



**COMMISSION
NINTH REGULAR SESSION**
Manila, Philippines
2-6 December 2012

PROVISIONAL AGENDA

**WCPFC9-2012-03 rev 1
16 November 2012**

AGENDA ITEM 1. OPENING OF THE MEETING

The Session will open at 14:00 on Sunday, 2 December 2012.

The Chair Dr Charles Karnella will welcome delegates from WCPFC Members, Cooperating Non-Members and Participating Territories (CCMs) and Observers.

1.1 Welcoming addresses

The Chair will introduce dignitaries who make the welcoming address.

Following the opening ceremony, the Chair will deal with procedural matters of the Session.

1.2 Adoption of agenda

The provisional agenda for WCPFC8 was prepared and distributed on 22 October 2012. The Rules of Procedure provide that Members may propose supplementary agenda items up until 30 days before the meeting (Rule 3) (2 November 2011). The Agenda, as modified, will need to be adopted by the meeting (Rule 5). .

1.3 Meeting arrangements

The Commission will review the Indicative Schedule. The Chair, through the Secretariat, will outline any logistical and administrative arrangements in place to support the meeting, proposed meeting times and any social engagements.

1.4 Intercessional decisions

The Executive Director will report any decisions made intersessionally since WCPFC8.

1.5 Items for discussion by exception

The Chair will highlight papers to be noted for information rather than discussion at specific points in the agenda.

AGENDA ITEM 2. MEMBERSHIP AND OTHER APPLICATIONS

2.1 Status of the Convention

The Commission will receive a brief report from New Zealand on the status of the Convention.

2.2 Applications for Observer status

In accordance with Rule 36 of the Commission's Rules of Procedure, the Commission will be advised of any applications for observer status that were received from non-government organisations 50 days in advance of the Session (13 October 2012). The Commission will be advised of those observers that were subsequently invited to participate in the Session.

2.3 Applications for Cooperating Non-Member status

The Commission will consider applications for Cooperating Non-Member (CNM) status for 2013 and decide on granting CNM status to applicants for 2013. The advice and recommendations of the TCC8 in relation to applications received, considered on the basis of procedures provided for in CMM 2009-11 will be available to the Commission. In accordance with paragraph 12 and 13 of CMM 2009-11, the Commission may review the limits of participatory rights of CNMs under CMMs.

2.3.1 IATTC/ WCPFC Overlap area.

WCPFC8 agreed that this issue of the overlap area needed to be resolved as a matter of priority and asked the Chairs and Executive Directors of the two RFMOs to progress the issue, and report back to CCMs. The Executive Director will report the progress of joint management agreement with IATTC for the overlap area and the Commission is invited to consider any further actions to be taken.

AGENDA ITEM 3. EXECUTIVE DIRECTOR AND CCM REPORTS

3.1 Report of the Executive Director on the work of the Commission

The Chair will invite the Executive Director to present the annual report on the work of the Commission for the 2012 calendar year and to highlight future work and budget issues for the Secretariat and the Commission. The Commission will discuss inter-sessional activities of the Commission and future work for the Secretariat.

3.2 Annual reports by CCMs

Article 23 and Article 32 require CCMs to report on implementation of the Convention and any CMMs or other matters which may be agreed from time to time. If not already done so (in the form of Part 1 reports submitted by July 7th and Part 2 reports submitted by July 1st), hard copy and/or electronic version reports should be forwarded to the Executive Director at least 30 days in advance of WCPFC9 in the format agreed by the Commission. CCM's are encouraged to table any additional annual reports for circulation to save time at the meeting.

3.3 Statements of Non-Members

Non-Members are invited to supply similar reports as described under Agenda Item 3.1 for vessels and fishing activities in the Convention Area for which they are responsible. Hard copy and/or electronic versions of this report should be forwarded to the Executive Director at least 30 days in advance of the

Ninth Regular Session of the Commission (WCPFC9). Non Members are also encouraged to table any additional information in annual reports for circulation.

3.4 Special requirements of developing States

In accordance with Rule 2 (h) of the WCPFC Rules of Procedure, Agenda 3.4 is a standing agenda item on the provisional agenda.

3.4.1 CCM reports on the implementation of Article 30 of the Convention

At WCPFC6 the Chair noted the suggestion by FFA Members for a special agenda item for developed CCMs to report annually on initiatives to implement Article 30 of the Convention. CCMs are requested to report on the implementation of Article 30 of the Convention.

AGENDA ITEM 4. REPLACEMENT MEASURE for CMM 2008-01 / CMM 2011-01

4.1 Status of Stocks

This is the normal SPC review of Pacific tuna stocks but with an additional presentation that looks at the likely impact on the SC advice of the new CMM is adopted.

4.2 Review of the impact of CMM 2008-01/ CMM 2011-01

The Commission is invited to review the effectiveness of the CMM 2008-01 and CMM 2011-01. A presentation will be made by SPC-OFP and the Secretariat on compliance aspects in support of this review.

4.3 Consideration of the Chair's draft CMM

The Commission is invited to review and finalize the Chair's draft CMM on bigeye, yellowfin and skipjack tunas.

AGENDA ITEM 5. VMS ISSUES

5.1 Report of the VMS Small Working Group

The Commission is invited to review the outcomes and recommendations from the VMS Small Working Group and consider any further actions to be taken from the recommendations.

5.2 Annual VMS Report

This is the annual report of the Secretariat on VMS activities.

5.3 cost rationalisation of VMS

Consider the joint FFA/WCPFC paper on potential further VMS cost rationalisation.

5.4 Article 24 "Flick the Switch"

TCC8 recommended that WCPFC-TCC8-2012-DP-08(rev 3) (Attachment D) be forwarded for consideration by WCPFC9. All of WCPFC-TCC8-2012-DP-08 (rev 3) has been agreed with the

exception of the bracketed text in subparagraphs 4 (a), (l) and (Ibis). The US will prepare a revised draft for consideration by WCPFC9.

5.5 VMS Manuel Reporting

Members to consider the secretariat report on manual reporting activities and actions to resolve the issues.

AGENDA ITEM 6. 2013 IUU Vessel Listing

There are no vessels proposed for the Provisional Vessel List for 2013. In accordance with paragraph 20 of CMM 2010-06, the Commission is invited to review the WCPFC IUU list and TCC8 recommendations, and adopt a new WCPFC IUU vessel list.

AGENDA ITEM 7. SCIENTIFIC COMMITTEE

7.1 Report of the eighth regular session of the Scientific Committee

On behalf of the Chair of the SC, Science Manager will provide a summary of the outcomes of the eighth regular session of the Scientific Committee (SC8) which was held in Busan, Korea during 7-15 August, 2012.

The Commission is invited to review the outcomes of the SC8, seek additional clarification, request additional scientific advice as necessary, and determine a program of action to implement agreed responses to the scientific advice and recommendations received.

7.1.1 Stock status of key tuna species

The Science Service Provider will present the results of key tuna, billfish and shark stock assessments and analyses that were conducted in 2012.

7.1.2 Recommendations and advice

The Commission will take any necessary actions on the recommendations and advice of the SC8 theme issues.

- **Data and statistics theme**
- **Stock assessment theme**
- **Management issues theme**
- **Ecosystems and bycatch theme**
- **Other issues**

7.2 Future work programme and budget for 2013-2015

The Commission will consider the 2013-2015 SC work programme and budget. The Commission may refer to the advice and recommendations of the Finance and Administration Committee (FAC) in relation to budget considerations.

AGENDA ITEM 8. NORTHERN COMMITTEE

8.1 Report of the eighth regular session of the Northern Committee

The Chair of the NC, Mr Masanori Miyahara (Japan), will present a summary of the outcomes of the NC8 which was held in Nagasaki, Japan, 6-9 September 2012.

The Commission is invited to review the outcomes of the NC8, seek additional clarification, request additional scientific and management advice as necessary, and determine a programme of action to formulate and implement CMMs in respect of the northern stocks.

8.1.1 Recommendations and advice

- **Pacific bluefin tuna**
- **North Pacific albacore**
- **North Pacific swordfish**
- **Regional observer programme**
- **Vessel monitoring system**

8.2 Future work programme and budget for 2013-2015

The NC Chair will present a proposed work programme and budget for 2013-2015. The Commission is invited to identify items with implications for the Commission's work programme and budget during the presentation, and consider the 2013-2015 NC work programme for adoption. The Commission may refer to the advice and recommendations of the FAC in relation to budget considerations, noting that costs associated with the NC work programme in respect to northern stocks is supported by the NC Members.

AGENDA ITEM 9. TECHNICAL AND COMPLIANCE COMMITTEE

9.1 Report of the eighth regular session of the Technical and Compliance Committee

The Chair of the TCC, Ms Rhea Moss-Christian, will present a summary of the outcomes of the Eighth Regular Session of the Technical and Compliance Committee (TCC8) which was held 27 September - 3 October, 2011 at Pohnpei, Federated States of Micronesia.

The Commission is invited to review the outcomes of the TCC8, seek additional clarification, request additional technical and compliance advice as necessary, and determine a program of action to implement agreed responses to the advice and recommendations received.

9.2 Compliance with conservation and management measures

9.2.1 Report on Compliance Monitoring Scheme

- **Provisional CMR and Executive Summary**

The Commission is required in accordance with paragraph 17 of CMM 2011-06 to consider the Provisional Report recommended by the TCC. Prior to or during the Commission meeting, CCMs may provide the Commission with additional information or advice relating to the Provisional Report including any steps taken to address identified compliance issues. In accordance with paragraph 19, the Commission is invited to adopt a final Compliance Monitoring Report that includes a Compliance Status for each CCM and recommendations for any correction action needed, based on non-compliance identified with respect to that CCM. The final Compliance Monitoring Report shall also contain an executive summary setting out any recommendations or observations from the Commission regarding the issues listed in paragraph 15 of CMM 2011-06.

- **Revised Annual Report Part 2 template, including online interface, and proposed addendum to Annual Report Part 1**

The Commission is invited to consider and adopt the recommendations from TCC8. (TCC8 draft report para 212, 213, 214)

- **CMR recommendations**

The Commission is invited to consider and adopt the recommendations from TCC8. (TCC8 draft report para 222, 223, 224)

- **CMR CMM 2011-06 Review**

CMM 2011-06 applies for 2012 only (paragraph 25). TCC8 recommended to WCPFC9 that the CMS be continued, noting the comments with respect to implementation of the scheme as contained in the Executive Summary of the Provisional CMR 2011. TCC8 noted the importance of developing responses to non-compliance under the WCPFC CMS, and recommended the Commission consider a graduated process aimed at addressing non-compliance.

9.3 TCC Summary Report recommendations

The Commission is invited to consider and adopt the recommendations from TCC8. The relevant paragraph references for these recommendations will be included once the TCC8 record has been finalised (paragraphs for the draft report circulated as WCPFC Circular 2012/76 are included here).

9.3.1 IUU listing procedures
(TCC8 draft report para 134)

9.3.2 VMS manual reporting bracketed text
(TCC8 draft report para 116)

9.3.3 ALC/MTU audit format
(TCC8 draft report para 137, 142-143)

9.3.4 ROP-tag continuation
(TCC8 draft report para 151)

9.3.5 ROP data entry relocation
(TCC8 draft report para 169)

9.3.6 ROP budget maintained
(TCC8 draft report para 174)

9.3.7 IMS and electronic data priorities
(TCC8 draft report para 184, 185)

9.3.8 Analysis of future ROP data entry
(TCC8 draft report para 189)

9.3.9 Non-CCM carriers and bunkers continuation
(TCC8 draft report para 331)

9.3.10 NZ transshipment at sea application
(TCC8 draft report para 347)

9.3.11 Charter notification scheme extension and lists
(TCC8 draft report para 359-360)

9.3.12 Appointment of the Chair of AHTG – Data
(TCC8 draft report para 365)

9.3.13 Eastern high seas pocket resourcing
(TCC8 draft report para 373)

9.3.14 Active vessel List
Report provided by the Secretariat

9.4 Regional observer programme

9.4.1 Annual regional observer programme report

An updated version of the TCC8 report on the Annual Report of the WCPFC Regional Observer Programme is provided for information of the Commission.

9.4.2 WCPFC-IATTC cross endorsement of observers

The ROP Annual Report provides an update on the status of the cross-endorsement.

9.4.3 Observer (USA)

9.4.4 Observer (NC)

9.4.5 Observers: Availability of reports to Captains for comment.

These 3 papers have been presented by members for consideration to improve Observer issues.

9.5 Future Work program and Budget for 2013-2015

9.6 Report on Data Access

Secretariat papers reporting on data access approvals for the previous year.

The TCC Chair will present a proposed work programme and budget for 2013 and an indicative budget for 2014 and 2015.

The Commission will consider the 2013-2015 TCC work programme for adoption. The Commission may refer to the advice and recommendations of the Finance and Administration Committee (FAC) in relation to budget considerations.

AGENDA ITEM 10. CONSERVATION AND MANAGEMENT MEASURES

10.1 Consideration of new CMMs and other conservation requirements

The Chair will go through the list of proposed CMMs and take any others that CCMs may have provided proposals. In addition to the CMM on bigeye, yellowfin and skipjack, there are expected to be:

- three potential new measures;
- three revisions of existing CMMs; and
- two processes to develop a proposal or revise a current CMM to be considered at WCPFC9 for possible adoption.

10.1.1 Scheme for minimum standards for inspections in port.

TCC8 supported the development of a WCPFC CMM for Port State Measures. TCC8 recommends that the EU provide a draft of the new CMM to members as soon as possible and encourages all members to contribute with a view to reaching an agreement at TCC9 unless substantial progress is made before WCPFC9.

10.1.2 Prohibition of purse seine fishing associated with whale sharks

In considering the draft measure on protecting whale sharks from purse seine fishing operations, WCPFC8 noted ongoing work, through the Scientific Committee, on the development of best practice guidelines for release of encircled whale sharks. Based on the current draft measure, the Commission agreed to finalise the measure at WCPFC9.

10.1.3 Catch documentation scheme

TCC8 recommended that the EU and FFA members work to finalize the TOR on CDS prior to WCPFC9 noting that the new proposal needs to be circulated 30 days prior to WCPFC9.

10.1.4 FAD management

WCPFC will consider proposal/s from CCMs on this item.

10.1.5 Shark proposal FFA

CMM prepared by FFA

10.1.6 Charter Proposal FFA

Proposal from the FFA on chartering arrangements.

10.1.7 Fishing Gear damage (Japan)

A CMM on the impact and management of damaged fishing gear presented by Japan for consideration

10.1.8 Pacific Bluefin (NC)

A NC Proposal on the management of Pacific Bluefin

10.1.9 CMM 2007-04 Seabirds

TCC8 noted New Zealand's invitation to cooperate with them on preparing a proposal for a revised seabird measure for discussion at WCPFC9.

10.1.10 CMM Southern Albacore 2010-05

WCPFC8 agreed that South Pacific Albacore was a priority issue for WCPFC9. TCC8 recommended sufficient priority be accorded to the development of a revised CMM on south Pacific albacore at WCPFC9.

10.1.11 IUU Listing

WCPFC8 agreed that the USA would lead an intersessional working group on this topic with the aim of bringing a proposal to TCC8.

10.1.12 Striped marlin CMM 210-01

USA To propose an update of this CMM

10.2 Report by PNA members on the vessel day scheme

WCPFC4 (paragraph 325) noted that the Vessel Day Scheme (VDS) was operational and that the VDS is the measure adopted by PNA Members of the Commission for managing capacity and fishing effort in the EEZs of PNA Members. It was agreed that the PNA would provide a report to the Commission on the implementation of the VDS at each annual session of the Commission.

AGENDA ITEM 11. AD HOC TASK GROUP – DATA

11.1 Chartering State data access

In 2011, the Commission had tasked the AHTG-Data to work intersessionally during 2011 on this matter. RMI submitted a proposal, and comments were received from EU and Chinese Taipei. WCPFC8 noted the TCC7 recommendation to task the AHTG-Data with revisiting these issues in 2012 pending the outcome of discussions of the catch attribution study and the possible renewal of CMM 2009-08 by WCPFC8. TCC8 made a recommendation to the Commission on this (TCC8 draft report para 365).

AGENDA ITEM 12. REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

The FAC Co-Chairs Mr Charleston Deiye (Nauru) and Mr Liu Xiaobing (China) will present a summary of the agenda items and issues, advice and recommendations considered at the Fifth Meeting of the Finance and Administration Committee (FAC5), 2-6 December 2012 for further consideration, refinement as necessary and adoption by WCPFC9.

12.1 Budget approval for 2013 and indicative budgets for 2014 and 2015

The Commission must formally adopt the budget and work plan for the Commission.

12.2 Guidelines for the hosting of meetings

The Commission will consider issues related with the hosting of the Commission and subsidiary body meetings.

AGENDA ITEM 13. STRATEGIC ISSUES

13.1 Review of the Secretariat's matrix

The Commission is invited to review the Secretariat's matrix on the outcome of the Performance Review of the WCPFC provided by the review panel. The Chair will then open the floor for discussion on the issue and suggestions on progress.

13.2 Report of the Management Objectives Workshop

The Commission is invited to review the outcomes and recommendations from the Management Objectives Workshop and consider any further actions to be taken from the recommendations.

13.3 Future Structures for Commission Meetings.

WCPFC8 agreed that the Secretariat, in conjunction with the Chair, develop a discussion paper on this topic, drawing on WCPFC8-2011-DP/48 as well as experiences in other tuna RFMOs, for consideration by WCPFC9. The Commission will review the current structure of the Commission meetings and consider any further refinement of the structure for better effectiveness of the meetings.

AGENDA ITEM 14. ADMINISTRATIVE MATTERS

14.1 Election of officers

Rule 8 of the WCPFC Rules of Procedure state that the Chair and a Vice-Chair shall assume office at the end of the session at which they are elected, shall hold office for a period of two years and shall be eligible for re-election. The Commission will elect the following officer bearers of the WCPFC:

- WCPFC Chair
- WCPFC Vice-Chair
- SC Chair
- SC Vice Chair
- TCC Vice Chair
- NC Chair
- NC Vice Chair
- FAC Co-Chairs
- Ad Hoc Task Group on Data Chair

14.2 Venue for next meeting

WCPFC9 will decide on the venue and dates for its next regular session in 2013 and confirm dates and venue for the SC and TCC in 2013.

AGENDA ITEM 15. OTHER MATTERS

The Commission will consider any other matters.

AGENDA ITEM 16. SUMMARY REPORT

The Commission will adopt a Summary Report of its Ninth Regular Session.

AGENDA ITEM 17. CLOSE OF MEETING

The meeting is scheduled to close at 1700 on Thursday, 6 December 2012.