.com\)](https://freshdesk.com)) These are very short guides with new topics progressively being added as resources permit.

33. 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, transshipment reporting queries, Commission minimum standards and related issues and WCPFC data request procedures.

**Suggested Action:**

34. TCC17 will consider the capacity assistance needs of CCMs at the appropriate agenda.

## **The WCPFC Integrated MCS Programme**

*[TCC17 online discussion forum topic A]*

35. This section covers the summary of the reports of the various MCS tools which will be taken as read at TCC17. The summary is in the succeeding paragraphs.

*Vessel Monitoring System (VMS) is presented in TCC17-2021-RP01.*

36. As of 31 July 2021, there were 2,640 vessels that were considered activated to report to the Commission VMS. In 2020/21 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 \$476,646 (\$270,000 for the FFA Service Level Agreement and \$206,646 for Airtime services).

37. Since TCC16 (September 2020) no new MTUs have been added through the intersessional process in the VMS SSPs to the List of WCPFC Approved MTUs/ALCs. Three currently are undergoing testing and review (see page 7 of [TCC17-2021-RP01](#)).

38. The VMS reporting status tool continues to be available to assist authorized users of CCMs with checking the VMS reporting status of their vessels, it is available at this link: <https://vrst.reports.wcpfc.int>. CCMs are also able to download a copy of the relevant report in CSV format.

39. Since March 2021, the Secretariat has implemented a workflow that tracks where the Secretariat have identified issues and have worked to resolve these issues related to the VMS reporting status of a vessel. The sources of the issues tracked include but are not limited to a CCMs query, a change in the FFA Good Standing List registration status (listing or de-listing), a notification of HSBI inspection activity is received, a high seas transshipment notification is received, there is a difference between the WCPFC MTU Register active MTU and the channel that TrackWell has recorded the receipt of the WCPFC VMS data, and the vessel has stopped reporting.

40. The Secretariat is developing a framework to automate the integration of VMS manual report based on the common North Atlantic Format (NAF). In this framework, VMS manual report would be submitted by CCMs to the Commission VMS via email. Correctly formatted data received would then automatically be integrated into the Commission VMS.

41. The successful delivery of the automated VMS Reporting Status report involved collaborative work over an extended period 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.

42. During 2021, the Secretariat worked with the VMS-SWG co-chairs to develop a revised set of Standard Operating Procedures for consideration through the VMS-SWG. The VMS SWG Co-Chairs have presented draft revisions to the VMS SOPs to TCC17 ([TCC17-2021-15B](#)) as an accompanying paper to the VMS-SWG report to TCC17 ([TCC17-2021-15A](#)). The VMS-SWG report is provided for CCMs review and comment through the *TCC17 online discussion forum Topic G* and *TCC17 Provisional Agenda item 7.1*. General information from the VMS-SWG can be accessed from the VMS-SWG webpage: [https://www.wcpfc.int/2020\\_vms-swg](https://www.wcpfc.int/2020_vms-swg).

*Regional Observer Programme (ROP) is presented in TCC17-2021-RP02\_rev1.*

43. The ROP is comprised of 25 observer programmes of Members and sub-regional agencies. The year 2020 saw the implementation of decisions that suspend the requirements for WCPFC observer coverage due to the COVID-19 Pandemic, however observer coverage continued to occur in some of the fleets for part of the year 2020. The paper [TCC17-2021-14 COVID-19 related intersessional decisions](#) provides an overview and analysis of these decisions, and their implications. Whilst the catch data is reduced because of the reduction of observer trips, data was still collected by a few programmes for at least part of the year 2020. This report covers the data that was collected by observers.

44. In 2020/21 the Secretariat continued to support observers and programmes where possible and assisted with online training and advice given on request to help CCM observer programmes. It continued also to assist national and sub-regional observer programmes on matters regarding provider and observer roles in relation to Commission requirements of CMMs, minimum standards for the ROP's, data collection and data entry requirements, monitoring of transshipment and other ROP observer related issues. A report on the ROP observer safety CMM (CMM 2017-03) and the Secretariat's support to observer programmes implementation of the ROP safety minimum requirements is included in TCC17-2021-RP02.

45. Overall, the 25 observer programmes that are part of the Commission ROP continued in 2020/21 to have their operations curtailed and were not able to operate in a manner that enabled them to place and retrieve observers on most fishing vessels. A few programmes continue to place observers on vessels that depart and return to the same ports in their country, these are mainly domestic based longline vessels and the Philippines HSP1 fleet. As is explained in [TCC17-2021-14](#) and [TCC17-2021-RP02\\_rev1](#) purse seining, longline and at-sea transshipment had very little observer coverage in 2020 after March and basically no coverage up to August 2021.

46. The third phase of audits of ROP programmes commenced in 2019 and this has continued in 2020/21. In 2020, an online audit procedure was implemented, and six audits have been completed to date. This online procedure did detect inadequacies in some of the programmes, which were rectified by the programmes, and all six observer programmes audited in 2020/21 met the required "Agreed Minimum Standards and Guidelines of the Regional Observer



Programme” and were granted continued authorisation to be part of the ROP. The annual budget for the Audits was \$15,000 in 2021. A report of the ROP data management is provided in TCC17-2021-IP01, the budgetary allocation in 2021 was \$923,904.

47. As was explained in TCC17-2021-14 the latest information available to the Secretariat, via a survey of all Authorised ROP Observer Programmes, confirmed that all Pacific Island Observers that were stranded in foreign ports have been repatriated. China has advised that they have fifteen (15) of their observers that remain on vessels and are still to be repatriated. Some ROP programmes have recently advised the Secretariat that they are maintaining placements of observers, and these generally begin and end in a vessel’s home port. This includes China, the European Union (Portugal), New Caledonia, New Zealand, Philippines, Solomon Islands and Tonga. In addition, for part of 2021, SPC data indicates that Fiji, Papua New Guinea and Vanuatu had some observer placements, although more recently these programmes have confirmed that they currently have no observer placements.

48. The Secretariat paper TCC17-2021-14 that reviews available information on the implementation of Intersessional Decisions taken in response to COVID-19 in 2020/21 is provided for CCMs review and comment through the *TCC17 online discussion forum Topic D* and *TCC17 Provisional Agenda item 6*.

*Transshipment Reporting is presented in TCC17-2021-RP03.*

49. The number of reported high seas transshipments for 2020 is 1,160 which is less than the highest levels of transshipments reported to WCPFC in 2019 (1,472) and 2018 (1,447). Thirty (30) receiving vessels and 469 offloading vessels from seven (7) CCMs were involved in these reported transshipments. Higher proportions of WCPO longline catches of albacore, yellowfin, blue marlin and striped marlin were reported on high seas transshipment declarations in 2020 than in 2019.

50. Advance notifications and post-transshipment declaration reporting by CCMs of high seas transshipment events continues to improve and is complete in 2020 for some CCMs. From 1 Jan – 24 June 2021, 425 high seas transshipment events were reported involving 17 receiving vessels and 258 offloading vessels from 7 CCMs. As part of the administration of high seas transshipment reporting the Secretariat it is now routine business for the Secretariat to provide detailed supporting documentation to CCMs who are involved in high seas transshipment activities, advising of gaps in data and the timeliness of submissions of transshipment required reports.

51. To support the implementation of the WCPFC High Seas Transshipment E-Reporting System, since April 2020, the Secretariat has provided Authorised Flag CCM users online access to their high seas transshipment notifications and high seas transshipment declarations as received by WCPFC as a tool to assist in their transshipment management and identification and resolution of issues. 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. To date, the Secretariat has provided two demonstrations on the use of this system. This is available at this link <https://www.wcpfc.int/ccm-transshipment>

52. As was explained in TCC17-2021-14 Secretariat information on transshipment activity since the COVID-19 related intersessional decisions took effect shows most members reported in their Annual Report Part 2, that they did not suspend the prohibition on high seas transshipments for purse seiners. Some CCMs reported additional monitoring such as additional checking of catch/effort reports were implemented but the extent is not clear. In 2020, 16% of transshipments were unobserved but considering only 27 May - December 2020, after COVID-19 intersessional decisions took effect, 29% of transshipments did not have any ROP observer. The percentage of unobserved transshipments increased to 85% in 2021.

53. As of March 2021, to assist in monitoring compliance with transshipment requirements, the Secretariat implemented additional routine internal processes to cross check information relating

to vessels involved in transshipments. When a transshipment notification is received by email or is directly entered into TSER by the relevant CCM, the VMS reporting status of the offloading and receiving vessels are checked. It is explained in TCC17-2021-RP03 that the work to incorporate IT solutions that verify high seas transshipment reporting through VMS analysis is still work in progress and remains a priority for the Secretariat to progress, however this has been constrained by competing priorities.

54. In 2021, the Secretariat is leading a study to identify and assess the high-level options and their potential costs and IT infrastructure for a WCPFC Secretariat role in receiving and managing Electronic Monitoring (EM) camera footage and data from an on-board camera system or data logger system. Transshipment monitoring was the focus for this work. The consultancy was funded from a U.S. voluntary contribution received in 2020 (\$US47,500 of which ~\$20,000 is remaining), and the Secretariat has worked closely with ERandEM WG Chair and TS-IWG (IWG to review CMM 2009-06) Co-Chairs throughout.

*High Seas Boarding and Inspection Scheme (HSBI) is presented in TCC17-2021-RP04.*

55. 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 of 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 of 30 June 2021) are spread across the Convention Area and 90-100% of these were of longliners.

56. 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 (they were reported as “interrogations”). The 2 alleged violations in 2020 related to VMS (result = no violation) and sea turtles (result = violation and sanction).

57. 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.

58. Information on WCPFC HSBI requirements, specifications and procedures as well as summary statistics and activities are available on the WCPFC website at <https://www.wcpfc.int/high-seas-boarding-inspection>. 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 TCC17-2021-RP05.*

59. Of the 3,435 vessels on the RFV on 30 July 2021, 88% are longliners (61%), purse seiners (14%) and carriers/bunker vessels (13%). The number of vessels on the RFV has progressively declined since 2009 (6,049 to 3,503 in 2020). Proportions of the main vessel types are similar between 2014-2021, averaging 65% for longliners, 13% purse seiners and 11% carriers/bunkering vessels. As the number of vessels on the RFV has decreased, the proportion of vessels reported as ‘Fished’ has increased but does not reflect a marked increase in the number of active vessels.

60. In 2021, 2110 vessels (61%) were listed as authorised for high seas transshipment; mainly longliners (86%) and carriers/bunkering vessels (9%). These figures have remained stable over 2021 and 2020.

61. In 2021, 317 (9%) of vessels were listed as under charter; mainly longliners (67%), purse seiners (19%) and carriers/bunkering vessels (8%). Figures for 2020 and 2018 are generally similar but in 2019 there was an increase to 526 (13%) vessels under charter. Not all charters that

may be shown on the RFV by the flag state have been formally notified to the Secretariat by the chartering CCM.

62. All CCMS submitted fish/did not fish reports on or before 1 July 2021 with 15 CCMS submitting reports before June which greatly assists the Secretariat's ability to review and resolve any inconsistencies with WCPFC VMS data. Implementation of RFV requirements by CCMS initially posed challenges but has progressively improved since 2013.

63. 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 TCC17-2021-RP06.*

64. 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 TCC17-2021-RP07.*

65. CMM 2017-02 encourages each port CCM to designate ports for the purposes of inspection through the provision of a list of its designated ports to the Executive Director. Each port CCM is also to notify the Commission of a contact point for the purposes of this measure. As of 16 August 2021, six CCMS (Australia, France/French Polynesia, Thailand, Japan, New Zealand, and the Solomon Islands) had submitted advice of their designated ports. Five CCMS (Australia, Thailand, Japan, New Zealand, United States) had submitted contact points. Two CCMS updated contact points; one in 2020 and one in 2021.

66. CMM 2017-02 notes that some members are parties to the UN FAO Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing. CMM 2017-02 provides flexibility for members to determine when requirements will be applicable and to which ports. As of July 2021, 21 WCPFC members are parties to this agreement, seven of which have designated ports and/or contact points under CMM 2017-02.

67. To date there have been no requests for port inspection under CMM 2017-02. In May 2020, the Secretariat received a report from Thailand notifying of a vessel denied port entry as it was potentially a vessel that appears on IOTC IUU vessel listings but under a new identity. Additional reports of port inspection activities undertaken pursuant to CMM 2017-02 were received from two port members in 2020 and one port member in 2021. The reports relate to vessels on the WCPFC Record of Fishing Vessels (RFV) that have been active in the Convention Area. In addition, pursuant to Article 25(2) of the Convention, the Secretariat has continued to receive advice of a small number of requests for flag CCM investigations resulting from port inspection activities undertaken by CCMS.

68. The suspension of purse seine observer coverage and the requirement for transshipments to be observed increase the risk of IUU fishing. Reported changes in the operational activity of fishing vessels due to COVID-19 precautions mean vessels are staying at sea longer and/or not entering ports, particularly foreign ports, as frequently. This will impact the ability of port states to conduct inspections on vessels that may be identified as a priority for inspection. There have also been fewer high seas at-sea boarding and inspections although there have been an increased

level of data requests reflecting member activity across a wider range of MCS tools including port state measures. 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 TCC17-2021-RP08.*

69. In 2020/21 the Secretariat has maintained its system of controls over approvals for access to WCPFC data and information. In 2020, the Secretariat received and processed eighty-three (83) requests from Members and others for specific WCPFC data, some of which related to multiple types of WCPFC non-public domain data. In 2021 to date, the Secretariat has received and processed 125 data requests. The level of data requests is the highest seen and is likely to reflect the effect of COVID-19. There has been a progressive reduction in the number of observers on vessels since early 2020 through to negligible levels in 2021. There has also been a significant reduction in the level of HSBI particularly during 2020. This seems to have been the impetus for the use of alternative approaches to support monitoring of vessels activities which have increased reliance on access to WCPFC data set to support operational activity. Consideration is being given to how the Secretariat can more simply produce data extracts in response to common WCPFC MCS data requests. Currently for WCPFC data, other than VMS and Observer data, the extraction is largely a manual process.

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

70. This is an annual requirement as per the VMS SSPs, and the budgetary allocation in 2021 was \$8400. The 2021 audit is in progress and working around the constraints of COVID-19. The report is expected to be completed in the coming months.

*Performance of the E-reporting standards and their application is presented in TCC17-2021-RP10.*

71. To date the Commission has adopted three sets of E-reporting standards which are voluntary until such time the Commission decides to make them mandatory (*refer* E-reporting SSPs paragraph 3). In 2020/21 uptake of electronic reporting tools in WCPFC is continuing. Some of the key highlights in 2020/21 as explained in TCC17-2021-RP10 for each set of E-reporting standards includes:

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

The submissions of 2020 operational purse seine data that are aligned to the WCPFC E-reporting standards represents 99% coverage, and for 2020 operational longline data, represent coverage of 44% (of all 2020 longline data submitted).

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

The submissions of 2020 purse seine observer data held in the WCPFC ROP database that are aligned to the WCPFC E-Reporting standards for observer data represents 100% coverage. The submissions of 2020 longline observer data held in the WCPFC ROP database that are aligned to the WCPFC E-Reporting standards for observer data represents 73% coverage, which is a considerable improvement on 2017 when this coverage level was only 29%, although the longline observer coverage for 2020 was lower than in recent years, due to the impacts of COVID.

- iii. Standards for E-reporting of high seas transshipment declarations and transshipment notices adopted in December 2018 (WCPFC15 Summary Report Attachment S).

Since November 2018 the data entry of high seas transshipment declarations and notices that align to the WCPFC E-reporting standards represent 100% coverage.

72. As is explained in TCC17-2021-RP10 the WCPFC TSER application<sup>3</sup> has been used by the Secretariat since November 2018. In addition, the Republic of Korea and Chinese Taipei have been voluntarily using TSER since February 2020 and September 2019 respectively. In 2019, the proportion of high seas transshipment declarations and notices that were directly entered by CCMs into the WCPFC E-reporting system was 12.6% of all high seas transshipment declarations and notices received by WCPFC, with the remainder being submitted by email and entered by the Secretariat into the WCPFC E-reporting system. As of 31 August 2020, the proportion of transshipment declarations and notices that were directly entered by CCMs into the WCPFC E-reporting system increased to 67% of all high seas transshipment declarations and notices received by WCPFC in 2020 and in 2021 (up to 24 June), is 73%.

73. A CCM wishing to use the e-reporting option must first contact the Secretariat for guidance on how to access the option. The Secretariat has provided TSER demonstrations to two other flag State CCMs in 2021 who are considering using this system to streamline their transshipment reporting process.

74. An update on the potential options in WCPFC for CEFACT/FLUX is also provided in TCC17-2021-RP10. The Secretariat reconfirms its potential interest in receiving development capacity to support the implementation of a FLUX node at the Secretariat, possibly to support a Record of Fishing Vessels (RFV) update process and the related fished/not fished information provided each year by CCMs.

75. The COVID-19 related Decisions relating to at-sea transshipments also provide for applicable MCS measures. Where at-sea transshipments 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 transshipments through inspections, observation or electronic monitoring if available during the application of these arrangements.

*Secretariat Resourcing, including for future IMS development to provide online solutions for CCMs and other Stakeholders is presented in TCC17-2021-17.*

76. In 2020/21 eleven of thirteen MCS/Compliance staff positions (4 professional level and 7 locally recruited staff) are in place with most staff working from WCPFC Headquarters in Pohnpei, Federated States of Micronesia. Since early 2020, the ROP Coordinator, Mr Karl Staisch has worked remotely from his home base in Brisbane, Australia. At the time of TCC17, Karl, is a recipient of the Federated States of Micronesia Government's repatriation arrangements, and he is expected to be on-route back to Pohnpei. Since commencing in June 2020, Assistant Compliance Manager, Ms Eidge Sharp has continued to work remotely from her home base in Nelson, New Zealand. Although two of the four senior MCS/Compliance staff are working remotely, this report demonstrates the Secretariat has been able to successfully manage a broad range of work electronically over 2020/21 period.

77. 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. In 2020/21 these included legal support services (Dr Penny Ridings), E-reporting and E-monitoring project

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<sup>3</sup> The Application was developed by WCPFC to support CCMs implementation of the E-reporting Standards for high seas transshipment declarations and transshipment notices (TSER) is available for CCMs use on Windows, Android and Apple iOS operating systems.

support services (Mr Kim Duckworth), and IT-related support from IMS contractor Taz-E P/L and website contractor Eighty Options. 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.

78. 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 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.

79. The Secretariat also acknowledges the contribution of SPC-OFP colleagues as a source of information for the draft CMRs, and more recently through the delivery of the enhanced ACE tables. 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 2020-01/2018-01) 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.

80. 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.

81. The Secretariat further maintains that there are six priority work areas future IMS development to provide online solutions for CCMs and other Stakeholders over 2022-2024 and they include:

- i. continuing to explore ideas of ways to streamline the Commission's reporting requirements with the objective to make annual reporting more manageable and less burdensome and the Compliance Monitoring Scheme more effective and efficient;
- ii. continuing to support ways to improve the collection of accurate and timely data, including through electronic reporting (ER) and electronic monitoring (EM);
- iii. 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;
- iv. 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 through the CCFS;
- v. 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 CCMs MCS activities and to share MCS data with authorized entities of CCMs, in accordance with the WCPFC data rules and procedure; and

- vi. continued development of training resources and learning aids for the IMS, particularly to cover typical CCM queries and for modified systems when streamlining is implemented.

82. The outcome of the efforts of the Secretariat to map out the resource implications of future work commitments for the Secretariat's MCS and Compliance programme for 2022/23 is presented in TCC17-2021-17. This forecast work has identified that additional short-term resources for the Secretariat may be required during 2022-2023 for two priority areas of work:

- i. Necessary upgrades to IMS during 2021-2023 related to CCFS and other externally facing WCPFC ICT application system that rely on SharePoint platform.
- ii. Enhancing the Secretariat's analytical capability during 2022-2023, to support the continued refinements of the CMS, to develop automated extraction and IT tools to support the parameters of common data requests to support MCS activities and to further enhance public access to WCPFC scientific data and information, and summary information from MCS programmes.

83. The Secretariat estimates that, to efficiently develop the required analytical products, develop and integrate new processes into Secretariat workflows, and to refresh front-facing web screens and user guidance for members and, where relevant, the public, would require additional short-term resources for around 30-36 months from early 2022. This timing aligns the work with when Secretariat work planning (and the TCC Workplan) indicates increasing resource commitments for this purpose and provides for a period after the completion of the 'development' work programme and Commission decisions in 2023 to refine and embed new processes with members.

84. The budgetary implications for 2022-2023 of identified necessary upgrades to IMS and for the Secretariat to potentially receive supplementary dedicated analytical capacity will be further detailed by the Secretariat in papers that will be presented to the FAC15 meeting later this year.

85. Secretariat paper TCC17-2021-17 Preliminary consideration of the anticipated forecast of Secretariat work commitments for TCC in 2022/23 is provided for CCMs review and comment through the *TCC17 online discussion forum Topic I* and *TCC17 Provisional Agenda item 9.1*.

**Suggested Action:**

86. TCC17 will review in detail the above annual reports and consider their continued administration on the workload of the Secretariat.

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

[Agenda 5.3, 7.1, 10]

[TCC17 online discussion forum topic C3, G, K5, and K7]

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

- 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. ERandEMIWG: Continue the development of standards, specifications and procedures for e-technologies.

88. The Commission agreed not to reconvene the ROP-IWG at this point in time. For the ERandEM IWG, the Commission at WCPFC17 noted the intersessional progress report by the Chair Kerry Smith (Australia) to further develop a draft conservation and management measure on E-monitoring. TCC17 was also tasked to review the draft guidelines for non-entangling and biodegradable FADs prepared by the FAD Management Options IWG (TCC17-2021-19).

89. In 2021, six (6) Intersessional Working Groups were tasked by the Commission to progress, primarily through virtual means, priority work during 2021. 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 (TS-IWG)
- iv. CMS-IWG on CMS Future Work
- v. Intersessional work on Labour Standards for Crew
- vi. South Pacific Albacore Roadmap Working Group

90. At the time of writing, the VMS SWG, CMS-IWG and Intersessional work on Labour Standards for Crew were expected to provide progress reports to TCC17.

91. Under *Agenda 9.2* TCC17 will consider the outcomes of intersessional work to update the TCC Workplan (TCC17-2021-18), noting that the TCC Workplan 2019-2021 adopted at WCPFC15 continues until 2021, the paper is provided for CCMs review and comment through the TCC17 online discussion forum Topic G.

## **Conclusion**

92. The report documents the progress of the MCS and Compliance Programme in 2021. It bears testament to the continued successful work by the Secretariat to support the said programme, despite the challenges of the COVID-19 pandemic.

93. The TCC Workplan 2019-2021 continues to provide the framework to guide the work and agenda for the TCC17 meeting. It also guides the Secretariat in its preparations in support of the TCC17 meeting, and the various related working groups.

94. The Compliance Monitoring Scheme (CMS) continued to be at the core of the work of the Commission's Technical and Compliance programme. It provides the platform for the TCC to undertake its key task of assessing the compliance performance of CCMs of their obligations under the WCPFC Convention and CMMs. The CMS is supported by an integrated network of MCS tools and data collection programmes that furnish the relevant data and information to the development and consideration of the CMR by the TCC.

95. The Secretariat and SPC-OFP continued to support work on streamlining annual reporting. The Secretariat also supported the TCC Chair, TCC Vice-Chair, and leads on the Risk-Based



Assessment Framework and the CMS Audit points as sanctioned reforms for the CMS. In March, the Secretariat commenced work to support the WCPFC17-prioritised CMS-IWG future work tasks, that ultimately ensured that the necessary outputs from WCPFC databases were available in a timely manner, to support both the development by the TCC Chair of a proposed process for considering the aggregate tables at TCC17 (issued in mid-August) and the further development by the lead of the Risk Based Assessment Framework of a discussion paper for consideration at TCC17 (issued in mid-Sept).

96. With the expected reforms to enhance the efficiency and effectiveness of the CMR, the Secretariat forecasts an increasing demand on its capacity to deliver those reforms. The reforms necessarily include enhancements to the Information Management Technology System of the Secretariat, which there are ongoing work towards that objective. It would also require greater analytical capacity for the Secretariat in the next couple of years. The Secretariat has prepared a paper for TCC17 to consider the workload implications on the Secretariat. The Secretariat is open to consideration of any forms of resources support including short term consultancies, secondment or in-kind support.

97. The MCS and Compliance Programme of WCPFC in 2021 was able to deliver its core functions despite the challenges of the global COVID-19 pandemic. The demands of the reforms of the CMS would require a review of the capacity and IMS infrastructure of the Secretariat to support those reforms. The Secretariat looks forward to discussing those resource implications.

98. TCC17 is invited to note the report.
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