



COMMISSION
Twenty-First Regular Session
28 November to 3 December 2024
Suva, Fiji (Hybrid)

Review of Expiry Date for CMM 2021-04 Charter Notification Scheme

WCPFC21-2024-11f
7 November 2024

Submitted by the Secretariat

Purpose

1. This paper proposes updates to address the expiry of [CMM 2021-04](#) *Conservation and Management Measure for Charter Notification Scheme* ('Charter Notification CMM') on 28 February 2025. Minor editorial updates have also been included.

Background

2. From its inception in 2009 until 2012, Commission decisions were for one-year extensions to the expiry of the Charter Notification CMM. Since that time there have been mainly two-year and three-year extensions with the most recent being a three-year extension at WCPFC18 in 2021.
3. TCC20 discussions this year considered the rollover of this CMM. Some CCMs proposed a 5-year extension, however, one CCM noted that given a new South Pacific Albacore measure is being contemplated, a shorter 3-year extension may be more appropriate. Noting the linkage to the consideration of proposals at WCPFC21, the following [TCC20 Outcome](#) was agreed:

68. TCC20 recommended that the Commission renew CMM 2021-04 Charter Notification Scheme, recognising that paragraph 8 of CMM 2021-04 sets an expiry date of 28 February 2025.

Discussion

4. In [Delegation Paper 01](#), FFA CCMs expressed support for the renewal of the Charter Notification CMM. FFA CCMs also requested that the Secretariat prepare a revised measure for consideration at WCPFC21, incorporating any necessary editorial updates.
5. Options for a revised measure are an extension of some period such as 2, 3 or 5-years. Under any of these options, if an amendment to another CMM such as South Pacific Albacore required changes to the Charter Notification CMM, both CMMs could be amended at the same time; changes to the Charter Notification CMM would reflect consequential amendments. This approach would apply irrespective of whether the expiry date in the Charter Notification CMM coincided with amendments to another CMM. On that basis another option CCMs could consider is the removal of the expiry date given its continuous rollover since 2009.

6. A draft amended Charter Notification CMM reflecting editorial and possible updates to the expiry date is attached in Annex 1.
7. As this proposal amends a CMM, a 2013-06 Checklist and Audit Points checklist may be required. The required CMM 2013-06 assessment is attached as Annex 2. An Audit Point Checklist has not been completed as there are no Audit Points relevant to the proposed CMM amendments.

Recommendation

8. WCPFC21 is invited to consider the proposed amendment, and to adopt a revised CMM for the Charter Notification Scheme which addresses the expiry of CMM 2021-04 on 28 February 2025.



COMMISSION

~~EIGHTEENTH REGULAR SESSION~~ TWENTY-FIRST REGULAR SESSION

~~Electronic-Hybrid Meeting~~

~~1 – 7 December 2021~~ 28 November to 3 December 2024

CONSERVATION AND MANAGEMENT MEASURE FOR CHARTER NOTIFICATION SCHEME

Conservation and Management Measure 2024-04¹

The Western and Central Pacific Fisheries Commission (WCPFC)

ACKNOWLEDGING the important contribution of chartered vessels to sustainable fisheries development in the Western & Central Pacific Ocean;

CONCERNED with ensuring that charter arrangements do not promote IUU fishing activities or undermine conservation and management measures;

REALIZING that there is a need for the WCPFC to establish procedures for charter arrangements;

Adopts, in accordance with Article 10 of the WCPF Convention that:

1. The provisions of this measure shall apply to Commission Members and Participating Territories that charter, lease or enter into other mechanisms with vessels eligible under paragraph 4 flagged to another State or Fishing Entity for the purpose of conducting fishing operations in the Convention Area as an integral part of the domestic fleet of that chartering Member or Participating Territory.
2. Within 15 days, or in any case within 72 hours before commencement of fishing activities under a charter arrangement, the chartering Member or Participating Territory shall notify the Executive Director of any vessel to be identified as chartered in accordance with this measure by submitting electronically where possible to the Executive Director the following information with respect to each chartered vessel:
 - a) name of the fishing vessel;
 - b) WCPFC Identification Number (WIN);
 - c) name and address of owner(s);

¹ By adoption of this CMM (CMM 2024-04¹) the Commission rescinds CMM 2019-084 which has been replaced.

- d) name and address of the charterer;
- e) the duration of the charter arrangement;
- f) the flag state of the vessel; and
- g) the area of application (i.e., the chartering CCM's EEZ and/or high seas).

Upon receipt of the information the Executive Director will immediately notify the flag State and the Scientific Service Provider (SSP).

3. Each chartering Member or Participating Territory shall notify the Executive Director as well as the flag State, within 15 days, or in any case within 72 hours before commencement of fishing activities under a charter arrangement of:
 - a) any additional chartered vessels along with the information set forth in paragraph 2;
 - b) any change in the information referred to in paragraph 2 with respect to any chartered vessel; and
 - c) termination of the charter of any vessel previously notified under paragraph 2.

Upon receipt of the information the Executive Director will immediately notify the SSP.

4. Only vessels listed on the WCPFC Record of Fishing Vessels ~~or the WCPFC Interim Register of Non-CCM Carriers and Bunkers,~~ and not on the WCPFC IUU vessel list, or IUU List of another RFMO, are eligible for charter.
5. The Executive Director shall make the information required in paragraph 2 and 3 available to all CCMs.
6. Each year, the Executive Director shall present a summary of all notified chartered vessels to the Commission for review. If necessary, the Commission may review and revise this measure.
7. Unless specifically provided in other CMMs, catches and effort of vessels notified as chartered under this CMM shall be attributed to the chartering Member or Participating Territory. Unless specifically provided in other CMMs, the chartering Member or Participating Territory shall report annually to the Executive Director catch and effort of chartered vessels in the previous year.
8. [This Measure shall expire on 28 February ~~2025-2028~~ 2030 unless renewed by the Commission.]

CMM 2013-06 Conservation and Management Measures for the Charter Notification Scheme

2. The Commission shall ensure that any conservation and management measures do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto SIDS and territories.

Impact of new proposals on SIDS and territories

3. In considering any new proposal the Commission shall apply the following questions to determine the nature and extent of the impact of the proposal on SIDS and territories in the Convention Area:

a. Who is required to implement the proposal?

All flag CCMs that are involved in charter arrangements with another flag CCM.

b. Which CCMs would this proposal impact and in what way(s) and what proportion?

All flag CCMs that are involved in charter arrangements with another flag CCM.

c. Are there linkages with other proposals or instruments in other regional fisheries management organizations or international organizations that reduce the burden of implementation?

None

d. Does the proposal affect development opportunities for SIDS?

Chartering provides an opportunity for flag CCMs to increase their operational capacity for fishing activities. This Charter Notification CMM provides for notification of charters to the Commission, supporting clarity as to the authority of the vessel's activities at a point in time. There are obligations for CCMs reporting that are associated with the status of the vessel as chartered or not chartered. The expiry of this CMM would undermine that clarity of authority and reporting responsibility.

e. Does the proposal affect SIDS domestic access to resources and development aspirations?

As noted in d. above, access to charters supports SIDS through added fishing capacity. While the notification of charters does not affect the ability to charter, the absence of this CMM would mean that there is no clarity for CMMs or others e.g. market states, as to the status and authority of the vessel which is on the Commission Record of Fishing Vessels.

f. What resources, including financial and human capacity, are needed by SIDS to implement the proposal?

CCMs and the Secretariat have been implementing this CMM since its date of effect in February 2010.

g. What mitigation measures are included in the proposal?

N/A

h. What assistance mechanisms and associated timeframe, including training and financial support, are included in the proposal to avoid a disproportionate burden on SIDS?

N/A, however more generally, training in the use of the Record of Fishing Vessels including the lodging of charters by both the flag CCM and chartering CCM are available through the Secretariat. This will include training in the next few months on system enhancements to the ability of CCMs to manage their charter information.

4. In cases where the transfer of a disproportionate burden of conservation action has been demonstrated by a SIDS or territory, CCMs shall cooperate, to mitigate the burden for the implementation by the relevant SIDS and territories of specific obligations including through:

- a. Phased or delayed implementation of specific obligations;
- b. Exemption of specific obligations;
- c. Proportional or rotational implementation;
- d. Establishment of a compensatory funding mechanism in accordance with the financial regulations of the Commission.

The Secretariat intends to release enhancements that will improve the ease of use of the chartering functions within the Record of Fishing Vessels system. Training support will be available to support the release of the enhancements.