



**TECHNICAL AND COMPLIANCE COMMITTEE  
SECOND REGULAR SESSION**

28 September – 03 October 2006  
Brisbane, Australia

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**PROVISIONAL ANNOTATED AGENDA**

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**WCPFC-TCC2-2006/04**

**AGENDA ITEM 1 OPENING OF MEETING**

The Session will open at 09:30 on Thursday 28 September 2006.

The Chair (Mr Apolosi Turaganivalu, Fiji) will open the Second Regular Session of the Technical and Compliance Committee (TCC2) of the Western and Central Pacific Fisheries Commission (WCPFC) and welcome delegations of the WCPFC Members, Cooperating Non-Members, Participating Territories and observers.

**1.1 Welcome**

The Chair will introduce (TBA) of (TBA) who will make the welcoming address.

**1.2 Adoption of agenda**

The Chair will introduce the Provisional Agenda (WCPFC-TCC2-2006/03). The Rules of Procedure adopted at WCPFC1 in December 2004 will apply *mutatis mutandis* until such time as the TCC adopts its own Rules of Procedure (Rule 31). The Rules of Procedure provide that Members may propose supplementary agenda items up until 30 days before the meeting (Rule 3). The Agenda, as modified, will need to be adopted by the meeting (Rule 5).

**1.3 Meeting arrangements**

The Chair will invite TCC2 to review the Provisional Schedule, noting logistical arrangements in place to support the meeting, proposed meeting times and any social events.

**AGENDA ITEM 2 REVIEW OF STATUS OF MEASURES**

**2.1 Report by the Secretariat**

Article 14 (1) of the Convention describes the functions of the TCC. The Secretariat will provide a brief report to TCC2 on information received from Members, Cooperating Non-Members and Participating Territories, including information received under Article 24(5) of the Convention.

## **2.2 Reports from Members and Cooperating Non-Members**

Pursuant to Article 14 (2) and Part VI of the Convention, Members, Cooperating Non-Members and Participating Territories are invited to supplement the report by the Secretariat by reporting on measures taken to implement and monitor these provisions of the Convention. Reports will be based on Part II of the Annual Report adopted by the Commission at its second regular session (WCPFC2) in December 2005.

### **AGENDA ITEM 3 MEMBERS' COMPLIANCE REVIEW**

#### **3.1 Development of compliance mechanisms and sanctions**

The first regular session of the Technical and Compliance Committee (TCC1) developed a two-part reporting format for reporting on compliance with conservation and management measures that would be subject to periodic revision and possible elaboration. This Annual Report was subsequently adopted by WCPFC2. TCC1 noted that agreeing to this reporting format was only the first step in the process and that it may later need to develop compliance mechanisms, sanctions etc. consistent with the prescribed functions of the TCC as outlined in Article 14 of the Convention. TCC2 will consider whether or not the current reporting format requires revision and/or elaboration, and commence the development of compliance mechanisms, sanctions etc. consistent with Article 14.

### **AGENDA ITEM 4 IMPLEMENTATION OF COOPERATIVE MEASURES FOR MONITORING, CONTROL, SURVEILLANCE AND ENFORCEMENT**

#### **4.1 Authorization to Fish**

Annex I of the final report of Working Group III on MCS issues 'Record of Fishing Vessels and Authorization to Fish' requires that Members, Cooperating Non-Members and Participating Territories submit to the Executive Director by 1 July 2005 certain information about vessels they have authorized to fish in the Convention Area beyond their respective areas of national jurisdiction. Further, there is a requirement that any changes to the information contained in a Member's Record of Fishing Vessels shall be notified to the Executive Director within 15 days of that change occurring or at least 72 hours before the commencement of fishing activities.

Because several Members did not include fish carriers and bunker vessels in their respective lists, during 2006 these vessels were denied licences to operate in the EEZs of some coastal States. Also, since the majority of the fish carriers operating in the WCPO region are flagged to States that are not Members or Cooperating Non-Members, these vessels were similarly denied licences to operate in the WCPO region.

The Commission Chair sought an inter-sessional decision to endorse a temporary exemption from this measure of fish carriers and bunker vessels flagged to non-WCPFC Members, Cooperating Non-Members and Participating Territories until the implications of the strict application of this measure can be considered by the Commission at its next meeting in December 2006 (WCPFC3). TCC2 will consider advice and recommendations to the Commission on this measure

#### **4.2 Commission VMS**

WCPFC2 adopted several recommendations about the Commission VMS that had been agreed by TCC1. These recommendations were in relation to agreed functions of the Commission VMS, ALC standards, two options as potential solutions for Commission VMS implementation, a cost assessment and feasibility study to be undertaken by the Secretariat and a process for establishing the Commission VMS. Discussion in TCC2 on this issue will focus on consideration of a Secretariat report detailing progress with the various elements of this process.

### **4.3 Regional Observer Program**

WCPFC2 adopted several recommendations about the Regional Observer Program that had been agreed by TCC1. These recommendations related to the program's scientific and compliance functions, coordination with existing national, regional or sub-regional programs, development of standards and procedures, collaboration between the SC and TCC, and recruitment of an Observer Program Coordinator in 2006 who would draft a comprehensive program document. Discussion in TCC2 on this issue will focus on consideration of a Secretariat report detailing progress with the implementation of these recommendations.

### **4.4 High seas boarding and inspection procedures**

WCPFC2 adopted a recommendation proposed by TCC1 that an inter-sessional working group on high seas boarding and inspection procedures be established, in accordance with agreed terms of reference, to be convened by Mr William Gibbons-Fly (United States). Discussion in TCC2 on this issue will be centered on the report of this inter-sessional working group.

### **4.5 Port State measures**

WCPFC2 adopted several recommendations about port State measures and port inspection that had been agreed by TCC1. These recommendations related to use of the 2005 FAO Model Scheme on Port States Measures to Combat IUU Fishing to serve as the basis for developing a Commission port State Scheme, the preparation of reports by Members, Cooperating Non-Members and Participating Territories describing their existing port State and/or port inspection schemes, and provision by Members, Cooperating Non-Members and Participating Territories of information on inspections undertaken in their ports and any violations detected. Discussion in TCC2 will focus on a Secretariat report containing these various reports and a 'gaps analysis' between existing port State Schemes and the 2005 FAO Model Scheme.

### **4.6 Transshipment monitoring**

WCPFC2 adopted several recommendations about Transshipment Monitoring that had been agreed by TCC1. These recommendations related to the Commission taking early action to regulate transshipment in the Convention Area by developing procedures and other measures, that such procedures be closely coordinated with the implementation of Article 27 on port State measures, and that the Commission Non-Cooperating Non-Members whose vessels fish in the Convention Area to cooperate fully with the Commission on transshipment matters. Discussion in TCC2 will focus on a Secretariat report containing a draft Transshipment Verification Scheme.

### **4.7 Charter Arrangements Scheme**

WCPFC2 adopted measures for bigeye and yellowfin conservation which included the provision that, *"For the purpose of these measures, vessels operating under charter, lease or other similar mechanism by developing islands States and participating territories, as an integral part of their domestic fleet, shall be considered to be vessels of the host island state or territory. Such charter, lease or other similar mechanism shall be conducted in a manner so as not to invite IUU vessels. The Commission shall develop a Charter Arrangements Scheme, which will include notification provisions, at its third Session in 2006."* Discussion in TCC2 on this issue will focus on draft Charter Arrangements Scheme prepared by the Secretariat.

### **4.8 Options for catch and trade documentation with a focus on bigeye tuna**

The draft 2006 Work Program and Budget for the TCC adopted by the Commission tasks the Secretariat to request for background material on catch and trade documentation schemes to assist the Commission and, if required, conduct a review of catch and trade documentation options with a focus on bigeye tuna, and to draft report forms/templates. Because this issue was ranked by WCPFC2 as a lower priority than other issues and due to scarce resources within the Secretariat,

the Secretariat has not made progress on this issue in 2006. The Secretariat welcomes suggestions from Members as to how to proceed on this issue, time permitting.

#### **4.9 MCS priorities**

WCPFC2 endorsed a TCC1 agreement that the priority components for the elaboration of the Commission's MCS framework for the next two years are as follows:

- i. Members' and Commission's lists of fishing vessels;
- ii. Vessel monitoring system;
- iii. Regional observer program;
- iv. Port State scheme and transshipment;
- v. High seas boarding and inspection scheme;
- vi. Catch verification;
- vii. Catch and statistical documentation scheme; and
- viii. Gear marking.

TCC2 is invited to review these items, tasks and relative priorities agreed by TCC1.

### **AGENDA ITEM 5 ADVICE ON MEASURES REQUESTED BY THE COMMISSION**

#### **5.1 Exploration and evaluation of catch mitigation measures for juvenile bigeye and yellowfin taken around FADs.**

WCPFC2 adopted "Conservation and Management Measures for bigeye and yellowfin tuna in the western and central Pacific Ocean" that includes a requirement beginning in 2006 for the Scientific Committee, and the Technical and Compliance Committee to undertake to explore and evaluate mitigation measures for juvenile bigeye and yellowfin tuna taken around FADs, in cooperation with other RFMOs, and present the results annually to the Commission.

#### **5.2 Exploration and evaluation of mitigation measures for incidental catch of seabirds, including those applied and tested by CCAMLR.**

WCPFC2 adopted "Resolution on the Incidental Catch of Seabirds" that includes a requirement for the Commission at its annual meeting in 2006, in consultation with the Technical and Compliance Committee, to consider measures for the mitigation of incidental catch of seabirds, including those applied and tested by CCAMLR.

#### **5.3 Exploration and evaluation of the use of circle hook gear technology in longline fisheries as part of turtle catch mitigation measures.**

WCPFC2 adopted "Resolution to Mitigate the Impact of Fishing for Highly Migratory Fish Species on Sea Turtles" that includes requirements for the Commission at its annual meeting in 2006:

- i. to consider measures related to the use of circle hook technology in longline fisheries, taking into account the results of research and trials; and
- ii. through the Technical and Compliance Committee, monitor the progress of Members and Cooperating Non-Members in applying this resolution and developing relevant strategies for the further consideration of the Commission in 2007.

Members, Cooperating Non-Members and Participating Territories are invited to report on developments in relation to circle hook technology, to review progress relating to implementation

of this Resolution and to report on strategies developed for possible consideration by the Commission in 2007.

## **AGENDA ITEM 6 FUTURE WORK PROGRAM**

### **6.1 Work program for 2007**

Based on the outcomes of discussion on matters before TCC2, and other matters relating to conservation and measures that may be considered by the Commission, TCC2 will recommend a program of work for the TCC for 2007 for subsequent consideration by WCPFC3.

## **AGENDA ITEM 7 OTHER MATTERS**

### **7.1 Cooperation with other organizations**

WCPFC2 endorsed the TCC1 report that stated relationships with the IATTC, CCAMLR, CCSBT, FFA and SPC should be priorities for the Commission, urged the Commission to cooperate with the International MCS Network and establish a relationship with the North Pacific Anadromous Fish Commission. Discussion in TCC2 will concentrate on a Secretariat report that describes progress with cooperation with other organizations.

### **7.2 Consideration of the report of the Ad-Hoc Task Group (Data)**

TCC2 will consider a report prepared by the Ad-Hoc Task Group (Data) relating to science and compliance data dissemination, and data confidentiality and security.

### **7.3 Requirements of developing States**

WCPFC2 endorsed a TCC1 recommendation that the Secretariat develop a strategy for capacity-building prior to finalizing procedures for the operation of a fund described in Article 30 of the Convention to assist small island developing States and participating territories to build their fisheries compliance capacity, as well as guidelines to give effect to Article 30. Discussion at TCC2 on this issue will be informed by a Secretariat paper describing progress in implementing this recommendation.

### **7.4 Election of Chair**

Rule 8 of the Rules of Procedure states that the Chairs shall hold office for a period of two (2) years and shall be eligible for re-election. Since the current Chair has served for two years an election must be held. Rule 8 of the Rules of Procedure also states that the Chairs shall assume office at the end of the Session at which they are elected.

### **7.5 Rules of Procedure**

Rule 31 of the Rules of Procedure states that "Subject to the provisions of the Convention, each subsidiary body of the Commission may formulate and submit to the Commission for approval such rules as may be necessary for the efficient conduct of its functions." Discussion at TCC2 on this issue will be informed by a Secretariat paper entitled "Draft rules of procedure for WCPFC subsidiary bodies" that has been discussed by SC2 participants.

### **7.6 Other business**

In accordance with Rule 3 of the Commission's Rules of Procedure, any Member, the Chair or the Executive Director may, at least thirty (30) days before the date of the meeting, request the inclusion of supplementary agenda items.

### **7.7 Next meeting**

The date and venue for the third meeting of the TCC will be agreed.

**AGENDA ITEM 8      REPORT TO THE COMMISSION**

**8.1      Adoption of the report of the second regular session of the Technical and Compliance Committee, and any recommendations to the Commission.**

TCC2 will need to adopt a report, including advice and recommendations, to the Commission.

**AGENDA ITEM 9      CLOSE OF MEETING**

**9.1      Closing of the meeting**

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