



**REGIONAL OBSERVER PROGRAMME INTERSESSIONAL WORKING GROUP**

**Ninth Meeting**

**3 June 2026**

**Electronic Meeting**

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**USA'S Proposal for Other Technical CCFS Enhancements  
to Further Streamline the Management of Observer-Sourced CCFS Cases**

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**ROPIWG09-2026-DP04**

**29 May 2026**

**Submitted by the United States of America**

## Explanatory Note

In 2025, the U.S. submitted for WCPFC22's consideration three enforcement-related delegation papers: [WCPFC22-2025-DP15](#), [WCPFC22-2025-DP16](#), and [WCPFC22-2025-DP17](#). Though WCPFC22 was unable to discuss these papers in detail, WCPFC22 tasked the ROP-IWG in 2026 to consider relevant issues for further resolution and to formulate recommendations for action to TCC22. As discussed during ROP-IWG08, the U.S. has adapted these proposals for consideration at ROP-IWG09.

The U.S. proposes that the ROP-IWG present recommendations 1 and 2 for adoption at WCPFC23, as they flow directly from existing IWG work. The U.S. also requests that the ROP-IWG09 Summary Report reflect discussion of recommendations 3 and 4 and, if appropriate, note there is support from the ROP-IWG for TCC22 recommending them to the Commission.

### I. DRAFT RECOMMENDATIONS

1. Update CCFS Reference Materials. Update reference materials to: **(a)** specify that all CCFS cases are "CCM-Initiated"; **(b)** update references to those cases previously identified as "Article 25" or "CCM-Initiated" to instead be called "Inspection-Sourced" cases; and **(c)** to update references to cases previously identified as "Observer-Initiated" to instead be called "Observer-Sourced" cases
2. Retire "PAI" CCFS Case Types and Limit Creation of New CCFS Cases Before Supporting Information is Available. Require referrals for entry into the Compliance Case File System (CCFS) that are based on Observer-Sourced data to be accompanied by supporting documentation (the Case Package) and discontinue use of the Pre-Notification of Alleged Infringement (or, "PAI") case type for new cases,<sup>1</sup> consistent with the Observer–CCFS Process Flow.
3. Revise Secretariat-Assigned CCFS Case ID Structure. **(a)** Implement proposed changes to the CCFS case ID structure to include method-of-detection and subject-matter identifiers in the CCFS case ID assigned to all CCFS cases and reflect it in the online system within six months of WCPFC23; OR, in the alternative, **(b)** Conduct a resources assessment of the human and IT capacity required to implement the change to the CCFS Case ID structure and report the findings, including a proposed implementation plan, to TCC23.
4. Enhanced Investigation Statuses. Revise "infringement statuses" assigned to CCFS cases—to: **(a)** add a new status for "Marked as 'CCM Completed'"; and **(b)** to update the status given to new cases to note the automated investigation timeline, reading: "NEW CASE (initiate investigation & update by: [60-days])".

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<sup>1</sup> Note that this second recommendation would not affect "PAI" CCFS cases currently in existence.

## II. AUTHORITY FOR COMPLIANCE INVESTIGATIONS

The CCFS is the Commission's primary tool for recording, tracking, and monitoring investigations into alleged infringements of its conservation and management measures (CMMs).<sup>2</sup> Cases are created pursuant to Articles [23\(5\)](#) and [25\(2\)](#) of the WCPFC [Convention](#), which provide:

*Article 23*  
*Obligations of members of the Commission*

5. Each member of the Commission shall, to the greatest extent possible, take measures to ensure that its nationals, and fishing vessels owned or controlled by its nationals fishing in the Convention Area, comply with the provisions of this Convention. To this end, members of the Commission may enter into agreements with States whose flags such vessels are flying to facilitate such enforcement. Each member of the Commission shall, to the greatest extent possible, at the request of any other member, and when provided with the relevant information, investigate any alleged violation by its nationals, or fishing vessels owned or controlled by its nationals, of the provisions of this Convention or any conservation and management measure adopted by the Commission. A report on the progress of the investigation, including details of any action taken or proposed to be taken in relation to the alleged violation, shall be provided to the member making the request and to the Commission as soon as practicable and in any case within two months of such request and a report on the outcome of the investigation shall be provided when the investigation is completed.

*Article 25*  
*Compliance and enforcement*

2. Each member of the Commission shall, at the request of any other member, and when provided with the relevant information, investigate fully any alleged violation by fishing vessels flying its flag of the provisions of this Convention or any conservation and management measure adopted by the Commission. A report on the progress of the investigation, including details of any action taken or proposed to be taken in relation to the alleged violation, shall be provided to the member making the request and to the Commission as soon as practicable and in any case within two months of such request and a report on the outcome of the investigation shall be provided when the investigation is completed.

The CMM for the ROP ([CMM 2018-05](#)) also goes to obligations with respect to sharing evidence:

**Conservation and Management Measure 2018-05**

11. CCMs shall take advantage of the information collected by observers for the purpose of investigations under Convention Articles 23 and 25, and shall cooperate in the exchange of such information, including by proactively requesting, responding to, and facilitating the fulfilment of requests for, copies of observer reports in accordance with standards adopted by the Commission, as applicable.

<sup>2</sup> See [CMM 2023-04](#) at ¶¶ 10–14 and 24–33.

### III. DISCUSSION

#### 1. Enforcement Referrals Must be **CCM-Initiated**.

At present, the Secretariat has created two general categories of CCFS cases based on the method of initiation.<sup>3</sup> So-called “Article 25” or “CCM-Initiated” cases are created when an initiating CCM requests a flag (or other responsible) CCM investigation pursuant to [Article 25\(2\)](#) and/or [Article 23\(5\)](#) of the [Convention](#) and are generally supported by direct surveillance or inspection. And so-called “Observer-Initiated” cases arise out of information collected by members of the ROP. Yet the Convention does not distinguish between the method of detection, nor does it allow for investigation referrals by any entity other than a CCM.

The authority is clear—enforcement referrals must be initiated “at the request of any other member[.]”<sup>4</sup> No similar authority exists to allow case initiation by any other entity—including by observers or by the ROP.<sup>5</sup> Moreover, there are safety concerns that warrant limiting the official role of observers and the ROP in WCPFC compliance matters to witnesses and custodian of evidence.

The ROP-IWG has been working to draft proposals to address this significant issue, but Secretariat and Commission materials may also require clarification to ensure they align with the updated ROP-IWG materials. The U.S. proposes that moving forward, that cases detected by inspection, surveillance, or other non-human monitoring be instead referred to as “**Inspection Sourced**,” and cases previously identified as “Observer-Initiated” should instead be referred to as “**Observer Sourced**,” in order to avoid confusion.

The United States suggests that the ROP-IWG present the following recommendation, which flows directly from the IWG’s work, for adoption at WCPFC23:

1. Update CCFS Reference Materials. Update reference materials to: **(a)** specify that all CCFS cases are “CCM-Initiated”; **(b)** update references to those cases previously identified as “Article 25” or “CCM-Initiated” to instead be called “Inspection-Sourced” cases; and **(c)** to update references to cases previously identified as “Observer-Initiated” to instead be called “Observer-Sourced” cases.

#### 2. Enforcement Referrals Require Transmission *with Evidence*, so the Concept of “Pre-Notification” of a CCFS Case Should be Discontinued.

The plain language of [Convention](#) Articles [23\(5\)](#) and [25\(2\)](#) and paragraph 11 of [CMM](#)

<sup>3</sup> See [Overview of the CCFS and linkage to Convention Article 25\(2\)](#) (07 Jun 2023).

<sup>4</sup> Several CCMs made similar observations at TCC21. *E.g.*, [WCPFC-TCC21-2025-TCC21 DRAFT ¶¶ 211 & 213](#).

<sup>5</sup> The language in paragraph 11 of [CMM 2018-05](#) that explicitly references “investigations under Convention Articles 23 and 25” further suggests that the Commission intended CCMs to initiate “Observer-Sourced” referrals.

[2018-05](#) obligates CCMs to share information to facilitate requested compliance investigations. In other words, the applicable authority clearly specifies the responsible CCM (to whom an investigation request is made) “shall” conduct an investigation, *but only upon request “and when provided with the relevant information” by the Initiating CCM.*<sup>6</sup>

Accordingly, the concept of “Pre-Notification” of an alleged infringement (i.e., a “PAI” case in the CCFS)—which cases have been created and notified via the CCFS before any corresponding “relevant information” to “provide,” as required by Articles [23\(5\)](#) and [25\(2\)](#)—is not only ineffective,<sup>7</sup> but also lacks a legal basis. Therefore, the ROP-IWG should present the following recommendation for the Commission’s adoption at WCPFC23:

2. Retire “PAI” CCFS Case Types and Limit Creation of New CCFS Cases Before Supporting Information is Available. Require referrals for entry into the Compliance Case File System (CCFS) that are based on Observer-Sourced data to be accompanied by supporting documentation (the Case Package) and discontinue use of the Pre-Notification of Alleged Infringement (or, “PAI”) case type for new cases,<sup>[8]</sup> consistent with the ROP-IWG’s revised Observer–CCFS Process Flow.

### 3. The CCFS Case ID Nomenclature Should be Standardized.

The current CCFS “Case ID” structure contains an inherent bias that inflates the perceived number of alleged infringements originating from Observer-Sourced data compared to Inspection-Sourced data. The U.S. proposes a change to reduce this bias.

Currently, the Secretariat creates multiple CCFS cases for a single Observer-Sourced investigation referral, with each case corresponding to the **subject matter** (e.g., “US-SHK-321” (sharks) or “US-POL-322” (pollution)). In contrast, Inspection-Sourced cases, like those from High Seas Boarding & Inspection (**HSBI**) or Aerial Surveillance (**AIR**), are primarily identified by **method of detection** (e.g., “US-HSBI-123”), often obscuring the subject matter in the ID itself.

Furthermore, existing Secretariat materials suggest certain subjects—like FAD-related (**FAI**), shark-related (**SHK**), marine pollution (**POL**), and cetacean-related (**CWS**) infringements—are primarily for observer notation. However, it is unclear whether there is any authority to justify this limitation. This also makes it unclear if Inspection-Sourced data on these subjects can be effectively tracked by subject matter under the current practice.

To streamline data analysis and ensure accurate comparison across monitoring regimes, the U.S. proposes standardizing CCFS Case ID nomenclature to indicate both the **Method of Detection** and the **Subject Matter**. This revised structure (e.g., “US-HSBI-SHK-123” or “US-ROP-

<sup>6</sup> [Convention Article 23\(5\)](#) and [Article 25\(2\)](#) (emphasis added).

<sup>7</sup> See [WCPFC-TCC21-2025-17B](#) at ¶¶ 7, 9, 10, 13(a); [WCPFC-TCC21-2025-RP02 suppl](#) at ¶¶ 30–34; [WCPFC-ROP-IWG06-2025-01](#) at ¶ 5; [WCPFC-TCC-20-2024-09 rev1](#) at ¶¶ 47–48.

<sup>8</sup> Note that this second recommendation would not affect “PAI” CCFS cases currently in existence.

SHK-123”) would eliminate detection bias and provide clarity for all CCFS cases.

Current Example Case Type (Secretariat Naming)	Current Example Case ID (Conceptual)	Proposed Revised CCFS Case ID Structure	Proposed Example Case ID (Conceptual)
HSBI (Inspection-Sourced)	US-HSBI-123	CCM-[Detection Method]-[Subject Matter]-[ID]	US-HSBI-SHK-123
HSBI (Inspection-Sourced)	US-HSBI-456	CCM-[Detection Method]-[Subject Matter]-[ID]	US-HSBI-CWS-456
PORT (Inspection-Sourced)	US-PORT-789	CCM-[Detection Method]-[Subject Matter]-[ID]	US-PORT-SHK-789
SHK (Observer-Sourced)	US-SHK-123	CCM-[Detection Method]-[Subject Matter]-[ID]	US-ROP-SHK-123
CWS (Observer-Sourced)	US-CWS-456	CCM-[Detection Method]-[Subject Matter]-[ID]	US-ROP-CWS-456
POL (Observer-Sourced)	US-POL-789	CCM-[Detection Method]-[Subject Matter]-[ID]	US-ROP-POL-789

The full revision will align all case ID formats, acknowledging that all compliance cases ultimately fall under [Convention](#) Articles [23\(5\)](#) and/or [25\(2\)](#) and are exclusively CCM-Initiated.<sup>9</sup>

The U.S. requests that the ROP-IWG09 Summary Report reflects discussion of this point and, if appropriate, note that there is support from the ROP-IWG for TCC22 recommending the following:

3. Revise Secretariat-Assigned CCFS Case ID Structure. **(a)** Implement proposed changes to the CCFS case ID structure to include method-of-detection and subject-matter identifiers in the CCFS case ID assigned to all CCFS cases and reflect it in the online system within six months of WCPFC23; OR, in the alternative, **(b)** Conduct a resources assessment of the human and IT capacity required to implement the change to the CCFS Case ID structure and report the findings, including a proposed implementation plan, to TCC23.

#### 4. **Secretariat-Assigned Administrative “Investigation Statuses” (in all CCFS Cases) Should be Modified for Improved Data Analysis and Efficiency.**

The U.S. urges the ROP-IWG to recommend an enhancement to the CCFS regarding the Secretariat’s use of case **Investigation Status** labels (currently referred to in Secretariat materials as “Infringement Statuses”).

<sup>9</sup> Here, “CCM” refers to the WCPFC’s Members, Cooperating Non-Members, and Participating Territories.

Nine Investigation Status labels are currently used:



While the current statuses are helpful, they do not capture the procedural/technical nuances of CCFS case management. For example, a critical missing status is one for CCFS cases pending Secretariat review after the responsible CCM has marked the “Investigation IN PROGRESS” case as “CCM Completed,” as illustrated below:



There are times when the U.S. has seen cases marked as “CCM Completed” for weeks or months before the status is changed from “Investigation IN PROGRESS” to reflect that a matter is closed. To account for these delays and ensure they do not contribute to a skewed picture of CCFS cases currently pending at any given time, a new Secretariat-assigned “marked as CCM Completed” status could be a very simple fix.<sup>10</sup>

Furthermore, during conversations with other CCMs in the margins at WCPFC22, there seemed to be widespread consensus that modifying the current “NEW CASE” investigation status to instead read, “NEW CASE [\(initiate investigation & update by: \[60-days\]\)](#),” with an automatically generated date, would also be useful in encouraging compliance with the time constraints set forth in [Convention](#) Articles [23\(5\)](#) and [25\(2\)](#), and to increase transparency.

To address these challenges, the U.S. requests that the ROP-IWG09 Summary Report reflects discussion of this point and, if appropriate, note that there is support from the ROP-IWG for TCC22 recommending the following to the Commission:

4. Enhanced Investigation Statuses. Revise “infringement statuses” assigned to CCFS cases—to: **(a)** add a new status for “Marked as ‘CCM Completed’”; and **(b)** to update the status given to new cases to note the automated investigation timeline, reading: “NEW CASE (initiate investigation & update by: [60-days])”.

These refinements would provide more granular, actionable information, which will help to clarify case stages and responsibilities for increased accountability within the CCFS.

#### IV. CONCLUSION

These reforms are neither radical nor burdensome. They build on work already underway in the ROP-IWG, align with practices CCMs already employ domestically, and can be implemented with modest adjustments to existing CCFS architecture. The reforms directly respond to challenges repeatedly identified by TCC and the Secretariat to ensure the system fulfills its core purpose: enabling fair, timely, and effective follow-up of alleged violations and, ultimately, to reduce the prevalence of IUU fishing within the Convention Area.

The United States seeks other members’ feedback on these proposals with a view to recommending their adoption to strengthen the CCFS as a cornerstone of the WCPFC Compliance Monitoring Scheme.

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<sup>10</sup> Although these Investigative Statuses go to *all* cases in the CCFS, not only those cases that are based on Observer-Sourced data, the participants in TCC21 requested that the proposal be channeled through the ROP-IWG. In fact, TCC21 initially unanimously supported adopting this WCPFC22 proposal in its outcomes review (see [WCPFC-TCC21-2025-TCC21 FINAL](#) at ¶ 228), but a subsequent discussion and ensuing confusion about the intent of this proposal lead to a decision to direct the ROP-IWG to consider it (see [WCPFC-TCC21-2025-TCC21 FINAL](#) at ¶¶ 235–36 (showing that final outcomes failed to address one of the originally agreed proposals)).