



REGIONAL OBSERVER PROGRAMME INTERSESSIONAL WORKING GROUP

Eighth Meeting

3 June 2026

Electronic meeting

**DRAFT SCOPE OF MONITORING FOR POTENTIAL INFRINGEMENTS FOR THE WCPFC
COMPLIANCE CASE FILE SYSTEM CASES**

ROPIWG09-2026-03_rev1¹

18 June 2026

Submitted by the ROPIWG Chair

Purpose

1. This paper proposes updates to the ROP Minimum Standard Data Fields (MSDF) to add or revise fields to better monitor newer or updated CMMs, clarify data reporting for scientific versus compliance purposes, and improve how ROP data feeds into the WCPFC Case File System (CCFS).
2. It also provides updated information on the key points from the discussion on this paper at ROPIWG08 along with some comments provided by CCMs. Other comments are anticipated to be made during the discussions at ROPIWG.
3. A paper was prepared to support ROP-IWG meeting discussions during 2025 and early 2026. The table presented provided a list of the obligations in CMMs where observers could collect data that can be used to monitor implementation of CMMs, including potential infringements. For each obligation some notes have been prepared describing what scientific monitoring needs and potential compliance issues for data collection by observers might be. Notes have also been provided about where the current MSDFs include some data collection, where CCFS cases have been created, and/or where there are proposals in ROP-IWG06 Working Paper 2 that may be relevant to the monitoring of the obligation. The list of topics presented in the Table are the following:
 - Observer Obstruction
 - Driftnet Prohibition
 - Fishing on data buoys prohibition
 - Marine Pollution

¹ Revised to include comments from ROPIWG09 held on 3 June 2026

- FAD Closure – Tropical Purse Seine
- Seabirds
- Sea Turtles
- Mobulid Rays
- Sharks
- Whale Sharks
- Cetaceans

4. Between the ROPIWG06 meeting and the ROPIWG07 meeting before TCC21, and for ROPWG08, the United States submitted a delegation paper, including a table integrating and summarising the ROP-IWG's work on identifying and classifying updated MSDFs as shown in Annex 1.
5. The ROPIWG Chairs working table providing details of proposed updates to MSDF along with information on the extent to which they are reported (and the associated MSDF) are in Annex 2 to support clarity of the proposals for changes to MSDF.
6. On the basis of discussions to date, the following table reflects a summary of the main points for specific MSDF raised in discussions to facilitate discussions at ROPIWG09 to confirm changes to recommend to TCC22.

GENERAL COMMENTS RESULTING FROM ROPIWG09:

China re timing and reservation of rights - *China considers that flag States should be afforded at least one month to consult their relevant domestic agencies, including enforcement authorities and legislative bodies, in order to assess the feasibility of implementation and to identify any legal issues that may arise. Accordingly, China reserves its right to provide further comments on the ROPIWG09 working paper at the next ROPIWG meeting, as well as at the Scientific Committee (SC), the Technical and Compliance Committee (TCC), and the Annual Session of the Commission.*

PNA recommends that the final list of obligations for CCFS monitoring be clearly and exhaustively set out in the paper, consistent with the Commission's approach to obligation lists under the CMS.

CHAIR'S response – The full lists of MSDF will be prepared and notated to reflect changes agreed or remaining under discussion.

Approach to summary of obligations considered during ROP-IWG08 and in feedback from CCMs since that meeting - includes CCM feedback/recommendations

Binding but requires discussion to confirm scope			Possible treatment
These obligations are in the high-level list and detailed table. Comments show the scope or monitoring pathway for discussion.			Based on summary of ROP-IWG discussions and feedback on the two tables in the "Scope of monitoring for CCFS cases" paper
NOTE: New GEN-3 yes/no questions across SSI and technical obligations. Cross-cutting issue: whether these should be added to the Observer Trip Monitoring Summary, addressed through debriefing, or covered by existing PS-3 / set-level / SSI fields.			
Topic	Obligation	Issue for discussion	
FAD Fishing on data buoys	CMM 2009-05 05	<p>Included in both tables but questioned as potentially CCM-level rather than observer-level.</p> <p><u>PNA – continues to support exclusion</u></p> <p><u>U.S. recommends REMOVAL because the obligation lacks specificity as to what constitutes “as little damage as possible”, and the second sentence is merely an encouragement to CCMs.</u></p> <p><u>China - this provision is directed at CCMs, not at observers. The wording “CCMs are encouraged to” indicates that the responsibility rests with CCMs. In addition, phrases such as “with as little damage as possible” and “are encouraged to” suggest a non-binding measure rather than a mandatory obligation. For this reason, we suggest excluding this provision from the MSDF.</u></p>	<p>Observer-level or CCM-level?</p> <p>REMOVE</p>
BIR Seabirds	CMM 2025-05 07	Included in both tables but questioned as to whether it is practical for observers to collect/verify the required information.	Discuss practicality of observer verification

		<u><i>U.S. recommends retaining.</i></u>	<u>RETAIN</u>
<u>RAY</u> Mobulids	<u>CMM 2019-05 06</u>	<p>Included in the high-level mobulid ray grouping, PNA suggests omitting because it is not monitored by observers.</p> <p><u><i>PNA – continues to support exclusion of CMM 2019-05 06</i></u></p> <p><u><i>U.S. agrees with PNA’s recommendation for removal because compliance would usually be verified after disembarkation, so assessment of the obligation is outside the scope of an observer’s data collection responsibilities.</i></u></p> <p><u><i>China – we share the same view as PNA on this issue.</i></u></p>	<p>Exclude or retain? <u>REMOVE</u></p>
<u>RAY</u> Mobulids	<u>CMM 2019-05 10</u>	<p>Included in the high-level mobulid ray grouping, but the detailed table suggests paragraph 10 may be better treated as observer obstruction, and some elements may not be observer-verifiable.</p> <p><u><i>U.S. maintains that this is practical for observers to monitor, and we see no harm in retaining it as a RAY offense.</i></u></p> <p><u><i>China – we suggests omitting</i></u></p>	<p>Is this observer-verifiable and suitable for CCFS monitoring? Could be removed and treated as observer obstruction. Not clear support in the detailed comments as a practical observer-sourced CCFS obligation.</p> <p><u>NO AGREEMENT</u></p>
<u>SHK</u> Sharks	<u>CMM 2025-06 07-09</u>	<p>Included in shark grouping, PNA suggests these are CCM-level obligations. Others see as feasible to monitor.</p> <p><u><i>The U.S. recommends RETAINING paragraph 08 because observers can record a ‘Yes/No’ response for whether the vessel has landed sharks with their fins naturally attached or not. The U.S. recommends RETAINING AND CLARIFYING in paragraph 09 that observers are expected only to record whether alternative measures were used (Yes/No), which ones were used (Bound/Tagged), and any additional comments. Note that although the “Yes” response will not be enough by itself to warrant a</i></u></p>	<p>Discuss whether to exclude as CCM-level obligations. <u>RETAIN PARAGRAPH 8</u> <u>NO AGREEMENT ON REMAINING PARAS</u></p>

		<p><u>CCFS referral, the “Yes” will indicate to the debriefer and “vetter” that further discussion is required on the point before a compliance assessment can be finalized.</u></p> <p><u>Canada suggests that observers be required to report at-sea processing, storage and transfers of shark carcasses and their fins. For example, we are of the view that regional observers should report whether sharks were caught and released, including use of BHRPs, finned (e.g. caught, fins removed and carcass discarded), and if sharks are retained, we are of the view that regional observers are in a position to report whether sharks are stored (1) with their fins naturally attached, (2) with one of the two alternatives specified in para 9 (e.g. wired or tagged), or (3) with another alternative measure as specified in para 5. We would then suggest that assessing compliance would be done as part of the debriefing process where we expect a CCM authority with access to conditions of licence would be able to determine whether the vessel complied with its authorizations, which we believe is aligned with the process flow discussion.</u></p> <p><u>China - We believe that items 08 and 09 involve the precise implementation and verification of shark conservation measures, particularly in relation to alternative measures to the requirement that fins be naturally attached to the carcass.</u></p> <p><u>In our view, these matters should be inspected by professional high seas boarding and inspection officers, as they are better equipped to assess such cases under the relevant evidentiary guidelines for boarding and inspection. This approach would also be more appropriate for any follow-up investigation by the flag State.</u></p> <p><u>Therefore, we suggest that these matters be addressed through high seas boarding and inspection and port inspection, and be excluded from the observer MSDF.</u></p>	
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<p><u>SHK</u> Sharks</p>	<p><u>CMM 2025-06 14</u></p>	<p>Binding, but PNA suggests it is not feasible for observers to report on or collect these data. Others see as feasible to monitor.</p> <p><u>The U.S. respectfully disagrees with PNA and recommends RETAINING paragraph 14 because observers can record a 'Yes/No' response for whether vessels did/did not retain on board, did/did not transship, did/did not consume (by the crew), and for whether vessels did/did not land fins that are not naturally attached.</u></p> <p><u>Canada - suggests that observers be required to report at-sea processing, storage and transfers of shark carcasses and their fins. We are of the view that details of transshipment as specified in para 14 and 15 should also be included within the scope. We would then suggest that assessing compliance would be done as part of the debriefing process where we expect a CCM authority with access to conditions of licence would be able to determine whether the vessel complied with its authorizations, which we believe is aligned with the process flow discussion.</u></p> <p><u>China - We suggests omitting transshipment observer reports already record the transshipment of shark fins. High seas boarding and inspection can verify whether the corresponding shark carcasses have been retained on board, while port landing inspection can verify the actual landing of shark products.</u></p> <p><u>Therefore, these issues are already covered by more appropriate monitoring and inspection mechanisms, and should not be included in the observer MSDF.</u></p>	<p><u>NO AGREEMENT</u> Exclude or retain?</p>
<p><u>SHK</u> Sharks</p>	<p><u>CMM 2025-06 15</u></p>	<p>Binding, but PNA suggests it is not feasible for observers to report on or collect these data; may be better linked to inspection or transshipment monitoring. Others see as feasible to monitor.</p> <p><u>U.S. respectfully disagrees with PNA and recommends that paragraph 15 be retained because observers can record a Yes/No response regarding whether carcasses and corresponding fins were or were not landed or transshipped together. As noted above, debriefing and vetting processes</u></p>	<p><u>NO AGREEMENT</u> Discuss whether to exclude from observer-sourced CCFS monitoring or address through inspection/transshipment monitoring. This obligation may not be practical for</p>

		<p><u>would then examine any “yes” responses to determine whether there is any basis for a CCFS referral based on this obligation.</u></p> <p><u>Canada - suggests that observers be required to report at-sea processing, storage and transfers of shark carcasses and their fins. We are of the view that details of transshipment as specified in para 14 and 15 should also be included within the scope. We would then suggest that assessing compliance would be done as part of the debriefing process where we expect a CCM authority with access to conditions of licence would be able to determine whether the vessel complied with its authorizations, which we believe is aligned with the process flow discussion.</u></p> <p><u>China - We suggests omitting. transshipment observer reports already record the transshipment of shark fins. High seas boarding and inspection can verify whether the corresponding shark carcasses have been retained on board, while port landing inspection can verify the actual landing of shark products.</u></p> <p><u>Therefore, these issues are already covered by more appropriate monitoring and inspection mechanisms, and should not be included in the observer MSDF.</u></p>	<p>routine observer verification.</p>
<p><u>SHK</u> Oceanic whitetip and Silky sharks</p>	<p>CMM 2025-06 24 (03)</p>	<p>Included in the high-level shark grouping, PNA supports 24(1)-(2).</p> <p><u>PNA – continues to support exclusion of CMM 2025-06 24 03</u></p> <p><u>The U.S. agrees with PNA and recommends REMOVAL of sub-paragraph 03 only because compliance would be assessed after the catch is landed or disposed of in port, so assessment of the obligation is outside the scope of an observer’s data collection responsibilities. However, the U.S. notes that it would still be appropriate to include a ‘Yes/No’ field in transshipment MSDFs for observers to note whether there were any oceanic whitetip and/or silky sharks unintentionally caught and frozen.</u></p>	<p><u>REMOVE</u> Exclude or retain?</p>

		<p><u>China - Regarding subparagraph (2), we suggest deleting this provision and excluding it from the MSDF.</u></p> <p><u>Our concern is that the wording is not suitable for an observer reporting obligation. Phrases such as “as soon as possible” and “in a manner that results in as little harm as possible” are not mandatory standards. They are also difficult to define objectively and would be highly subjective in practice.</u></p> <p><u>For example, if a shark is tightly entangled in the line, or if the hook is caught internally, forcing the shark closer to the vessel may cause greater injury or even death. In such cases, the captain and crew may judge that keeping distance or releasing the shark in another way is safer, while an observer may form a different view. This could easily create a conflict between the observer’s judgment and the operational judgment of the captain and crew.</u></p> <p><u>It would also be very difficult for the flag State to investigate afterwards whether the vessel acted “as soon as possible” or caused “as little harm as possible,” because these assessments depend heavily on the specific circumstances at sea and on subjective judgment. A measure intended to protect the shark could, in some cases, actually increase harm if the shark is pulled closer simply to satisfy a reporting expectation.</u></p> <p><u>For these reasons, we believe this provision is not clear, not objectively verifiable, and not appropriate for inclusion in the observer MSDF. We therefore suggest deleting subparagraph (2).</u></p>	
<p>CWS Whale sharks</p>	<p>CMM 2025-06 25 (03-04, 06, 07)</p>	<p>Included in the high-level whale shark grouping, PNA suggests omitting the others as not practical for observers to collect.</p> <p><u>PNA – continues to support exclusion of CMM 2025-06 25 (03–07)</u></p>	<p>NO AGREEMENT Exclude or retain?</p>

		<p><u>The U.S. recommends REMOVAL of the obligations in 25(03), 25(04), 25(06), and 25(07) because each sub-paragraph involves CCM obligations beyond the scope of observer duties.</u></p> <p><u>Canada – as above for CMM 2025-06 07-09.</u></p> <p><u>China – we share the same view as PNA on this issue.</u></p>	
POL Marine Pollution	CMM 2017-04 03 and CMM 2017-04 05	<p>Non-binding / encouragement language. The first table notes it, but the detailed table records PNA's - should be omitted because of its non-binding language. Others wish to retain pending outcome of the review of CMM 2017-02.</p> <p><u>PNA – continues to support exclusion of CMM 2017-04 05</u></p> <p><u>Canada - Specifically, we would request that any recommendation on the scope would note that marine pollution data fields are subject to change if the marine pollution measure is revised. Our preference is to not remove any of the current data fields on marine pollution, and instead, add paragraph 3 of the current measure to the scope. As you know, Canada is leading the review of the marine pollution measure and is seeking to better align the measure with IMO MARPOL requirements, which may require amended or additional data fields. We hope the ROP-IWG and the Commission are flexible to adjustments based on the outcomes of the review.</u></p> <p><u>China - Our position is that non-binding or encouragement-based language should be excluded from the MSDF.</u></p> <p><u>When a new measure is adopted, we can consider developing appropriate data fields to support its implementation. However, if the provision itself is framed in non-binding terms, such as “encouraged to” or similar language, it should not be treated as a reporting obligation under the MSDF.</u></p> <p><u>For this reason, we suggest excluding this item from the MSDF.</u></p>	<p><u>NO AGREEMENT</u> Retain at this time pending confirmation of data field requirements as part of the CMM review currently underway?</p>

Common to both tables – confirm retention based on discussions at past meetings		
Topic		Obligations
OBS Observer obstruction	CMM 2018-05 15(g)	Retain. Existing RS-A, RS-B and RS-D fields support observer obstruction monitoring. <u><i>U.S. agrees that this should be RETAINED.</i></u>
RAY Mobulids	CMM 2019-05 03-05 and 08	Retain. NO AGREEMENT These relate to targeted fishing / intentional setting and prohibitions on retention, transshipment, storing or landing. Already captured by observers. <u><i>PNA – continues to support exclusion of CMM 2019-05 08</i></u> <u><i>The U.S. recommends RETAINING paragraphs 04 and 05, and REMOVAL of paragraph 08 because it is merely an encouragement to CCMs.</i></u>
FAD Driftnet Prohibition	CMM 2008-04 01 CMM 2008-04 02	Retain. The obligation is binding and appears on both tables. Discussion may still be needed on whether it requires a new yes/no field or remains diary/debriefing based. <u><i>U.S. recommends REMOVING and REPLACING with CMM 2008-04 01. Although it may be true that “This obligation is binding” with respect to paragraph 2, which says that CCMs “shall take all measures necessary to prohibit” large-scale drift nets, the more appropriate paragraph for purposes of a CCFS investigation referral is 01, which states that the use of these nets “shall be prohibited.” (I.e., The obligation in paragraph 02 goes to the CCM, whereas the obligation in paragraph 01 can be imputed to the vessel, and therefore paragraph 01 would be the better trigger for a CCFS case referral.)</i></u>
FAD Fishing on data buoys	CMM 2009-05 01 and 03	Retain. These are binding obligations relating to fishing within 1 nautical mile of, or interacting with, data buoys. <u><i>U.S. agrees that this should be RETAINED.</i></u>

SHK Sharks	<u>CMM 2025-06 07</u>	Retain. Already monitored by observers. <i><u>U.S. agrees that this should be RETAINED.</u></i>
SHK Sharks	<u>CMM 2025-06 18</u>	Retain. This relates to shark mitigation requirements in longline fisheries between 20N and 20S, subject to confirming MSDF coverage. <i><u>U.S. agrees that this should be RETAINED.</u></i>
SHK Sharks	<u>CMM 2025-06 21</u>	Retain. This relates to hauling non-retained sharks alongside for species identification when possible. <i><u>U.S. agrees that this should be RETAINED.</u></i>
SHK Oceanic whitetip and Silky sharks	<u>CMM 2025-06 24 (01, 02)</u>	Retain. PNA supports <i><u>U.S. agrees that this should be RETAINED.</u></i>
CWS Whale sharks	<u>CMM 2025-06 25(01, 02, 05a)</u>	Retain. PNA supports <i><u>U.S. agrees that this should be RETAINED.</u></i>
FAD DNS Driftnet Prohibition	<u>CMM 2008-04 02</u>	Retain. The obligation is binding and appears in both tables. Discussion may still be needed on whether it requires a new yes/no field or remains diary/debriefing based. <i><u>U.S. recommends REMOVING and REPLACING with CMM 2008-04 01. Although it may be true that “This obligation is binding” with respect to paragraph 2, which says that CCMs “shall take all measures necessary to prohibit” large-scale drift nets, the more appropriate paragraph for purposes of a CCFS investigation referral is 01, which states that the use of these nets “shall be prohibited.” (I.e., The obligation in paragraph 02 goes to the CCM, whereas the obligation in paragraph 01 can be imputed to the vessel, and therefore paragraph 01 would be the better trigger for a CCFS case referral.)</u></i>
POL Marine Pollution	<u>CMM 2017-04 02</u>	Retain. Existing PNA reporting supports monitoring of plastic discharge. <i><u>U.S. agrees that this should be RETAINED.</u></i>

Commented [ES1]: US proposed changed

FAD FAD Closure – Tropical Purse Seine	CMM 2025-02 13 CMM 2025-02 14	Retain. Existing set association and location fields support monitoring, with Secretariat review against CCM notifications as needed. <i><u>U.S. recommends RETAINING paragraph 13 and RETAINING AND CLARIFYING paragraph 14 by clarifying observer materials to specify that only the first sentence of the paragraph 14 obligation is relevant for an observer's purposes; observers may disregard the last two sentences, which involve notice by CCMs to the Secretariat.</u></i>
BIR Seabirds	CMM 2025-05 01, 02	Retain. These appear in both tables and are binding mitigation requirements. <i><u>U.S. agrees that this should be RETAINED.</u></i>
TUR Sea Turtles	CMM 2018-04 04 CMM 2018-04 06 CMM 2018-04 07 (a and b)	Retain. These appear in both tables and relate to mitigation, handling, equipment and shallow-set longline requirements. <i><u>U.S. agrees that these should be RETAINED.</u></i>
CWS Cetaceans	CMM 2024-07 01, 02, 03, 04	Retain. These relate to purse seine setting, unintentional encircling, retention / transshipment / landing prohibitions, and longline release requirements. <i><u>U.S. agrees that these should be RETAINED.</u></i>

ANNEX 1 - US changes

6.7. Summary of Obligations and Proposed Case Type Identifiers for Observer-sourced CCFS Cases²

Type	Description	Relevant CMMs
POL (same as current)	Marine Pollution <i>(including required prohibition on vessel discharge any non-fishing gear plastics and encouragements to CCMMs regarding additional marine pollution measures and reporting of gear loss)</i>	CMM 2017-04 (for Marine Pollution; eff. 01 Jan 2019 - Current) - CMM 2017-04 02 - CMM 2017-04 05
FAD (currently "FAI")	Fishing on Data Buoys <i>(including prohibition on fishing within 1 nautical mile or interacting with data buoys on the high seas and adherence to various requirements in the case of entanglement)</i> and FAD closures for Tropical Purse Seine Vessels <i>(including prohibition on setting on FADs in EEZ waters or high seas of the Convention Area during the 1.5-month FAD closure and for one additional month of FAD Closure period that the Flag State has chosen)</i>	CMM 2025-02 (for Bigeye, Yellowfin and Skipjack Tuna in the Western & Central Pacific Ocean; eff. 06 Feb 2024 - Current) - CMM 2025-02 13 - CMM 2023-01 13 - CMM 2023-01 14 CMM 2025-02 14 (1 st sentence) CMM 2009-05 (Prohibiting Fishing on Data Buoys; eff. 09 Feb 2010 - Current) - CMM 2009-05 01, 03, 05
CWS (same as current)	Interactions with Cetaceans <i>(including prohibition on purse seine ("PS") setting on cetaceans if animal is sighted prior to commencement of the set; requirements in the event of unintentional circling of cetaceans in the PS net, including incident reporting; the prohibition on all vessels (PS and longline ("LL")) from harvesting, retaining onboard, transshipping, or landing any cetacean, in whole or any part thereof, in the Convention Area; and the requirement that LL vessels release, taking into account the safety of the crew, any cetacean that is caught or entangled by its fishing gear in the Convention Area as soon as possible and in a manner that results in as little harm to the cetacean as possible and utilizing the Best Practices for the Safe Handling and Release of Cetaceans,</i>	Cetaceans: CMM 2024-07 (for Protection of Cetaceans from PS & LL Fishing Operations; eff. 01 July - Current) - CMM 2024-07 01-04 ³ Whale Sharks: CMM 2025-06 CMM 2024-05 (for Sharks; eff. 0304 Feb 2026 2025 - Current).

² US changes - [The Case Types described here are not listed by how the alleged infringement is identified in observer data, as clarification of that process is forthcoming. See WCPFC-ROP-IWG05-2025-04 \(ROP-IWG workplan\).](#)

³ US changes - [The ROP-IWG identified the obligations in CMM 2024-07, which superseded CMM 2011-03. The relevant obligations are described in: CMM 2011-03 01, CMM 2011-03 02, CMM 2011-03 03, and CMM 2011-03 05.](#)

Type	Description	Relevant CMMs
	<i>if possible</i>); and Interactions with Whale Sharks (including prohibition on PS setting on whale sharks and on retention/ transshipment)	<ul style="list-style-type: none"> - CMM 2024-05-25 (01-07)⁴CMM 2025-06 25 (01, 02, 05(a))
OBS (currently "OAI")	Observer Obstruction	<p>CMM 2018-05 (for the ROP; eff. 12 Feb 2019 - Current)</p> <ul style="list-style-type: none"> - CMM 2018-05 15(g)
DNS (NEW)	Driftnet regulations (including prohibition on the use of large-scale driftnets on the high seas)	<p>CMM 2008-04 (to Prohibit the Use of Large Scale Driftnets on the High Seas of the Convention Area; eff. 10 Feb 2009 - Current)</p> <ul style="list-style-type: none"> - CMM 2008-04-02CMM 2008-04 01
SHK (same as current)	Shark Catch (including prohibitions on shark finning (including transshipment of fins), retention on board of sharks (including for crew consumption), provisions intended to minimize bycatch of sharks in certain LL fisheries, the preference for hauling non-retained sharks alongside for species identification, and various requirements related to Silky Sharks and Oceanic White Tip sharks specifically, among others)	<p>CMM 2024-05 CMM 2025-06 (for Sharks; eff. 0301 Feb 20262025 - Current).⁵</p> <ul style="list-style-type: none"> - CMM 2024-05-07-09 CMM 2025-06 07-09 - CMM 2024-05-14 CMM 2025-06 14 - CMM 2024-05-15 CMM 2025-06 15 - CMM 2024-05-18 CMM 2025-06 18 - CMM 2024-05-21 CMM 2025-06 21 - CMM 2024-05-24 (01-03)CMM 2025-06 24 (01, 02)
RAY (NEW)	Mobulid Rays (including prohibitions on the retention, transshipment, storing, or landing of mobulid rays, as well as the targeted fishing or intentional setting on them)	<p>CMM 2019-05 (for Mobulid Rays caught in association with fisheries in the WCPFC Convention Area; eff. 01 Jan 2021 - Current).</p> <ul style="list-style-type: none"> - CMM 2019-05 (04, 05, 06, 10) - CMM 2019-05 03
TUR	Sea Turtles (including CMMs ensuring that fishermen	

⁴ ~~CMM 2024-05 supersedes CMM 2022-04, CMM 2019-04 (Sharks), and CMM 2012-04 (Whale Sharks).~~

⁵ ~~CMM 2010-07 (Sharks) and CMM 2013-08 (Silky Sharks) were superseded by CMM 2019-04 (Sharks), and subsequently by CMM 2022-04 (Sharks), and CMM 2024-05 (eff. 01 Feb 2025 – Current). Although CMM 2011-04 (Oceanic Whitetip Sharks) was effective until 01 Nov 2020 and does not appear to have been superseded, paragraph 24 of the currently effective CMM 2024-05 includes specific requirements to protect these species.~~

Type	Description	Relevant CMMs
(NEW)	<i>use proper mitigation and handling techniques and foster the recovery of any incidentally captured turtles before returning them to the water, requiring LL vessels to carry and use certain equipment for the prompt handling and release of incidental bycatch, and imposing mitigation requirements for shallow-set LL vessels)</i>	CMM 2018-04 (of Sea Turtles; eff. 01 Jan 2020 - Current). <ul style="list-style-type: none"> - CMM 2018-04 04 - CMM 2018-04 06 - CMM 2018-04 07 (a, b)
BIR (NEW)	Seabirds (including: Required longline mitigation measures to reduce incidental catch of seabirds applying north of 23°N or south of 25°S. i. use at least two mitigation measures in paragraph 1(a) or hook shielding devices when fishing south of 30°S ii. use one of the mitigation measures in paragraph 2 when fishing in area 25°S-30°S iii. 24m or more in overall length, to use at least two mitigation measures in paragraph 6, Table 1; and including at least one from Column A when fishing north of 23°N iv. less than 24m in overall length, to use at least one of the mitigation measures from Column A in Table 1, when fishing north of 23°N)	CMM 2018-03 CMM 2025-05 (to mitigate the impact of fishing for highly migratory fish stocks on seabirds; eff. 12 Feb 2019 - Current) <ul style="list-style-type: none"> - CMM 2025-05 01, 02, 06⁶CMM 2018-03 01, 02, 06

⁶ The ROP-IWG identified the obligations in CMM 2025-05, which superseded CMM 2018-03. The relevant obligations were not yet updated upon drafting and are therefore still described in: CMM 2018-03 01, 02, 06.

ANNEX 2				
Obligation	Description of scientific monitoring needs for data collection by observers	Description of potential compliance issues for data collection by observers	Notes on current MSDFs and/or proposed edits	ALTERNATIVE OR SUPPLEMENTARY COMMENTS
OBSERVER OBSTRUCTION				
CMM 2018-05 15 (g) Observer Obstruction Incidents PNA ⁷ supports maintaining this paragraph	n/a	vessel operator or any crew member assaulted, obstructed, resisted, delayed, refused boarding to, intimidated or interfered with an observer in the performance of their duties vessel operator or any crew member requested that an event not be reported by the observer vessel operator failed to provide the observer, while on board the vessel, at no expense to the observer or the observer's government, with food, accommodation and medical facilities of a reasonable standard equivalent to those normally available and medical facilities of a reasonable standard equivalent to those	Current MSDF - Observer Trip Monitoring Summary Issue Code (RS-A, RS-B and RS-D); (Yes No) – Current CCFS OAI cases are created based on Observer Trip Monitoring Summary data	Secretariat comment: <i>No change to questions needed - could consider including some summary comment on the Observer Trip Monitoring Summary</i> PNA supports suggestion for a summary comment USA - Supports including this paragraph in the WCPFC ROP Debriefing Questionnaire. China - Based on past experience, many cases have not contained sufficient evidence for the flag State to rely on when considering possible enforcement action, which has led to the accumulation of

⁷ PNA members including Tokelau and Vanuatu

ANNEX 2				
Obligation	Description of scientific monitoring needs for data collection by observers	Description of potential compliance issues for data collection by observers	Notes on current MSDFs and/or proposed edits	ALTERNATIVE OR SUPPLEMENTARY COMMENTS
		normally available to an officer on board the vessel		unresolved cases. China therefore suggests strengthening this section by requiring observers to provide more reliable evidentiary information, so as to support the allegation and assist the flag State in its follow-up assessment.
DRIFTNET PROHIBITION				
CMM 2008-04 02 Prohibit use of large-scale driftnets on the high seas PNA supports maintaining	n/a	vessel had on board and/or deployed large-scale driftnet in high seas of Convention Area	Currently covered in training of Pacific Island Observer Programmes, with instructions to include in the observer diary/report	Secretariat comment: Could be a new yes no question on Observer Trip Monitoring Summary, with summary comment PNA comment: Suggest leaving it out and keep it for debriefing process as no high impact on it at the moment USA: Notes that the current obligation identified (paragraph 2) is not enforceable against individual vessel

ANNEX 2				
Obligation	Description of scientific monitoring needs for data collection by observers	Description of potential compliance issues for data collection by observers	Notes on current MSDFs and/or proposed edits	ALTERNATIVE OR SUPPLEMENTARY COMMENTS
				<i>owners or operators, as in a domestic enforcement action. Instead, the U.S. proposes inclusion of CMM 2008-04 01 instead, notwithstanding the lack of existing "obligation" webpage for this paragraph of the CMM.</i>
FISHING ON DATA BUOYS PROHIBITION (NEW) —Case Type Identifier "FAD"				
CMM 2009-05 01, 03, 05 Prohibit their fishing vessels from fishing within 1 nautical mile of or interacting with a data buoy in the high seas, and implement requirements in the case of entanglement PNA support to maintain para 01 and 03 but question mark about para 05 if it is observer level or CCM level obligation	n/a	vessel had a gear entanglement with a data buoy, or intentionally interacted with a data buoy, including intentional taking on board	Currently covered in training of Pacific Island Observer Programmes, with instructions to include in the observer diary/report	Secretariat comment: <i>Could be a new yes no question on Observer Trip Monitoring Summary, with summary comment</i> PNA comment: Suggest leaving it out and keep it for debriefing process USA - Supports including paras 01 and 03 but recommends removing para 05 from the WCPEC

ANNEX 2				
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				<p><u>ROP Debriefing Questionnaire because it is unenforceable. The first sentence in para 05 lacks specificity as to what constitutes “as little damage . . . as possible,” and the second sentence in para 05 is merely an encouragement to CCMs.</u></p> <p><u>China - This provision relies heavily on the observer’s subjective judgment and would be very difficult for the flag State to investigate afterwards. For example, where the issue concerns whether the vessel was within one nautical mile of a data buoy, it is unclear how the observer would accurately determine that distance at sea; without</u></p>

ANNEX 2				
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				<p><u>objective position-comparison evidence, the flag State could not review the allegation reliably. If this item is to be retained, there should be a clear evidentiary basis — for example, the positions of all relevant data buoys should be made available, and any alleged incident should be assessed by comparing those buoy positions with the vessel's latitude and longitude at the time. Without such objective evidence, the provision would be too subjective and difficult to verify, and is unsuitable for inclusion in the MSDF.</u></p>

ANNEX 2				
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MARINE POLLUTION <u>(currently "POL")—Case Type Identifier: "POL"</u>				
CMM 2017-04 02 Prohibit fishing vessels from discharging any plastics (including plastic packaging, items containing plastic and polystyrene) but not including fishing gear PNA support to maintain	n/a	vessel discharged plastics (including plastic packaging, items containing plastic and polystyrene)	<p>current MSDF - Observer Trip Monitoring Summary Issue Code (PN-A) dispose of any metals, plastics, old fishing gear or chemicals;(Yes No)</p> <p>Current CCFS POL cases are created based on Observer Trip Monitoring Summary data</p> <p>Currently there are some additional data collections by Pacific Island Observer Programmes, with instructions to include in the observer diary/report</p>	<p>Secretariat comment: <i>Could be a revised yes no question on Observer Trip Monitoring Summary, and would be useful to also collect some data fields related to the scale and how the discharge occurred</i></p> <p><i><u>PNA comment: only PN-a MSDF is useful for CCFS</u></i></p> <p><i><u>USA - Agrees with PNA—The WCPFC ROP Trip Monitoring Summary Questionnaire should include the obligation in para 02.</u></i></p> <p><i><u>China - This item should be supported by sufficient evidence; otherwise the flag State cannot conduct a proper investigation. There</u></i></p>

ANNEX 2				
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				<i>should also be reliable evidence showing that the plastic waste was discarded by the vessel on which the observer was deployed, failing which the allegation cannot properly be attributed to that vessel. China would therefore support deleting this item from the MSDF unless sufficient evidentiary support is provided.</i>
CMM 2017-04 05 Encourage additional marine pollution measures and reporting gear loss PNA suggest omitting para 05 because of its non-binding language	n/a	compliance issues would depend on national requirements	Current MSDF - Observer Trip Monitoring Summary Issue Code (PN-C, D, E) lose any fishing gear; (Yes No) , abandon any gear; (Yes No), fail to report any abandoned gear; (Yes No) Current CCFS POL cases are created based on Observer Trip Monitoring Summary data	Secretariat comment: <i>Maybe potentially useful to collect information about how crew may attempt to retrieve abandoned, lost or discarded fishing gear (ALDFG) and retain the material on board, separate from other waste for discharge to port reception facilities.</i> <i>PNA comment: About the</i>

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ANNEX 2				
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				<p><i>Secretariat comment to be useful for Observers to collect information about how crew may attempt to retrieve ALDFG is best left for CCMs reporting and not useful for CCFS purposes.</i></p> <p><i>USA: Agrees with and recommends that the obligation in para 05 be removed, as it is only an encouragement.</i></p> <p><i>China - China shares the same view as PNA and suggests excluding this paragraph.</i></p>
FAD CLOSURE - TROPICAL PURSE SEINE <i>(currently "FAI")—Case Type Identifier "FAD"</i>				
<p>CMM 2023-01 13 Setting on FADs in EEZ waters or high seas of Convention Area during the 1 1/2-month FAD Closure (previous CMMs had 3 Month FAD closure)</p> <p><i>PNA supports maintaining</i></p>	types of FAD sets - free school, logs or associated	was observed to have made an associated set in a location and during a period, when the said vessel was not expected through the provisions of the TT CMM to be permitted to set on FADs	<p>Current MSDF - Type of school association (row 143), Latitude and longitude of activity (row 136)</p> <p>Current CCFS FAI cases are created by Secretariat</p>	<p>Secretariat comment: No change - some closer review by the Secretariat of the ROP data and specific circumstances would still be necessary, because there is information that CCMs notify the</p>

ANNEX 2				
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			based on current MSDF fields referred to above, and taking into consideration CCMs notified information to the Secretariat	<p>Secretariat, which is reported annually in reports. This information shouldn't need to be made available to Observers before they depart on their trip or during debriefing. For example, the CMM 2023-01 13 footnote 1 notifications</p> <p><i>PNA comment: Suggest that it be made available publicly on the website and circulate widely to Observer providers so observer can be advised during placement</i></p> <p><i>USA: Supports including all of para 13 in the WCPFC ROP Debriefing Questionnaire</i></p>
CMM 2023-01 14 Setting on FADs in high seas of Convention Area during the one additional month FAD Closure period that the Flag State has chosen (previous CMMs had two-month	types of FAD sets - free school, logs or associated, and location of set is high seas of Convention	was observed to have made an associated set in a location and during a period, when the said vessel was not expected	Current MSDF - Type of school association (row 143), Latitude and longitude of activity (row 136)	<p>Secretariat comment: No change - some closer review by the Secretariat of the ROP data and specific circumstances would still</p>

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choice) PNA supports maintaining	Area	through the provisions of the TT CMM to be permitted to set on FADs	Current CCFS FAI cases are created by Secretariat based on current MSDF fields referred to above, and taking into consideration CCMs notified information to the Secretariat	<p>be necessary, because there is information CCMs notify the Secretariat, which is reported annually in reports. This information shouldn't need to be made available to Observers before they depart on their trip or during debriefing. For example the selection of IATTC/WCPFC overlap choice, CNM participatory rights annual decision</p> <p>USA: Would encourage observer reference materials to specify that only the first sentence of para 14 is relevant; the last two sentences of para 14 (stricken in the column to the left) involve notice by CCMs to the Secretariat and therefore are not appropriate for observer notation.</p>
SEABIRDS (NEW)—Case Type Identifier: "BIR"				
CMM 2018-03 01, 02, 06 Required		Were mitigation measures	Current MSDF - tori line	Secretariat comment:

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<p>longline mitigation measures to reduce incidental catch of seabirds applying north of 23°N or south of 25°S.</p> <p>i. use at least two mitigation measures in paragraph 1(a) or hook shielding devices when fishing south of 30°S ii. use one of the mitigation measures in paragraph 2 when fishing in area 25°S-30°S iii. 24m or more in overall length, to use at least two mitigation measures in paragraph 6, Table 1 CMM 2018-03, including at least one from Column A when fishing north of 23°N iv. less than 24m in overall length, to use at least one of the mitigation measures from Column A in Table 1, when fishing north of 23°N</p> <p>PNA supports maintaining para 01 and 02 but have a question mark around paragraph 06 on whether it is practical for observers to collect the information require</p>		<p>used</p> <p>What mitigation measures were used</p> <p>Did mitigation measures meet the gear specification requirements</p> <p>(Observer may not know what combination of mitigation measures that the vessel is required to use by the flag CCM so would document observations of the mitigation measure use and whether they meet the requirements)</p>	<p>(row 62), deep setting line shooter (row 73), blue dyed bait (row 71), management of offal (row 74), strategic offal disposal (row 75)</p> <p>NZ suggested additional MSDFs - hook shielding devices (row 61), tori line condition (row 63), length of tori line (row 64), streamers on tori lines (row 65), tori line aerial extent (row 66), weighted branch lines (set level) (row 69), time of nautical dawn - for night setting (row 77), night setting (row 78)</p>	<p>Could be a yes no question on Observer Trip Monitoring Summary on whether mitigation measures were used</p> <p>Would be useful to also collect some data to inform whether any attempts were made to use mitigation devices.</p> <p>Some closer review by the Secretariat of the ROP data fields and specific circumstances might still be necessary, because there is information CCMs notify the Secretariat, which is reported annually in reports. This information shouldn't need to be made available to Observers before they depart on their trip or during debriefing.</p> <p><u>USA: Supports including all three of these paragraphs in the WCPFC ROP Trip Monitoring Summary</u></p>

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				<p><u>Questionnaire but would welcome further discussion with PNA and other members regarding the practicality of para 06. In the meantime, and in order to minimize observer confusion regarding the details of the obligation in para 06 of the CMM, reference materials provided to observers should also reproduce the relevant tables from this CMM.</u></p> <p><u>China - China has serious concerns about the practicality and feasibility of the additional MSDFs proposed by New Zealand. Many of the proposed items are highly technical and would be difficult for a single observer to assess</u></p>

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				<p><i>independently during normal fishing operations:</i></p> <ul style="list-style-type: none"> <i>– Row 61 (hook shielding devices): China would need to understand what specific information is expected to be recorded.</i> <i>– Row 63 (tori line condition): the term “condition” requires clarification.</i> <i>– Row 64 (length of tori line): it is unclear how a single observer could measure this accurately on board; the task would be complex and could significantly increase the observer’s daily workload, and it is questionable whether the observer would have</i>

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				<p><u>sufficient time to complete it for each set.</u></p> <p>– Row 65 (streamers on tori lines): <u>clarification is needed on what information about the streamers should be recorded.</u></p> <p>– Row 66 (tori line aerial extent): <u>this would be very difficult to judge and calculate accurately at sea.</u></p> <p>– Row 69 (weighted branch lines, set level): <u>it is unclear whether the observer would be expected to weigh the lines or verify the weights in another way.</u></p> <p>– Rows 77 and 78 <u>(time of nautical</u></p>

ANNEX 2				
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				<p><u>dawn for night setting; night setting); the time of nautical dawn should be calculated objectively rather than judged visually; row 78 appears to duplicate information already captured through the recorded setting time, and determining sunset/darkness by observer judgment would be highly subjective.</u></p> <p><u>Overall, these items are too complex and burdensome for observers to complete independently, and even with crew assistance they would take considerable time and may interfere with the observer's core</u></p>

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				<u>duties. China does not support adding these items to the observer MSDF, and suggests that, where necessary, such technical checks be conducted through high seas boarding and inspection or port inspection instead.</u>
	Were there interactions with seabird and if so what seabirds, nature of interaction and fate of seabird		Interactions Current MSDF - type of interaction (row 154), data and time of interaction (row 155), latitude and longitude of interaction (row 156), species code of marine reptile, marine mammal, or seabird (row 158), vessels activity during interaction (row 169), condition observed at start of interaction (row 170), condition observed at end of interaction (row 171), description of interaction	

ANNEX 2				
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			(row 174), number of animals sighted (row 175) New proposed MSDF data fields - Time of SSI first sighting with time recorded before or after Set time (row 157), SSI is incidentally encircled in the purse seine net (row 172), if SSI is caught by longline, what is the length of line on released live animal (longline caught) (row 173).	
SEA TURTLES				
CMM 2018-04 04 CCMs to ensure fishermen use proper mitigation and handling techniques and foster the recovery of any turtles that are incidentally captured - fishers on its flagged vessels to bring aboard, if practicable, any captured hard-shell sea turtle that is comatose or inactive as soon as possible and foster its recovery, including giving it resuscitation, before returning it to the water, use proper mitigation and	Were there interactions with sea turtles and if so what sea turtles, nature of interaction and fate of sea turtle	Were mitigation measures used What mitigation measures were used Did mitigation measures meet the gear specification requirements	Interactions Current MSDF - species code (row 127) and Fate Code (row 127) indicating retained, condition when caught (row 105), fate (row 106), condition when released (row 107), type of interaction (row 154), data and time of interaction (row 155), latitude and longitude of interaction	Secretariat comment: <i>Could be a new yes no question on Observer Trip Monitoring Summary as to whether the vessel had any interactions with sea turtles that are documented. The MSDFs data fields should be reviewed to check that they will sufficiently document observations related to</i>

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handling techniques as described in WCPFC guidelines PNA supports maintaining para 04			(row 156), species code of marine reptile, marine mammal, or seabird (row 158), vessels activity during interaction (row 169), condition observed at start of interaction (row 170), condition observed at end of interaction (row 171), description of interaction (row 174), number of animals sighted (row 175) New proposed MSDF data fields - Time of SSI first sighting with time recorded before or after Set time (row 157), SSI is incidentally encircled in the purse seine net (row 172), if SSI is caught by longline, what is the length of line on released live animal (longline caught) (row 173).	specific mitigation measure use, and safe handling practices PNA comment: PS-3 already capture SSI sighting and encirclement data for purse seine and support that additional Yes/No question on the GEN3 maybe taken up during debriefing to minimize at-sea workload USA: The U.S. is supportive including the obligation in the first sentence of para 04 but recommends removing reference to the second/final sentence in that paragraph, which obligates a CCM to adopt domestic legislation and is therefore not enforceable against individual vessel owners or operators, as

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				<p>would be supported by an <u>Observer-Sourced CCFS case.</u></p> <p><u>China - China reiterates the concerns set out above regarding the proposed SSI data fields. For row 157 (time of first sighting of an SSI, including whether recorded before or after the set time), China sees no clear basis in the relevant conservation and management measures and does not support adding it. For the line-length field (rows 157 and 173, length of line remaining on a live animal released after being caught by longline), China sees no clear CMM basis and has serious practical/safety</u></p>

ANNEX 2				
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				<u>concerns about measuring the line on a live released animal at sea. China does not support adding these fields.</u>
<p>CMM 2018-04 06 CCMs to require longline vessels to carry and use line cutters and de-hookers to handle and promptly release sea turtles, as well as dip-nets where appropriate</p> <p>PNA supports maintaining</p>		<p>Were mitigation measures used</p> <p>What mitigation measures were used</p> <p>Did mitigation measures meet the gear specification requirements</p>		<p>Secretariat comment: <i>Could be a new yes no question on Observer Trip Monitoring Summary as to whether the vessel carries and uses line cutters and de-hookers for sea turtles, as well as dip-nets. The MSDFs data fields should be reviewed to check that they will sufficiently document observations related to use of these mitigation measures during specific incidents</i></p> <p><u>USA: The U.S. is supportive including the obligation in the first sentence of para 04 but recommends removing reference to the</u></p>

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ANNEX 2				
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				<u>second/final sentence in that paragraph, which obligates a CCM to adopt domestic legislation and is therefore not enforceable against individual vessel owners or operators, as would be supported by an Observer-Sourced CCFS case.</u>
CMM 2018-04 07 (a, b) Sea Turtle mitigation requirements for shallow-set longline vessels - LL vessels to employ at least one of the three mitigation methods listed in paragraph 7a of the CMM - i. Use only large circle hooks, which are fishing hooks that are generally circular or oval in shape and originally designed and manufactured so that the point is turned perpendicularly back to the shank. These hooks shall have an offset not to exceed 10 degrees. ii. Use only finfish for bait. or iii. other Commission approved mitigation measure/plan		Were mitigation measures used What mitigation measures were used Did mitigation measures meet the gear specification requirements	Current MSDF - hook type (row 59), hook size (row 60), bait species (row 92), target species (row 91)	Secretariat comment: <i>Could be a new yes no question on Observer Trip Monitoring Summary if vessel is fishing in shallow-set manner, whether mitigation measures were used. The MSDFs data fields should be reviewed to check that they will sufficiently document observations related to specific mitigation measure use.</i> <i>Some closer review by the Secretariat of the ROP data</i>

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PNA supports maintaining				<p>fields and specific circumstances might still be necessary, because there is information CCMs notify the Secretariat, which is reported annually in reports. This information shouldn't need to be made available to Observers before they depart on their trip or during debriefing.</p> <p><u>USA: The U.S. supports including the obligations in paras 06 and 07 (a, b).</u></p> <p><u>China - China suggests adding the phrase "in shallow-set longline" after the fields "Were mitigation measures used," "What mitigation measures were used," and "Did mitigation measures meet the gear specification requirements," so as to</u></p>

ANNEX 2				
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				<i>align these fields with the existing measure. Without the reference to shallow-set longline, China considers the proposed fields may be inconsistent with the current measure. If "in shallow-set longline" is not added, China requests that these fields be deleted from the MSDF.</i>
MOBULID RAYS (NEW)—Case Type Identifier: "RAY"				
CMM 2019-05 (04-06, 08, 10) Prohibit retaining/transshipping/storing/landing mobulid rays PNA supports maintaining paragraph 03-05, para 06 is suggested to be omitted because it is not monitored by observers and paragraph 10 can be considered as obstruction under ROP CMM		Were mobulids landed on board and retained, were mobulids transshipped	Check that there are some observed fate codes that indicate retention in whole or in part for SSI	Secretariat comment: Could be a new yes no question on Observer Trip Monitoring Summary related to whether retention or transshipping was observed. The MSDFs data fields should be reviewed to check that they will sufficiently document observations related to specific incidents, including fate of SSIs

ANNEX 2				
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				<p><u><i>PNA comment: PS-3 already capture SSI sighting and encirclement data for purse seine and support that additional Yes/No question on the GEN3 maybe taken up during debriefing to minimize at-sea workload</i></u></p> <p><u><i>USA: Agrees with PNA and supports retaining para 04 and the first sentence of para 05 but recommends removing the second sentence in para 05, which involves a mere encouragement. Although the U.S. supports the intent of the obligation in para 06 recommends deleting it from the WCPFC ROP Debriefing Questionnaire, as compliance with its obligations would only be</i></u></p>

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ANNEX 2				
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				<p><u>verifiable after disembarkation in port.</u></p> <p><u>The U.S. recommends removing para 08, which is merely an encouragement.</u></p> <p><u>While the U.S. agrees with the PNA comments noting that the obligation in para 10 also goes to observer interference, the U.S. recommends that allegations going to this obligation only be recorded in one place—here, under “RAY”—in order to avoid inflated statistics, and because charging the conduct under both theories remains available to Responsible CCMs</u></p>

ANNEX 2				
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				<p><u>exercising prosecutorial discretion.</u></p> <p><u>China - Regarding the field</u> <u>"Were mobulids landed on</u> <u>board and retained, were</u> <u>mobulids transshipped,"</u> <u>China suggests deleting</u> <u>"landed on board" and</u> <u>retaining only "retained."</u> <u>"Landed on board"</u> <u>describes only a temporary</u> <u>status: an observer may</u> <u>see a mobulid brought on</u> <u>board but may not observe</u> <u>whether it was later</u> <u>discarded; in practice a</u> <u>mobulid may be landed on</u> <u>board and discarded</u> <u>shortly afterwards.</u> <u>"Retained" more accurately</u> <u>captures whether the</u> <u>mobulid was actually kept</u> <u>on board or stored below</u></p>

ANNEX 2				
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				deck. China therefore suggests recording only whether the mobulid was retained, and deleting the reference to "landed on board."
CMM 2019-05 03 Prohibit targeted fishing or intentional setting on mobulid rays	Were there interactions with mobulids - seen from the vessel and if so what mobulids, nature of interaction and fate of mobulids	Was purse seine gear deployed or continue to be deployed while one or more mobulids were in the vicinity of the gear being released	Interactions Current MSDF - species code (row 127) and Fate Code (row 127) indicating retained, condition when caught (row 105), fate (row 106), condition when released (row 107), type of interaction (row 154), data and time of interaction (row 155), latitude and longitude of interaction (row 156), species code of marine reptile, marine mammal, or seabird (row 158), vessels activity during interaction (row 169), condition observed at start of interaction (row 170), condition observed at end of interaction (row 171),	Secretariat comment: <i>Could be a new yes no question on Observer Trip Monitoring Summary related to whether intentional setting was observed. The MSDFs data fields should be reviewed to check that they will sufficiently document observations related to specific incidents</i> PNA comment: PS-3 already capture SSI sighting and encirclement data for purse seine and support that additional Yes/No question on the GEN3 maybe taken up during debriefing to minimize at-

ANNEX 2				
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			<p>description of interaction (row 174), number of animals sighted (row 175)</p> <p>New proposed MSDF data fields - Time of SSI first sighting with time recorded before or after Set time (row 157), SSI is incidentally encircled in the purse seine net (row 172)</p>	<p><u>sea workload</u></p> <p><u>USA: Agrees with PNA and supports retaining para 03.</u></p> <p><u>China - For row 157 (time of first sighting of an SSI, recorded before or after the set time), China sees no clear CMM basis and does not support adding it. For row 172, China is concerned that this item may treat a situation as a violation even where the observer saw the mobulid or marine mammal but did not inform the captain, and the captain did not see it; in such cases the flag State cannot properly reconstruct or investigate the situation afterwards, particularly where the animal was underwater or the incident</u></p>

ANNEX 2				
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				<u>occurred at night, and it would be difficult to determine whether the conduct was intentional or unintentional. If an observer sees a mobulid or marine mammal, the observer should inform the captain as soon as possible; if the captain is then informed but fails to take the required action, the matter could be considered within the scope of a possible violation. Where the captain was not informed and did not see the animal, it would not be reasonable to treat the case as a violation.</u>
SHARKS (currently "SHK")—Case Type Identifier: "SHK"				
CMM 2025-06 07–09 Take measures to ensure full utilization of sharks and prohibition of finning	were there catches of sharks, and what species, what catches	Did vessel follow requirements to store carcasses and	Current MSDF - species code (row 127) and Fate Code (row 127) indicating	Secretariat comment: <i>Could be a new yes no question on Observer Trip</i>

ANNEX 2				
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PNA agree to maintain paragraph 07 as it is monitored by observers and suggest omitting paragraph 8-9 as it is a CCM level obligation.	were released/retained, what was their condition if released	corresponding fins correctly, so that inspectors and observers can verify	retained and fining activity, condition when caught (row 105), fate (row 106), indicating retained and fining activity, estimated shark fin weight by species (row 162), estimated carcass weight by species (row 163) New proposed MSDF - method used to store shark fins (row 164) Current CCFS SHK potential shark finning cases are created by Secretariat based on current MSDF fields referred to above	<i>Monitoring Summary related to whether vessel had in place measures to ensure individual shark carcasses and their corresponding fins can be easily identified onboard the vessel at any time. The MSDFs data fields should be reviewed to check that they will sufficiently document observations related to specific incidents</i> <u>USA: Supports maintaining para 07. Notwithstanding the PNA's comment suggesting removal of paras 08 and 09, the U.S. notes that observers can record a yes/no response regarding whether the vessel has landed sharks with their fins naturally attached or not, and</u>

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ANNEX 2				
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				<u>therefore the obligation in para 08 should remain. As to para 09, the U.S. agrees that the observer's limited role should be clarified as recording whether alternative measures were used, and whether they were complied with. The U.S. does not agree that the reference to para 09 should be removed altogether.</u>
<p><u>CMM 2025-06 14</u> Prevent fishing vessels from retaining on board (including for crew consumption), transshipping and landing any fins harvested in contravention</p> <p>PNA suggest that this paragraph is not feasible for observer to report on or collect those data and suggest omitting</p>				<p>Secretariat comment: Could be a new yes no question on Observer Trip Monitoring Summary related to whether crew consumed any shark fins. The MSDFs data fields should be reviewed to check that they will sufficiently document observations related to</p>

ANNEX 2				
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				<p>specific incidents,</p> <p><u>USA: Disagrees that these paragraphs should be removed, recommends retaining them because observers can verify whether vessels did, in fact, retain on board, transship, and/or land fins harvested in contravention of the CMM in para 14.</u></p> <p><u>China - China shares PNA's view that this paragraph is not feasible for observers to report on or collect, and supports its omission. In many cases the flag State would not be able to investigate, review or reconstruct the situation afterwards, and without objective evidence it would be very difficult to</u></p>

ANNEX 2				
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				<u>determine whether a violation occurred. While observers could in theory carry portable cameras to record possible violations in real time, this would involve significant cost and practical difficulty and may not be realistic at this stage. China therefore agrees with PNA's view.</u>
<p><u>CMM 2025-06 15</u> Ensure carcasses and corresponding fins are landed or transshipped together</p> <p>PNA suggest that this paragraph is not feasible for observer to report on or collect those data and suggest omitting</p>		Did vessel follow requirements to during transshipment and landing to ensure carcasses and corresponding fins were together		<p>Secretariat comment:</p> <p>Could be a new yes no question on Observer Trip Monitoring Summary related to whether vessel transshipped or landed any sharks. The MSDFs data fields should be reviewed to check that they will sufficiently document observations related to specific incidents, including whether the carcasses and corresponding fins were</p>

ANNEX 2				
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				<p>landed or transhipped together</p> <p><u>USA: Disagrees that this paragraph should be removed, recommends retaining it because observers can verify compliance with para 15's requirement that carcasses and fins be landed and/or transshipped together.</u></p> <p><u>China - China shares the same view as PNA. Landing should be monitored through port inspection and transshipment through the transshipment observer. China suggests excluding this paragraph.</u></p>
<u>CMM 2025-06 18</u> Minimize bycatch of sharks in longline fisheries between		Were mitigation measures used	Current MSDF - target species (row 91), shark	Secretariat comment: Could be a new yes no

ANNEX 2				
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<p>20N and 20S i. prohibits its flagged longline vessels, between 20N and 20S, targeting tuna and billfish from using wire trace as branch lines or leaders, ii. requires its flagged longline vessels, between 20N and 20S, targeting tuna and billfish, if carrying wire trace as branch lines or leaders, to stow them, iii. prohibits its flagged longline vessels, between 20N and 20S, targeting tuna and billfish from using shark lines or branch lines running directly off of the longline floats or drop lines</p> <p>PNA supports maintaining</p>		<p>What mitigation measures were used</p> <p>Did mitigation measures meet the gear specification requirements</p>	<p>lines (row 70), wire trace (row 53)</p>	<p><i>question on Observer Trip Monitoring Summary if vessel is fishing for tuna and billfish, whether shark mitigation measures were used. The MSDFs data fields should be reviewed to check that they will sufficiently document observations related to specific mitigation measure use</i></p> <p><i>Some closer review by the Secretariat of the ROP data fields and specific circumstances might still be necessary, because there is information CCMs notify the Secretariat, which is reported annually in reports. This information shouldn't need to be made available to Observers before they depart on their trip or during debriefing.</i></p> <p><i>USA: Supports retaining.</i></p>

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ANNEX 2				
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<p>CMM 2025-06 21 Haul non-retained sharks alongside for species identification when possible</p> <p>PNA supports maintaining</p>				<p>Secretariat comment: <i>Could be a new yes no question on Observer Trip Monitoring Summary related to whether vessel did not haul any sharks that are caught alongside the vessel before being cut free to facilitate species ID. The MSDFs data fields should be reviewed to check that they will sufficiently document observations related to specific incidents, including fate of SSIs</i></p> <p>USA: Supports retaining.</p> <p>China - China suggests excluding this paragraph. It would be very difficult for an observer to determine whether harm has been caused to the shark. For example, where the line is under strong tension,</p>

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				<u>hauling the shark alongside the vessel may cause internal injury, especially if the hook is caught deeply or internally. In practice only the crew member handling the line, or experienced deck crew directly involved in the operation, may be able to assess whether the handling is likely to harm the shark; an observer would find it very difficult to make this judgment by visual observation alone. The paragraph is therefore too subjective and difficult to verify.</u>
<p>CMM 2024-05 24 (01, 02-03) Specific requirements to protect oceanic whitetip and silky sharks</p> <p>PNA supports maintaining sub-paragraph 1-2 and omitting sub-para</p>	<p>Were there interactions with oceanic whitetip sharks and silky sharks - if so what shark species, nature of</p>	<p>Were OCS or FAL landed on board and retained, were OCS or FAL transshipped</p>	<p>Current MSDF - species code (row 127) and Fate Code (row 127) indicating retained, condition when caught (row 105), fate (row 106), condition when</p>	<p>Secretariat comment: <i>Could be a new yes no question on Observer Trip Monitoring Summary related to whether vessel caught any OCS or FAL, and</i></p>

ANNEX 2				
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03	interaction and fate of sharks		<p>released (row 107)</p> <p>Current CCFS SHK cases related to potential retention of OCS and FAL are created by Secretariat based on current MSDF fields referred to above</p>	<p><i>whether the vessel retained any OCS or FAL. The MSDFs data fields should be reviewed to check that they will sufficiently document observations related to specific incidents, including fate of SSIs</i></p> <p><u>USA: Agrees with PNA. USA supports maintaining sub-paragraphs 01 and 02 of para 24 but recommends removing any reference to sub-paragraph 03, which relates to activities that would often not be verifiable until after the catch is landed and disposed of at markets in port.</u></p> <p><u>China - China suggests excluding this paragraph as</u></p>

ANNEX 2				
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				<p><u>a whole from observer monitoring and from the MSDF. For subparagraph (1) (prohibition on retaining on board, transshipping, storing on a fishing vessel, or landing oceanic whitetip and silky sharks), this is more appropriately verified through transshipment observer reports and port inspection. For subparagraph (2), the terms “as soon as possible” and “in a manner that results in as little harm to the shark as possible” are difficult to define objectively and depend heavily on the circumstances at sea; the captain, crew and observer may form different subjective judgments.</u></p>

ANNEX 2				
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				<i>making it very difficult for the flag State to verify afterwards. For subparagraph (3), these issues are also more suitable for verification through port inspection, transshipment monitoring or the relevant government authorities.</i>
WHALE SHARKS (currently "CWS")—Case Type Identifier: "CWS"				
<p>CMM 2024-05-25 (01-07), CMM 2025-06-25 (01, 02, 05(a)) Prohibit purse seine setting on whale sharks and retention/transshipment</p> <p>PNA supports maintaining sub-paragraph 1-2 and 5a and suggest omitting sub-paragraph 3, 4, 6, and 7 as it is not practical for observers to collect</p>	Report on interactions with whale sharks that were seen from the vessels -	Was purse seine gear deployed or continue to be deployed while one or more whale sharks were in the vicinity of the gear being released Were whale sharks landed on board and retained	<p>Interactions</p> <p>Current MSDF - species code (row 127) and Fate Code (row 127) indicating retained, condition when caught (row 105), fate (row 106), condition when released (row 107), type of interaction (row 154), data and time of interaction (row 155), latitude and longitude of interaction (row 156), species code of marine reptile, marine</p>	<p>Secretariat comment:</p> <p><i>Could be a new yes no question on Observer Trip Monitoring Summary related to whether intentional setting on whale sharks was observed. The MSDFs data fields should be reviewed to check that they will sufficiently document observations related to specific incidents, including fate of SSIs</i></p>

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			<p>mammal, or seabird (row 158), vessels activity during interaction (row 169), condition observed at start of interaction (row 170), condition observed at end of interaction (row 171), description of interaction (row 174), number of animals sighted (row 175)</p> <p>New proposed MSDF data fields - Time of SSI first sighting with time recorded before or after Set time (row 157), SSI is incidentally encircled in the purse seine net (row 172), if SSI is caught by longline, what is the length of line on released live animal (longline caught) (row 173)</p> <p><i>Check that there are some observed fate codes indicates retention in whole or in part for SSI</i></p>	<p><i><u>PNA comment: PS-3 already capture SSI sighting and encirclement data for purse seine and support that additional Yes/No question on the GEN3 maybe taken up during debriefing to minimize at-sea workload</u></i></p> <p><i><u>USA: Supports retaining reference to sub-paras 01, 02, and 05(a). The U.S. agrees with PNA's recommendation to remove reference to paras. 03, 04, 05b, 06, and 07, which are CCM obligations outside the scope of observer data collection.</u></i></p> <p><i><u>China - China has several concerns about the newly proposed SSI data fields.</u></i></p>

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			<p>Current CCFS CWS interactions with purse seine and whale sharks are created by Secretariat based on current MSDF fields referred to above.</p>	<p><i>For row 157 (time of first sighting of an SSI, recorded before or after the set time), China asks which CMM provides the basis for this field, noting that for longline operations in particular it sees no clear basis. China also has practical concerns: where the observer sees the SSI but does not inform the captain, the captain may be unaware of it; the observer should first alert the captain, failing which it would be very difficult for the flag State to verify the situation afterwards. For row 173 (length of line remaining on a live animal released after being caught by longline), China has serious concerns about safe</i></p>

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ANNEX 2				
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				<p><u>implementation and asks how an observer could safely and accurately measure the line on a live shark or other SSI at sea; it would welcome any CCM's practical experience. China also seeks clarification of the note "check that there are some observed fate codes indicating retention in whole or in part for SSI," which is difficult to understand. Given the lack of a clear CMM basis for some fields, the practical difficulties, and the difficulty for the flag State to verify allegations afterwards, China does not support including these fields in the MSDF at this stage.</u></p>

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ANNEX 2				
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CETACEANS (currently "CWS")—Case Type Identifier: "CWS"				
CMM 2024-07 01 Prohibit purse seine setting on cetaceans, if animal is sighted prior to commencement of the set	Report on interactions with cetaceans that were seen from the vessels -	Was purse seine gear deployed or continue to be deployed while one or more cetaceans were in the vicinity of the gear being released Were cetaceans landed on board and retained	Interactions Current MSDF - species code (row 127) and Fate Code (row 127) indicating retained, condition when caught (row 105), fate (row 106), condition when released (row 107), type of interaction (row 154), data and time of interaction (row 155), latitude and longitude of interaction (row 156), species code of marine reptile, marine mammal, or seabird (row 158), vessels activity during interaction (row 169), condition observed at start of interaction (row 170), condition observed at end of interaction (row 171), description of interaction (row 174), number of animals sighted (row 175) New proposed MSDF data fields - Time of SSI first	Secretariat comment: Could be a new yes no question on Observer Trip Monitoring Summary related to whether intentional setting on cetaceans was observed. The MSDFs data fields should be reviewed to check that they will sufficiently document observations related to specific incidents PNA comment: <i>PS-3 already capture SSI sighting and encirclement data for purse seine and support that additional Yes/No question on the GEN3 maybe taken up during debriefing to minimize at-sea workload</i> USA: <i>Supports retaining.</i>

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			<p>sighting with time recorded before or after Set time (row 157), SSI is incidentally encircled in the purse seine net (row 172), if SSI is caught by longline, what is the length of line on released live animal (longline caught) (row 173)</p> <p>Check that there are some observed fate codes indicates retention in whole or in part for SSI</p> <p>Current CCFS CWS interactions with purse seine and cetaceans are created by Secretariat based on current MSDF fields referred to above</p>	<p><u>China - China reiterates the same concerns regarding the newly proposed SSI data fields (rows 157 and 173) and the note on observed fate codes, as set out above for whale sharks. Given the lack of a clear CMM basis for some fields, the practical difficulties of implementation, and the difficulty for the flag State to verify afterwards, China does not support including these fields in the MSDF at this stage.</u></p>
<p>CMM 2024-07 02 Requirements in the event of unintentional encircling of cetaceans in the purse seine net, including incident reporting requirements</p> <p>PNA supports maintaining</p>	Report on interactions with cetaceans that were seen from the vessels -	Were efforts made to release cetaceans that were encircled in the purse seine net, and where cetaceans landed on board released	<p>Check that there are some observed fate codes indicates retention in whole or in part for SSI</p>	<p>Secretariat comment:</p> <p>Could be a new yes no question on Observer Trip Monitoring Summary as to whether the vessel had any interactions with cetaceans that are documented. The</p>

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				<p>MSDFs data fields should be reviewed to check that they will sufficiently document observations related to safe handling practices</p> <p><u>USA: Supports retaining.</u></p> <p><u>China - In practice it may be very difficult to determine whether the encircling was intentional or unintentional; this depends heavily on the circumstances at sea and on the observer's subjective judgment, and it would be difficult for the flag State to verify afterwards whether the incident was truly intentional. Without sufficient objective evidence, the flag State</u></p>

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ANNEX 2				
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				<p>may be unable to determine the actual circumstances of the case. China therefore considers this item too subjective and difficult to verify, and suggests excluding it from the MSDF. China also seeks clarification of the note "check that there are some observed fate codes indicating retention in whole or in part for SSL," which is difficult to understand.</p>
<p>CMM 2024-07 03 CCMs shall prohibit all longline and purse seine vessels flying their flag from harvesting, retaining onboard, transshipping, or landing any cetacean, in whole or any part thereof, in the Convention Area</p> <p>PNA supports maintaining</p>		<p>Did fishing vessel catch a cetacean, and was it retained onboard, or transhipped Was the capture/fate correctly recorded</p>	<p>Interactions Current MSDF - species code (row 127) and Fate Code (row 127) indicating retained, condition when caught (row 105), fate (row 106), condition when released (row 107), type of interaction (row 154), data and time of interaction</p>	<p>Secretariat comment: <i>Could be a yes no question on Observer Trip Monitoring Summary related to whether retention of cetaceans was observed. The MSDFs data fields should be reviewed to check that they will sufficiently document</i></p>

ANNEX 2				
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			<p>(row 155), latitude and longitude of interaction (row 156), species code of marine reptile, marine mammal, or seabird (row 158), vessels activity during interaction (row 169), condition observed at start of interaction (row 170), condition observed at end of interaction (row 171), description of interaction (row 174), number of animals sighted (row 175)</p> <p>New proposed MSDF data fields - Time of SSI first sighting with time recorded before or after Set time (row 157), SSI is incidentally encircled in the purse seine net (row 172), if SSI is caught by longline, what is the length of line on released live animal (longline caught) (row 173)</p> <p>Check that there are some</p>	<p>observations related to specific incidents involving retention and transshipping of cetaceans</p> <p><u>PNA comment: PS-3 already capture SSI sighting and encirclement data for purse seine and support that additional Yes/No question on the GEN3 maybe taken up during debriefing to minimize at-sea workload</u></p> <p><u>USA: Supports retaining.</u></p> <p><u>China - China reiterates the same concerns regarding the newly proposed SSI data fields (rows 157 and 173) and the note on observed fate codes, as set out above. China does not support including these</u></p>

ANNEX 2				
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			observed fate codes to indicate retention in whole or in part for SSI	<u>fields in the MSDF at this stage.</u>
CMM 2024-07 04 CCMs shall require all longline vessels flying their flag, including those fishing under charter arrangements, to release, taking into account the safety of the crew, any cetacean that is caught or entangled by its fishing gear in the Convention Area as soon as possible and in a manner that results in as little harm to the cetacean as possible and utilizing the Best Practices for the Safe Handling and Release of Cetaceans (suppl_CMM 2011-03-01), if possible PNA supports maintaining	Report on interactions with cetaceans that were seen from the vessels	Were efforts made to release cetaceans that were entangled by fishing gear, and where cetaceans landed on board released	Interactions Current MSDF - species code (row 127) and Fate Code (row 127) indicating retained, condition when caught (row 105), fate (row 106), condition when released (row 107), type of interaction (row 154), data and time of interaction (row 155), latitude and longitude of interaction (row 156), species code of marine reptile, marine mammal, or seabird (row 158), vessels activity during interaction (row 169), condition observed at start of interaction (row 170), condition observed at end of interaction (row 171), description of interaction	Secretariat comment: <i>Could be a new yes no question on Observer Trip Monitoring Summary as to whether the vessel had any interactions with cetaceans that are documented. The MSDFs data fields should be reviewed to check that they will sufficiently document observations related to safe handling practices</i> PNA comment: PS-3 <i>already capture SSI sighting and encirclement data for purse seine and support that additional Yes/No question on the GEN3 maybe taken up during debriefing to minimize at-</i>

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			<p>(row 174), number of animals sighted (row 175)</p> <p>New proposed MSDF data fields - Time of SSI first sighting with time recorded before or after Set time (row 157), SSI is incidentally encircled in the purse seine net (row 172), if SSI is caught by longline, what is the length of line on released live animal (longline caught) (row 173)</p> <p><i>Check that there are some observed fate codes indicates retention in whole or in part for SSI</i></p>	<p>sea workload</p> <p>USA: Supports retaining.</p> <p>China - China reiterates the same concerns regarding the newly proposed SSI data fields (rows 157 and 173) and the note on observed fate codes, as set out above. China does not support including these fields in the MSDF at this stage.</p>