



**The Commission for the Conservation and Management of
Highly Migratory Fish Stocks in the Western and Central Pacific Ocean**

**Eighteenth Regular Session of the Commission
Electronic Meeting
1–7 December 2021**

SUMMARY REPORT

DRAFT SUMMARY REPORT_as at 7 February 2022

Could you please review the text and provide your comments to the Secretariat as soon as possible and no later than **Friday 18th March 2022** for incorporation in the final record. CCM and Observers are reminded that the text for the recommendations placed in the decision boxes are based on the provisional outcomes document (**WCPFC18-2021-outcomes-final** dated 15 December 2021). In keeping with past practice, we ask participants to comment on their own text and not that of others.

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The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean

Eighteenth Regular Session of the Commission Electronic Meeting 1–7 December 2021

SUMMARY REPORT

AGENDA ITEM 1 — OPENING OF MEETING

1. The Eighteenth Regular Session of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC18) took place from 1–7 December 2021 as an electronic meeting
2. The following Members and Participating Territories attended WCPFC18: American Samoa, Australia, Canada, the People’s Republic of China, the Cook Islands, the European Union (EU), the Federated States of Micronesia (FSM), Fiji, France, French Polynesia, Guam, Indonesia, Japan, Kiribati, the Republic of Korea, the Republic of the Marshall Islands (RMI), Nauru, New Caledonia, New Zealand, Niue, Palau, Papua New Guinea (PNG), the Philippines, Samoa, the Solomon Islands, Chinese Taipei, Tokelau, Tonga, Tuvalu, the United States of America (USA) and Vanuatu.
3. The following non-party countries attended WCPFC18 as Cooperating Non-Members (CNMs): Curacao, Ecuador, El Salvador, Liberia, Nicaragua, Panama, Thailand and Vietnam.
4. Observers from the following intergovernmental organizations attended WCPFC18: International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC), North Pacific Fisheries Commission (NPFC), Pacific Islands Forum Fisheries Agency (FFA), Parties to the Nauru Agreement (PNA), Secretariat of the Pacific Community (SPC), and The World Bank.
5. Observers from the following non-governmental organizations (NGOs) attended WCPFC18: Advocates for Public Interest Law, American Tunaboat Association, Australian National Centre for Ocean Resources and Security (ANCORS), Birdlife International, Conservation International, Global Fishing Watch, The Global Tuna Alliance, Greenovation Hub, International Pole and Line Foundation (IPNLF), International Seafood Sustainability Foundation (ISSF), Korean Federation for Environmental Movement, Marine Stewardship Council, The Ocean Foundation, Organisation for the Promotion of Responsible Tuna

Fisheries, Organization for Regional and Inter-regional Studies, Pew Charitable Trust, World Tuna Purse Seine Organisation (WTPO), and World Wide Fund for Nature (WWF).

6. A full list of all participants is provided in **Attachment A**.
7. The Commission Chair Ms Jung-re Riley Kim opened the WCPFC18 at 1:00 pm (Pohnpei time) on Wednesday, 01 December, 2021.
8. Taotasi Archie Soilai (American Samoa Head of Delegation) offered the opening prayer.
9. The Commission Chair, Ms. Jung-re Riley Kim, welcomed all participants to WCPFC18, expressing her hope that everyone was well and safe, and her pleasure at seeing everyone, albeit online. She noted that she had shared her thoughts regarding the meeting priorities in writing prior to the meeting (in **Circular 2021/101**). She observed that despite the inability to meet in person, the Commission's collective efforts had kept the region's tuna stocks healthy, and CCMs had carried on important intersessional work. She expressed her sincere appreciation to all for their flexibility, patience, compromise and hard work leading up to WCPFC18. She noted that the international community's attention was on the actions of the Commission at WCPFC18, in particular regarding the adoption of a new tropical tuna conservation and management measure (CMM). The Chair noted the two tropical tuna workshops that were held during 2021, and the further consultations that served as input to the Chair's Consultative Draft, which would serve as a reference throughout the upcoming discussions. She stated that a spirit of cooperation would yield a result commensurate with the Commission's efforts and reputation, and that she counted on CCMs' close cooperation in this regard. She observed that WCPFC18 was also tasked with a wide array of other important issues, including the improvement of the compliance monitoring scheme (CMS), harvest strategy work, management of stocks other than tropical tuna, electronic monitoring and reporting, transshipment, and FAD management. She emphasised the need to consider at all times the special requirements of small island developing states (SIDS), who are more vulnerable to the challenges and difficulties stemming from the coronavirus disease (COVID-19) pandemic. She stated that the global health crisis of the prior two years has tested the Commission's solidarity and that CCMs had proven their collective strength. She expressed her confidence that at WCPFC18 CCMs could once again successfully meet the objectives of the Commission. She closed by thanking the Secretariat for their hard work, and subsidiary body Chairs, Co-Chairs, and Vice-Chairs for their excellent leadership. Her full remarks are included as **Attachment B**.
10. The WCPFC Executive Director, Feleti P Teo, OBE welcomed delegates to WCPFC18, noting it was the second time in the Commission's history that its annual session was being held virtually. He stated that 2021 was very busy and intense for the WCPFC and its members, and for the Secretariat, noting the ambitious and substantive intersessional work programme set by the Commission at WCPFC17. He referenced the requirement to develop a new tropical tuna measure to succeed the current measure (CMM 2020-01) set to expire in February 2022. He stated that the existing measure had served the Commission well, and enabled the Commission to manage successfully the bigeye, skipjack and yellowfin tuna stocks, which are all assessed as being fished sustainably, an accomplishment unique only to the western and central Pacific Ocean (WCPO) region. He reflected on the time and resources expended in 2021 in developing a new tropical tuna measure as worthwhile investment to ensure the new measure continue to achieve its conservation objectives as supported by the best scientific advice and information available, while permitting where feasible sustainable economic growth of the fishing industry. He noted that the two Commission-level workshops held in 2021 to develop a tropical tuna measure (chaired by the WCPFC Chair) covered much ground, and remarked on the commitment of Commission members to ensure continuation of the management regime for tropical tuna in 2022 and beyond. He also noted the need to continue the operation of the WCPFC compliance monitoring scheme (CMS) beyond 2021, noting that the CMS is at the core of the Commission's ability to assess the compliance performance of each CCM against obligations under CMMs and other obligations CCMs committed to uphold. He committed all the resources

and time of the Secretariat to working closely with CCMs to find a way to allow the Commission to continue to assess annually the compliance performance of CCMs while also addressing any deficiencies and reforms needed to enhance the efficiency and equity of the CMS. He stated that his 2021 Annual Report documents and chronicles the many activities the Commission and members were engaged in, both at the Commission and subsidiary body level, and various intersessional working group activities. It also documents separately the activities attributed directly to the Secretariat, which were reported against the milestones and performance indicators in the Secretariat's Corporate Plan. He observed that the Commission and its members as supported by the Secretariat were able to deliver on their key responsibilities for 2021, and hoped that the same level of success would also be reflected in the outcomes of WCPFC18. His full remarks are included as **Attachment C**.

1.1 Adoption of Agenda

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| 11. The agenda was adopted (Attachment D). |
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1.2 Statements from Members and Participating Territories

12. The Chair, mindful of time constraints, encouraged CCMs to provide copies of their opening statements to the Secretariat for circulation and inclusion in the Summary Report. The Chair noted that opening statements had been received from American Samoa, Australia, Indonesia, the South Pacific Group (SPG, made up of Niue, Cook Islands, Vanuatu, Fiji, Samoa and Tonga), the Philippines, and Tuvalu.

13. American Samoa extended its welcome to the Chair, Heads of Delegations, the Executive Director, and members of WCPFC. In its remarks American Samoa stressed the existential relationship between its economy and tuna fishing and processing. It noted that American Samoa, with CNMI and Guam, submitted **WCPFC18-2021-TTM-DP09 Assessments under CMM 2013-06 for Proposed and Potential Provisions of a New Conservation and Management Measure for the Tropical Tuna Stocks**, which contains information and detailed analyses intended to be used by the Commission to assess the future impacts of various potential management measures on SIDS. American Samoa stated its hope that any newly designed measures will not continue to transfer a disproportionate burden of conservation action onto any SIDS. It stressed that past implementations of certain tuna management measures have had a devastating effect on American Samoa despite its status as a SIDS, noting that some measures have contributed to the continued decline of U.S. flagged purse seine vessels that have historical significance to American Samoa's economy and its tuna industry. American Samoa emphasised that this was due at least in part to the treatment of the locally based purse seine fleet, which has been regulated as U.S. flag purse seiners, not as locally based American Samoa tuna purse seiners. It emphasized the urgent need to fix this anomaly. As a SIDS, American Samoa stated it looked forward to working with all CCMs to remedy the situation.

14. Australia welcomed the Chair, Executive Director, guests, members and observers at WCPFC18, and acknowledged the Aboriginal and Torres Strait Islander people who are the traditional custodians of its country, stating it extends that respect to other Indigenous peoples. Australia expressed its gratitude to the CCMs who worked online throughout 2021 as a result of the COVID-19 pandemic, and commended members for continuing to progress strong outcomes through the Commission. Australia also thanked the Secretariat for its thorough preparations for WCPFC18, noting that the high quality of the Secretariat's work helped in ensuring CCMs were prepared to discuss and advance the Commission's wide-ranging work. Australia stated it was pleased that all four major commercial tuna stocks remain above sustainable limits despite the challenges presented by the pandemic. It stated that the Commission should continue to manage its shared fish stocks in line with best practice, to ensure they remain sustainable well into the future. It noted the tropical tuna discussions had been the primary focus of the Commission in 2021 and looked forward to continuing strong management in a new CMM, and advocated that a new measure be in place

for several years to allow the Commission time to progress other critical work. Australia stated its strong commitment to the ongoing development and implementation of harvest strategies by the Commission, observing that these are essential to achieve long-term security of migratory tuna stocks. It also supported implementation of a robust and effective CMS to monitor and review compliance with the Commission's CMMs, and stated that having an effective, efficient, fair and constructive CMS remains a priority for Australia. Australia also extended its thanks to the Chair for her leadership in 2021, and welcomed her continued guidance. Australia closed by noting its commitment to ensuring the WCPFC continues to lead in the effective management of WCPO migratory stocks; it observed that the Commission's success is built on the hard work and cooperation of its members, and it looked forward to working constructively and effectively with the Secretariat and participants at WCPFC18.

15. Indonesia acknowledged the Secretariat's work in facilitating the virtual WCPFC18 amidst the obstacles of the COVID-19 pandemic and expressed appreciation to the Chair, the Executive Director, and committee and working group chairs for their work throughout the year. It also expressed solidarity with the CCMs in their fight against COVID-19 and extended condolences for their losses. Indonesia looked forward to fruitful and amicable discussions at WCPFC18. Indonesia stated that formulation of the new tropical tuna CMM should accommodate the rights of developing coastal states and SIDS, and stressed the importance of developing the new CMM properly and responsibly, taking into account the rights of local communities. Indonesia stated it had consistently fulfilled its responsibilities to WCPFC in preparing its annual report to meet scientific and compliance requirements. It stated that its catch limit for tropical tuna (e.g., bigeye) was not fully utilized, and it had not fished in the high seas for seven years (2015-2021), which contributed to the continued efforts to adopt a precautionary approach by reducing fishing effort in the high seas and to combat IUU Fishing in the WCPO. Indonesia stated it was contributing essential effort to supporting the accelerated rebuilding of bigeye stocks in the WCPO, and therefore its effort of managing its fleets in such a precautionary way should be addressed as a reward in relation to direct support for the tropical tuna CMM. In the context of utilization of the stocks in the WCPO, Indonesia stated it retained its right to have access and opportunity to fish in the high seas of WCPO as required. Indonesia stated its willingness to continuously improve its tuna fisheries management and welcomed any collaboration from other CCMs as well as the Secretariat to ensure the sustainability of WCPO stocks. Indonesia referenced its development of an Interim Harvest Strategy Framework for tropical tuna in Indonesian archipelagic waters (begun in 2014 and launched in 2018), and stated it disseminated annual updates of its harvest strategy progress to various WCPFC bodies. It noted the challenges it faces, and stated that it obtained many inputs and support from fishery stakeholders and experts in progressing harvest strategy development and implementation. Indonesia stated its willingness to collaborate with neighbouring countries to ensure the sustainability of the tropical tunas stocks in the region. Indonesia noted that some of the proposed timelines for development of harvest strategies by WCPFC had not been met, and suggested expediting their development, and revisiting the timeline adopted in CMM 2014-06. Indonesia also drew attention to intersessional discussions regarding the CMM on crew labour standards, co-chaired by Indonesia and New Zealand. It noted that although the discussions remain in progress, it was of utmost importance to finalize and adopt the proposal to avoid and mitigate the risks of further abuse to crew members perpetrated by captains and vessel owners that operate in the WCPFC Convention Area (WCPFC-CA). Indonesia also reiterated the provision in Article 4 of the WCPFC Convention that nothing in the Convention shall prejudice the rights, jurisdiction, and duties of States under the United Nations Convention on the Law of the Sea (UNCLOS) and the United Nations Fish Stocks Agreement (UNFSA), and that the Convention should be interpreted and applied in the context of and in a manner consistent with these international agreements. In concluding Indonesia stated its hope that the deliberations at WCPFC18 would provide beneficial results that contribute significantly to joint efforts to meet the WCPFC's objectives, and underlined its willingness to work constructively and cooperatively with other delegations during WCPFC18.

16. Niue, on behalf of the South Pacific Group (SPG) stated it is an informal group of SIDS who share strong interests in the sustainable development of the southern longline fisheries for southern albacore,

swordfish, bigeye and yellowfin. The SPG includes Cook Islands, Fiji, Niue, Samoa, Tonga and Vanuatu. The SPG stated that longline provisions of the tropical tuna CMM must recognise the sovereign rights of coastal States to manage fishing activity within their EEZs, in accordance with the provisions of the WCPF Convention and UNCLOS. The SPG stated that any vessel fishing in their waters should be managed under their management framework, including any applicable limits, in the same manner that any catch taken in waters under national jurisdiction is attributed to the coastal State. SPG members stated they prioritise the development by the WCPFC of zone-based management for all longline fisheries, and look forward to working with other members in developing sustainable and equitable limits that respect rights for the high seas and coastal State sovereign rights for EEZs. They strongly supported the retention of paragraph 44 of the current CMM, including the amendments proposed by FFA, and advocated that WCPFC19 in 2022 determine hard high seas limits for bigeye in 2022, and apply those limits to CCMs in a manner that is consistent with their sovereign rights, and Articles 8, 10 (3) and 30 of the Convention. SPG members expressed their deep concern at the continuing decline of South Pacific albacore fisheries and the impact on their fisheries-dependent economies. They noted that southern fisheries interact with the tropical longline fisheries, and are impacted by changes in tropical longline management, fishing activities and catches. Consequently, they stated that they believe it is critical to avoid any increase in longline fishing effort, or increase in bigeye limits. SPG members stated that any such increase, particularly south of the equator, would result in additional catches of albacore, resulting in a disproportionate burden on SPG members, and that such increases may also result in fleet behavioural changes that could negatively impact their southern longline fisheries. SPG members advocated that the tropical tuna CMM not allow for any overall increase in longline fishing effort, or any overall increase in bigeye limits, and noted that any proposal to increase tropical longline fishing effort, or an overall increase in bigeye limits, must consider the impact on SIDS as per CMM 2013-06. They noted that this obviously includes other territories outside the FFA group, and recognised the development aspirations and concerns of those territories. SPG members stated they would be seeking further study on the interactions and impacts of longline fishing effort on their southern longline fisheries, and called for an immediate freeze on albacore catch from the high seas.

17. The Philippines expressed its appreciation to the Secretariat for making the WCPFC18 meeting arrangements amid the constraints of the COVID-19 pandemic, and to CCMs located in different time zones for their flexibility and sustained participation, while acknowledging the difficulties they face. The Philippines also expressed appreciation for the support of the Commission through the West Pacific East Asia (WPEA) Project for technical assistance to enhance its capacity in providing the data to address WCPFC17's recommendations on paragraph 51 (Other Commercial Fisheries) of CMM 2020-01. It stated that it continues to make progress in complying with the CMM through enhanced implementing regulations and was confident it would be able to address outstanding issues. It stated its commitment to engaging positively with all CCMs, to listening and understanding their concerns, and to presenting its views and concerns for the formulation of an inclusive and robust tropical tuna measure. The Philippines also solicited support from the Commission for its efforts to strengthen control of Philippine-flagged vessels through its upgraded vessel monitoring system (VMS), which would enable it to fulfil its obligations as a responsible flag state. It expressed its commitment to working with the Commission towards this end. The Philippines also thanked the Secretariat for its assistance to the Philippines and other CCMs for their collective effort to progress the objectives of the Commission in the sustainable utilization of the straddling and highly migratory fish stocks in the WCPO, particularly tropical tunas, which are critically important to the overall economy of the Philippines, especially in providing food and livelihood to millions of Filipinos.

18. Tuvalu expressed its support for the Chair, ably supported by the WCPFC Executive Director and his team, and extended greetings to the Ministers, officials, secretariats and all participants in WCPFC18. It noted that while Tuvalu's officials have worked through a long series of video-conferences, it is often difficult to reach agreement on complex issues in this way, and expressed the hope that CCMs could make substantive progress during WCPFC18, while noting the need to ensure that strong management measures were in place at the end of the meeting, even if agreement could not be reached on all the desired changes.

Tuvalu stated that the tropical tuna CMM is the key issue at WCPFC18 meeting for Tuvalu, stating that these stocks, and the economic benefits that derive from them, are vital for the future well-being of the country and its people. It stated that the current measure served the Commission well, and continues to ensure that the main tuna stocks are harvested sustainably. Tuvalu stated that it approached the discussions asking ‘why change something that is working well?’ However, it stated it also recognized that members all have their own interests, and some feel that the current measures are too precautionary, or are not to the advantage of their national fleets. Tuvalu urged CCMs to exercise restraint in seeking changes to the current well-balanced package of measures, and stated that if changes were made they needed to reflect the balance between fisheries and the interests of members, particularly respecting the legitimate aspirations of SIDS. Tuvalu noted the extensive discussions that had been held between CCMs regarding the objectives for the new CMM. It noted that while this was understandable – setting objectives is normally the first step in a plan of action –for reasons well known to CCMs it was difficult to reach agreement. It noted that the new tropical tuna measure remained a bridging measure while important work on harvest strategies continued, and urged members to leave aside differences on objectives and ensure a CMM is passed that ensures stocks are sustainable. Tuvalu stated that it was optimistic that agreement on a new tropical tuna measure would be reached, but that there were many differences in national positions, and advocated that if agreement could not be reached, the Commission should revert to what had been agreed in the past and retain the current CMM. In view of the time and effort already been invested in the process, Tuvalu stated it did not want to repeat the process again in 2022, and advocated any CMM should be adopted for a further 3 years, to allow substantive progress on harvest strategies.

1.3 Meeting Arrangements

19. The Commission reviewed the meeting arrangements and indicative meeting schedule, and confirmed decisions made at the Heads of Delegation meeting, held on 28 November, including affirming the meeting schedule, as announced in Circular 2021/99 of 12 November 2021.

20. The EU acknowledged the efforts made by the Chair and the Secretariat in arranging the meeting agenda and the schedule. The EU noted that since the beginning of the pandemic it has advocated that meeting schedules be set so as to share the burden among all CCMs, noting that this was being done by other regional fisheries management organisations (RFMOs). The EU stated that unfortunately in the WCPFC the concept of balanced meeting schedules had not been adopted, which resulted in the inability of the EU to participate in several intersessional meetings. It stated that it had proposed several options to share the burden, which would mean that one or two sessions would extend beyond the working hours of the Secretariat, but that this had been opposed by some CCMs. The EU recognized the effort to alleviate its concerns through the inclusion of break days, and stated it would participate in the meeting in a constructive spirit. It closed by reiterating its thanks to the Chair for her efforts to develop the schedule under such difficult circumstances.

1.3.1 Online meeting protocols

21. The Secretariat’s IT Manager, Mr. Tim Jones, explained the key online meeting protocols.

1.3.2 Establishment of small working groups (CNMs, CMR, others)

22. The Commission agreed to establish three SWGs: (i) a CNM SWG, chaired by the Technical and Compliance Committee (TCC) vice-chair Ms. Emily Crigler (USA); a Compliance Monitoring Report (CMR) SWG, chaired by the TCC Chair, Mr. Mat Kertesz; and a List of Obligations SWG to consider the obligations to be addressed under the CMS in 2022, chaired by Ms. Heather Ward (New Zealand).

23. China supported the establishment of the SWGs, while noting that with respect to the List of Obligations SWG, because the Commission did not adopt any new measures in 2021 the list should remain unchanged from that considered in 2021.

AGENDA ITEM 2 — ANNUAL REPORT OF THE EXECUTIVE DIRECTOR

24. The Executive Director's Annual Report (**WCPFC18-2021-04**), which is a requirement under Rule 13 of the Commission's Rules of Procedure, was issued on October 18, and was taken as read. The paper was posted on the WCPFC18 ODF (as Topic A); and the Executive Director confirmed no comments were exchanged on the ODF.

25. PNG thanked the Executive Director for the report and for the work described in it. It asked for clarification on the status of the IT system upgrade and what further work is planned, as well as additional information regarding the work on streamlined reporting and the ability of the system to accommodate additional reporting as may be required under new or revised CMMs. The Finance and Administration Manager, Mr. Aaron Nighswander, stated the Secretariat would be updating IT systems as it transitions to a new platform with additional capabilities, and would provide more detail as those updates proceeded. The Compliance Manager, Dr. Lara Manarangi-Trott, noted that the systems upgrade is described in the latter part of the Executive Director's report; the work underway was described in some detail during TCC17, and in **WCPFC18-2021-IP12**, which reports against the forecast the Secretariat has made with respect to the work that may be tasked to the Secretariat as a result of WCPFC18 decisions. She noted that much of that is driven by the TCC work program and the CMS. She stated that the IT Manager has led the team of consultants undertaking the IT work and has begun migration of the CCFS, which should be complete by the end of the first quarter of 2022. The Commission's existing ER system is used for high seas transshipment reporting and remains operational; no disruptions are expected. She stated that some work remains to be done regarding the Record of Fishing Vessels (RFV), which is scheduled to be undertaken following completion of the CCFS work, and that the Secretariat would look at the system for CCMs' Annual Reports following confirmation of any enhancements to be undertaken under the CMS. She stated that a number of papers presented to TCC outlined the expectations, and as the Secretariat reported to FAC, progress remained largely on track. The IT Manager added that from a capacity perspective most of the Commission's external facing sites are cloud-based, and thus housed in an environment that can be readily scaled up if more resources are needed.

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| 26. The Commission adopted the 2021 Annual Report of the Executive Director (WCPFC18-2021-04). |
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AGENDA ITEM 3 — MEMBERSHIP AND OTHER APPLICATIONS

3.1 Status of the Convention

27. New Zealand's report as the Depositary on the status of the WCPF Convention (**WCPFC18-2021-05 Status of the Convention**) was taken as read. The Executive Director confirmed that the paper was included in the WCPFC18 ODF as Topic E, but no comments were received.

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| 28. The Commission noted with appreciation the report on the Status of the WCPF Convention (WCPFC18-2021-05). |
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3.2 Update on Observer Status

29. The Chair noted with appreciation the contributions of the accredited observers to the work of the Commission. The Secretariat's updated report on observer status (**WCPFC18-2021-06 List of Observers**) was taken as read; it notes that no state or NGO observers were removed in 2021 under the requirements of Rule 36 of the Rules of Procedure. The Executive Director confirmed that the paper was included in the WCPFC18 ODF as Topic D, but no comments were received.

30. The Commission noted the updated list of observers to the Commission (**WCPFC18-2021-06**).

3.3 Applications for Cooperating Non-Member (CNM) status

31. The Commission considered applications for Cooperating Non-Member (CNM) status for 2022 in accordance with CMM 2019-01, including recommendations from TCC17. The Chair noted that as outlined in **WCPFC18-2021-07: Cooperating Non-Member Requests for 2022_rev2**, there were eight applications for CNM status in 2022 from the Curacao, Ecuador, El Salvador, Liberia, Nicaragua, Panama, Thailand and Vietnam. All applicants for 2022 were CNMs in 2021; of the 2021 CNMs, only the Bahamas did not apply for CNM status in 2022, but the Bahamas remained a CNM until the end of 2021.

32. The Assistant Compliance Manager stated that all CNMs had made the required payments for 2021, and that of the 8 applicants, 7 were currently attending; all were registered but Liberia had yet to join the meeting. The TCC Vice-Chair and Chair of CNM SWG stated that there had been two requests for additional information made by TCC to CNMs (one to Liberia and one to Nicaragua), and that the requested information had been received.

33. The Commission noted and accepted the 8 applications for CNM status in 2022 from Curacao, Ecuador, El Salvador, Liberia, Nicaragua, Panama, Thailand and Vietnam. The Commission agreed that the CNM SWG would meet to work on CNM participatory rights, and that applicants could attend the SWG to provide clarifications and answers to questions that might be posed. Following its deliberations, the SWG would provide advice to the Commission on the participatory rights of CNMs (under Agenda Item 3.3.1).

34. The Commission approved the applications for CNM status for 2022 from Curaçao, Ecuador, El Salvador, Liberia, Nicaragua, Panama, Thailand and Vietnam.

3.3.1 Participatory rights of CNMs

35. The Commission reviewed the limits of participatory rights of CNMs under various CMMs in accordance with paragraphs 12 and 13 of CMM 2019-01.

36. The Commission agreed to the following limits to be applied to the participatory rights of CNMs per the Convention and CMM 2019-01:

- i. In accordance with the WCPF Convention and its conservation and management measures and resolutions, the following participatory rights apply to Cooperating Non-Members (CNMs) for fisheries in the high seas within the WCPFC Convention Area.
- ii. In addition, unless otherwise specified below, CNMs may fish in waters under their national jurisdiction or other CCMs' national jurisdiction, in accordance with appropriate bilateral arrangements.

- iii. CNMs shall ensure vessels flying their flags comply with all provisions of the WCPF Convention and the WCPFC conservation and management measures. In addition, CNM vessels will be placed on the WCPFC Record of Fishing Vessels (WCPFC RFV).
- iv. CCMs shall ensure that CNM fishing activities that are conducted in waters under their national jurisdiction in accordance with bilateral arrangements are consistent with all relevant conservation and management measures and provisions of the WCPF Convention.
- v. Renewal of CNM status by the Commission will take into account compliance with the national laws and regulations of any licensing CCM, and all conservation and management measures and provisions of the WCPF Convention. CCMs shall identify any violations by vessels flagged to a CNM and report on any investigations of such violations to the Secretariat for attention by TCC.

Participatory rights of each CNM in 2022

37. The Commission considered the findings of the CNM SWG, which recommended that Curacao, Ecuador, El Salvador, Liberia, Nicaragua, Panama, Thailand and Vietnam retain the same participatory rights in 2022 as they had in 2021. The CNM SWG also noted that in both 2020 and 2021, Nicaragua requested that the CNM SWG and the Commission consider revising their participatory rights to increase purse seine fishing from one to two vessels. Nicaragua indicated that the addition of one vessel would greatly assist in allowing the timely submission of financial contributions and further enhance their ability to implement WCPFC CMMs in the WCPFC-CA. CNM SWG participants were unable to support the requested addition to Nicaragua's participatory rights for 2022 due to the existing purse seine capacity limits as stipulated in paragraph 45 of the current tropical tuna measure (CMM 2020-01/2018-01). However, to assist the Commission with considering any increased participatory rights in the future, the CNM SWG invited Nicaragua to put forward any proposed changes to participatory rights when submitting their CNM application in future years, to allow TCC to properly consider the implications of such a request prior to the Commission's annual meeting.

38. **Curacao:** The participatory rights of Curacao are limited to carrier vessels to engage in transshipment activities in the Convention area.

39. **Ecuador:** The participatory rights of Ecuador for fishing in the WCPO are limited to purse seine fishing, with no participatory rights for fishing on the high seas for highly migratory fish stocks in the Convention Area. Any introduction of purse seine fishing capacity is to be in accordance with paragraph 12 of CMM 2019-01 and CMM 2020-01 or its replacement measure.

40. **El Salvador:** The participatory rights of El Salvador for fishing in the WCPO are limited to purse seine fishing only. The total level of effort by purse seine vessels of El Salvador on the high seas shall not exceed 29 days in the Convention Area. Any introduction of purse seine fishing capacity is to be in accordance with paragraph 12 of CMM 2019-01 and CMM 2020-01 or its replacement measure.

41. **Liberia:** The participatory rights of Liberia are limited to carrier vessels to engage in transshipment activities in the Convention area.

42. **Nicaragua:** The participatory rights of Nicaragua are limited to purse seine fishing for one vessel, with no participatory rights for fishing on the high seas for highly migratory fish stocks in the Convention Area. Any introduction of fishing capacity is to be in accordance with paragraph 12 of CMM 2019-01 and CMM 2020-01 or its replacement measure.

43. **Panama:** The participatory rights of Panama in the WCPO are limited to the provision of carrier and bunker vessels. Panama's participatory rights also apply to vessels that supply food, water and spare parts to carrier vessels that engage in transshipment activities, provided that these vessels do not engage in activities supporting fishing vessels, including providing and/or servicing FADs.

44. **Thailand:** The participatory rights of Thailand in the WCPO are limited to the provision of carrier and bunker vessels only.

45. **Vietnam:** The participatory rights of Vietnam in the WCPO are limited to the provision of carrier and bunker vessels only.

WCPFC/IATTC Overlap Area

46. In accordance with the decision of WCPFC9 regarding the management of the overlap area of 4°S and 50°S between 130°W and 150°W, vessels flagged to Ecuador, El Salvador and Nicaragua and Panama will be governed by the IATTC when fishing in the overlap area.

47. In accordance with the Data Exchange MOU agreed by both Commissions, fishing vessels flying the flag of a member of either the IATTC or WCPFC shall cooperate with the RFMO to which they are not a member by voluntarily providing operational catch and effort data for its fishing activities for highly migratory species in the overlap area.

48. For the purpose of investigation of possible IUU fishing activities and consistent with international and domestic laws, vessels flying the flag of a CNM that is a Contracting Party to the IATTC will cooperate with those coastal State members of the WCPFC whose EEZs occur in the overlap area by voluntarily providing VMS reports (date, time and position) to those coastal States when operating in the overlap area.

AGENDA ITEM 4 — NEW PROPOSALS

Tropical Tuna CMM

49. The Chair's introduction, CCMs' introductory statements, and the Commission's further deliberations on the Chair Consultative draft on a new tropical tuna CMM are addressed under Agenda Item 7.2.2.

Revisions to the CMM for sharks (WCPFC18-2021-DP01)

50. The USA introduced its proposed revisions to the CMM for Sharks (CMM 2019-04) as detailed in **WCPFC18-2021-DP01 Proposed Revisions to the Conservation and Management Measure for Sharks**. (Agenda Item 4). The USA stated that the current WCPFC shark measure, CMM 2019-04, includes a number of provisions applicable generally for shark conservation and management, and specifically to stocks of concern. Two of the stocks included are the oceanic whitetip shark, which is experiencing overfishing and is overfished, and the silky shark, which is experiencing overfishing. The USA stated that the Commission has prohibited retention of both of these species, but further action is needed to rebuild these stocks, noting that SC17 reviewed analysis conducted under WCPFC Project 101 that indicated that:

- a prohibiting shark lines could reduce fishing mortality for oceanic whitetip sharks by 5.4% and for silky sharks by 2.6%, and
- b prohibiting wire trace as branchlines could reduce fishing mortality of oceanic whitetip sharks by about 36%, and of silky sharks by about 28%.

That analysis further indicated that prohibiting both shark lines and wire trace as branchlines had the potential to reduce fishing mortality by approximately 40% for oceanic whitetip sharks and 31% for silky sharks. The USA stated it is important for the Commission to act to enhance protections for sharks generally, and that the proposed prohibitions would have a significant benefit for silky shark and oceanic whitetip shark stocks. The USA stated its proposal modifies paragraph 14 to prohibit both the use of wire trace as branch lines and the use of shark lines, and deletes paragraph 15 requiring CCMs to notify the Commission as to which option (wire trace or shark lines) is prohibited on a vessel by vessel or fleet basis. The current shark CMM only requires CCMs to prohibit the use of wire trace as branch lines or the use of shark lines. The proposal also modifies the implementation deadline to January 2023, and removes a footnote, which delayed implementation of the measure until 2021.

51. Tokelau, on behalf of FFA members, thanked the USA for this proposal and the completed 2013-06 assessment, stating that they appreciated this and considered it a good example of an assessment under CMM 2013-06. FFA members noted that this is an important issue for them, and that the use of wire traces and shark lines by longline vessels operating within FFA members' waters is already prohibited through FFA's Harmonised Minimum Terms and Conditions. They supported the proposal from the USA.

52. Canada supported the proposal, noting its concern about the status of sharks globally, and stated that it agreed that the measures outlined would help restore populations of these shark species in the WCPO.

53. The EU noted its interest in ideas and proposals that reduce the impact on species caught in association with WCPFC fisheries. It noted that silky and oceanic whitetip sharks were already protected through a non-retention ban, and stated this appeared to be having a positive impact in terms of reduced mortality, especially in the case of silky sharks. The EU stated that exploring mitigation measures was central to the conservation of bycatch species, and that a study presented to TCC17 showed that the adoption of wire leaders would reduce bycatch and mortality, but as noted by several CCMs at TCC17 much work remained to be done. The EU stressed that past experience has shown that mitigation measures can yield different results depending on the fishery and species in question, and referenced a study in the Indian ocean that suggested that use of monofilament could increase bycatch of silky sharks. The EU also stated that mitigation measures may have differing impacts depending on the situation. It stated that it understood the intent, but that the proposal should take into account a number of relevant considerations (such as the species distribution, and interaction rates by gear, area, and season). Noting that SC17 requested further analysis that should be reviewed at SC18, the EU suggested further analysis might allow SC to develop recommendations on specific mitigation measures that could reduce mortality for these species. It looked forward to considering specific recommendations from SC18 on this issue.

54. China stated its view was similar to that of the EU, noting the preliminary nature of the information, and stated it would welcome consideration of the issue after receiving specific recommendations from SC. It stated it was unable to support implementation of the proposed recommendations at WCPFC18.

55. Japan also agreed on the lack of clear scientific evidence to impose the proposed measure, and called for further study.

56. Chinese Taipei agreed on the need for additional study.

57. FSM on behalf of the PNA and Tokelau supported the USA proposal to ban wire traces and shark lines in longline fisheries. They stated that they expect that removal of both wire traces and shark lines would be very effective at reducing shark mortality, noting that PNA members and Tokelau have a number of domestic laws banning both wire traces and shark lines, and that some members have gone further by banning targeted shark fishing and implementing shark sanctuaries.

58. WWF, Pew, and The Ocean Foundation thanked the USA for conducting the scientific study, submitting the proposal, and in particular noted the support that was provided by the Hawaii longline fleet in the study. They noted that the work was built on previous work by Harley et al and constitutes the best available scientific evidence as established under the WCPF Convention. They stated it has been put before SC twice and as such been fully vetted and subject to peer review. They noted that as FFA and the PNA stated, the measure is already in place across most of the WCPFC region through the FFA's Harmonised Minimum Terms and Conditions. They stated that if a simple change in gear to mitigate shark mortality is unacceptable, the Commission has no choice but to consider reducing longline effort in areas with greater interactions with oceanic whitetip, as WCPFC has a responsibility to rebuild depleted species such as oceanic whitetip, and appropriately manage species caught in association with fishing.

59. The USA stated it would continue discussions in 2022 through TCC and SC, and hoped to submit a new proposal to WCPFC19.

Amendment to the Charter Notification CMM (WCPFC18-2021-DP02)

60. Japan introduced its proposed amendment to CMM 2019-08: **WCPFC18-2021-DP02**. *Proposed amendment to the current CMM 2019-08 for Charter Notification Scheme*, noting that CMM 2019-08 will expire on 28 February 2022 unless renewed by the Commission. It stated that this CMM is critical for the Commission as it clarifies the attribution of catch and efforts of chartered vessels, and enables the compiling of fundamental catch and effort data for each CCM. In this context, Japan proposed the extension of the CMM, with two amendments. To ensure that the information of charter notifications is transmitted to the SSP (SPC) in a timely manner, so that the SSP can compile catch and effort data for each CCM accurately, Japan proposed amendments to paragraphs 2 and 3, so that charter information is transmitted to the SSP at the same time as to flag States and the Secretariat. In addition, to compile catch and effort data accurately, Japan propose amending paragraph 2 to add “the area of application” to the list of information to be notified.

61. In the ensuing discussion CCMs noted the importance of the Charter Notification CMM, including for compiling accurate catch and effort data, and to support the domestic development (and the special requirements) of SIDS CCMs, and supported the extension of the CMM. The value of the additional reporting specifications proposed by Japan was also noted.

Proposal to amend CMM 2019-08 Charter Notification Scheme (WCPFC18-2021-DP02_rev1 - Japan)

62. The Commission adopted CMM 2021-04 Conservation and Management Measure on Charter Notification Scheme (**Attachment E**)

IUU Vessel Cross-Listing (WCPFC18-2021-DP03)

63. The EU introduced a joint proposal by Canada, the EU, Japan and Chinese Taipei for amending CMM 2019-07 regarding the WCPFC IUU Vessel List, as detailed in **WCPFC18-2021-DP03-rev2** *Proposal for amending CMM 2019-07 (WCPFC IUU Vessel List*. The EU stated that inputs from sponsors, the Secretariat, the Legal Adviser and other CCMs had allowed significant improvements. In light of

comments received and to further reduce the risk of additional workload and administrative burden for SIDS and the Secretariat, it stated that the proposal limits the cross listing to only tuna RFMOs and RFMOs with competences in the Pacific. Additionally, for the same reason, the procedure for the automatic delisting was limited to only once in the year, at the same time as the WCPFC IUU Vessel List. It also clarified that the Secretariat and CCMs will not need to review the information that led to the original listing of the vessels when considering the cross listing of vessel listed by other RFMOs. It noted that this would create a single tool for the members of WCPFC to identify if a vessel operating within the WCPFC-CA is currently listed in any of the cross-listed RFMO IUU list, thereby significantly reducing the time required for screening all IUU lists of each RFMO before (for example) granting port access to a particular fishing vessel. It advocated that the proposed revision to the CMM could contribute to effectively reducing workloads, especially for small administrations.

64. This issue was further discussed under Agenda Item 11.

Proposals by the Northern Committee

65. The NC Chair, Mr. Masanori Miyahara (Japan) noted with appreciation to the Secretariat the reference paper **WCPFC18-2021-19** *Reference Document for the review of CMM 2019-02 and development of harvest strategies (Pacific Bluefin Tuna) and Highlights from NC17 for Agenda 9.3*, which was prepared by the Secretariat and presents two NC proposals before WCPFC18.

66. The NC Chair stated detailed explanation would be deferred to Agenda Item 7.4 for the proposed revision to CMM 2019-02 for Pacific bluefin tuna, and to agenda Item 9.3 for the Harvest Strategy alteration for Pacific bluefin tuna.

Best Handling Practices for Marine Mammals

67. The TCC Chair introduced the guidelines contained in **WCPFC18-2021-26** for best handling practices of marine mammals, specifically cetaceans, for purse seine and longline vessels fishing for tuna and tuna-like species in the WCPO. The TCC Chair stated that SC17 considered a paper prepared by the United States presenting draft Best Practices for the Safe Handling and Release of Cetaceans. The best practices were subsequently considered in detail by both the SC and TCC. SC17 recommended that the draft best handling practices be forwarded to TCC17 and WCPFC18 for consideration, and that the Commission develop graphics to be included with the best handling practices for consideration at WCPFC19. TCC17 in turn endorsed the *Best Practices for the Safe Handling and Release of Cetaceans (TCC17-2021-23)* pending revisions suggested by a CCM at TCC17, and noted that a revised version of the best practices would be submitted to WCPFC18 for its review and endorsement. The Secretariat, in consultation with the TCC Chair and TCC-Vice Chair, prepared the guidelines presented in **WCPFC18-2021-26** for review and consideration by WCPFC18. The amendments suggested at TCC17 were agreed in principle by TCC17 and were fully incorporated; they can be seen in track changes in attachment A to **WCPFC18-2021-26**.

68. This issue was further discussed under Agenda Item 9.2.

AGENDA ITEM 5 — INTERSESSIONAL DECISIONS IN RESPONSE TO COVID-19

69. The Chair noted that the Secretariat's discussion paper **WCPFC18-2021-08** *COVID-19 Related Intersessional Decisions* was taken as read, and reflected the outcomes and discussion at TCC17. The paper was posted on the WCPFC18 ODF as Topic B, and no comments were received. In the **TCC17 Summary Report**, TCC17 recommended:

- that WCPFC18 continue the suspensions of the three intersessional decisions after 15 December until 15 March 2022; and
- that the Commission review through an expedited inter-sessional decision-making process, the possible phasing in of the removal of the suspensions, which would need to be implemented flexibly and be subject to a periodic review in light of changed circumstances.

70. The EU observed that COVID-19 situation had worsened since TCC17, and that it was less confident now regarding the full redeployment of observers in 2022. It stated that creative thinking was needed on how to proceed, as the lack of observers was impacting both scientific advice and compliance monitoring. It noted that **WCPFC18-2021-08** indicates there are increased unobserved activities (e.g., only 70% of transshipments were observed). The EU stated that there is little information regarding additional MCS measures that CCMs have put in place, and suggested that a requirement be added to any new intersessional decision that CCMs using derogations indicate in their Annual Reports any additional MCS measures that they apply. The EU suggested that this could be used by TCC18 to assess the monitoring of the impact of COVID-19, and shape future decisions if the pandemic continues.

71. PNG, on behalf of FFA members, supported the TCC17 recommendations to WCPFC18 to continue the suspensions of the three intersessional decisions until 15 March 2022, and further recommended that WCPFC18 lift the suspension of the obligation relating to at sea transshipment by purse vessels (thereby reinstating this obligation) as of 15 March 2022, as part of a phased-in approach to lifting the suspensions. FFA members encouraged CCMs to use the FFA COVID-19 Operating Protocols for the Fishing Sector in the Pacific, which were shared with CCMs prior to TCC16 and updated in April 2021, and to prioritise the vaccination of fishing vessel crew, as two key requirements to re-commence deployment of observers on fishing vessels. FFA members highlighted that, notwithstanding the temporary suspension of observer coverage requirements and noting that the suspension does not prevent the placement of observers on fishing vessels, few FFA members were able to deploy observers on fishing vessels during the COVID-19 pandemic. FFA members encouraged CCMs that are able to start redeploying observers on their vessels, and to work with observer providers to operationalise the Protocols in order to enable observers to be safely placed on fishing vessels.

72. The Commission noted the paper on COVID-19 related Intersessional Decisions prepared by the Secretariat (**WCPFC18-2021-08**).

73. The Commission agreed to continue the suspensions of the three intersessional decisions after 15 December until 15 March 2022.

74. The Commission agreed to review through an expedited inter-sessional decision-making process, the possible phasing in of the removal of the suspensions, which would need to be implemented flexibly and be subject to a periodic review in light of changed circumstances.

75. The Commission encouraged CCMs to provide additional information on their implementation of the Intersessional Decisions taken in response to COVID-19, including of additional MCS measures implemented, through their Annual Report Part 2 reporting or via circular.

AGENDA ITEM 6 — SPECIAL REQUIREMENTS OF DEVELOPING STATES

6.1 Implementation of Article 30 of WCPFC Convention and CMM 2013-07 (SIDS special requirements)

76. The Chair noted that para. 20 of CMM 2013-07 requires an annual review of implementation of this measure, and referenced **WCPFC18-2021-IP01 Summary from Part 2 CMM 2013-07 paragraph 19 annual reports (WCPFC-TCC16-2020-11_rev1)**.

77. The Executive Director stated that there were no issues related to Agenda item 6.1 raised in the ODF.

78. RMI on behalf of FFA members stated that the full recognition of the special requirements of SIDS is the cornerstone of fisheries governance in the region. FFA members stated that Article 30 is the “foundation” upon which the Convention is built, which underscores the importance that FFA members attach to the full recognition of the special requirements of SIDS. To appreciate the significance of this agenda item to SIDS, they noted that the map of the region shows States have the responsibility to manage fisheries over vast areas of ocean, in addition to their development aspirations. FFA members noted they have introduced initiatives such as CMM 2013-06 (the criteria to be applied when considering proposals for measures) and CMM 2013-07 (overarching principles in support of the full recognition of SIDS special requirements). To improve the implementation of CMM 2013-06 FFA members have repeatedly called for accurate and complete assessments on the impacts of proposals that take into account the views of SIDS, and indicated that an assessment that is inaccurate and incomplete will not comply with the binding requirements in that measure. From 2022 FFA members stated they would not entertain any proposal that does not have a CMM 13-06 assessment that was developed in consultation with them. FFA members noted that CMM 2013-07 is also an important binding measure, which provides principles that also take into account provisions in the UNFSA. FFA members invited other CCMs to also note the principles in that measure relating to allocation as they support SIDS’ domestic development aspirations. FFA members stated that Article 30 of the Convention (as well as articles 24–26 of the UNFSA), CMM 2013-06, and CMM 2013-07 provide a robust framework for the full recognition of SIDS’ special requirements. FFA members stated that it was up to them to determine what their special requirements are, and to determine their domestic development aspirations. They called on developed CCMs to provide targeted assistance that is aligned with SIDS’ domestic development aspirations and special requirements, and thanked CCMs and the Commission for the assistance rendered to SIDS. FFA members also reiterated that Article 30 of the Convention and the various binding measures referred to earlier are fundamental and must be taken into consideration at every aspect of the work of the Commission. FFA members stated they continue to stress the importance of a 2013-06 assessment of any proposed measure, in close consultation with SIDS, to ensure that it does not result in transferring, directly or indirectly, any disproportionate burden of conservation and management action onto SIDS and territories. In addition, they stated that there is a need to ensure effective participation of SIDS in the work of the Commission, by ensuring there are no barriers to engagement such as meeting outside business hours of the Secretariat. They thanked the Chair for taking this into account in the schedule of WCPFC18. They stressed that the most important issue is ensuring opportunities for SIDS participation in the fishery, now and in the future, and that the negotiation of the tropical tuna CMM, and any other measure, must take this into account, especially given that the WCPO is largely made up of the EEZs of Pacific Island SIDS. They stated that any proposal that will hinder SIDS’ participation in the fisheries is in direct contravention of Article 30 of the Convention. FFA members also noted that the Commission’s annual budget has increased over time, as have the financial obligations of CCMs through the assessed contributions. As noted in past meetings, FFA members stated they are concerned with the increasing trend in the budget and the assessed contributions and reiterated that concern. They stated they fully recognize the importance of both the science and compliance aspects of the budget as an integral part of managing and conserving the fisheries resources, but stated that the Commission needs to seriously reconsider options for

a sustainable Commission budget. FFA members also thanked the Secretariat for the Updated Strategic Plan as it aims to match capacity and capability requirements of developing states and territories with appropriate investment strategies. Related to this, they thanked the contributors to the various funds which SIDS directly benefit from, in particular, the Special Requirements Fund, the Japan Trust Fund, and the Chinese Taipei Trust Fund.

79. Samoa aligned itself with the statement provided by RMI and FFA members.

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| 80. WCPFC18 continued to recognise the importance of assessing the impact of proposals on SIDS in accordance with CMM 2013-06. |
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6.2 Updated Strategic Investment Plan

81. The Updated Strategic Investment Plan (**WCPFC18-2020-09**) was posted on the WCPFC18 ODF (as Topic C), and no comments were received. The Chair noted that the specific purpose of the plan is to match capacity needs and requirements of developing states and territories with appropriate investment strategies.

82. The EU reiterated its commitment to a healthy Pacific Ocean and strong and healthy marine resources. It stated that most of the needs identified can be addressed through the EU's flagship cooperation program — The Pacific-European Union Marine Partnership — which is being implemented by regional organisations, including FFA, SPC, South Pacific Regional Environment Programme, and the University of the South Pacific. The EU stated that **WCPFC18-2021-DP06** includes details on the partnership, including activities undertaken from July 2020 to July 2021, and the website contains a full overview of the program since its inception. €1,000,000 has been earmarked to assist FFA members to comply with WCPFC requirements, although no activities have yet been implemented because of COVID-19 restrictions. The EU encouraged FFA members and the WCPFC Secretariat to work together and develop creative ways to use these funds to the benefit of FFA members and CCMs at large.

83. Japan stated it fully recognizes the importance of the criteria in CMM 2013-06, and that when submitting a proposal, it carefully looks at the checklist contained in the CMM, and would continue to do so in the future. In this regard, it stated its complete agreement with FFA members that CMM 2013-06 can be effectively addressed by consulting with SIDS, either individually or through FFA. Japan stated it was unfortunate it could not have a physical meeting with FFA and PNA members in 2021 due to COVID-19, but noted it had several virtual consultations with them that were quite useful. Japan stated its strong hope to be able to visit Honiara and Majuro to meet in person in 2022. Japan stated it has been providing SIDS with assistance for infrastructure and capacity building through JICA and OFCF. During 2010 to 2019 Japan provided about ¥200 billion in development assistance to the Pacific islands, which includes fishery-related projects. Fishery-related projects cover conservation and management of highly migratory species and assistance to small-scale fishermen. At the Ninth Pacific Leaders Meeting held virtually in July 2021, Japan announced its commitment to the continuation of its robust development assistance and more than 5,500 people-to-people exchanges and human resource development for the next three years. In 2008 Japan established Japan Trust Fund within WCPFC, which has been assisting capacity building of SIDS for fishery statistics and fishery management. A call for proposals was sent to CCMs on November 15 through Circular No 2021/100. Japan stated its hope that SIDS members would actively consider their applications by the deadline of December 22nd. In addition, Japan has been supporting SIDS since 2008 through the Japan Promotion Fund via OFCF. SIDS can utilize this Fund for various purposes such as enhancement of management capacity. In November 2017, in response to the strong request from SIDS, OFCF signed with FFA to renew the term for another ten years until 2027. Also, in 2020, OFCF increased the size of the

Promotion Fund. Japan stated its sincere hope that these programs and funds would contribute to fishery development of SIDS.

84. The Commission noted with appreciation the update provided by the Secretariat on implementation of the Strategic Investment Plan (**WCPFC18-2021-09**).

85. The Commission approved the updated 2021 Strategic Investment Plan (**Attachment F**).

AGENDA ITEM 7 — WCPO TUNA AND BILLFISH STOCKS

7.1 General overview of status of WCPO stocks

86. Dr. John Hampton (SPC) presented an overview of the stock status of bigeye, skipjack, South Pacific albacore and yellowfin tuna, including an update on recent events in the fisheries focusing on longline and purse seine activity, and a summary of the stock status of the major species. As references he noted **WCPFC18-2021-IP02_rev1** *The Western and Central Pacific Tuna Fishery:2020 Overview and Status of Stocks* and the **WCPFC Tuna Fishery Yearbook 2020**.

87. The 2020 total catch of about 2.74 million mt was about average for the last decade; the 2020 purse seine catch of 1.88 million mt was also about average, while the longline catch of 217,000 mt was the lowest since 1996 (this figure may increase as more data become available). In the purse seine fishery total catch is dominated by skipjack, and catch has been at a similar level for a decade. Effort has decreased in terms of total fishing days, but has been stable over 6-7 years since a decline from the 2012-2013 level. Purse seine fishing days as measured by VMS indicates 2021 is above average but within the range of the last decade. Regarding purse seine set types, the number of FAD-associated sets has been fairly stable over the past decade; following a large increase in the 2010s the number of unassociated sets has been stable. The total catch by set type is almost equally split between free school and associated sets. The tropical purse seine catch per unit effort (CPUE) has been fairly stable over time, with the average trending up slightly over the last decade; CPUE is generally robust, showing a decline prior to the FAD closure (in 2021). The total longline catch is fairly stable, with a possible slight contraction in the last 15 years. Total longline effort has declined considerably since 2012, stable since then. Examination of VMS longline fishing days for 2021 indicates effort is above average, but within the range of the last 10 years. The tropical longline fishery (20°N–10°S) targets bigeye and yellowfin: reported effort and reported catches of both species are down in 2020, but CPUE was stable in 2020 and over the past decade. In the southern longline fishery, there has been no substantial decline in effort, which is similar to historic highs, and catch has also been maintained at fairly high level, while CPUE is down somewhat. In terms of stock status all stocks are in good condition and WCPO remains only region where all main tuna stocks neither overfished or experiencing overfishing. Regarding spawning biomass depletion, most recent estimates are above the LRP (20% SB/SB_{F=0}) for all four main stocks. Projections (30 year) of SB depletion (which use recent levels of catch and effort) showing increasing uncertainty over time because of recruitment uncertainty, but generally remain above the LRP, with the exception of South Pacific albacore because of increasing recruitment uncertainty, which is related to uncertainties associated with the stock assessment. With regard to other species, some are overfished and/or subject to overfishing (Southwest Pacific striped marlin is likely overfished; North Pacific striped marlin, Oceanic Whitetip shark and Pacific bluefin are overfished and subject to overfishing; and Pacific silky shark is not overfished, but is subject to overfishing.) The status of Pacific bigeye thresher shark is inconclusive. The outlook for the El Niño-Southern Oscillation (ENSO) is that fairly strong La Niña conditions will continue for 3-4 months, gradually shifting to neutral ENSO conditions by mid-2022.

88. Kiribati on behalf of the PNA and Tokelau noted that the report indicates the tropical tuna stocks are healthy, and the major tropical fisheries are stable, but that the picture on the other stocks is not so positive. They noted that a single table was shown covering all the shark, billfish, and northern stocks, which was very informative, but not included in the paper. They inquired whether there was reason for that, and if not, could it be included in the paper in future. They also noted the Kobe plot on page 51 for five of those stocks, and inquired whether a Kobe plot could be provided for more of the other stocks? SPC replied that their ability to prepare a Kobe plot for other stocks would depend on the provision of information in the relevant stock assessments, and how uncertainty is expressed, but that this could be considered for future presentations if required.

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| 89. The Commission noted the stock status of bigeye, yellowfin, skipjack and South Pacific albacore as presented by the Scientific Services Provider (SPC). |
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7.2 Bigeye, Skipjack and Yellowfin

90. The Chair noted three issues would be addressed under Agenda Item 7.2: harvest strategy issues, the new tropical tuna measure, and the issue of ‘Other Commercial Fisheries’, which is also relevant to the new tropical tuna CMM. The Chair noted the reference document prepared by the Secretariat: **WCPFC18-2021-14**. *Reference document for bigeye, yellowfin and skipjack tuna for the review of CMM 2020-01 and development of harvest strategies under CMM 2014-06*.

7.2.1 Harvest Strategy Issues

91. The Chair noted **WCPFC18-2021-WP12**. SPC. *Recent progress in the technical development of harvest strategies for WCPFC stocks and fisheries* (previously presented to SC17 as **SC17-MI-WP-03**), and observed that the harvest strategy issues would also have bearing on the tropical tuna measure discussions. The Chair noted that the Indicative Work Plan for the Adoption of Harvest Strategies under CMM 2014-06, as updated in December 2020, anticipates the Commission would consider at WCPFC18 the advice and information from SC17 and SPC on possible formulations of a TRP for skipjack as well as bigeye and yellowfin, including the results of further analysis requested by SC17 related to the impact of candidate bigeye and yellowfin TRPs on the South Pacific albacore stock.

7.2.1.1 Review of target reference point for skipjack

92. Dr. Graham Pilling (SPC) presented **WCPFC18-2021-10**. SPC. *Further updates to WCPO skipjack tuna projected stock status to inform consideration of an updated target reference point*. The WCPO skipjack tuna assessment agreed to in 2019 incorporated new information on stock biology (e.g., the pattern of maturity-at-length), a new spatial structure, and new model settings. In a similar way to the assessment of WCPO bigeye tuna performed in 2017, this changed the perception of stock status and its productivity compared to the model upon which the decisions on the skipjack interim TRP were based (CMM 2015-06). The paper presents a comparable analysis to that of **WCPFC-MOW3-WP-03** (SPC-OFP, 2014), using the agreed 2019 skipjack assessment, and indicates changes in effort and biomass (depletion) from 2012 and recent (2015-2018 average) levels, and median equilibrium yield (as a proportion of MSY) associated with strategies that maintain a median of spawning biomass depletion ($SB/SB_{F=0}$) at Commission-specified depletion levels. These are compared to the results under 2012 ‘baseline’ fishing levels (2012 effort levels in the purse seine fishery, recent 2016-2018 catch levels in Indonesia/Philippines/Vietnam domestic fisheries). WCPFC17 requested examination of candidate revised interim skipjack TRPs between 36% and 50% of $SB_{F=0}$, which are presented in the paper. In 2021, the first tropical tuna workshop (TTMW1) requested these analyses also report fishing mortality levels consistent with those % $SB_{F=0}$ levels, along with the change in biomass (depletion) from 2007-2009 average levels. These are presented in the paper to ensure

all information is contained in one place. The other information requested by WCPFC16 to aid discussions (paras. 258 and 259 of the **WCPFC16 Summary Report**), which were reported to previous meetings, are in Annex 3 (formulation of TRPs, impact of effort creep).

93. Under baseline (2012) fishing levels the stock is predicted, on average, to fall slightly compared to ‘recent’ (2015-2018) levels (44% $SB_{F=0}$), to 42% $SB_{F=0}$. This is very slightly below 2012 depletion levels but is an equivalent % $SB_{F=0}$ value at 2 decimal places. Examining the four other median depletion levels requested by WCPFC16 (50%, 48%, 46% and 44% $SB_{F=0}$), these levels (i) imply reductions in purse seine effort from 2012 levels of 7% to 25%, (ii) lead to predicted increases in spawning biomass from 2012 levels of between 3% and 18%, and either maintain biomass at recent assessed levels, or predict an increase in biomass by 5% to 13%. Total equilibrium yield is predicted to reduce compared to that under 2012 ‘baseline’ levels, to 78%-95% of MSY. For the three median depletion levels requested by WCPFC17 (36%, 38% and 40%), these levels imply increases in purse seine effort from 2012 levels of 5% to 30%, and lead to predicted decreases in spawning biomass from 2012 levels of 5% to 14%. Total equilibrium yield is predicted to increase very slightly compared to that under 2012 ‘baseline’ levels, to 98% of MSY (reaching the flatter peak of the yield curve). There was no risk of falling below the LRP associated with any of these depletion levels based on the current uncertainty framework. To address the request of the TTMW1 for estimated fishing mortality (F) under each candidate depletion level, the paper presents resulting stock-wide age-averaged F for juvenile and adult components of the population and median fishing mortality-at-age. TTMW1 also requested a calculation of recent fishing mortality levels as proportions of 2012 and 2012-2015 levels. Interpretation of the results is challenging given that future fishing mortality is strongly influenced by the required settings within the projection, in particular that future domestic fishery and pole-and-line catches continue at set levels (2016-2018 and 2012 respectively), while purse seine is projected on effort. The composition of gears within the projected fishery and their impacts on the stock will therefore change relative to that in the historical (2012) period. This is clear when examining the relative change in fishing mortality in juvenile and adult segments of the population, with that on juveniles increasing notably at all examined depletion levels. This was driven by significant increases in fishing mortality within Region 5 of the skipjack assessment model (the western tropical WCPO encompassing Indonesia and Philippines), where future domestic fishery catches continue at 2016-2018 levels. SPC noted that a skipjack stock assessment will be undertaken in 2022 and reviewed at SC18.

94. Tonga on behalf of FFA members thanked SPC for the analyses and stated it is unfortunate that, for a range of reasons, the Commission has been unable to devote significant time to progressing harvest strategy work over the last two years. FFA members also noted that over that period they had maintained a clear position on recalibrating the skipjack TRP, noting that the stock is healthy, but some Commission members had been unwilling to support their proposals that would ensure that the target is in line with the current understanding of the status of this stock. FFA members stated their commitment to progressing harvest strategy work in 2022 and beyond, including the adoption of a skipjack TRP in 2022.

95. In response to a query from American Samoa, SPC presented figures for the skipjack catch in 2012 vs. 2020, as contained in **WCPFC18-2021-IP02_rev1**.

96. In response to a query from Indonesia, SPC indicated that 50% of skipjack are considered mature at 1 year old, with an estimated size of about 30 cm, noting that fishing mortality in Region 5 increases significantly in that size range.

97. The EU stated that it appears the analyses assume the FAD closures don’t affect the status of skipjack because selectivity is similar, with reduced effort on FADs offset by fishing on free schools, and inquired how confident SPC was in that assumption. The EU noted that despite the decrease in effort, catches have remained at a high level, and inquired whether there was any information on the trend in effort creep in recent years? SPC stated that there were some differences between the analysis presented and those done

for the tropical tuna CMM. The analysis in the paper assumes patterns of fishing and FAD closures continue into the future. The tropical tuna measure analyses assume there is no major impact from FAD closures on the skipjack population; the impact comes from the number of sets being made, because there are generally similar impacts from free school and FAD-associated sets. Regarding effort creep SPC stated it provides its best estimates every year (in 2021 in **SC17-MI-IP-06**), but effort creep is not included in the analyses presented to WCPFC18. SPC explained that it does not know what the effort creep will be, and the aim is to maintain a stock level that meets the Commission's objectives. SPC referenced Annex 3 of **WCPFC18-2021-10** (*Effort creep estimated in relation to the TRPs*).

98. PNG, on behalf of the PNA and Tokelau, supported the FFA statement by Tonga. They observed that agreement on a revised skipjack TRP has been held up for 3 years largely because some CCMs tried to take advantage of what should have been a simple technical adjustment to the interim skipjack TRP, and that this was the main reason that MSC certifications of WCPO tuna fisheries faced suspension. The PNA and Tokelau stated they hoped the Commission could give priority to Harvest Strategy work in 2022, including reaching agreement on a skipjack TRP.

99. Japan stated it would like to discuss the issue raised by the PNA and Tokelau during WCPFC18, with a goal of reaching an agreement.

100. The Commission noted the presentation by SPC and advice from SC17 on possible formulations of a TRP for skipjack tuna.

101. The Commission noted the importance of agreeing on TRP for skipjack and agreed to progress this work in 2022.

7.2.1.2 Target reference point for bigeye and yellowfin

102. Dr. Steven Hare (SPC) presented **WCPFC18-2021-11. Updated WCPO bigeye and yellowfin TRP evaluations**. In 2020, SC16 agreed on new stock assessments for WCPO bigeye and yellowfin tuna that indicated both stocks are on average not overfished nor subject to overfishing. Based on those assessments, the paper presents results of analyses requested by SC16, WCPFC16 and SC17, to assist WCPFC18 in the identification of interim TRPs for WCPO bigeye and yellowfin tuna stocks. It presents the consequences for each stock and fishery of SC16-defined stock depletion levels ($SB/SB_{F=0}$) consistent with specified historical conditions and stock risk levels (paras. 76–78 of the **SC16 Outcomes Document**). For each depletion level, results are presented comparable to those in **WCPFC-SC16-2020/MI-WP-02** for skipjack tuna, indicating changes in biomass from both 2012-2015 and recent (2015-2018 average) levels, changes in fishing from baseline (2016-2018 average) levels, median equilibrium yield (as a proportion of MSY), risk relative to the agreed LRP, and SC16-requested per-recruit metrics. Full results are summarised in the tables in **WCPFC18-2021-11**. In response to a request from WCPFC17, additional analyses were conducted to facilitate multi-species implications of harvest levels that achieve the different TRPs for each species (yellowfin and bigeye under the two recruitment assumptions). The resultant depletion levels for skipjack and yellowfin (under bigeye TRP calculations), and for skipjack and bigeye (under yellowfin TRP calculations) are computed and provided. Within this analysis the overall purse seine effort (and longline catch) is increased or decreased by the scalar specified; this is a different assumption to that of (for example) the evaluation of the tropical tuna CMM for skipjack, where overall purse seine effort is assumed to remain constant. SC17 requested that the potential consequences of the candidate TRPs for South Pacific albacore depletion be examined, and these are presented. Outcomes for skipjack and South Pacific albacore are provided in the main text of the paper.

103. Dr. Hare stated that under baseline (2016-2018 average) fishing conditions, both bigeye and yellowfin stocks were projected to increase relative to 2012-2015 average levels, and either remain at recent (2015-2018 average) levels (yellowfin) or increase (bigeye). For both bigeye and yellowfin, CMM 2020-01 specifies that, pending agreement on a TRP, the spawning biomass depletion ratio ($SB/SB_{F=0}$) is to be maintained at or above the average $SB/SB_{F=0}$ for 2012-2015. Achieving that depletion level for bigeye implied increases in fishing from 2016-2018 levels by 38% (assuming recent recruitment) and 22% (assuming long-term recruitment) and resulted in a risk of falling below the limit reference point (LRP) of 3% or 14% (recent and long-term recruitment, respectively). For yellowfin, it implied increased fishing by 29%, and no calculated risk of falling below the LRP. The implications of achieving depletion levels +/- 10% from the 2012-2015 average levels are presented in the tables. An alternative SC16-specified candidate reference point was equivalent to 2000-2004 average depletion levels. For bigeye, this depletion level required fishing to be reduced by 4% (recent recruitment) or 17% (long-term recruitment), and resulted in no, or a minimal (1% assuming long-term recruitment patterns), risk of falling below the LRP. For yellowfin, 2000-2004 average depletion levels implied increasing fishing by 34% from baseline levels, and there was no risk of falling below the LRP calculated at that level. Final SC16-specified depletion levels related to those equivalent to a 10% and 20% risk of falling below the LRP. For bigeye, this implied increases in fishing by 55% and 70% (recent recruitment) and 12% and 33% (long-term recruitment), respectively. Under recent recruitments, those risk levels were achieved at stock sizes 12%-23% lower than 2012-2015 levels. Under the less productive long-term recruitment assumption those risk levels implied a 6% less depleted stock and 10% more depleted stock respectively, relative to 2012-2015 average depletion. For yellowfin, 200% greater fishing than baseline levels (a scalar of 3) was required to achieve a 10% risk level; this was considered unrealistic, and a 20% risk-based depletion level was therefore not pursued further for this stock.

104. Dr. Hare noted that with reference to the risk-related depletion levels, which represent ‘minimum’ TRP values consistent with those risk levels, the choice of a TRP can be based on a combination of biological, ecological, and socio-economic considerations, which would likely imply higher TRP levels than the ‘minimum’ TRPs calculated. As agreed at SC16, within this analysis purse seine effort and longline catch are ‘scaled’ equally relative to baseline levels. Scalars are applied to overall purse seine effort – i.e., both associated and unassociated sets are increased or decreased, with the relative pattern reflecting that over the 2016-2018 baseline period. Results will therefore generally differ from that in the CMM 2018-01 evaluation that was presented to WCPFC17 (**WCPFC17-2020-14_rev 1**). SPC noted that candidate TRP levels can be achieved under different combinations of future purse seine and longline catch/effort levels, which will have implications for the other metrics calculated. If desired, identification of a limited subset of candidate interim TRP levels is strongly recommended before that style of analysis is undertaken. As noted in previous papers discussing TRP formulation, there is a need to have specific language defining the TRP level, based upon the management objective that the TRP is designed to achieve. That language needs to be suitably specific so that the TRP can be recalculated in the case that in the future, new biological or fishery knowledge leads to an updated perception of stock status from the stock assessments. The new information incorporated within the 2020 yellowfin tuna stock assessment implies a more robust stock than estimated previously, as seen by the minimal risks of falling below the LRP identified at the levels identified here. SPC noted that key areas for further work on the yellowfin assessment were identified for 2022, and an external review of the assessment is also planned (**WCPFC-SC17-WP-06**). While the assessment is viewed as the best scientific information currently available, the further work underway may lead to changes in the perception of stock status and robustness.

105. The USA noted the updated analyses, including the new information on the multispecies impacts. It stated that given the differing interests of CCMs in the tropical tuna fisheries and the sometimes very different operational characteristics of their respective fisheries, a reasonable starting point — and perhaps end point — for developing TRPs is to create an appropriate buffer for the LRP. In other words, it makes sense to focus on the risk of breaching the LRP rather than, for example, arbitrary time periods. Given that,

and recalling the Commission’s decision that LRP risk levels as high as 20% are consistent with the Convention’s requirement that the risk be “very low,” the USA suggested that LRP risk levels of 10% would constitute appropriate LRPs for both bigeye and yellowfin, and supported their adoption, understanding that important work would remain to operationalize them, as the TRPs would compete with each other. It noted that LRP risk levels could be translated into stock sizes, exploitation rates, or other measures, but stated that there is little reason to do so, and expressing the TRPs solely in terms of LRP risk levels would obviate the need to periodically recalibrate the TRPs if they are expressed in other measures like stock size. The USA stated it was prepared to move forward and adopt TRPs for these two stocks as it had proposed.

106. Cook Islands, on behalf of FFA members, thanked SPC and noted the 2020 yellowfin tuna stock assessment implies a more robust stock than estimated previously. They acknowledged that due to uncertainty in this stock assessment an external review is planned for 2022, and further work is underway that may lead to changes in the perception of stock status and robustness. FFA members stated the updates were very timely as they facilitate an improved understanding of multi-species implications of alternative harvest levels, presenting for the first time the resultant depletion levels for skipjack, yellowfin and South Pacific albacore under bigeye tuna TRP calculations, and for skipjack, bigeye and South Pacific albacore under yellowfin tuna TRP calculations. They stated this would greatly aid in considering candidate TRPs for bigeye and yellowfin tuna. FFA members stated that the decision on TRPs for these stocks is critical and has major implications for the management of WCPFC fisheries. FFA members noted that yellowfin and bigeye are central stocks for FFA members, important in both purse seine and longline fisheries, and having a clear understanding of the trade-offs associated with potential TRPs is essential; unfortunately given the ongoing impacts of COVID on the business of the Commission, and the major time and effort that has been consumed renegotiating the tropical tuna measure, FFA members stated that they have not been able to devote the time and energy to properly consider these decisions, and have not been able to undertake the consultation with other WCPFC members that would be necessary to reach consensus.

107. The Commission noted the presentation by SPC of the results of analyses on candidate TRPs for bigeye and yellowfin.

108. The Commission noted the importance of agreeing on TRP for bigeye and yellowfin and agreed to progress this work in 2022.

7.2.1.3 Management procedures for skipjack

109. The Chair noted that two reference papers had been prepared: **WCPFC18-2021-13**. SPC. *Evaluations of candidate management procedures for skipjack tuna in the WCPO*; and **WCPFC18-2021-12**.

110. In light of the need to prioritise discussion on the new tropical tuna measure, CCMs agreed to defer consideration of candidate management procedures for skipjack.

111. The Commission agreed to defer consideration of management procedures for skipjack until 2022.

7.2.2 Proposed New Measure for Tropical Tuna

112. The Chair prefaced consideration of the tropical tuna CMM at WCPFC18 by noting the work done during 2021, including two workshops on Development of a New WCPFC Tropical Tuna Measure

([Workshop 1](#), held 26–30 April, and the associated [Chair’s Report of TTMW1](#); and [Workshop 2](#), held 6–10 September, and the associated [Chair’s Report of TTMW2](#)). The workshops provided an opportunity to clarify CCMs’ views on many elements of the tropical tuna measure, and resulted in a number of requests being made of the SSP for further analyses; results of these analyses are summarised in **WCPFC18-2021-15** (addressed under Agenda Item 7.2.2.1). Statements and proposals offered by CCMs at the workshops are posted on the WCPFC18 meeting pages as **WCPFC-TTMW1-2021-DP01** through **WCPFC-TTMW1-2021-DP06**, and **WCPFC-TTMW2-2021-DP01** through **WCPFC-TTMW2-2021-DP03**). Subsequently, the Chair prepared a Consultative Draft for the new tropical tuna CMM (Circular 2021/82, dated 01 October 2021). Following submission of comments by a number of CCMs, a revised Consultative Draft was issued on 01 November 2021 (Circular 2021/94), and issued as **WCPFC18-2021-16**. WCPFC Chair. *Chair’s Consultative Draft CMM for Tropical Tunas*.

113. The Chair noted that the November Consultative Draft reflected written comments received from the United States of America, Japan, Chinese Taipei, Korea, the European Union, FFA (representing Australia, Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu and Vanuatu), and the SPG (Cook Islands, Fiji, Niue, Samoa, Tonga and Vanuatu). Given the substantive and valuable nature of the comments from CCMs, and for the purposes of transparency, the Secretariat posted all the comments received on the October Consultative Draft to the WCPFC18 meeting page (**WCPFC18-2021-TTM-DP01** through **WCPFC18-2021-TTM-DP09**).

114. The Chair outlined the approach taken in including CCMs’ comments in the Consultative Draft, and highlighted the key elements:

- Bigeye and Skipjack management objectives
- Addition of a spatial element
- FAD closures and FAD-related elements (e.g., instrumented buoys and non-entangling FADs)
- Timeframe for decisions on allocation
- Longline MCS measures
- Longline catch limits
- Purse seine high seas effort limits
- Other commercial fisheries
- Operational data

115. At the request of the Chair, the Commission’s consideration of the tropical tuna CMM at WCPFC18 began with statements from CCMs that had prepared written submissions in response to the Chair’s November Consultative Draft.

Introductory statements from CCMs

116. The EU welcomed the transparent and inclusive approach adopted by the Chair, and focussed on the following suggestions to improve and strengthen the measure.

- (i) The EU suggested a revision in Paragraph 4, requiring that if coastal states adopt measures in archipelagic waters and territorial seas that are consistent with the CMM they inform the Secretariat of the relevant measure. The EU noted that this would allow the Commission to have a full picture of how tropical tuna fisheries are regulated and managed across the WCPFC-CA.
- (ii) The EU suggested an addition to Paragraph 8 to clarify the issue of attribution of catch for purse seine vessels under charter arrangements, with the aim to ensure that the exemptions under Footnote 1 cannot be used by vessels flagged to non-SIDS under chartering arrangements, which the EU stated

- in this specific case do not seem to provide any benefit to SIDS. The EU stated that this would remove an existing loophole from the management framework and facilitate the work of TCC.
- (iii) With regard to FAD management, to facilitate discussions at TCC and clarify the use of the exemptions under Footnote 1, the EU suggested an addition to paragraph 16 that would require that the Secretariat provides at the end of each fishing season a list of fishing vessels that have not applied the FAD closure in that specific fishing season.
 - (iv) The EU also proposed the adoption of fully non-entangling FADs by banning the use of mesh net from the FAD, as this would eliminate the threat of ghost fishing from FADs, and suggested that the language and commitment regarding the move to introduce biodegradable FADs be more ambitious; regarding the monitoring of instrumented buoys, the EU proposed adding a reporting requirement to allow the Secretariat to assess compliance and ensure SPC receives the information for its scientific work aiming at improving FAD management.
 - (v) Regarding high seas purse seine effort, the EU supported retention of Table 2 in Attachment 1, noting high seas purse seine effort of CCMs not bound under the current measure has been increasing. The EU suggested that a temporary cap to that additional component of the high seas purse seine effort be added for the duration of the current CMM. This would be a collective 3,000 days to be allocated among SIDS CCMs. This would ensure that all components of tropical tuna fishing mortality are effectively managed in the framework of the CMM.
 - (vi) The EU also suggested that catch retention provisions be adopted for longline and other commercial fisheries, to mirror those already in place for the purse seine fleet; this would concern the three tropical tuna species.
 - (vii) The EU also proposed inclusion of a “no data, no fish” to prohibit CCMs that do not provide their list of active vessels and the catch and effort data required by the Commission, in accordance with WCPFC reporting requirements, for one or more species for a given year, from retaining such species as of the year following.

117. Chinese Taipei stated that for the general provisions its goal is that in the long run the Commission removes all exemptions, noting that all CCMs should make contributions to conserve the species; it stated that there may be a need for special arrangements in the short term, but the purpose of these should be clarified. Chinese Taipei made the following comments regarding specific elements of the CMM.

- (i) For purse seine fisheries: regarding FADs, Chinese Taipei stated it would like to revise the 1 nautical mile (nm) rule to 0.5 nm. Chinese Taipei also stated it sought to retain the current “small garbage” provisions, which are very important for the MCS. Regarding biodegradable and non-entangling FADs, Chinese Taipei supported continuation of the discussion on these issues through the FAD-MO SWG.
- (ii) Regarding the longline fisheries, Chinese Taipei noted the need to rebalance the current tropical tuna measure by increasing the longline bigeye catch limit, as the longline fishery has sacrificed more than other fisheries.
- (iii) Chinese Taipei also stated that the Commission should take onboard the advice from TCC and SC on other commercial fisheries.

118. Fiji on behalf of FFA members stated they would not consider any changes to the CMM that affects the current careful balance of interests between fisheries and CCMs, which they stated has been achieved after a lengthy period of careful and considered development. FFA members stated that if there are to be changes within the CMM, the rationale for those proposed changes needs to be compelling and the balance needs to be maintained. FFA members stated they take the advice of SC very seriously and insist on a cautious approach to any changes to the existing measures. They also noted that, following SC’s significant technical concerns, there will be an independent review in 2022 of the stock assessments for bigeye and yellowfin tuna; until the outcomes of this review are available any revisions to the CMM need to be suitably precautionary. Based on these criteria, FFA members stated that they had proposed a number of carefully

considered changes to the CMM that have been included in the Chair's Consultative Draft. The FFA proposals include requirements for the use of non-entangling materials in FAD construction as well as a re-specification of the timeframes for the Commission's consideration of allocation frameworks for high seas limits for both purse seine and longline fisheries, and recognition of the management arrangements applied by FFA members to manage the fishing activity taking place within their EEZs. FFA members stated that the Commission has an opportunity to address one of the key gaps in the Commission's management frameworks: the lack of effective monitoring of high seas fishing activity by longline vessels. FFA members stated they seek to include a range of MCS elements for longline fisheries in the new tropical tuna measure, with firm commitments to progress these, which they stated are essential for addressing the gap in monitoring of longline activity, particularly on the high seas. FFA members stated that most importantly, and in recognition of their sovereign rights under international law, longline fishing within their EEZs would be managed only through zone-based management, including the LL-VDS, which is currently applied by PNA members plus Tokelau. FFA members also emphasised the ultimate intention, as proposed in the text provided in relation to paragraph 44 of the revised CMM, to transition towards an equitable framework for allocation of high seas fishing opportunities in the bigeye longline fishery. Finally, recognising the United Nations' Climate Change Sustainable Development Goal to "take urgent action to combat climate change and its impacts", and that climate change has particularly negative impacts on SIDS, FFA members suggested climate change be included in the preamble to the measure in acknowledgment of the impact of climate change on fisheries, and the disproportionate consequences on the region.

119. Japan observed that in the WCPFC-CA many types of fishing gear are used to target tuna species, and that the CMM should take into account the interest and balance of these different fisheries. Japan noted that while the 2020 bigeye stock assessment indicated the biological status of the stock is healthy, the recent biomass levels are insufficient for some fisheries that rely on these stocks. The CPUE of Japan's longline fishery, whose main target is bigeye tuna, has decreased in recent years, with poor catch. Japan maintained its position that the TRP for bigeye should be set as median $SB/SB_{F=0}$ for 2000-2004. For the skipjack TRP Japan stated its understanding that this was agreed in accordance with the recommendation from SC10 in 2014 that the Commission take action to limit further increases in fishing mortality and keep the skipjack stock around the (then) current level. Japan stated that from this point of view selection of 2012 as a reference year as proposed by FFA was acceptable; Japan stated it could consider the FFA proposal positively and work with FFA and others on this issue. Regarding Charter arrangements, Japan stated that the provision of the current paragraph leaves room for interpretation, and to avoid future disputes among CCMs Japan advocated revising the text to clearly reflect the understanding of CCMs, especially the distinction between high seas and EEZs where non-SIDS vessels are chartered by SIDS. Regarding FAD management, while Japan stated it agreed on the direction to strengthen the regulation on non-entangling FAD, Japan requested that a transition period be established so that purse seiners could prepare non-entangling FADs compliant with the paragraph. Japan supported development of biodegradable FADs, and suggested the need to define "biodegradable" in this context. Regarding management of longline fisheries, Japan noted FFA's proposed revisions regarding bigeye catch limits, and suggested the goal of moving to zone-based management be discussed, with a view to reaching agreement in 2023. In closing Japan noted again that bigeye tuna are caught by many different vessels in its EEZ, and indicated its interest in addressing these issues with other CCMs as both a coastal and distant water fishing nation.

120. Korea offered comments on the following key issues. Regarding management objectives for bigeye and yellowfin, Korea stated that if the current objectives are retained it expects there will be some increases in fishing opportunities, based on advice from SPC and various socioeconomic factors. For skipjack, SPC has presented several options, which Korea stated should be discussed by CCMs. Regarding FAD management, Korea stated the need to address the issue of fishers' unknowingly setting on FADs during FAD closures, which is related to the FAD definition and the 1 nm rule. Korea stated that with respect to the high seas limit for purse seine fisheries, at present some CCMs must reduce their purse seine fishing effort in the high seas by 80% to 90% from historical levels, while others fish with no limits. Korea stated

that this is not equitable and likely to undermine purse seine effort control in the high seas and must be rectified. Korea stated its expectation that overall bigeye catch limit for longline fisheries would be increased, and hoped that the Commission could identify an appropriate level of increase. Korea also noted that there are some provisions that exempt SIDS from these requirements, and stated that the Commission needs to pursue a careful balance of the special requirements of SIDS with the need to conserve tuna stocks.

121. Niue on behalf of the SPG stated that as SIDS they share strong interests in the sustainable development of the southern longline fisheries for southern albacore, swordfish, bigeye and yellowfin. They noted that SPG members had previously highlighted the need to ensure that the longline provisions of the tropical tuna CMM recognise the sovereign rights of coastal States to manage fishing activity within their EEZs, in accordance with the provisions of the WCPFC and UNCLOS. They stated that any vessel fishing in SPG waters should be managed under their management framework, including any applicable limits, in the same manner that any catch taken in their waters is attributed to the coastal State. The SPG stated it prioritised the development by WCPFC of zone-based management for all longline fisheries, and looked forward to working with other CCMs in developing sustainable and equitable limits that respect rights for the high seas and coastal State sovereign rights for EEZs. They strongly supported the retention of paragraph 44 of the current CMM, including the amendments proposed by FFA, and advocated that WCPFC19 determine hard high seas limits for bigeye in 2022, and apply those limits to CCMs in a manner consistent with their sovereign rights, and Articles 8, 10 (3) and 30 of the Convention. SPG members stated their deep concern about the continuing decline in South Pacific albacore fisheries, and the impact of this on fisheries-dependent economies, noting that the southern fisheries interact with the tropical longline fisheries, and are impacted by changes in tropical longline management, activities and catches. SPC stated it is critical to avoid any increase in longline fishing effort, or increase in bigeye limits, noting that any such increase, particularly south of the equator, would result in additional catches of albacore and place a disproportionate burden on SPG members. Such increases may also result in fleet behavioural changes that could negatively impact on southern longline fisheries. As a result, SPG advocated that the CMM not allow for any overall increase in longline fishing effort, or any overall increase in bigeye limits, stressing that any proposal to increase tropical longline fishing effort, or any overall increase in bigeye longline limits, must consider impacts on SIDS and territories as per CMM 2013-06. SPG stated it would also be seeking further study on the interactions and impacts of longline fishing effort on their southern longline fisheries, and an immediate freeze on albacore catch from the high seas.

122. The USA stated that as it made clear in 2020 and through the intersessional work in 2021, it is critical that the CMM be substantially revised at WCPFC18 to address continuing shortcomings. The USA put forward a number of specific suggestions to the TTMW1 and TTMW2, and followed up with specific proposals and views as reflected in the Chair's consultative draft CMM. The USA highlighted the most important comments and proposals it provided, as contained in **WCPFC18-2021-TTM-DP02**.

- (i) The USA noted that paragraph 5 speaks to the rights and obligations of SIDS and territories, and that each provision of the new CMM must be considered in light of the special requirements of ALL SIDS, including participating territories. Therefore, the USA stated that the specific paragraphs cited in paragraph 5 should be subject to change as the details of the new CMM are discussed.
- (ii) The USA stated it is important to retain Paragraph 9, which speaks to agreements between U.S.-flagged vessels and U.S. participating territories. The USA stated the importance of this provision, and how it serves the development aspirations of American Samoa, CNMI, and Guam, are described in **WCPFC18-2021-TTM-DP09**, which points to specific fisheries development activities that have resulted from these agreements.
- (iii) The USA offered specific language for the management objectives for each of the three stocks, in paragraphs 12-14:
 - (a) *For all three tropical tuna stocks, the USA believes it is crucially important for the Commission to recognize and avoid the risk of severe localized spawning stock depletion. With that in mind,*

it proposed that each of the stock-wide objectives be supplemented with the phrase “and excessive spatial unevenness in spawning biomass depletion is to be avoided to support thriving fisheries throughout the Convention Area.

- (b) For skipjack tuna, the USA commented is that the TRP itself should not be specified in this CMM, but elsewhere, as is done with other reference points.
- (iv) Regarding paragraphs 16-17 (FAD closures) the USA stated it sees the need to keep the bigeye-directed controls in the purse seine fishery similar in effect to those in the existing measure. However, the USA stressed the Commission cannot continue to adopt measures that rely on observers to ensure compliance until it resolves the issues relating the sharing of observer reports between ROP Providers and CCMs that need them for investigations. The USA stated that for that reason, it could not support inclusion of FAD closures or limits on FAD sets without a clear understanding that progress is being made to resolve the observer report issue.
- (v) The USA stated it had commented on exemptions to the FAD closures, currently in Footnotes 1 and 2, observing that these exemptions have served their purpose of facilitating the development of certain members’ purse seine fisheries, and that it was time to end these. It stated that if agreement could be reached to remove the exemptions at WCPFC18, then the Commission must review the impacts of the FAD closures among CCMs and revisit the exemptions to ensure the closures do not result in a disproportionate burden of conservation action on any SIDS, including participating territories. In stated that in particular, the tuna-dependent economy of American Samoa is being significantly adversely impacted by the closures and their uneven application.
- (vi) The USA stated it had not provided specific comments on the purse seine fishing effort limits in paragraphs 25 and 26 and Table 1 and 2 of Attachment 1, but would offer drafting suggestions to suit the needs of CCMs, including all SIDS.
- (vii) For monitoring and control in the longline fishery, the USA proposed increasing the minimum level of observer coverage in all longline fisheries from 5% to 10%, effective January 1, 2023, noting that increased coverage in the longline fishery is clearly needed to meet the scientific and compliance needs of the Commission.
- (viii) Regarding the longline bigeye tuna catch limits in paragraph 39, the USA supported adding limits for all CCMs that are not currently limited, and increases to some of the existing limits in Table 3 of Attachment 1. It noted that some members’ catch limits had been severely underused since they were adopted, and stated that the proposed changes would constitute an increase of 12,000 mt in the limits collectively, slightly more than those annual underages. It stated that the revised limits, even if fully utilized, would keep the spawning stock well above the level in the existing management objective and presented a very low (close-to-zero) risk of breaching the LRP.
- (ix) The USA stated that Paragraph 44 calls for the Commission to agree on hard limits for bigeye and a framework to allocate those limits among all Members and Participating Territories. It stated that if the Commission was unable to establish longline bigeye tuna limits for all CCMs at this meeting, the USA would support retention of this paragraph with some adjustments. It stated it would be open to revisions that recognize FFA members’ interest in incorporating a zone-based aspect into the Commission’s management of the longline fishery for bigeye tuna, but that the task set forth in this paragraph must not be narrowed to just the high seas. Second, the USA supported revisions that recognize the need to avoid localized spawning biomass depletion and the utility of a spatially tailored management scheme to do so. It noted that this concept of spatially-based management was not in conflict with the FFA members’ desire to shift to a zone-based management scheme.
- (x) The USA noted its companion paper, **WCPFC18-2021-TTM-DP09**, was submitted on behalf of American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the United States and served two purposes, both related to CCM’s collective obligation to ensure that CMMs do not transfer a disproportionate burden of conservation onto any SIDS, including participating territories: (a) it provides information about the fisheries and economies of the three U.S. territories, which the USA stated could be used by the Commission to help assess impacts of CMMs generally on these three SIDS; and (b) contains information about the expected impacts on SIDS of particular

provisions that have been proposed by the USA, as well as of provisions proposed or promoted by other CCMs. It noted that the information was presented using the CMM 2013-06 assessment framework.

123. American Samoa emphasized the overwhelming dependence of American Samoa on the tuna industry, which provides 84% of its private employment and accounts for more than 99% of the value of its exports. It stated that its economy is suffering from the unintended consequences of the tuna measure, one of which is reflagging, noting that U.S.-flagged vessels have been moving to other flags in pursuit of better economic and operating conditions. American Samoa stated that many of the vessels that have left the U.S. flag are now flagged to Pacific Island countries that do not have high seas limits and that exempt their vessels from the FAD closures; as a result, port calls to Pago Pago have greatly diminished. In addition, vessels are fishing farther from American Samoa, in waters where they don't have to pay for access and where they are not subject to limits or FAD closures. Those more distant fishing grounds make American Samoa less attractive for unloading. American Samoa stated that reduced port calls impact the supply of tuna to its cannery and damage its tuna-dependent economy. It stated that each purse seiner's direct delivery to Pago Pago represents spending of about \$400,000 for fuel, food, supplies, repairs and services, but direct deliveries are down almost 50% from 2020, which was a direct loss to the economy of over \$10 million for 2021 alone, not counting what the canneries lost due to reduced production and lost sales. In four of the last six years, the high seas in the WCPFC-CA were closed to U.S. vessels as a result of reaching the limit on fishing effort. American Samoa stated that because its cannery depends so strongly on U.S.-flagged vessels, the consequences of those closures have been enormous. The economic losses in American Samoa from the closure in 2015 alone were estimated at \$11 million to \$110 million. In addition to the loss in commerce, represented by what the boats spend, is the loss of raw material; American Samoa stated that all tuna processors require an economical and reliable source of tuna in order to be viable, which it had that with its locally based fleet of purse seiners. It stated that the decimation of the locally based tuna purse seine fleet threatens to destroy the tuna industry, and the loss of the locally based purse seiner fleet would result in American Samoa losing its reliable and economical raw material supply, and one of the main reasons the tuna processing industry exists in American Samoa. It stated that in summary, the existing measure is seriously unfair for American Samoa, is not working well, and needs to be changed. It stated that in developing a new tuna measure, the Commission must recognize the special requirements and interests of American Samoa as a SIDS that is highly dependent on tuna resources, noting that the Commission has a clear responsibility in this regard under Article 30 of the Convention, and that it was time for the Commission to fulfil that responsibility with respect to American Samoa.

124. PNG on behalf of the PNA and Tokelau supported the FFA position in advocating a precautionary approach to changes to the current measures in the CMM, and supported the FFA position to maintain the current careful balance of interests between fisheries and CCMs in the CMM. They stated that this was substantially based around the agreement on bigeye conservation that was made in Busan to reduce longline catch limits by 30% and apply a 3 months FAD closure. Despite the heavy costs and increasingly disproportionate burden of the FAD closure, PNA and Tokelau stated they supported maintaining the current FAD closure as part of taking a precautionary approach to the development of the new CMM, provided the integrity of the current FAD closure arrangements is maintained, and the other elements of the package of measures that conserve bigeye are also maintained, including the longline bigeye catch limits, the high seas FAD closure and the high seas purse seine effort limits. They stressed that longline bigeye catch limits are part of the package of measures to conserve bigeye, and if increases in longline bigeye catch limits are to be considered, the FAD closure would need to be reduced or removed; zone-based management, including the longline VDS, would need to be implemented as proposed by the FFA-suggested revision to paragraph 39; and longline MCS would need to be strengthened.

Tropical Tuna Measure Deliberations

125. Following the presentation of CCMs' introductory statements, and consideration of related issues, for example the status of WCPO tuna stocks (Agenda Item 7.1), the setting of TRPs (7.2.1.1-7.2.1.2), SPC's analyses relevant to the tropical tuna measure (7.2.2.1), and the report of the FAD-MO IWG (7.2.2.2), the Commission considered the tropical tuna measure at WCPFC18 in the course of a number of discussion sessions in plenary as well as three closed meetings among the Heads of Delegations. CCMs agreed that significant changes to the core elements of the measure, involving FAD closures, high seas purse seine effort control, longline MCS measures, and longline bigeye catch limits, would be necessarily made in conjunction (as a "package").

126. In the course of their discussions CCMs agreed to retain those elements of the current measure for which there was a lack of consensus regarding proposed revisions. This decision was made following significant deliberation, and was supported by CCMs in view of:

- ongoing efforts to develop harvest strategies for the main tuna stocks;
- the acknowledged success of CMM 2020-01 and its predecessors in meeting the Commission's objectives with regard to maintaining their objectives for these stocks; and
- the complexity of the negotiations regarding the central package of elements in the CMM, particularly given the challenges of the virtual meeting format.

127. The succeeding paragraphs provide a summary of views offered by CCMs on significant elements of the CMM, and the consensus reached by the Commission with respect to those elements in its development of CMM 2021-01.

Charter Measures

128. A number of CCMs argued for retention of the existing charter measures, noting these provide coastal states with opportunities to develop their domestic fisheries in partnership with distant water fishing nations. A CCM supported addressing whether the chartering arrangements could be the opportunity for non-SIDS to make use of the benefits granted to SIDS. Differing views were expressed over retention of a paragraph attributing the catches and efforts of United States flagged vessels operating under agreements with its participating territories to those territories. Consensus was not reached on revisions to these elements, so the existing CMM's charter provisions were not substantially revised.

Interim objectives for bigeye, skipjack and yellowfin tuna

129. Some CCMs argued for retention of the current objectives for bigeye and yellowfin, noting the need to maintain a precautionary approach pending establishment of TRPs for these species, and the outcomes of the yellowfin stock assessment review being conducted in 2022. A number of CCMs also referenced ongoing efforts to transition to a harvest strategy approach to these stocks and advocated against expending significant effort to revise the existing objectives. Some CCMs suggested the skipjack TRP be modified in line with recent scientific advice, or deleted. A number of CCMs stated that despite their reluctance to extending the current skipjack TRP, they would agree to do so given the lack of time, and need to reach agreement on the CMM as a whole. One CCM advocated adopting a spatial approach to objectives for these stocks that reflects spatial differences in exploitation patterns. Consideration was also given to deletion of the objectives for all three stocks. Consensus was not reached on revisions to these elements, and the existing CMM's interim objectives for bigeye, yellowfin and skipjack tuna were not revised.

Purse Seine Fishery

FAD Closures

130. CCMs agreed that, in the absence of changes to other essential elements of the CMM, the FAD closures would be retained. All CCMs agreed regarding the importance of the FAD closures as a core conservation element of the current tropical tuna CMM, while some CCMs expressed concern regarding the difficulties in enforcing this aspect of the CMM given that it relies on observer reports, and noting that issues related to access by Flag States to observer reports were related to a significant number of the unresolved cases in the CCFS.

131. The USA proposed that the following language be included in the CMM in order to address this issue:

“Recognizing that ensuring compliance with the FAD closures depends on ROP observers and the reports they prepare, WCPFC18 agrees that continuation of the provisions of paragraphs 16 and 17 of the new tropical tuna measure (CMM 2021-XX) after 2022 is dependent on the Commission resolving the problems associated with observer reports being shared in timely manner among CCMs for investigations. Paragraphs 16 and 17 will cease to be in effect on 1 January 2023 until the Commission adopts specific elements that are to be included in the WCPFC observer reports that are provided by ROP Providers to CCMs for investigations and requirements on the timing of such provision.”

132. Other CCMs stated that while they understood the linkages between the provision of observer reports and the FAD closure element of the tropical tuna CMM, including such a sunset clause in the measure posed an unacceptable risk. A number of CCMs supported inclusion of the following language to reflect the need to address the issue:

“TCC18 will undertake work on the elements of the WCPFC observer report to be provided by ROP Providers to CCMs for investigations.”

133. No consensus was reached, and the issue of provision of observer reports with respect to FAD closures is not addressed in the revised CMM.

FAD Closure Exemptions (Footnote 1)

134. Several CCMs voiced strong support for modifying Footnote 1 (to paragraph 16 in CMM 2020-01) so as to apply to all SIDS, including territories, with a view to addressing the economic hardship experienced by American Samoa, as referenced in **WCPFC18-2021-TTM-DP02** and **WCPFC18-2021-TTM-DP09**. CCMs recognized and sympathized with the economic difficulties faced by American Samoa, and considered a range of approaches to address the issue, including exemptions from the 3-month FAD closure in the U.S. EEZ and the 2-month FAD closure in the high seas for U.S. flagged vessels notified as an integral part of American Samoa’s fishery. Most CCMs stressed the importance of ensuring any exemption treated all SIDS equally, and generally advocated that any exemption apply only to that portion of the U.S. EEZ surrounding American Samoa. No consensus was reached on these proposals, and they are not included in the revised CMM.

Non-entangling FADs

135. CCMs agreed on the importance of reducing the risk of entanglement of sharks, sea turtles and other species in FADs, and incorporated language in CMM 2021-01 prohibiting (as from January 1, 2024) the use of mesh net for any part of a FAD, and requiring the use of non-entangling materials. CCMs agreed on the desirability of using biodegradable materials, and on the need for additional research, and directed SC to

review research on the use of biodegradable materials on FADs, and to provide specific recommendations related to biodegradable FADs to the Commission in 2022. CCMs also agreed to consider adoption of measures on the implementation of biodegradable FADs at WCPFC20.

Instrumented buoys

136. CCMs agreed to retain the existing limit on the number of drifting FADs with activated instrumented buoys, while acknowledging that the impact of the limit (on both reducing the amount of marine debris and controlling the use of FADs) was uncertain, and agreed to review the effectiveness and appropriateness of the limit at WCPFC20, based on consideration of these issues by the FADMO IWG. CCMs also agreed to include elements in the CMM encouraging vessels to responsibly manage the number of drifting FADs deployed, and to take steps to address lost drifting FADs.

Purse seine effort control

137. CCMs agreed on the need to establish hard effort or catch limits in the high seas of the WCPFC-CA and agreed to commence a process to develop that framework in 2022, to enable reaching agreement in 2023.

Longline fishery

Improved monitoring and control

138. Most CCMs agreed on the importance of improving monitoring and control with respect to the longline fishery. A number of approaches were discussed, including requirements to:

- provide notification to the Commission prior to entry into and exit from the high seas;
- submit operational level catch and effort data through electronic means;
- establish a regional electronic monitoring programme; and
- increase the minimum level of observer coverage in longline fisheries from 5% to 10%.

A variety of positions were expressed on these proposals, but CCMs failed to reach consensus on the specifics; no additional monitoring and control measures for the longline fishery were included in the revised CMM.

Allocation

139. Some CCMs advocated for increasing the bigeye catch limit, indicating that recent scientific advice supported such an increase. Other CCMs stressed that a bigeye longline catch limit increase would have to be linked to the establishment of zone-based management and a strengthened MCS for the longline fishery, as well as a decrease in FAD closures, in the interest of maintaining balance among fishing interest. One CCM advocated strongly against any increase in the bigeye catch limit, noting a decline in longline CPUE in their EEZ. In the absence of consensus regarding any revisions, the Commission agreed to retain the existing longline bigeye catch limits. In addition, the Commission committed to transitioning to a more equitable allocation framework for fishing opportunities that takes into account Articles 8, 10(3) and 30 of the Convention and to commencing a process to develop that process in 2022, to enable reaching agreement in 2023 on hard limits for bigeye among all CCMs.

Other Commercial Fisheries

140. CCMs discussed the setting of limits for Indonesia's "other fisheries" under CMM 2020-01. CCMs noted that the applicability to Indonesia's domestic fisheries of the Other Commercial Fisheries category under CMM 2020-01 was addressed at SC17 (**SC17-2021-ST-WP02**) and TCC17 (**TCC17-2021-SC17-ST-IP-09**), which agreed on the recommendations provided in those papers. TCC17 requested Indonesia and SPC to provide annual catch estimates for the large-fish handline fishery in Indonesia fishing outside archipelagic waters and territorial sea for vessels >30GT, for 2013-2016 along with baseline options (i.e.,

average of 2013-2016, or maximum in that period); the period was selected due to the absence of reliable data for 2001-2004. The resulting paper (**WCPFC18-2021-24**) was considered by WCPFC18 under Agenda Item 7.2.3. During the discussions on this issue under Agenda item 7.2.2, CCMs noted that the majority of data provided by Indonesia regarding its domestic fisheries were used to support the scientific work of the Commission, and raised questions regarding data availability and consistency in setting baseline periods. CCMs agreed to refer the issue to SC18 and TCC18 for consideration prior to making any determinations regarding this issue in the context of the tropical tuna measure.

Conclusion

141. In the course of its deliberations at WCPFC18 the Commission agreed to retain the essential elements of CMM 2020-01 with respect to charter measures; interim objectives for bigeye, yellowfin and skipjack; FAD closures; and longline allocation and longline MCS measures. The Commission also agreed on the need to establish hard effort or catch limits for the high seas purse seine fishery, and hard limits for the bigeye longline fishery, and to begin a process of deliberation in 2022 with a view to establishing these in 2023. The Commission established a prohibition on the use of mesh net for any part of a FAD beginning in 2024, and agreed to further consider other issues related to FADs (biodegradable FADs, the impact of FADs, and FAD numbers).

142. In concluding the discussions on the tropical tuna measure the Chair acknowledged the efforts of all CCMs, and noted the constructive consultations that demonstrated a shared willingness to work to improve the Commission's tropical tuna CMM. The Chair noted the improvements made to the CMM, and observed that the in-depth discussions would serve as a foundation for future efforts to improve management of tropical tuna stocks.

143. The Commission adopted CMM 2021-01 on the Conservation and Management Measure for Bigeye, Yellowfin and Skipjack Tuna in the Western and Central Pacific Ocean (**Attachment G**).

144. Noting potential issues with data availability, the Commission agreed that, at its regular session in 2022, it would agree a baseline period or limit for the Indonesia Large Fish Handline Fishery, based on the Indonesia proposal and advice from SC18 and TCC18.

7.2.2.1 SSP Analysis of Requests by TTMW2

145. Dr. Graham Pilling and Dr. Paul Hammer (SPC) presented **WCPFC18-2021-15**. *Results of analyses requested by TTMW2 and TTMW1*. The first workshop on the development of the new WCPFC Tropical Tuna Measure (TTMW1) requested specific analyses from the SSP to help inform Commission members on options for the new tropical tuna measure (Attachment 2 of **WCPFC-TTMW1-2021-Chair's Report**). Similarly, the second workshop (TTMW2) requested further specific analyses from the SSP (Attachment 1 of **WCPFC-TTMW2-2021-Chair's Report**). The results of all analyses are presented in the **WCPFC18-2021-15**, grouped into the different categories provided in the Chair's reports for the two TTMWs (in Appendix 1 and 2, and the summary provided at the beginning of each section). For each analysis, a short methodological summary is provided where necessary, particularly where interpretation of the request by the SSP was necessary to perform the analysis. This is then followed by the results and, where appropriate, key points for CCMs to note when interpreting those results. In its presentation SPC focussed on the requests made from TTMW2, with an emphasis on the assumptions that SPC had to make in doing the analyses, and that CCMs must be aware of when interpreting the results. SPC noted that issues related to TRPs were addressed in **WCPFC18-2021-11** by Steven Hare (discussed under Agenda Item 7.2.1.2).

146. Indonesia inquired regarding the FAD closure analyses why the same bigeye fishing scenario combinations (as shown in Table 27 of **WCPFC18-2021-15**) resulted in an 11% of reaching LRP under the

long-term recruitment scenario, vs. a 0% chance of breaching the LRP under the “recent” recruitment scenario. SPC stated that the recent scenario assumes the recent higher levels of recruitment will continue into the future; this is more optimistic than the longer-term recruitment scenario, which leads to significant differences in the level of recruitment over time. The same level of fishing drives the stock to a lower level under the long-term (less optimistic recruitment) scenario.

147. RMI on behalf of FFA members noted with appreciation the results of the analyses requested by the TTMW2, and stated they would comment on these in the respective agenda items.

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| 148. The Commission noted the analyses undertaken by the Scientific Services Provider (SPC) as requested by the Tropical Tuna Measure Workshops. |
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7.2.2.2 Report of the FADMO IWG

149. The Chair of the FADMO-IWG (Mr Jamal James of FSM) stated that in 2020 the IWG finalized draft guidelines for non-entangling and biodegradable FADs. These were presented to WCPFC17, which tasked SC17 and TCC17 to review the draft guidelines prepared by the FAD IWG, and directed the IWG to review the draft guidelines based on SC17 and TCC17 input, as well as any additional information on non-entangling and bio-degradable FADs. The 2021 FADMO-IWG was reconvened via email on 15 October, mainly focusing on reviewing the guidelines as tasked. SC17 discussions on the draft guidelines took place through the SC17 ODF. The IWG noted general support to strengthen the existing provisions to reduce entanglement on FADs as proposed by the FADMO-IWG, with a transition period prior to full implementation of non-entangling FADs. The IWG also noted that research on the use of biodegradable materials has been delayed due to the impacts of COVID-19 and more work was needed on the use of biodegradable materials before further requirements are put in place. TCC17 also noted general support for the use of non-entangling and biodegradable FAD materials, and the need for research on the development and application of suitable biodegradable materials in FAD construction, including the use of locally available materials. A majority of CCMs supported full implementation of non-entangling FADs as soon as possible, noting the challenges and difficulties faced by other CCMs (e.g., logistical concerns regarding access to materials, particularly during the COVID-19 pandemic). The FADMO-IWG noted that there were no specific recommendations from SC17 and TCC17 related to the guidelines. The IWG also noted a project on non-entangling and biodegradable FAD trials in the WCPO funded by the EU, USA and ISSF, which is expected to provide essential information to the tuna industry on the design, materials, performance, and cost-effectiveness of non-entangling and biodegradable FADs in the WCPO context, and support increased uptake of more ecologically sustainable FAD designs by industry. The project is expected to be completed in late 2023. The FADMO-IWG Chair stated that IWG members supported moves to ban netting on FADs or the exclusive use of non-entangling materials and designs to reduce, if not eliminate, the risk of entanglement of sharks, sea turtles, cetaceans and other vulnerable species, with the timing to be determined by the Commission, noting the research delays and ongoing supply chain disruptions. The updated draft Guidelines for Non-Entangling and Biodegradable FAD Materials are in Annex A of **FADMO-IWG-05-2021-WP-01**.

150. Nauru, on behalf of FFA members, stated that many of the findings made by the fifth session of the FADMO-IWG were consistent with those proposed by FFA members in the Chair’s Consultative Draft, including supporting the banning of mesh netting on FADs and using only non-entangling materials and designs. FFA members stated they also support including a suitable transition period before provisions on the requirements for the use of non-entangling materials come into effect. FFA members endorsed the recommendation for further scientific studies into the development and application of appropriate

biodegradable materials in FAD construction, including the use of local materials and, additionally, the development of an agreed definition for a ‘biodegradable FAD’.

151. Canada welcomed the recommendations put forward regarding biodegradable FADs and reduction in entangling material, and stated it looked forward to further involvement with the FADMO-IWG in the future. It voiced its full support for the report.

152. Cook Islands noted that the FADMO-IWG’s report stated that most CCMs are in favour of the recommendations, but that some questions remained regarding definitions and timelines, which were also under consideration in the tropical tuna measure discussions. Cook Islands stated it looked forward to constructive discussions on what could be included in the CMM, and to resolving the outstanding issues.

153. The EU supported the conclusions contained in the IWG report, and stated it would have preferred to move more rapidly on priority areas. The EU stated the hope the Commission could progress in 2022 on some issues that had addressed, especially adoption of full non-entangling FADs; it encouraged tasking the FADMO-IWG to actively progress the outstanding issues in 2022, including the issue of monitoring of FADs, which has not been addressed by the IWG to date.

154. French Polynesia thanked the FADMO-IWG for the work done to move towards biodegradable and non-entangling FADs, especially in the difficult context of online meetings, and acknowledged that it is a very important issue that needs to be addressed. French Polynesia stated it faces growing marine pollution due to abandoned and lost FADs, and that much needs to be done to have effective management of FADs in the Commission. It advocated that a stronger management scheme for FADs be included in the future, covering better marking, monitoring, reporting, and tracking, as well as retrieval and recovery, whether it be under the framework of the tropical tuna measure or a specific FAD CMM, whichever is more suitable. French Polynesia looked forward to working collaboratively with other CCMs on that topic. French Polynesia noted that it is situated in the overlap area, and FADs drift from east to west, and encouraged comprehensive and collaborative work on the issues with IATTC.

155. The Commission noted the report and recommendations of the FAD Management Options IWG (**WCPFC18-2021-FADMgmtOptions**).

The recommendations of the IWG were considered in the context of the Tropical Tuna Measure (see Agenda 7.2.2 above).

7.2.3 Other Commercial Fisheries for bigeye, skipjack and yellowfin

156. Indonesia introduced **WCPFC18-2021-24**. Indonesia and SPC. *Options for a baseline of the “large-fish” Handline fishery fishing in Indonesia’s EEZ (IEEZ) with vessels >30GT for the WCPFC Tropical Tuna Measure*, which discusses work conducted on the application of paragraph 51 of CMM 2020-01 to Indonesia’s “Other Commercial” domestic fisheries. Indonesia noted the following relevant papers: **SC17-2021-ST-WP02** *An assessment of available information to address the WCPFC17 recommendation on the Tropical Tuna CMM para 51 (other commercial fisheries)* and **TCC17-2021-SC17 ST-IP-09** *Availability of Catch Estimates from the Other Commercial Fisheries in Indonesia*. It stated that TCC17 requested that Indonesia and SPC provide and present to WCPFC18 for consideration the annual catch estimates for the “large-fish” handline fishery in Indonesia fishing outside archipelagic waters and territorial sea for vessels >30GT, and options for a baseline (using the average of 2013-2016 or the maximum year, due to the absence of data for 2001-2004), with the goal of informing revision of paragraph 51. It noted that the paper invites WCPFC18 to review and consider the baseline of 12,682 mt (the maximum annual catch in the period 2013-2016) listed in Table 1 in the paper as the limit for the “large-fish” handline fishery in Indonesia under paragraph 51 of CMM 2020-01.

157. The USA referenced the discussion during TCC17, where it expressed some concern that WCPFC would base the limit on the 2013-2016 period solely because that is the only period for which reliable data are available. It suggested staying with the intent of the measure, which was to use a much earlier period. It noted that data is available back to 2000, and for dates up to 2012 catch estimates are available but combine the large fish handline with other gear. It inquired whether those figures (in Table A2 in **SC17-2021/ST-IP-09**) are limited or faulty (other than the fact they do not distinguish between the fisheries). Indonesia stated that improving the data collection was a long process, and that it is a very complex fishery. Regarding the differing baselines, as explained previously, and as SPC has indicated, a detailed breakdown, especially for the large fish handline fishery for 2001-2004, is not available. Indonesia stated that the data presented in WCPFC18-2021-24 were the only reliable data, and that it could try to address compatibility with 2001-2004 data. SPC noted that it had not performed a detailed review of Indonesia's data prior to 2010, and was unable to address possible uncertainties or assess their reliability.

158. Japan stated that paragraph 51, requires that CCMs “not exceed either the average level for the period 2001-2004 or the level of 2004”, and inquired regarding the logic of using the maximum for 2015 and not the average over the period for 2013-2016. Indonesia stated that the options for choosing the baseline for 2013-2016 were to use the average or maximum catch, and that it preferred to use the highest catch during that period; it noted that the status of the fishery stocks during that period was satisfactory, making use of the maximum catch reasonable.

159. China stated that it is important to understand the situation of the “other commercial fisheries”, and inquired regarding the total number of fishing vessels over 30m that caught this total, and the composition of the catch in terms of skipjack, yellowfin and bigeye. It noted that the total catch in 2012 was about 2,600 mt, which by 2015 had increased to 12,600 mt, and asked the reason for this? China acknowledged that data collection is very hard for small fisheries, and asked how data is reported (by vessel owners, port sampling etc)? Indonesia noted the improvements in data collection and reiterated its thanks for the WPEA project. It stated that in 2010 data collection was mainly based on the port sampling program under the WPEA, and it had about 6 landing sites. This expanded with cooperation from industry, NGOs and other stakeholders. Indonesia developed its harvest strategy in 2018 and expanded the coverage of port sampling sites to 23 landing sites (the figure is now higher). It stated the work is linked to Indonesia's National Management Plan and harvest strategy work, and that Indonesia also collects data from observers, which involves its industry and NGOs. Data collection has improved since 2014 and 2015, and thus the current catch is more representative of the actual amount (the increase is the result of better data collection). Regarding the number of vessels over 30 m, for handline fisheries this is provided in the Annual Report Part 1; it is around 20 vessels, but not all are on the WCPFC RFV (Indonesia stated this would have to be confirmed).

160. The EU thanked Indonesia and SPC for their efforts to progress this issue, noting the difficulties, and supported further work. The EU suggested it could be useful if the recommendations for the limits and reference periods could be brought together into a single document, and stated it was unclear what the catch totals would be in the context of the CMM. It inquired if there a rough estimate was available regarding the share that would not be included under the heading commercial fisheries by focusing only on those fisheries for which data are available. Indonesia stated it could try and provide the requested information in a single document. It recalled the discussion in TCC17 of the difficulties in assessing these data, and stated that Indonesia's understanding was the fisheries that fall under the tropical tuna measure are limited to the large fish handline fleet composed of vessels over 30 m. It stated that under its national law it could not assess the other fisheries. Indonesia stated that a response with respect to the pole and line fishery might require further collaboration. SPC stated that more information on the other commercial fisheries was available in **WCPFC18-2021-IP04**, Tables 8 and 9, which includes data for those that are not covered by CMM 2020-01. SPC stated that if further information was needed it could expand on the referenced tables in future years.

161. Australia, on behalf of FFA members, noted and endorsed the recommendations from the SC17 and TCC17 relating to the application of paragraph 51 to both Indonesia and the Philippines. They thanked the two CCMs for working with SPC and providing the requested information for the tropical tuna measure and the Commission's scientific work. They noted the concern expressed by other CCMs about the implication of selecting other baseline periods. FFA members stated that the information provided by Indonesia had not been considered by the SC and the TCC in the same way that the baselines for the other relevant fisheries covered by paragraph 51 had been. They stated they consider this review to be important, both for the purpose of ensuring due process, and also to ensure that the implications of the different baseline period can be considered. FFA members therefore recommended that SC18 and TCC18 review the recommended baseline period and provide advice to WCPFC19. They also noted they would need to consider the implications for the drafting of the new tropical tuna measure.

162. PNG stated its understanding that the bulk of the data concern fishing in archipelagic waters, and stated that Indonesia's continued efforts in this regard were very much appreciated.

163. The Commission noted the presentation by Indonesia of advice of SC17 and TCC17 on the implementation of paragraphs 50 and 51 of CMM 2020-01 with respect to the Indonesian "large-fish" handline fishery for vessels >30gt in Indonesia's EEZ (**WCPFC18-2021-24**).

The recommendations were considered in the context of the Tropical Tuna Measure (see Agenda 7.2.2 above).

7.3 South Pacific Albacore

7.3.1 Review of the interim target reference point

164. Dr. Graham Pilling (SPC) presented **WCPFC18-2021-17. SPC. Recalibration of the target reference point for South Pacific albacore** and referenced **WCPFC18-2021-18. Secretariat. Reference Document for South Pacific Albacore for the Review of CMM 2015-02 and Development of Harvest Strategies under CMM 2014-06**. SPC noted that a new stock assessment was agreed by SC17 in 2021; SC17 also requested that SPC (i) recalibrate the TRP that would on average achieve the agreed goal of an 8% increase in vulnerable biomass (CPUE proxy) for the southern longline fishery as compared to 2013 levels and (ii) undertake projections to estimate the constant catch levels that would achieve that recalibrated TRP, on average, over the long-term. The general approach used was comparable to that used to recalibrate the skipjack interim TRP; in this case longline and troll fisheries were projected with their future catch level adjusted to achieve long-term WCPFC-CA longline vulnerable biomass levels specified under the TRP. SC17 requested two catch scenarios: one in which fishing levels within both the southern WCPFC-CA and the remainder of the eastern Pacific Ocean (EPO) were adjusted proportionally; and a second in which only fishing levels within the southern WCPFC-CA were adjusted, and with the remainder of the EPO fixed at recent catch levels.

165. To achieve the WCPFC-CA longline vulnerable biomass goal, the recalibrated southern WCPFC-CA albacore TRP depletion level is 68% $SB_{F=0}$. At that average depletion level, there is a 1%-2% risk of falling below the LRP. This reflects the notable uncertainty within the South Pacific albacore assessment. The recalibrated TRP implies a less depleted stock; the 2021 assessment indicates less depleted recent historical levels, influenced by the SC17 model grid weighting. Approximate catch levels in longline and troll fisheries across the South Pacific, and within the WCPFC-CA specifically, that achieved the TRP varied according to the catch scenarios:

- (i) Under South Pacific-wide management, total (longline + troll) catch levels equated to 49,200 mt. WCPFC-CA catch was 40,500 mt, with 8,700 mt in the remaining EPO assuming relative regional catch levels between regions remained at 2017-2019 levels.
- (ii) With management in the WCPFC-CA only (EPO catch remaining at 2017-2019 average levels), total (longline + troll) catch levels were just over 51,700 mt; of this 36,200 mt was in the WCPFC-CA, with 15,500 mt in the remaining EPO. The lower WCPFC-CA catch level reflects additional management action required to achieve the TRP if cross-Pacific management is not feasible. Actual total and WCPFC-CA catch levels would depend upon those that occur in the EPO.

The recalibrated TRP implied lower catch levels within the southern WCPFC-CA than under the 2018 assessment (which were approximately 46,700 mt in the southern WCPFC-CA). This is influenced by:

- (i) The Pacific-wide nature of the 2021 stock assessment and the implications of fishing in the EPO component that was not previously considered; and
- (ii) The different responsiveness of the 2021 assessment grid to changes in future catch.

What is consistent between the 2021 and 2018 assessments is that the interim TRP will not be achieved under recent catch levels in the southern WCPFC-CA. It is expected that future TRP-related catch levels will need to be adjusted in the face of increased knowledge of the South Pacific albacore stock. This will be supported through the adoption of a harvest strategy that can adapt dynamically to, for example, good or poor recruitment events, and be robust to the uncertainties inherent in the stock assessments.

166. In response to a query from Canada, SPC stated that the EPO in the modelling excludes the overlap area (which is included in the WCPFC-CA figures). The longline and troll catch in the WCPFC-CA is dominated (about 95%) by longline catch. Details are provided in **WCPFC18-2021-IP05**.

167. Samoa, on behalf of FFA members fully supported the advice from SPC on investing more resources and time on improving the close-kin-mark-recapture (CKMR) work, which has proven to address the uncertainties of the stock biomass estimates. They noted that the presentation and paper constituted new information for the Commission to consider, but stated their immediate concern that the recalibrated TRP signals high South Pacific albacore catch cuts will be required to achieve the TRP, which would further threaten the survival of their domestic longline fishing industries; waiting will only worsen the situation. FFA members recommended referring the matter to the South Pacific Albacore IWG to consider appropriate actions in the workplan for 2022. In the meantime, and as indicated in **WCPFC18-2021-DP04**, they called for an immediate freeze of catch and effort for South Pacific albacore south of the equator on the high seas.

168. Indonesia noted the TRP for South Pacific albacore of 0.68 is high, and inquired what projections indicate would happen should the TRP not be achieved. SPC stated that the TRP is 68% of unfished levels based on the most recent stock assessment, which is higher than the previous TRP, but that this was needed to have the CPUE 8% above 2013 levels. There are uncertainties in recruitment that SPC hopes will be addressed through the CKMR work. Projections of stock status indicate a reduction under recent fishing conditions, with stock stabilizing over time but with CPUE not recovering to the point that managers have sought to achieve through the TRP.

169. New Caledonia observed that troll fisheries are perhaps 5% of catch, but that the South Pacific troll fishery targets small fish in southern parts of the WCPFC-CA, and inquired regarding the real impact of the troll fishery on the health of the stock. In response, SPC referred to an impact plot from the stock assessment for different gears, stating that it was correct that troll fisheries catch smaller fish around 60 cm that would otherwise grow into the adult population, but noted that the natural mortality of those fish is also high. SPC further emphasized that the major impact is through the longline fishery, and that the impact from troll fishery is fairly small, although not insignificant.

170. China thanked SPC for the stock assessment conducted in conjunction with IATTC, and inquired whether subsequent assessments would be conducted jointly, and whether any conservation measures would

be undertaken in both the EPO and WCPO. SPC stated that it worked with IATTC because this was a Pacific-wide stock assessment (previously SPC had not considered the EPO in conjunction with the WCPO). SPC stated it would cooperate with IATTC on any future Pacific-wide stock assessments. In terms of more stringent measures required in the WCPO, SPC analysed both the application of consistent conservation and management measures across the WCPO and EPO, and a second scenario where changes were made only by WCPFC in the WCPO and overlap area.

171. The Commission noted the advice of the SC17 related to a recalibration of the interim TRP for the SP albacore.

7.3.2 Roadmap for effective conservation and management of SP albacore

172. Ms Neomai Ravitu (Fiji), Chair of the South Pacific Albacore-Roadmap-IWG (Fiji) provided a summary of the outcomes of the virtual meeting held in June 2021, as contained in **WCPFC18-2021-South Pacific albacore-RM-IWG Chair's Summary Report of the South Pacific Albacore Roadmap IWG Meeting**.

173. China suggested the need for additional consultations between members prior to SPA-IWG meetings to enable a more complete exchange of views in the IWG, and suggested the need for transparency with respect to the total allowable catch under existing (and planned) VDS or catch-based management regimes for CCMs' EEZs. China suggested that the South Pacific albacore total allowable catch (TAC) in SIDS national jurisdictions was much higher than the current catch, which complicates developing an understanding of the situation in the albacore fishery. China indicated that it had provided these comments to the SPA-IWG. It also stated that while it sought to cooperate on management measures, but with the condition that the new CMM is comprehensive, and not limited to south of 20°S.

174. Niue on behalf of FFA members thanked the Chair of the SPA-IWG and stated as indicated in **WCPFC18-2021-DP04**, they urged the work of the SPA-IWG be prioritized for early 2022. Noting it is unfortunate that not much has progressed given the situation. FFA members voiced their commitment to the work and provided suggestions on revisions to the IWG Workplan: (i) the IWG should prioritise the setting of a TAC/total allowable effort (TAE) for the stock followed by an allocation framework for the Commission and the allocations of the limit for CCMs; and (ii) priority should be given to development of the harvest strategy for the South Pacific albacore fishery. They noted the lack of movement on the work on trajectories and associated catch cuts and suggested the harvest strategy was essential for responding to the latest assessment results. They looked forward to working collaboratively with other CCMs in the SPA-IWG.

175. French Polynesia commented regarding Agenda items 7.3.1 and 7.3.2. They noted that because of their location in the overlap area they particularly appreciated the Pacific-wide analysis, and the work on recalibration of the TRP, they share the concern of other members about continuing declining catch rates. They thanked the SPA-IWG for the work conducted under the difficult virtual meeting context in 2022. French Polynesia emphasised the importance of the South Pacific albacore fishery for its economy and food security, noting that South Pacific albacore is fished by its domestic longline fleet and local crew, only in its EEZ, and in a sustainable way validated by MSC certification. It stated that its EEZ is surrounded by a large high seas area, and that French Polynesia is increasingly worried about the level of catch and transshipments that occur in these international waters, and that it looked forward to this important issue being addressed by the Commission. It supported further scientific work to inform management, and a strong roadmap for the IWG for next year, to ensure progress can be made at WCPFC19, especially on harvest strategies matters for South Pacific albacore. It shared Niue's (on behalf of FFA members) concern about the need for prioritisation of the work for the IWG, and stated it would be happy to work collaboratively with all CCMs on that topic.

176. Chinese Taipei supported management of the South Pacific albacore stock, and stated the need for collaborative effort. It stated that fishing and the related impact are in both the EEZs and high seas. It favoured keeping management measures in the area south of 20°S, and stated it would be favour additional discussions on any further measures, or extension of existing measures from 20°S to the equator.

177. New Zealand stated it remained committed to the work of the SPA-IWG to insure a more stable and economically viable fishery, and supported comments by FFA members. It emphasized the need to prioritise the harvest strategy work for 2022, and to maintain MSC certification, noting FFA members want to establish a TAC split between high seas and EEZs, and are working on establishing a zone-based management approach for South Pacific albacore.

178. New Caledonia stated that South Pacific albacore is the main species targeted by its longline fisheries, and stated it shared priorities expressed by Niue.

179. The USA stated its support for giving priority to the work of the SPA-IWG in 2022, in particular the need to consider controls on fish mortality in areas of greatest mortality, in Regions 1 and 2 (N of 25°S). It stated that moving the stock toward the TRP is critical for livelihoods and food security.

180. The EU encouraged all CCMs to progress the South Pacific albacore work, which is an important stock for many CCMs. It announced that the EU would be making a voluntary contribution to the CKMR work for South Pacific albacore (pending approval by the Commission of the project as part of the budget for 2022), and stated it hoped this would help strengthen the scientific basis for the work.

181. Canada echoed the concerns of other CCMs with respect to the declining trends in South Pacific albacore CPUE. It supported finding ways to extend controls over South Pacific albacore fishing activities on all areas south of the equator.

182. Japan also shared concerns over the South Pacific albacore stock. It stated it fully understands the FFA position regarding zone-based management, and would join work to develop effective management measures for the stock.

183. The Commission noted the report of progress from the SP Albacore Roadmap Working Group (**WCPFC18-2021-South Pacific albacore-RM-IWG**).

184. The Commission noted the priorities for the SP albacore Roadmap IWG for 2022, in particular the development of a Harvest Strategy for SPA or SPA fisheries, the setting of a TAC and allocation, and encouraged CCMs to continue to work cooperatively in the IWG.

7.3.3 Review of CMM 2015-02

185. The Chair noted that Samoa (under Agenda Item 7.3.1) indicated that FFA members called for an immediate freeze on South Pacific albacore catch levels south of the equator, and invited comments from CCMs.

186. New Caledonia stated it shared the FFA members' concerns, as its longline fishery is strongly dependent on South Pacific albacore, which is important both economically and for food security. It stated it has developed a sustainable approach to management of fisheries in its EEZ, with fishing activity restricted to a small number of domestic vessels, with a historically low fishing effort. The stock assessment shows the South Pacific albacore stock is in a healthy condition, even though yield continues to decline, with the stock devolving towards an overfished situation. Decreasing yields and declining CPUE in Melanesia lead

New Caledonia to fear that without strong management measures, the conditions under the TRP will not be achieved. New Caledonia stated it is also very concerned about increased catch in high seas pocket 7, which has almost doubled during 2019-2020. It called for strong action to be taken to avoid further decline in the South Pacific albacore stock status, especially in the high seas in the southern part of the WCPFC-CA, and reiterated the need for more accurate data and specific analyses to be produced regarding high seas fishing activities to inform the decisions of the Commission.

187. Samoa called for an immediate freeze on catches on the high seas south of the equator.

188. The USA stated it was open to considering a freeze on South Pacific albacore catch and effort that applied to the entire WCPFC-CA, not just the high seas.

189. Cook Islands on behalf of FFA members stated they consider that CMM 2015-02 needs comprehensive revision to ensure that the fishery remains both sustainable and viable given its economic importance to the region. They also noted their strong concerns about the results of the latest SPC analyses on albacore, and stated that the current measure is ineffective for monitoring and controlling the fishery, and cannot be effectively enforced. Accordingly, FFA members stated they would seek to collaborate with all CCMs and the SPA-IWG in the development of a new measure for South Pacific albacore for 2022. They stated that the new CMM must recognise the zone-based management approach in the management of this fishery in CCMs' zones and result in a genuine, material improvement in how the fishery is managed through WCPFC. They called on all CCMs fishing south of the equator for a commitment to maintain or reduce their effort and catch until the Commission has in place a revised CMM with effective management arrangements for this fishery and allocations of any catch or effort limits to both the high seas and EEZs.

190. China stated that regarding fishing effort, it indicated in 2012 it would control its effort to less than 400 vessels; since then it has had fewer than 400 vessels, and often significantly fewer. China stated that to control fishing effort a comprehensive CMM is needed that applies to the entire WCPO area. China stressed that a freeze could not apply to only the high seas, which China suggested would not be for the purpose of conservation, but for the benefit of select CCMs. China stated that FFA CCMs' TAC in their EEZs totals over 100,000 mt/year, and that even with no effort on the high seas, this level of catch would cause South Pacific albacore to continue to decline. China noted that finding a solution for South Pacific albacore is a shared obligation, and that if any action was limited to the high seas, it could not agree to it. It also inquired how many of each CCM's vessels fished for South Pacific albacore.

191. Chinese Taipei stated this was a very important issue for its fleet. It supported the work of SPC, which it hoped can provide information to improve management. It supported extending the management area to include the area from the equator to 20°S, and stated that it seeks to maintain the current management system, and that CCMs should take efforts together to manage the stock.

192. Niue noted that a lot of the catch increases are occurring in the high seas, which is why FFA members sought a binding freeze on any increase in the high seas. It noted that FFA members have their own management measures, and their negotiations would continue.

193. China requested information from SPC on the distribution of South Pacific albacore catch in the WCPO high seas vs. EEZs. SPC referenced Table 1 of **WCPFC18-2021-IP05**. China noted that this indicated a downward trend in total catch, and that the high seas catch had not increased sharply. China stated that the figures did not support a decision to cap fishing effort only on the high seas, and that it couldn't agree to such a cap.

194. CCMs consulted on steps that could help in addressing the situation while a new CMM is negotiated. In the course of their discussions, some CCMs supported the proposal, and some CCMs raised the following points:

- South Pacific albacore is neither overfished or subject to overfishing, but achieving the interim TRP, adopted in 2018, would require that action be taken. The interim TRP is in the WCPFC15 report, and hence not a binding measure.
- Inclusion of reference years could be problematic for some CCMs.
- A freeze on catch should be voluntary.
- Attribution and record of catch on the high seas could complicate a mandatory provision.

195. The Commission noted that the review of CMM 2015-02 *Conservation and Management Measure for South Pacific Albacore* is ongoing as part of the work of the SP Albacore Roadmap IWG. The Commission encouraged the SPA Roadmap IWG to speed up its process and progress its recommendations.

196. The Commission noted concerns regarding the delayed process to implement an interim TRP adopted in 2018, and the need to take action to rebuild the stock to support the economic viability of fleets, and achieve a long-term TRP.

197. Given the urgency of these concerns, the Commission agreed that until a new CMM for South Pacific Albacore is adopted, each CCM is encouraged to take steps to implement interim controls on South Pacific albacore catch or effort across the convention area south of the equator.

- i. CCMs are encouraged to limit commercial fishing of South Pacific albacore within EEZs to domestically applied catch or effort limits in recent years.
- ii. Each CCM is encouraged to ensure that its flagged vessels for this species shall not exceed the high seas catch or effort (such as number of vessels) of South Pacific albacore by its flagged vessels in recent years.

198. These interim arrangements do not confer the allocation of rights to any CCM and are without prejudice to any future decisions of the Commission.

199. These interim arrangements shall not prejudice the legitimate rights and obligations under international law for small island developing State and Participating Territory CCMs in the Convention Area for whom South Pacific albacore is an important component of the domestic tuna fishery in waters under their national jurisdiction, and who may wish to pursue a responsible level of development of their fisheries for South Pacific albacore in their EEZs or adjacent high seas.

7.4 Pacific bluefin

7.4.1 Review of CMM 2020-02

200. The NC Chair introduced proposed revisions to CMM 2020-02, noting **WCPFC18-2021-19**. Secretariat. *Reference Document for the review of CMM 2020-02 and development of harvest strategies (Pacific Bluefin Tuna) and Highlights from NC17 for Agenda 9.3*. The NC Chair reviewed the stock status of Pacific bluefin tuna, and indicated the initial rebuilding target had been achieved 2 years earlier than

scheduled, and the second target was on track to be achieved earlier than expected. The NC recommended that the Commission adopt the revised CMM for Pacific Bluefin Tuna in Attachment D of the NC17 Summary Report (Attachment A to **WCPFC18-2021-19**) and the revised Harvest Strategy for Pacific Bluefin Tuna Fisheries in Attachment E of the NC17 Summary Report (Attachment B to **WCPFC18-2021-19**).

201. Japan voiced strong support for revisions to the CMM as recommended by the NC chair. It stated that the proposed 15% catch increase for large fish was fully in accordance with the harvest strategy, and that it was very confident this would decrease the burden on small-scale fishermen, while achieving the conservation goals with respect to Pacific bluefin tuna. It reviewed the management measures implemented by WCPFC, noting that in 2017 a harvest strategy was adopted, with two rebuilding targets and harvest strategy rules. Japan stated it had complied with the management measures in order to rebuild the stock, which it stated was not an easy task, because a significant number of artisanal and small-scale fishermen fish for this species in Japan's coastal waters. It stated that fishermen had made significant sacrifices to comply with the management measures. Japan noted that the probability of achieving the second rebuilding target was over 97%, and stated that adjusting the catch limit was important for promoting fishermen's active involvement in further management. Japan also noted that Pacific bluefin tuna is highly migratory and is thus managed cooperatively with IATTC; the 15% increase was adopted by IATTC and will be in effect in 2022. Japan reiterated the importance of Pacific bluefin tuna for Japan, and stressed that this was Japan's in-zone fishery, and that it would continue to exercise its responsibility for sustainable management and research with respect to the stock.

202. Tokelau, on behalf of FFA members, stated that the proposed revised CMM would include an increase in catches for Pacific bluefin tuna. While they noted that an increase in catch is allowed under the recovery plan, it is by no means mandatory or automatic, especially when there is so much uncertainty in the assessment, and the spawning stock biomass is estimated to be an extremely low 4.5% of $SB_{F=0}$, which is well below the LRP of $20\%SB_{F=0}$ employed by the WCPFC for its main tuna stocks. FFA members stated they were therefore very concerned about the proposed increases in the review of the CMM and needed to give the proposal serious consideration.

203. Korea agreed with comments from Japan. It noted that extensive discussion had been held on the issue during July to October 2021, and that FFA members participated in the NC17 meeting. It stated its expectation was that the Commission would adopt the new CMM as the NC recommended.

204. The EU acknowledge the efforts of the CCMs involved and stated it was also concerned about the proposed increases, and that in spite of the positive biomass trends and the optimistic trends, the stock remained at very low levels, and the uncertainty regarding the stock status required a precautionary approach. The EU stated it would not oppose the recommendations, but stated the need to be very cautious until second rebuilding target is attained.

205. Chinese Taipei stated the Commission should follow the harvest strategy and best available scientific information available from ISC, which indicates the stock is recovering. It supported an increase in the catch limits, stating that this is a conservative approach.

206. RMI on behalf of PNA and Tokelau supported the work that had gone into the proposed CMM, which it acknowledged is consistent with the harvest strategy, but stated it was difficult to support the recommendations for catch increases, given that the spawning biomass is at a very low level and overfishing is continuing.

207. Niue stated it shared some concerns about the status of stock, but could support the proposal.

208. Solomon Islands on behalf of the PNA and Tokelau stated they were troubled by the inconsistency of being asked to support increased catches of a bluefin stock, which has been severely depleted, while the CCMs involved were holding up agreement on a revised skipjack TRP because they want to reduce effort for a very healthy and well-managed stock. They indicated as well their concern about the apparent inconsistency of banning retention of oceanic whitetip and silky shark stocks sharks, for which there are similar conservation concerns to those of bluefin, and then being asked to support increasing catches of this severely depleted bluefin stock, and requested an explanation for these inconsistencies.

209. The NC Chair indicated that IATTC unanimously decided on a 2% increase in the catch limit plus a 200 mt increase.

210. China stated it had no Pacific bluefin tuna specific-fisheries, and that it was appropriate for the NC to make this recommendation. It supported the proposal, and noted that the NC's recommendation was based on Annex 1 of the rules of procedure, and that this was not automatically a Commission decision. China stated that if the proposal was contrary to the objectives of the Commission, it should be rejected; otherwise, it should be approved.

211. The Ocean Foundation noted that Pacific bluefin tuna was still overfished and experiencing overfishing, and stated that with this proposal WCPFC risked undermining the work that had already been done. It recommended that WCPFC makes its own choice based on the merits of the proposal, and advocated that WCPFC reject the recommendation from NC to increase the catch limits. It stated that instead of making progress developing a management strategy evaluation (MSE)-tested harvest strategy for this species, the NC had repeatedly debated increases to catch limits, despite a very depleted stock (below 5% of $SB_{F=0}$), and stated that achievement of the rebuilding target should be confirmed through a stock assessment. It noted the lack of new advice from the NC, and the suggested caution by NC16, given the uncertainty in the stock assessment. It noted that when the low recruitment scenario was used in the projection analysis in 2018, there was only a 3% chance of achieving the rebuilding target, and stated that this scenario was not used in 2020 due to an ISC decision. The Ocean Foundation advocated that under Agenda Item 9.3, the Commission should ask the NC to make good on its commitment to develop an MSE for harvest strategy adoption by 2024, noting that this commitment had already been made by the NC, but with inadequate progress to date. It stated that the high value (billion dollar) Pacific bluefin tuna fishery deserved such a commitment.

212. Japan acknowledged that an increase in the harvest would slow the recovery slightly, and stated that despite the slight uncertainty inherent in all assessments, it was certain that the PBF stock would recover even with the increase.

213. RMI noted the comments by Solomon Islands and echoed their request for an explanation of the inconsistencies. RMI stated it understood the importance of the fishery to Japan, culturally and economically, and noted that these factors were equally applicable for other CCMs regarding species in their waters. It also registered its ongoing concern with the underlying science behind the proposal, noting that overfishing was ongoing, and the spawning biomass was less than 5%.

214. Japan stated that taking into account that the stock is on the way to recovery, and the uncertainty in the stock assessment, the proposed catch increase was conservative, and that if the stock declined under the increased catch, the catch would be reduced, in accordance with the harvest strategy.

215. The Commission noted the presentation by the NC Chair on the stock status of the Pacific bluefin tuna.

216. The Commission adopted CMM 2021-02 *Conservation and Management Measure for Pacific Bluefin Tuna (Attachment H)*.

7.5 Southwest Pacific swordfish

7.5.1 Future projections as requested by WCPFC16

217. The Chair noted the SC17 advice and results of the future projections for Southwest Pacific swordfish as tasked by WCPFC16 (para 481, **WCPFC16 Summary Report**) and SC17 (para 69-71, **SC17 Outcomes Document**); SC17 noted that the current CMM (CMM 2009-03) does not contain provisions to limit total fishing mortality.

218. SPC presented **WCPFC18-2021-20-rev1** *Southwest Pacific Swordfish projections* and referenced **WCPFC18-2021-21**. Secretariat. *Reference Document for the Review of CMM 2009-03 (Southwest Pacific swordfish)*. SPC stated that **WCPFC18-2021-20-rev1** describes the results of stochastic stock projections for southwest Pacific Ocean swordfish, using the 2021 stock assessment (**WCPFC-SC17-2021-SA-WP-04**). The projections explore the outcomes of 8 different future fishing (catch- or effort-based) scenarios according to requests from WCPFC16 and SC17, as follows:

- **“Status quo (SQ) catches”**: this projection assumes recent (average 2016-2018) levels of fishing (catch) both north and south of 20°S.
- +/- **“SQ catches”**: an additional limited number of projections which assume future catch scenarios across the region that are a fixed percentage above and below “status quo” and that result in a range of upward and downward long-term biomass trends. For this request SPC provided projections with a 20% decrease and increase on the status quo catch.
- **“SQ effort”**: this projection assumes recent (average 2016-2018) levels of fishing effort both north and south of 20°S.
- +/- **“SQ effort”**: projections under a 20% decrease and increase on the status quo effort.
- **“Fully caught limits”**: this projection assumes recent (average 2016-2018) levels of fishing (catches) north of 20°S and CCM-nominated maximum total catch levels (paragraph 4 of CMM 2009-13) of fishing south of 20°S.
- **“Maximum catch”**: this projection assumes peak (2011-2013) levels of fishing (catches) north of 20°S and CCM nominated maximum total catch levels (paragraph 4 CMM 2009-13) for fishing south of 20°S.

219. The results are presented in terms of the standard performance indicators and reference points used for tuna species by the WCPFC, although there are no formally agreed reference points for this swordfish stock. The results of the 30-year projections showed that of the 8 scenarios, the “Maximum catch” and “Fully caught” scenarios—which involved considerably higher catches than observed over the history of the fishery—often crashed the stock, and led to a high number of projections (54%-69%) declining to <20% $SB_{F=0}$ by the terminal year. The 6 other catch and effort-based projections had lower impacts. The status quo scenarios maintained the stock at a similar, albeit slightly less depleted status, than at the beginning of the projection period, with low numbers of models (<10%) breaching the standard overfishing and overfished benchmarks for tuna species. The 20% increase and decrease in status quo catches and effort had a moderate impact on terminal stock status compared to status quo. The 20% increases led to a slightly more depleted stock status than the 2019 starting level, with 8%-22% of models breaching the benchmarks for overfishing or overfished status applied to tuna by the WCPFC.

220. Tonga, on behalf of FFA members noted that the results of the 30-year projections showed that the two high-catch scenarios (i.e. ‘maximum catch’ and ‘fully caught’) produced the worst outcomes for stock status. Both catch scenarios led to the stock becoming considerably more depleted than at the start of the projection period, with a relatively high number of projections indicating the stock crashed after 10 years, underscoring the priority of the work that FFA members have advocated to develop a new swordfish CMM that would prevent these scenarios being realised. They encouraged all CCMs to work with Australia on the

development of a new measure through 2022. In comparison, projections that maintained the status quo catch and effort levels tended to result in the stock being maintained at levels similar to or slightly less depleted than at the starting year of 2019, both at the 10-year and terminal year stage of the projections. FFA members noted that these status quo catch scenarios also had low associated risk of breaching the standard WCPFC tuna benchmarks for indicating overfishing and overfished status. FFA members stated that the projections were very useful in testing the likely state of the stock in the future under a range of potential catch scenarios and would be critical in informing the development of a future CMM that protects the ongoing sustainability of this stock.

221. China stated it would like to work with Australia on this issue, and noted it has no target fisheries for swordfish. It observed that its tropical tuna vessels have some bycatch, but stated that is addressed by total fishing effort through the tropical tuna measure. It noted that South Pacific albacore fisheries also have bycatch and suggested South Pacific albacore and swordfish measures should be developed in parallel to find a better approach to manage these stocks.

222. The EU stated that until the Commission decided otherwise it would be more appropriate to present SB_{MSY} and not only 20%SB. It also noted that given that stock is assessed regularly, the 30-year projection result may not be the most useful, and that 10-year projections may provide a more valuable indication of stock status. The EU stated that the latest stock assessment indicates the stock is in good condition; the results seem more optimistic than previously but with more uncertainty, which may be related to the new approach to uncertainty, which was first applied for this stock. The EU suggested asking the SC to examine the issues regarding uncertainty with the aim of producing even better results for the next assessment.

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| 223. The Commission noted the presentation by SPC of the results of future projections for Southwest Pacific swordfish. |
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7.5.2 Review of CMM 2009-03

224. Australia noted **WCPFC18-2021-DP08**, which it introduced under Agenda Item 4. It thanked SPC for the recent stock assessment, and stated that while it was encouraged by the healthy status and lack of risk status associated with the status quo, the fully caught and maximum levels presented by SPC in **WCPFC18-2021-20-rev1** did present a significant risk. It stated that the current measure for Southwest Pacific swordfish (CMM 2009-03) contains no restrictions on fishing mortality in the high seas area north of 20°S and contains flag-based limits south of 20°S that may be too high to prevent future overfishing. Consequently, it lacks the overall provisions required to ensure the ongoing sustainability of the stock and does not protect either the future fishery development opportunities for SIDS nor the economic viability of current swordfish-targeting fisheries, or fisheries for which swordfish is an important economic bycatch. Australia also stressed that a strong CMM could also ensure there is no future collateral damage to other fisheries, which may occur if the stock is overfished. Australia stated it had committed to developing a new CMM at WCPFC19, and referenced a number of papers prepared for SC17 regarding Southwest Pacific swordfish. It stated that a key feature of the revised draft CMM is that as a result of the healthy status of the stock, it does not seek to reduce fishery catches, but rather, focusses on preventing future increases in catches that could result in overfishing, prevent future SIDS fishery development opportunities, and/or impact the economic viability of existing fisheries targeting this species. Australia stated it hoped to progress in drafting the new CMM over the next 12 months, encouraged comments through the ODF, and looked forward to discussions at TCC18 and SC18.

225. French Polynesia stated that although CMM 2009-03 contains some management measures intended to limit expansion of fishing on swordfish, it does not contain all the elements of a harvest strategy,

including a harvest control rule. It stated that these elements are not only necessary to make sure the Commission's future management is strong enough to ensure the sustainability of the overall fishery in the region, but are also important for French Polynesia to maintain its MSC certification, which was granted in 2021. French Polynesia stated the work undertaken by Australia will strengthen the CMM and contains a good basis for the Commission's work on harvest strategies for Southwest Pacific swordfish, and looked forward to working collaboratively with other CCMs on future drafts.

226. New Zealand, on behalf of FFA members, noted stock projections for Southwest Pacific swordfish that maintain the status quo catch and effort levels have a low associated risk of breaching the standard WCPFC tuna benchmarks indicating overfishing and overfished status, both at the 10 year and terminal year stage of the projections. However, they stated that under the two high-catch scenarios the stock became considerably more depleted (to 10%-18% of unfished spawning biomass levels after 30 years), with a relatively high number of projections that resulted in the stock crashing after only 10 years. They stated that such stock projection findings are a concern, given that SC17 noted that the current measure (CMM 2009-03) for Southwest Pacific swordfish does not contain provisions to limit total fishing mortality on the stock. FFA members stated that the largest sources of fishing mortality for this fishery can be attributed to distant water fishing fleets either targeting or taking swordfish as bycatch on the high seas, and that unless the catch of these fleets and others that significantly contribute to the fishing mortality of the Southwest Pacific swordfish stock can be controlled, it puts at risk the ongoing future sustainability of the stock, future fishery development opportunities for SIDS, and ongoing economic viability of current FFA fisheries targeting this stock. FFA members stated they therefore support WCPFC developing a revised and strengthened CMM that will ensure the ongoing future sustainability of Southwest Pacific swordfish, as emphasised by SC17 (paragraph 226, **SC17 Summary Report**), and encouraged CCMs to provide feedback on Australia's draft CMM via the ODF at WCPFC18. FFA members also supported the recommendations made by the authors of the 2021 stock assessment, which include studies to better understand movement patterns and an expansion of minimum reporting requirements for longline operational characteristics, to mitigate against the uncertainties in the stock assessment.

227. Cook Islands stated it wanted to take a forward-looking approach and prevent future sustainability issues, and looked forward to working with other CCMs on the issue.

228. The EU stated it would work with Australia intersessionally to improve the existing CMM.

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| 229. The Commission noted the work led by Australia to strengthen CMM 2009-03 on Southwest Pacific swordfish, and looked forward to consideration of a revised CMM for the stock in 2022. |
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7.6 North Pacific Striped Marlin

7.6.1 Advice from the ISC

230. The Chair advised that the Secretariat prepared **WCPFC18-2021-22. Reference Document for North Pacific Striped Marlin for the Review of CMM 2010-01** to assist CCMs.

231. Dr. John Holmes, ISC Chair, reviewed the stock status and conservation information from the 2019 North Pacific striped marlin stock assessment. He noted that there are no established reference points for the stock, but that the stock status is consistent with it being overfished, with overfishing occurring, relative to MSY reference points. He noted that NC15 asked the ISC for recommendations on the appropriate recruitment scenario for North Pacific Ocean striped marlin stock projections. The ISC recommended the short-term recruitment model was the most appropriate model to use. If the stock continues to experience recruitment consistent with the short-term recruitment scenario (2012 - 2016), then catches must be reduced

to 60% of the WCPFC catch quota from CMM 2010-01 (i.e., from 3,397 mt to 1,359 mt) in order to achieve a 60% probability of rebuilding to $20\%SB_0 = 3,610$ t by 2022. This change in catch corresponds to a reduction of roughly 37% from the recent average yield of 2,151 mt.

232. WCPFC17 asked ISC to look at several issues:

- (i) *Examine differences between ISC stock assessment catch estimates by CCM and WCPFC catch estimates, and work with the Scientific Services Provider to provide an assessment of the shortcomings.* The Billfish Working Group (ISC BILLWG), which includes members from SPC, discussed this question at a workshop in early 2021 in the context of a retrospective review of the quality of Japanese catch statistics (**Working Paper ISC/21/BILLWG-01/05**). The differences in catch estimates between the ISC stock assessment and the WCPFC occurs for longline fisheries that record the catch in numbers, and result from the different methods used to convert numbers to biomass for the WCPFC catch estimates and for the stock assessment. The BILLWG concluded that WCPFC Japanese longline fishery statistics and the output from stock synthesis are similar.
- (ii) *Explain why the striped marlin stock decreased and the fishing mortality increased after a drastic decrease in fishing effort by high seas driftnet fisheries in the early 1990s.* The BILLWG identified three potential contributing factors: (1) The model assumes that selectivity for Japanese driftnet catches during 1975-1993 is the same selectivity as in the Japanese coastal driftnet fishery during 1994-2017, although there is an assumed shift from catching large adults to small juveniles, which would result in an increase in fishing mortality even if the overall catch decreased; (2) The CPUE time series has a break in 1993-1994, which could be driving a shift in the model results due to a lack of continuity; and (3) the Japanese logbook data also changed their reporting requirements in 1993 to 1994, which could contribute to the shift in fishing mortality, but not all CCMs agreed that this would drive the change in fishing mortality. The ISC BILLWG agreed to estimate the initial equilibrium catch in the stock assessment model, and agreed that differences due to starting year were likely driven by the uncertainty in catches before 1993.
- (iii) *Develop a roadmap to address the issues identified in the latest stock assessment by ISC.* The ISC BILLWG recommended revising its work plan to assess the stock in 2022 and postpone the stock assessment to 2023 to address the concerns identified by the questions above, and by the BILLWG in its stock assessment report (**ISC/19/ANNEX/11**). For example, there were concerns about providing a rebuilding plan in 2021 and then reassessing the stock in 2022. However, the proposed revised workplan would permit updating of the rebuilding plan after the stock assessment in 2022.

233. RMI on behalf of FFA members noted that the North Pacific striped marlin stock remains overfished and is currently undergoing overfishing, but that this issue was not discussed by NC17. FFA members supported the recommendation made by the ISC BILLWG to revise its work plan to assess the North Pacific Ocean striped marlin stock in 2022, rather than in 2023 as originally scheduled. The proposed revised work plan will mean that the latest data and information from the stock assessment can be used to inform the rebuilding plan for striped marlin in the North Pacific. In addition, FFA members stated there should be agreement on the LRP, and that this should be taken up by the Commission in 2022 when developing LRPs for non-target species, as noted at SC17. It stated the urgency for the Commission to agree on measures to reduce fishing mortality, and called on the CCMs exploiting this fishery to take a lead in reducing fishing mortality and exercising restraint in targeting striped marlin in the North Pacific.

234. The EU agreed with RMI, and stated it had expressed ongoing concern for this stock, which has had a poor conservation status since about 2011. It acknowledged uncertainties and data conflicts, and stated the need to make progress on analysis and management. It supported the recommendation to modify the stock

assessment schedule, noting that using the most up-to-date information would hopefully allow that adoption of an effective rebuilding plan.

235. The Commission noted the presentation by ISC which responded to the request made by the Commission at WCPFC17.

236. The Commission noted that the ISC would undertake a stock assessment of North Pacific striped marlin in 2022 and that the proposed revised workplan would permit updating of the rebuilding plan using the latest data from the stock assessment.

7.6.2 Review of CMM 2010-01 and an Interim Rebuilding Plan

237. The USA stated that at WCPFC16 the Commission adopted a rebuilding plan for North Pacific striped marlin, and while noting that this was a step in the right direction, the USA stated that further action was required to ensure the stock is able to rebuild within the parameters agreed to. In 2020 the USA submitted a consultative draft proposal, and stated its intent to submit a new proposal in 2022 following completion by ISC of a new stock assessment. It noted that the stock remains very depleted, and stated that the Commission needs to take action to revise CMM 2010-01 to ensure the rebuilding plan is met. The USA stated its understanding regarding a query from the ISC regarding what the rebuilding target should be, and sought to clarify that the rebuilding plan should be based on a dynamic spawning stock biomass. The USA noted that a 2019 study co-authored by ISC BILLWG members found that the stock recruitment dynamics for striped marlin were nonstationary, thus supporting the use of a dynamic SSB. It noted that the appropriate timeframe for calculating the dynamic SSB could be derived by conducting a change point analysis on the recruitment time series to identify the appropriate window, or by scaling the time frame by generating mean time differences between tuna and striped marlin. The USA stated it believed that this would result in a timeframe covering the most recent 15 to 20 years because striped marlin have a longer lifespan than tuna, and would welcome the ISC deriving the appropriate timeframe by applying either of these methods. The USA proposed the following text be adopted by WCPFC18.

WCPFC18 agrees that the rebuilding target for WCNPO striped marlin shall be based off the dynamic SSB₀ and requests the ISC to derive the appropriate time frame for calculating the dynamic SSB₀ by conducting a change point analysis on the recruitment time series to identify the appropriate time window, scaling the time frame based on the relative difference in mean generation times between tunas and striped marlin, or another appropriate methodology.

238. Japan and Chinese Taipei expressed support for the language proposed by the USA.

239. Solomon Islands on behalf of FFA members noted with concern the dire status of the stock in the North Pacific, and stated urgent action is required to halt the decline of this stock and to rebuild it. They stated FFA members are of the view that any management and rebuilding plan for striped marlin in the North Pacific should take into account zone-based management, and indicated they would not support flag-based limits that cover the EEZs, especially if they are based on flag-based catch history in their waters; furthermore, they stated that any rebuilding plan should not limit SIDS' access to the high seas as per Article 30 of the Convention and Article 25 of the UNFSA. They stated that setting of appropriate LRPs and catch limits would be an important part of the rebuilding plan. FFA members stated that in addition, an effective longline monitoring regime is required for the high seas to be able to monitor flag-based catches, and that until that is in place, it would be difficult to enforce any revised CMM, no matter how good it is on paper. They stated that robust monitoring would include electronic monitoring, a catch documentation scheme with independent verification in place, and robust port inspections and transshipment monitoring regimes.

240. RMI, on behalf of PNA and Tokelau stated that the current management arrangement for this stock was not working and needed to be replaced with zone-based management arrangements that include effective monitoring and verification for any catch limits, which will take time. In the meantime, given the urgent need for stronger measures to reduce fishing mortality, they urged the Commission to look at alternative measures to remove targeting of striped marlin in the North Pacific, such as non-retention. They noted this should be an obvious option because that is what the Commission has put in place for oceanic whitetip sharks and silky sharks to address similar conservation concerns with those stocks. They stated that there appeared to be no other feasible effective management options for this stock at this point. PNA and Tokelau stated that non-retention across the longline and purse seine fisheries is likely to be necessary for rebuilding this stock.

241. The Commission noted the concerning stock status of North Pacific striped marlin.

242. The Commission noted that the USA intends to present a proposed revised CMM 2010-01 in 2022.

243. The Commission agrees that the rebuilding target for North Pacific striped marlin shall be based off the dynamic SSB_0 and requests the ISC to derive the appropriate time frame for calculating the dynamic SSB_0 by conducting a change point analysis on the recruitment time series to identify the appropriate time window, scaling the time frame based on the relative difference in mean generation times between tunas and striped marlin, or another appropriate methodology.

AGENDA ITEM 8 — HARVEST STRATEGY

8.1 Review of Indicative Work Plan

244. The Chair noted that the Commission is required to review and update the Indicative Harvest Strategy Work Plan under CMM 2014-06 for 2021 and thereafter. The Chair noted the Secretariat's reference document (**WCPFC18-2021-23-rev1** *Reference Document on the progress of the Harvest Strategy Workplan under CMM 2014-06*) and **WCPFC18-2021-DP05** *Draft proposed amendments for the consideration of WCPFC18 to indicative work plan for the adoption of harvest strategies under CMM 2014-06* (prepared by Australia) as reference papers, and noted the work done by Australia to coordinate updates to the harvest strategy work plan (HSWP) and the expectation that these would continue through the WCPFC18 meeting.

245. Mr. James Larcombe (Australia) noted that the HSWP in **WCPFC18-2021-DP-05** was extended for 2 years, to 2024. He stated that adoption of management procedures for South Pacific albacore and skipjack remained scheduled for 2022, while yellowfin and bigeye management procedures were moved to 2024. For all species, SC is to formally agree on the operating models to be used for the MSE. He noted the plan was developed with assistance of SPC, and that although it was achievable technically, whether it could be achieved by CCMs through the Commission's procedures and schedule, was a matter for discussion.

246. Solomon Islands on behalf of FFA members fully supported the revised HSWP, and noted that more time would be required to complete the ambitious and complex tasks to develop harvest strategies across all four key tuna stocks. FFA members voiced their commitment to the successful implementation of the indicative HSWP, and fully supported the revised plan and its extension for two years, ending in 2024. They recognised that the HSWP continues to be ambitious and stated their strong desire to make significant progress on harvest strategy matters during 2022 and subsequently. They stated they were very encouraged by the inclusion of continued development of the multispecies framework in the plan, and noted that the

Commission had been scheduled to agree on TRPs for bigeye and yellowfin tuna at WCPFC18. However, as stated under agenda item 7.2.1.2, given the ongoing impacts of COVID on the business of the Commission, and the major time and effort given to renegotiating the new tropical tuna measure, the Commission was unable to devote the time and energy needed to properly consider these decisions. FFA members stated they continued to encourage capacity-building initiatives to assist CCMs, particularly SIDS, to participate fully in the complex process, and build confidence in the harvest strategy development process and its outcomes when implemented. Noting the increasing number of issues that require the attention of, and feedback from, managers in order to progress the HSWP, FFA members supported the recommendation made by SC17 for a science-management dialogue to be convened in 2022.

247. The EU voiced its supports for the work and the future developments under the plan. The EU inquired regarding inclusion of a refined set of management procedures for skipjack, which was to have taken place in 2021, and stated this should still be reflected in the plan. It also noted the need to hold the science-management dialogue in order to progress the work contained in the HSWP. The EU also agreed with FFA regarding the need for capacity building, and noted that this need applied to all CCMs. It inquired whether recorded material from SPC was available, given the number of workshops that were being held in a virtual format, and noted that provision of assistance for all CCMs could help in progressing harvest strategy work.

248. Australia stated that while scientific and technical work were proceeding apace and keeping up with ambitions, COVID and other aspects had led to a delay in the Commission's ability to make significant progress in this complex area. Australia noted a detailed discussion on candidate management procedures (MPs) for skipjack and South Pacific albacore were to have taken place in 2021. It acknowledged that to schedule those matters to be discussed early in 2022 with a decision made by WCPFC19 was ambitious, given that it is important to have a number of cycles of consideration of candidate MPs, with consideration by SC, and the Commission. Australia acknowledged it might be advisable to defer adoption of MPs for skipjack and South Pacific albacore to 2023. Regarding capacity building, SPC noted that **SC17-MI-IP-02** details the stakeholder activities done so far and contained website links. The Science Manager indicated that the Commission's [Harvest Strategy web page](#) was recently updated with the most recent documents and website links.

249. French Polynesia emphasized that exceptional circumstances should not stand in the way of progress, and agreed that the science-management dialogue be convened in 2022, given the work needed on South Pacific albacore and other species. French Polynesia stated it was flexible regarding the date as long as it was scheduled to inform WCPFC19's decisions.

250. PNG voiced support for a science-management dialogue.

251. Indonesia echoed the concern from other CCMs regarding the need for a science-management dialogue to help CCMs understand the harvest strategy development process and how to develop management measures. It voiced concern that some CCMs would be left behind in terms of the process, and noted that while documents and presentations were available online its preference was to be directly involved. Indonesia also indicated its interest in the development of harvest strategies for Indonesia's archipelagic waters, and looked forward to additional dialogue with SPC regarding this. It also inquired regarding how multispecies and multigear work were addressed in the HSWP.

252. Australia acknowledged the difficulties in timing work on the various stocks, and indicated that the intent was to stagger the work on skipjack and yellowfin, while noting the relationships between an MP for skipjack and a stock outcome for bigeye, and that the multispecies framework tries to capture some of the relationships and catch outcomes across all those species. Australia stated that **WCPFC18-2021-23-rev1** references the need to circle back and look at outcomes for bigeye in the skipjack process. SPC stated that

the staggered approach was set up to make the process technically feasible, as SPC cannot address all four stocks at same time; South Pacific albacore and skipjack are primarily fished by a single gear, which simplifies the process. SPC stated that SC has talked about the multispecies aspects in the WCPO; the intent is that the MP's impact on other species can be addressed. SPC noted the issue of checking the multispecies aspects of a management procedure in subsequent years.

253. RMI stated that a science-management dialogue would have to take place after SC so that all information could be considered, and noted that a skipjack stock assessment would be prepared in 2022, which would enable a TRP to be considered. Japan stated its understanding was the same regarding the skipjack TRP, and stated it was very hopeful that a harvest strategy for skipjack could be adopted in 2022.

254. Following further discussion CCMs agreed to minor modifications to the HSWP, with the understanding that the workplan would be reevaluated and adjusted as needed during the 2022 science-management dialogue (discussed in detail under Agenda Item 8.2).

255. The Commission noted the presentation by Australia on Updates to the Indicative Harvest Strategy Work Plan (**WCPFC18-2021-DP05**).

256. The Commission adopted the updated Indicative Workplan for the Adoption of Harvest Strategies under CMM 2014-06 (**Attachment I**).

257. The Commission noted that a re-evaluation and further discussion of the Indicative Workplan would take place during the Science-Management Dialogue scheduled for 2022.

8.2 Science-Management Dialogue

258. The Chair noted that discussions under Agenda Item 8.1 indicated strong support for a science-management dialogue, and invited further discussion regarding the details.

259. Australia, on behalf of FFA members, welcomed the recommendations from SC to have a science-management dialogue in 2022, noting that this could be viewed as a trial to see whether it is the most effective way to discuss and develop the required harvest strategy recommendations for the Commission. They proposed it be held as part of or adjacent to SC18, with the following focus:

- General capacity building to support confident and full participation of all CCMs in decision making on harvest strategies.
- The current state of skipjack and South Pacific albacore management strategy evaluation frameworks and candidate management procedures.
- Update and capacity building on the mixed fishery (multispecies) approach.
- Two items from SC17 MI-WP-03:
 - the definition of fisheries and fishery controls within the harvest strategy;
 - procedures for identifying, selecting and implementing the 'best performing' management procedure.
- Determining how Commission decision-making can best be supported by the SC and the Scientific Services Provider. Developing a 'pathway' for supporting decision making on management procedures that fulfills the information and training needs for making informed decisions that balance different management objectives.

- Planning issues, including: Schedule and focus for future dialogue meetings; Updates to the Harvest Strategy Workplan; Discuss alignment of parallel processes (e.g. allocation) required to support implementation of harvest strategies.

260. China thanked FFA members for the proposal, and generally concurred with the content and timing. It noted the need to establish trust between scientists and tropical tuna managers. China recommended that there be a focus on general capacity building, and background on how SC recommendations are put forward and how uncertainty is addressed, with the goal of helping industry participants to understand these issues.

261. PNG stated they were planning a meeting early in 2022 with industry and would invite SPC and the Secretariat to participate. PNG indicated the PNA and Tokelau's support for a science-management dialogue to be conducted in 2022 on a trial basis as part of a program to prioritise harvest strategies, and recognizing the limitations imposed by COVID-19. They strongly asserted that WCPFC needs to prioritise harvest strategies in 2022, and to be ready to engage in multiple discussions.

262. New Zealand stated it fully committed to implementing the workplan, and noted SC17 had sought advice on a number of issues related to the harvest strategy, but that decisions could not be made without more discussions in a dedicated forum such as a science-management dialogue. It agreed to hold the dialogue after SC18, and indicated the importance of also ensuring that more time is dedicated at the Commission to addressing harvest strategy decisions.

263. The EU supported holding the science-management dialogue in 2022. In addition to the issues raised by FFA members the EU suggested the dialogue should also consider the specific tasks in the HSWP scheduled for consideration in 2022. It noted the timing of the meeting was more flexible if the meeting was held virtually, and suggested possibly holding two meetings (one in April or May 2022 and a second in conjunction with SC).

264. French Polynesia concurred that the harvest strategy work is very important and needs to be given priority that at the Commission's annual meeting. It suggested CCMs consider holding several dialogue sessions in 2022 and subsequent years.

265. RMI supported the FFA position and comments by PNG. It supported holding the dialogue in conjunction with SC as this would allow SPC time afterward to prepare for the Commission meeting.

266. Australia commented that the science-management dialogue could address the tasks outlined in the HSWP, and noted the need to think about how to structure the dialogue to progress the discussions. It noted the SC needed to agree to operating models for the tuna stocks, which is a new element for SC, and the benefit of holding the dialogue after SC would be that it could provide greater confidence to the discussions, and the dialogue would benefit from presentations and new information on MPs.

267. SPC stated it was flexible as to the timing, but that there was merit in holding the science-management dialogue directly after SC, as it would allow SC to discuss new developments, and introduce these to managers through the dialogue; it would also allow time for further work before the Commission meeting.

268. Indonesia supported the proposed areas of focus for the science-management dialogue. It expressed concern that sufficient time was needed to enable all CCMs to understand the process. It noted that effectively involving fisheries managers meant including higher-level of officials in the process, which could be challenging, given the general nature of the proposals and focus. Indonesia commented that more clarity was needed on uncertainty in the operating models, which are something of a "black box". Indonesia

also expressed its interest in understanding how to translate outcomes for harvest strategy work in their archipelagic waters.

269. The EU inquired about an appropriate length for the science-management dialogue. In response SPC indicated that the original plan for the science-management dialogue called for 2 days, and that if held in conjunction with SC, a 2-day meeting would be a realistic initial start to the dialogue process.

270. The Commission noted the importance and need for a Science-Management Dialogue to expedite the progress of implementation on the Indicative Workplan for the Adoption of Harvest Strategies.

271. The Commission agreed to have the first Science-Management Dialogue, on a trial basis, back-to-back with SC18 in 2022.

272. The Commission supported the following proposed areas of focus for the first Science-Management Dialogue, noting that the drafting the agenda would take into account views of CCMs on the focus of the science-management dialogue:

- (i) General capacity building to support confident and full participation of all CCMs in decision making on harvest strategies.
- (ii) The current state of skipjack and South Pacific albacore management strategy evaluation frameworks and candidate management procedures.
- (iii) Update and capacity building on the mixed fishery (multispecies) approach.
- (iv) Two items from SC17 MI-WP-03 which are:
 - the definition of fisheries and fishery controls within the harvest strategy;
 - procedures for identifying, selecting and implementing the 'best performing' management procedure.
- (v) Determining how Commission decision-making can best be supported by the SC and the Scientific Services Provider. Developing a 'pathway' for supporting decision making on management procedures that fulfills the information and training needs for making informed decisions that balance different management objectives.
- (vi) Planning issues, including: Schedule and focus for future dialogue meetings; Updates to the Harvest Strategy Workplan; Discuss alignment of parallel processes (e.g., allocation) required to support implementation of harvest strategies.

AGENDA ITEM 9 —REPORTS FROM SUBSIDIARY BODIES AND WORKING GROUPS

273. The Chair noted that reports of the Commission's subsidiary bodies were taken as read, but that recommendations of subsidiary bodies not addressed under other agenda items would be considered under this agenda item.

9.1 SC17

274. The Chair referred the Commission to **WCPFC18-2021-SC17: SC17 Summary Report**.

275. The EU supported adoption of the SC17 report and its associated recommendations. It also recalled the extensive discussion at SC17 on the characterization of uncertainty in stock assessments. It noted as an example that a new approach was used to characterize uncertainty for South Pacific swordfish, which included an ad hoc filtering of model runs, the use of multinomial priors and the inclusion of statistical uncertainty. In the case of the southwest Pacific blue shark, the model grid was not adopted due to issues on the selection of models. The EU noted that the evaluation of risks of falling below LRPs is an essential element in the harvest strategy approach and it is obviously linked to how uncertainty is considered. It stated the importance of seeking consistency in the characterization of uncertainty and of conducting it in the same manner for all key WCPFC stocks. The EU recommended the Commission seek confirmation and advice from the SC on the best approach to be used for characterising uncertainty of stock assessments for key WCPFC stocks and their possible implications, including in terms of reducing uncertainty in management advice.

276. Niue, on behalf of FFA members supported adoption of the SC17 report and its recommendations.

277. The Commission adopted the SC17 Summary Report (**WCPFC18-2021-SC17**).

9.2 TCC17

278. The Chair referenced **WCPFC18-2021-TCC17: TCC17 Summary Report**, **WCPFC18-2021-25 Reference paper on TCC17 Recommendations for Agenda Items 9.2 and 9.4**, and **WCPFC18-2021-26 Draft Best Practice Guidelines for Handling of Cetaceans** (the latter was introduced under Agenda Item 4).

279. CCMs supported adoption of the TCC17 report and its recommendations.

Commission VMS

Issue 1 Disparity between CCM-held and Secretariat-held VMS data

280. The Commission noted that there continues to be a disparity between CCM-held and Secretariat-held VMS data, and tasked TCC18 to further consider future work to enable direct/simultaneous VMS reporting by vessels/ALCs reporting to the WCPFC VMS.

281. The Commission supported TCC17s' recommendation and encouraged any CCMs capable of utilising a direct/simultaneous reporting framework to consider doing so on a voluntary basis. Any such CCMs are requested to report their experiences to TCC in the future, particularly any information regarding changes in the number of discrepancies between CCM-held and Secretariat-held VMS data.

Issue 2 Data gaps from VMS failure

282. The Commission supported the Secretariat's continued work within their existing budget to address data gaps from VMS failure, including with interested CCMs on a trial basis**, to facilitate automatic integration of VMS manual reports into the Commission VMS. The Commission tasked the Secretariat to report on their further progress to TCC18.

** Footnote: Ensuring that any VMS manual reports automatically integrated into the Commission VMS are clearly identifiable as manually generated reports, and can be distinguished from non-manually generated VMS positions.

283. The Commission tasked TCC18 to consider potential incentives for non-binding measures, including ‘VMS best practices’ that CCMs may adopt to minimise data gaps from VMS failures.

284. The Commission approved the extension of the WCPFC9 adopted amendments to the VMS Standards, Specifications and Procedures (SSPs) that were previously extended (via attachment 1 of the SSPs) at WCPFC11, WCPFC13 & WCPFC15, through 1 March 2024, and that this remains in force thereafter unless the Commission directs otherwise (**Attachment J**).

Issue 3 CCMs’ use of the VMS Reporting Status Tool (VRST)

285. The Commission adopted the updated VMS Standard Operating Procedures which incorporate recent changes in technology and technical processes and that are expected to benefit (and reflect) other VMS technical work undertaken by the Secretariat and VMS SWG to address VMS data gaps (**Attachment L**).

Issue 4 ALC/MTU approval

286. The Commission noted TCC17s’ advice that the updated VMS Standard Operating Procedures (**Attachment L**) include details on

- i. the standard processes used to assess the ability of an MTU/ALC and its communication / satellite service provider / gateway to successfully report to the Commission VMS.
- ii. how the VMS Manager will work with relevant vendors and CCMs to assess proposals for inclusion of additional MTU/ALC units and their communication / satellite service provider / gateway, against the new MTU/ALC type approval checklist; and
- iii. how the Secretariat shall provide this information to CCMs, along with any other documentation provided by the flag CCM or vendor, to better inform their consideration of any units proposed for listing or delisting.

Issue 5 Assessing compliance with CMM 2014-02 paragraph 9(a) VMS SSP 2.8

287. The Commission noted the issue of assessing compliance with CMM 2014-02 paragraph 9(a) VMS SSPs 2.8 and tasked the Secretariat to provide a report to TCC18 with suggested options and, if practical, an estimated timeline and costs to facilitate electronic (online) submission and processing of new and updated VTAFs. Any process shall track progress transparently with the relevant flag CCM that provides the VTAF.

288. The Commission also supported TCC17s’ recommendation and approved, for inclusion as Annex 2 of CMM 2014-02, a streamlined VMS reporting template for use in CCM’s Annual Part 2 Report submissions. The Commission agreed that the template will be used in 2022, until such time as the Commission’s work developing Audit Points (including for VMS) may be completed (**Attachment K**).

Issue 6 Review of Commission VMS

289. On the issue of the review of the Commission VMS, the Commission tasked the Secretariat to provide further information in the VMS Annual Report to TCC18 on the status of implementing VMS SWG recommendations.

Guidelines for the Voluntary Submission of Purse Seine processor data by CCMs to the Commission

290. WCPFC18 endorsed the draft guidelines for voluntary submissions of processor (cannery) data to the Commission (**Attachment M**).

291. The Commission tasked the Secretariat to update Table 1 of the 2007 Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission to add “Processor data” as non-public domain (HIGH risk classification) data.

Draft Best Practice Guidelines for the Safe Handling and Release of Cetaceans

292. The Commission adopted the Best Practice Guidelines for the Safe Handling and Release of Cetaceans (**Attachment N**).

TCC workplan

293. The Commission approved the updated TCC workplan 2022 – 2024 (**Attachment O**).

Annual Report Part 2 deadline

294. The Commission noted the workload forecasted for the Secretariat to undertake in 2022 in support of the TCC workplan (**WCPFC18-2021-IP12**) and agreed to require CCMs in 2022 to submit their Annual Report Part 2 at least 100 days prior to TCC18 (which is a date in mid-June instead of 1 July).

295. The Commission adopted the TCC17 report (**WCPFC18-2021-TCC17**).

9.3 NC17

296. The Chair referred the Commission to **WCPFC18-2021-NC17: NC17 Summary Report** and **WCPFC18-2021-19 Reference Document for the review of CMM 2020-02 and HS 2017-02 and Highlights from NC17 for Agenda 9.3**. The Chair noted the discussion held on Pacific bluefin tuna under Agenda Item 7.4.

297. The NC Chair provided an update on progress on the NC17 proposal to revise the harvest strategy for Pacific bluefin tuna, noting that IATTC adopted the change to the harvest control rule in October 2021.

298. The Commission adopted the report of NC17 (**WCPFC18-2021-NC17**).

NC17 Proposed revised Harvest Strategy on Pacific Bluefin Tuna

299. The Commission adopted the revision to the Harvest Strategy for Pacific Bluefin Tuna Fisheries (**Attachment P**).

9.4 Intersessional Working Groups and Intersessional Work

9.4.1 E-Reporting and E-Monitoring (ERandEM WG)

300. The Chair informed the Commission that the Chair of the ERandEM WG, Ms Kerry Smith of Australia, had tendered her resignation, and conveyed the Commission's thanks and appreciation to Kerry for her enormous contribution leading the work of the ERandEM WG for the last several years.

301. Australia thanked CCMs for their support for the issues addressed by the ERandEM WG, and for the support given to Kerry in her role as Chair. Australia stated it would be happy to continue chairing the WG, and would advise of a nominee in due course.

302. FSM on behalf of FFA members thanked Kerry Smith, Chair of the ERandEM WG, for her work as Chair since the WG was formed by WCPFC11 in 2014. They acknowledged her contribution and effort through the years and wished her all the best in her new endeavour. FFA members supported Australia to continue leading the ERandEM WG, and reiterated their proposal made during the tropical tuna measure negotiations for the Commission to establish a WCPFC regional electronic monitoring programme by 2023 and to task the ERandEM WG to undertake the necessary work to meet this deadline. To this end, FFA members stated the ERandEM WG should do the necessary work and provide a proposal to TCC18 for its consideration, with a view to adopting EM standards at WCPFC19 in 2022. FFA members stated they are currently working on developing EM standards for implementation within their EEZs, and stated this could assist the work of the ERandEM WG on this issue.

303. The Commission expressed appreciation to the previous Chair (Kerry Smith) for her enormous contribution leading the work of the ERandEMWG for the last several years.

304. The Commission noted the importance of progressing ERandEM WG work in 2022.

9.4.2 Transshipment Review (TS IWG)

305. Dr. Alex Kahl (USA), Co-Chair of the TS-IWG, provided a brief update of the work of the working group, and referenced its report for WCPFC18 (**WCPFC18-2021-TS_IWG**). The Co-Chair stated that the TS-IWG was unable to reach consensus on the minimum standard data fields to be collected by transshipment observers.

306. Kiribati on behalf of FFA members thanked the Co-Chairs for the update and stated they looked forward to receiving and reviewing the working group's report in 2022 with the aim to inform the review of the transshipment measure, in order to ensure an appropriate framework is in place to regulate transshipment in the WCPO. They reiterated their proposal made under the tropical tuna measure negotiation for TCC18 to consider the work of the TS-IWG with a view to adopting a revised transshipment measure in 2022. In addition, with regards to the ROP minimum data fields for transshipment at sea, in line with FFA members' views at TCC17, they suggested that this be sent to the TS-IWG to review the minimum data standards for monitoring of high seas transshipment to be collected by observers. They thanked the TS-IWG Co-Chairs for holding a meeting immediately prior to the start of WCPFC18, which they stated was very useful and productive. However, the discussion at the IWG highlighted the work remaining to be done in terms of identifying the minimum fields to be collected by observers during transshipment and reiterated their view (shared at TCC17) that the IWG be given ample time to consider this issue and report to TCC17.

307. PEW stated that **WCPFC18-2021-OP06** *A comparative analysis of AIS data with the Western and Central Pacific Fisheries Commission Reported transshipment activity in 2019* showed that prior to COVID-19 the WCPFC was the only RFMO where transshipment increased. It noted that the recommendations being considered by the Commission did not specify what data should be submitted to the Commission. The Co-Chair (USA) stated that the discussions in the IWG supported not specifying requirements regarding what data would be covered until standard data fields had been adopted.

308. The Commission noted the intersessional progress report by the Review of the Transshipment CMM IWG (**WCPFC18-2021-TS_IWG**).

309. The Commission supported the TS-IWG continuing its review of CMM 2009-06 in 2022.

310. The Commission reminds members that ROP transshipment data should be submitted to the Secretariat where possible within 120 days of the observer disembarking the receiving vessel.

9.4.3 Crew labour standards

311. The Co-Chairs of the intersessional work to improve crew labour standards, Ms. Putuh Suadela (Indonesia) and Ms. Emma Hodder (New Zealand), introduced **WCPFC18-2021-DP07**. *Update from Co-chairs on Intersessional work to improve crew labour standards*. In December 2020 the Commission agreed to undertake intersessional work to improve crew labour standards, led by the Co-Chairs. Work commenced in February 2021 with multiple rounds of email feedback and a virtual workshop in July. An update was provided to TCC in September 2021. TCC17 recommended that the work continue on improving crew labour standards and an update be provided to WCPFC18. The Co-Chairs thanked members of the IWG for their excellent feedback to date, noting significant progress as included in WCPFC18-2021-DP07. While good progress was made, they noted areas that require further discussion and looked forward to working with members to further progress the work in 2022.

312. Solomon Islands, on behalf of FFA members, thanked the Co-Chairs for leading the intersessional work throughout 2021. FFA Members noted that while good progress had been made, significant work remains. FFA members stated they remain committed to finalising the draft CMM and looked forward to the next meeting of the IWG, scheduled for early in 2022. FFA members recognised that this is a complex matter for many delegations, particularly because of its cross-cutting nature, and appreciated that differing views remained, both in terms of process and substance, but were encouraged that so many CCMs were willing to address the issue. They stated their hope that all CCMs could do this and thus work through their differences, and build on the contributions so many delegations had already made. FFA members stated they consider the matter serious and that all CCMs, and particularly large fleets, have a key role to play in taking steps to address this issue. FFA Members noted that the New Zealand Co-Chair, Ms Emma Hodder, would be leaving that role in early January, thanks her for her work, and looked forward to working with her successor in this role.

313. Korea stated that the issue is very important and fully supported further work.

314. China stated it remained concerned that the draft CMM goes beyond the mandate of the Commission, and that because of this it did not participate in the intersessional work in 2021. China stated they were nonetheless very attentive to the issue, and in March 2021 China established an important regulation concerning foreign crew working on China's fishing vessels. It expressed concerns about some elements of the current draft, and questioned how the CMM could be implemented, in view of the large number of outstanding cases in the CCFS whose resolution relies on information from observer programs. China stated it would participate in the intersessional work starting in 2022.

315. The USA thanked the Co-Chairs for leading the work, which it stated is essential; it noted the steps taken by the Commission regarding observer safety, and stated vessel crew should receive no less. The USA stated it was encouraged China would participate, and looked forward to jointly finding solutions, and hopefully having a CMM for adoption in 2022.

316. Canada stated it continued to be supportive of the work, and agreed it should be feasible to have a draft CMM ready in 2022.

317. Cook Islands on behalf of FFA members welcomed the positive and constructive engagement from China and stated it appreciated the opportunity to work with them in 2022.

318. WWF expressed its sincere appreciation to the Crew Welfare intersessional work participants and the leadership of New Zealand and Indonesia in chairing that group and emphatically supported advancing this important work. They offered particular thanks to New Zealand's outgoing Co-Chair for her commitment and welcomed the new Co-Chair. They also thanked those members who participated diligently in the intersessional work, noting that it is an indication of the importance of the issue that very small fisheries ministries such as those in Nauru, Tokelau, and Tuvalu recognise the gravity of the issue and, despite limited resources and small teams, maintained engagement in the intersessional work at every step. WWF noted that seemingly as with climate change, small islands have taken on the burden of fixing a problem that they have not caused or contributed to. WWF expressed its hope that larger CCMs with well-resourced ministries that did not meaningfully engage in 2021 would follow through on their commitment to do so in 2022. WWF noted some flag states are taking independent steps to address the issue at a national level and encouraged and supported those further measures, but stated that the intersessional work and the supporting analyses WWF submitted (e.g., **WCPFC18-2021-OP09**) solidly lay out the authority of the WCPFC and the necessary steps to address matters of crew welfare, and that the WCPFC has the authority and the obligation to address crew welfare through a binding CMM. WWF looked forward to significant progress, culminating in an agreed CMM in 2022.

319. The Commission noted the report of the crew labour standards intersessional work as presented in joint Delegation Paper (**WCPFC18-2021-DP07**) by Indonesia and New Zealand.

320. The Commission supported the continuation of the crew labour standards intersessional work led by Indonesia and New Zealand in 2022.

AGENDA ITEM 10 — COMPLIANCE MONITORING SCHEME

10.1 Consideration and Adoption of the Final Compliance Monitoring Report (CMR)

321. The Commission, pursuant to CMM 2019-06, considered the provisional CMR recommended by TCC17. A CMR-SWG, led by the TCC Chair, compiled the final CMR for adoption. The TCC Chair provided a report on the CMR-SWG outcomes.

322. The Commission noted that there were ongoing difficulties related to interpretation of the term “actively fishing for” (and similar terms such as “directed at” and “targeting”) in CMM 2015-02 which continue to present challenges and makes it difficult for TCC to complete the assessments of some obligations during the CMR. The Commission also noted that the disparities in available operational-level data for determined baseline periods raised difficulties in undertaking compliance assessments as

this results in some limits being based on analysis of operational-level data and other limits being based on self-reporting.

323. The Commission noted the issues raised during discussions of CMM 2015-02 and emphasized the importance of ensuring that CMMs are clear in their application, and are able to be monitored and enforced. WCPFC18 requested the South Pacific Albacore Roadmap IWG take note of this in consideration of its future work.

324. The Commission adopted the Final Compliance Monitoring Report (**Attachment Q**).

10.2 Work to progress the CMS future work included in Section IX of CMM 2019-06 Compliance Monitoring Scheme (CMS-IWG)

325. The Chair noted the recommendations from TCC17 for the WCPFC18 consideration and decision as set out in working paper **WCPFC18-2021-28**. Secretariat. *Reference document for TCC17 Recommendations for Agenda 10*.

326. The Chair of the CMS-IWG presented a brief update on the work of the CMS-IWG, as summarized in **WCPFC18-2021-29**. *Draft CMS-IWG Workplan*. The CMS-IWG noted that the workplan was developed in consultation with the Secretariat and the respective Leads on the development of a risk-based assessment framework (RBAF) (Ms. Heather Ward, New Zealand) and the development of audit points (Ms Rhea Moss Christian, RMI), noting that the objective of the workplan is to develop a clear timeline of the anticipated work of the CMS IWG in order to complete the tasks included in the CMS future work plan, as outlined in Section IX of CMM 2019-06. In addition, the Secretariat developed a [dedicated webpage](#) to support the organization and work of the CMS-IWG on the WCPFC website; all papers related to the work of the CMS-IWG, including those related to the elements of the workplan, will be made available on the CMS-IWG webpage.

327. Tuvalu on behalf of FFA members thanked the Chair of the CMS-IWG and the Leads for audit points and the RBAF for the draft CMS-IWG workplan. They recognized with appreciation the effort that the Chair and the Leads had put into this work in the short period of time they led the work in 2021. They noted the draft work plan is very thorough, well prepared, and addresses all the elements under CMS future work in Section IX of CMM 2019-06. FFA members supported the draft work plan but noted that much of the work is scheduled to be done intersessionally, which can be problematic for small national administrations with many other regional and national obligations. They noted that ideally time would be made available during TCC18 to advance this work. In addition, FFA members supported the TCC17 recommendations regarding streamlining of Annual Reporting and improving the online CCFS and reiterated their thanks to the Secretariat for its work on these aspects of the CMS.

328. Tokelau, also on behalf of the PNA and Tokelau, supported the FFA statement. They expressed support for the activities in the workplan, but noted that it involves a substantial amount of work, much of it intersessional. They noted other WCPFC, PNA and national priorities in 2022, including Harvest Strategy work. They also noted that this is difficult because experience has shown that it is hard to participate in intersessional working groups; together with the weaknesses in the CMS CMM and factors such as the partial availability of observer data for the CMS and the reduction in data from high seas boarding and inspection activities, PNA and Tokelau considered it would be better to address the activities in the workplan at TCC, rather than undertaking a much weaker CMS process at TCC.

329. China supported holding the CMS-IWG in conjunction with TCC.

330. The Commission noted the presentation by the TCC Vice-Chair on the work to progress CMS future work and the draft work plan for the CMS-IWG (**WCPFC18-2021-28**).

331. The Commission noted the intersessional progress report on the work to develop a Risk-Based Assessment Framework (RBAF) to assist CCMs to prioritise obligations for inclusion in the annual CMS, based on the risk of non-compliance of achieving CMM objectives (**WCPFC18-2021-CMS-RBAF**).

332. The Commission noted that the CMS-IWG workplan will be modified intersessionally to take into account the approach to the Commission's Compliance Monitoring Scheme in 2022 and 2023.

10.3 Expiry of CMM 2019-06

333. The Chair stated that the Commission needed to consider a successor measure to ensure the continued operation of the CMS beyond the expiry of CMM 2019-06 on 31 December 2021.

334. The EU supported a rollover of the CMS measure. It noted that WCPFC18 had been working on developing the list of obligations to be reviewed in 2022, and stated that given the time constraints at WCPFC18, there was no option other than renewing the CMS CMM.

335. FSM on behalf of FFA members stated they recognized and fully appreciated the importance of a CMS in order to ensure that CCMs implement and comply with obligations arising under the Convention and CMMs, including to assess CCMs' compliance with their WCPFC obligations, identify areas in which technical assistance or capacity building may be needed to assist CCMs in attaining compliance, identify aspects of CMMs which may require refinement or amendment for effective implementation, respond to non-compliance by CCMs through remedial and/or preventative options, and monitor and resolve outstanding instances of non-compliance by CCMs with their WCPFC obligations. They noted that the first scheme was adopted by WCPFC7 in 2010 through CMM 2010-06 and had undergone many iterations. FFA members stated that 2021 was the eleventh year that the CMS has been in place, and stated they have consistently voiced their concern that the scheme is flawed in ways that results in disproportionate burden on SIDS. FFA members stated that prior to the CMS coming into force in 2011, they had actively managed the fishery in their waters by putting robust measures in place and would continue to do so, irrespective of the CMS. They stated that one of the flaws — not necessarily as a result of the CMS, but of the management framework of the Commission — is that while FFA members have been rigorously managing the fisheries in-zone, the management framework in the high seas requires much improvement. They also noted the imbalance between the measure in place for purse seine vs longline fisheries. FFA members stated that Section IX of the CMS measure commits the Commission to a multi-year workplan of tasks to enhance the scheme, with the aim of making it more efficient and effective by streamlining the processes. FFA members stated they had been in the forefront of trying to progress some of this work, including in 2021. They stated that in their view in 2021 the Commission and TCC need to put aside dedicated time to progress these tasks in order to enhance the CMS and address its current flaws

336. Tokelau, also on behalf of the PNA, stated that the CMS is flawed in ways that reduces its value to them. They noted that they have committed substantial effort to reforming the CMS, especially in moving away from vessel-level compliance and through improvements to the CCFS. They suggested it is clearly very difficult to complete the work in a COVID setting while carrying on the CMS business as usual, and that 2022 would provide an opportunity to complete the work needed on the CMS by putting aside the CMR review for 2022 and working instead on the reforms. They noted that the CMS depends heavily on observer data, and with the suspension of observer obligations the observer data available will be even more biased because there will be more reports for fleets that have voluntarily made the special effort of continuing to

carry observers. There will also be less information from high seas boarding and inspection reports. They noted that a shortened virtual TCC session, as in 2021, leaves little time for anything other than core business if there is a full CMS review, while the CMS-IWG workplan clearly shows how much work there is to be done, including work on Audit Points, the RBAF, use of the aggregated summary tables, trial of CCFS improvements, and revising CMM 2019-06. In the workplan, much intersessional work is planned, but SIDS are disadvantaged in participation in intersessional processes. Focusing on finishing the work on the CMS at TCC18 would enable the important tasks in the workplan to be completed effectively, in a way that would also allow more effective SIDS participation. PNA and Tokelau stated that for that reason, they did not support rolling over or extending the CMM in its current form.

337. The USA stated their view that it is essential that the Commission have a robust CMS in place in 2022. The USA noted it had been very involved in this for over a decade and had worked to make the necessary adjustments to ensure it works well for the Commission. It stated that the CMS is a fundamental requirement of the Commission, and that it was unacceptable that it be put aside for a year; it would mean that the WCPFC would be the sole RFMO without a CMS. The USA acknowledged that much work needs to be done, and stated that being able to work intersessionally was essential. It expressed a willingness to extend TCC to conduct both the CMR and do the other work, and stated it was prepared to engage in any of the working groups, and take on leadership roles where others think the USA could be helpful. It emphasized it could not agree to not having a CMS in 2022, as this would harm the integrity of the Commission, and was not an acceptable way forward. It stressed the need to have a CMS and still make good progress on the other needed work.

338. Canada stated its understanding of the Commission's challenging position, and supported the remarks by the USA.

339. The EU supported the views expressed by the USA, stating it would not be acceptable to have a one-year gap with no CMR review. The EU suggested it was disrespectful to suggest CCMs should work on the list of obligations but then be informed some CCMs were not willing to conduct the review in 2022 in any event, and stated it would have been more honest to have this made clear from the outset of WCPFC18. It emphasized that it was essential that the CMR be reviewed in 2022.

340. PNG stressed that as the chair of the PNA when statements were made on behalf of the PNA and Tokelau it was after a lengthy process and considered discussions and reflections. They stated that they sought to engage in an open and honest process, and were always very clear when CMMs were not working for them, and sought balance in terms of their responses, actions and engagement. They stated they did not accept that it is incumbent on the Commission to prepare a CMR, and stated that prior to the trial of the CMS, CCMs engaged in Part 2 reporting. They acknowledged mutual accountability for the CMMs that are agreed to, but stated it is not necessarily a core function of the Commission to have a CMR or a CMS. They looked forward to progressing to a system that works for all CCMs.

341. Tuvalu supported the statement made by Tokelau, noting that the Commission is reforming the CMS, but the work was not complete as a result of COVID-19 and tropical tuna measure negotiations. It suggested 2022 would provide opportunity to complete the work needed on the CMS by putting aside the CMR; noting the case for doing that was strengthened by the reduced observer and boarding and inspection report data for 2021, the volume of tasks in the CMS Workplan, and the Secretariat's workload. They supported not having a CMR review in 2022 and instead focusing on undertaking some of the work in the CMS-IWG workplan.

342. Korea supported the interventions from the USA and the EU, and advocated extending the current CMS for at least one year.

343. Australia suggested that both compliance obligations and the CMS revisions were of critical importance, and noted strong support for the intersessional work outlined. It supported the statements made by FFA, and suggested looking at how the Commission could advance the needed work to revise the CMS while respecting the Commission's compliance obligations. It suggested an alternative needed to be found to a simple rollover of the CMS CMM, and suggested the need to specifically state what would be undertaken in 2022.

344. Tokelau noted that its participation in efforts to test the list of obligations and RBAF were separate from a decision on the CMS CMM, and CMR requirements for 2022. It noted that the Convention addresses compliance review, but that this is not necessarily an annual review. Tokelau stated it wanted to ensure that the CMS and CMR are fair and effective.

345. New Zealand stated that the CMS should be an essential mechanism to hold CCMs to account and deter noncompliance, and voiced its commitment to improving its effectiveness, including through the RBAF. It supported the comments from Australia, and stated that if there was no CMR process in 2022, other key processes should continue. It stated its preference would be for TCC18 to have the scope to both substantively address the CMS work program and a CMR, but if that did not take place, elements of the CMR should continue in 2022 to ensure ongoing accountability for CCMs.

346. ISSF stated its deep concern that the extension of the CMS measure was in jeopardy, as this would mean the WCPFC would have no CMS, which would make the WCPFC the only RFMO without a CMS. ISSF stated that this would place the Commission in breach of the Convention, UNFSA, and other obligations. It stated that in the absence of a mechanism to assess the level of compliance CMMs would lose their value, sending a strong signal that would reduce public and market confidence. It strongly urged CCMs to reconsider their positions and extend the CMS at WCPFC18.

347. The Ocean Foundation supported the intervention by ISSF, noting that the CMS CMM is one of the Commission's most important measures. It stated that the WCPFC is the largest RFMO in terms of catches under management, and that this would raise fundamental issues with regard to whether CMMs are achieving their intended objectives. It stressed that the important work of compliance assessment must continue. It agreed with the need to move as quickly as possible to address the issues identified with regard to the CMS, but stated that an imperfect measure is better than no measure at all.

348. Pew supported the comments by ISSF and Ocean Foundation. It stated that IATTC in 2020 shocked the tuna world by almost having no tuna measure, and that for WCPFC to have no CMS would be akin to that. Pew stated that it was well aware that the current CMS was far from perfect, but having no CMS would be worse. It stated that not renewing the CMS would be viewed with great concern.

349. RMI stated that in its current form the CMS is unfair and prejudiced SIDS, and that they derive no value from the process. It advocated fixing the problems prior to approval of another CMS CMM.

350. The Chair encouraged CCMs to consider the suggestions by Australia and New Zealand, and encouraged CCMs to find a middle ground that accommodated all concerns expressed.

351. In the course of further discussions, CCMs agreed that they had joint obligations with respect to the Convention and the Commission's CMMs, and that review of compliance with these obligations is an essential function of the Commission. CCMs also agreed on the need to devote additional time in 2022 at TCC18 to progressing revisions of the CMS and CMR. CCMs agreed to extend the CMS CMM by two years (until 31 December 2023), and to defer the CMR process in 2022 to allow consideration of revisions to the CMS and the CMR process.

352. The Commission agreed that the Commission’s Compliance Monitoring Scheme (CMM 2019-06) would continue in force for until 31 December 2023 (**CMM 2021-03, Attachment R**), with the following amendments:

- i. The Compliance Monitoring Report (CMR) assessment review process (provisional CMR and final CMR process), including the review of the aggregate tables, shall be deferred in 2022 so that the Technical and Compliance Committee can dedicate appropriate time to the completion of CMS Future Work components (Section IX);
- ii. TCC18 shall focus on completing the development of audit points, a risk-based assessment framework and the development of guidelines for observer participation in the CMS and provide recommendations to WCPFC19 to support WCPFC19’s adoption of these work areas. TCC18 shall also continue to consider:
 - a. the process for reviewing the aggregated information referred to in paragraph 26(ii);
 - b. the other components of the CMS Future Work;
 - c. further improvements to the compliance case file system; and
 - d. appropriate compliance assessment decision making processes.
- iii. WCPFC19 shall adopt audit points and a risk-based assessment framework for use in the 2023 CMR review;
- iv. Notwithstanding subparagraph i) in 2022 and 2023, CCMs shall submit Annual Reports Part 1 and 2, Scientific data to be submitted to the Commission and Fished and Did not Fish report (CMM 2018-06 09); and
- v. In 2023, TCC19 shall consider a CMR that assesses CCMs’ compliance over the previous 2 year reporting period (RY2021 and RY2022) using the agreed audit point and risk-based assessment framework adopted by WCPFC19.

10.4 List of obligations to be reviewed by the Compliance Monitoring Scheme in 2022

353. The Chair of the List of Obligations SWG, Ms Heather Ward (NZ) summarised the outcomes of the SWG, noting that the SWG had agreed on a total of 60 obligations to be assessed in 2022.

354. Tokelau, also on behalf of the PNA, supported the list recommended by the SWG.

355. The Commission agreed to the List of Obligations to guide the preparation by the Secretariat of the draft CMR in 2022, covering 2021 activities (**Attachment S**).

AGENDA ITEM 11 — ADOPTION OF THE 2022 IUU VESSEL LIST

356. The Chair introduced **WCPFC18-2021-30: WCPFC IUU Vessel List for 2022**, which presented for the consideration of WCPFC18 the relevant information for a decision on the 2022 WCPFC IUU Vessel List, in accordance with CMM 2019-07.

357. Kiribati on behalf of FFA members supported the retention of the three fishing vessels NEPTUNE, FU LIEN No.1 and YU FONG 168 on the WCPFC IUU Vessel List for 2022. They stated that at TCC17, FFA members requested Chinese Taipei to respond to specific questions relating to the three vessels. The questions were conveyed to Chinese Taipei during TCC17 and are reflected in the **TCC17 Summary Report**. FFA members stated that they looked forward to receiving a response. In addition, they sought specific information from Panama in relation to their registration of the vessel FU LIEN NO.1 (IMO: 7355662), noting that during TCC17 Panama indicated that the vessel was no longer registered under the Panama Registry. FFA Members asked Panama to specify the period when the vessel was registered under the Panama Registry.

358. Panama stated it consulted with the Maritime Authority of Panama, the Institution in charge of flag registrations, and on September 24, 2021 they certified that there is no evidence of registration of the vessel in question under the Panamanian flag. Panama stated that if the Secretariat required, Panama could provide the documentation in English.

359. The Commission agreed to maintain the three vessels currently on the WCPFC IUU Vessel List and adopted the 2021 WCPFC IUU Vessel List (**Attachment T**).

IUU Cross Listing

360. The Chair noted that the EU's proposal **WCPFC18-2021-DP03 rev3** *Proposal for amending CMM 2019-07 (WCPFC IUU Vessel List)* was introduced under Agenda Item

361. The EU stated that in addition to Canada, Japan, and Chinese Taipei, Korea had joined as a co-sponsor. It thanked the co-sponsors and other CCMs for their comments, which it stated had helped improve the proposed text

362. Canada, Chinese Taipei, Japan and Korea stated their support for the proposal, noting that in their view it would benefit all CCMs. They asked CCMs to consider the intent of the proposal, and noted that the practice has been adopted by all other RFMOs.

363. Fiji, on behalf of FFA members, thanked the proponents. They stated that since 2019, FFA members have raised concerns regarding cross listing, and have noted that the proposal for cross-listing would have significantly more impact on national administrations than suggested by the EU, without any material benefit in their effort to combat IUU fishing in the WCPO. At WCPFC16 FFA members requested the EU to provide a proper analysis of the administrative, institutional and legal implications of cross-listing. FFA members stated they were again requesting that the EU respond to questions raised regarding the implications of the proposal. FFA members stated they had repeatedly called for complete and accurate CMM 2013-06 assessments, and that if the CMM 2013-06 assessment is not complete and accurate, then it is not acceptable. They stated that the CMM 2013-06 assessment provided in WCPFC18-2021-DP03 states there will be no additional resources required, including financial and human capacity, to implement the proposal. FFA members stated their view that this is inaccurate given the additional administrative burden on members and the Secretariat. FFA members stated they are not in a position to support the proposed amendments to CMM 2019-07 and invited the EU to consider whether there are other cooperative approaches that can be taken to support efforts to combat IUU fishing.

364. China stated that it is member of other tuna RFMOs, which have adopted similar measures, and thus it generally supported the concept. However, China stated that after about 4 years during which cross listing has been implemented by other RFMOs, two problems had emerged. One is legal: there are a number

of RFMOs of which China is not a member, and in those cases it is difficult for China to take action, noting that this was the case for CCSTB. China also noted difficulties associated with de-listings, and whether the process would be undertaken automatically under the EU' proposal. It noted that these practical issues made it difficult for China to support the proposal, and suggested the EU consider removing CCSTB from the list of RFMOs whose IUU vessel lists would be cross listed.

365. Palau stated it lacked staff capacity to undertake the required work, and stated it and other members of PNA and Tokelau could not support the proposal. It noted the proposal's CMM 2013-06 assessment ignored the obligations of paragraph 22.

366. The EU stated it would be open to seeking accommodation of specific issues such as that raised by China. Regarding comments by the PNA and Tokelau, it stated that it had sought to demonstrate in its submission the proposal would reduce rather than increase the burden placed on small administrations.

367. Cook Islands supported the comments from Palau, stating these were consistent with the comments from FFA members, and had been expressed for several years. It urged the EU to understand that small administrations are in a very different position from large ones, and that the proposal would require a substantial change in the way small administrations operate. It stated that SIDS have the need and right to target their resources in ways that have the most impact, and that they do this with the support and assistance of the FCC secretariat. Cook Islands stated that their approach is working, and that they would be willing to discuss other ways to cooperate on the IUU vessel issue.

368. The EU thanked the co-sponsors of its proposal for their support and constructive contributions, while noting that the following statement was made strictly on behalf the EU delegation. It stated disappointment that despite the efforts, outreach and assessments undertaken during the last two years the proposal was not adopted due to the opposition of FFA. The EU stated it was very concerned that CMM 2013-06 was advocated as an argument for opposing the proposal. It noted the lack of common understanding or clear process about the requirements of CMM 2013-06, and stated that it proactively reached out to the FFA and individual FFA members intersessionally on several occasions, especially during 2021, seeking feedback and guidance for the assessment, but that very little if any feedback was received, including at WCPFC18. The EU stated that in the absence of willingness from FFA members to engage with the EU delegation, advocating CMM 2013-06 in this context was unjustified, and that by doing so FFA members were taking the risk of undermining the scope and initial intent of that CMM. It stated that various funding opportunities for capacity building were available that could possibly assist SIDS to overcome any difficulties related to the implementation of a cross listing procedure that could be identified, and noted that the CMS itself provides opportunities through the Capacity Assistance status to provide support to SIDS that might face implementation challenges with specific WCPFC obligations. At WCPFC18 FFA members supported another proposal on the basis that the amendments proposed were already adopted by FFA and included in its Harmonised Minimum Terms and Conditions for Access by Fishing Vessels. The EU stated that it found it striking that FFA has already adopted the cross-listing principle in Annex 4 of its Harmonised Minimum Terms and Conditions for Access by Fishing Vessels (MTCs) that state "The Director-General is required to review IUU Vessel Lists as a background check on each vessel that is the subject of an application for registration. An application for registrations from any fishing vessel which is listed in any of the following IUU lists shall be rejected". The EU Stated that despite this FFA members remained unwilling to support the proposal for introducing cross-listing in WCPFC, and that the main question was why FFA members opposed a measure they have adopted internally, which undermines the constructive efforts of WCPFC members to improve the capacity of WCPFC to fight against IUU in the WCPO and at global level. The EU stated that it believes this outstanding question deserves at least an honest answer.

369. The Cook Islands responded to the EU's statement highlighting that the FFA had made several constructive attempts over many years to explain their concerns to the EU. The Cook Islands expressed that

it was unfortunate, unfair and offensive for the EU to suggest that the FFA had not been constructive, or that the FFA was not committed to combatting IUU fishing simply because of a disagreement on the administrative and institutional utility of their proposal. The Cook Islands highlighted the success of the FFA's cooperative efforts to combat IUU fishing. The Cook Islands further identified that capacity building needs should be identified by SIDS, not by other CCMs who direct capacity building to support their own objectives rather than SIDS' objectives.

370. Palau fully supported the statement by Cook Islands.

AGENDA ITEM 12 — REPORT OF FAC15

12.1 Report of the Fifteenth Finance and Administration Committee

371. The FAC Co-Chair Mr. Michael Brakke (USA) reported the key highlights and recommendations of FAC15 and referenced the Summary Report (**WCPFC18-2021-FAC15**).

372. RMI on behalf of PNA and Tokelau raised concern about the process used by FAC to prioritise SC projects for funding, as addressed in paragraph 30 of the FAC15 Summary Report, and stated that their preference in the future would be for FAC to adhere to the project priorities as determined by SC.

373. The EU supported comment from the PNA and Tokelau.

12.2 Budget Approval for 2022 and Indicative Budgets for 2023 and 2024

374. The Commission considered the budget recommended by the FAC. After further deliberation, the Commission decided to fund the six intersessional working groups that will be held virtually in the amount of \$68,000 and the Science Manager Dialog that will be held for two days after SC in the amount of \$94,500. With these changes, the Commission adopted a budget of \$8,471,636 for 2022.

375. The Commission endorsed the FAC15 recommendation in paragraph 9 of the FAC15 Summary Report, and accepted the audited financial statements for 2020 (**WCPFC18-2021-FAC15-05**).

376. The Commission noted the deferment of further discussion on Professional Staff Salary to FAC16, when an updated tri-annual salary market review will be available, and encouraged the informal small working group led by Cook Islands to continue its deliberations intersessionally with a view towards helping to inform an appropriate consensus outcome on this issue at FAC16.

377. The Commission adopted the report of the Fifteenth Session of the FAC (**WCPFC18-2021FAC15**), noting the proposed 2022 budget of **\$ 8,309,136** and indicative budgets for 2023 and 2024 of **\$ 8,505,480** and **\$ 8,374,893** respectively (**Attachment U**).

378. The Commission further considered the budget recommended by the FAC. After further deliberation, the Commission decided to fund the six intersessional working groups that will be held virtually in the amount of \$68,000 and the Science Manager Dialogue that will be held for two days after SC in the amount of \$94,500. With these changes, the Commission adopted a budget of \$8,471,636 for 2022.

379. The final adopted 2021 budget and Annexes are provided in (**Attachment V**).

AGENDA ITEM 13 — ADMINISTRATIVE MATTERS

13.1 Election of Officers

380. The Commission made a number of appointments to Commission positions commencing after the end of WCPFC18 (8 December 2021):

- i. Dr Tuikolongahau Halafihi, CEO of the Ministry of Fisheries of the Kingdom of Tonga was appointed SC Chair; and
- ii. Mr Michael Brakke (United States) was reappointed, and David Power (Australia) was appointed to serve as FAC Co-Chairs.

381. In support of 2022 Intersessional activities, to be progressed electronically, the Commission confirmed the following:

- i. Ms Neomai Ravitu (Fiji) would continue to lead the South Pacific Albacore Roadmap IWG;
- ii. Australia would continue to lead the ERandEMWG, name to be advised;
- iii. Dr. Alex Kahl (United States) and Mr. Felix Toa Ngwango (Vanuatu) would continue to co-chair the Transshipment Review IWG;
- iv. Mr Jamel James would continue to lead the FAD Management Options IWG;
- v. Ms Putuh Suadela (Indonesia) and Ms Sarah McAvinchey (New Zealand) would co-lead the intersessional work on improving labour standards for crews on fishing boats; and
- vi. The TCC Vice-Chair, Ms Emily Crigler (United States), would continue to Chair the CMS IWG to progress work intersessionally the future work to enhance the CMS. Ms Heather Ward (New Zealand) would continue to lead the risk-based assessment framework task and Ms Rhea Moss-Christian (RMI) would continue to lead the development of audit points in support of the CMS IWG Chair.

382. The Chair noted that the positions of Vice-Chair for the SC, ROP-IWG Chair and CDS-IWG Chair remain vacant and that nominations for these positions would be invited intersessionally in 2022.

13.2 Future Meetings

383. The EU commented that when scheduling future online meetings, should these be required, that a lesson to draw from the WCPFC meetings held during 2021 is that the sessions as scheduled provided insufficient time to conduct the needed work. This required that many meeting days be extended with very short notice, which the EU stated proved difficult for its delegation, and possibly for others. The EU suggested that the Commission agree to include additional sessions in future virtual meetings to address this concern.

384. The Commission acknowledged that with the COVID-19 pandemic likely to continue into 2022 it was difficult to predict the feasibility of convening physical meetings next year.

385. In the event that physical meetings for 2022 are feasible the Commission agreed on the following meeting venues and dates:

- i. **SC18** would be held in Pohnpei, Federated States of Micronesia from Wednesday 10 to Thursday 18 August 2022;
- ii. The **First Science-Management Dialogue** would be held in Pohnpei, Federated States of Micronesia Friday 19 and Monday 22 August 2022;
- iii. **NC18** would be held in Japan (venue and date to be advised);
- iv. **TCC18** would be held in Pohnpei, Federated States of Micronesia from Wednesday 21 to Tuesday 27 September 2022;
- v. **WCPFC19 would be held in Vietnam** in December 2022, with dates to be confirmed by Vietnam in consultation with Secretariat.

3. In the event that physical meetings for 2022 are not feasible, the expedited decision-making procedure used in 2020 and 2021 will also be used to facilitate each decision by the Commission to convene virtual meetings in 2022

13.3 Timeline for recruitment of a new Executive Director

386. The Finance and Administration Manager explained the process and timeline for recruitment of a new Executive Director.

4. The Commission agreed to the timeline for the recruitment of a new Executive Director for WCPFC set out in **WCPFC18-2021-31 (Attachment W)**.

AGENDA ITEM 14 — OTHER MATTERS

387. The Chair noted that the delegation from Ecuador submitted the following statement for the consideration of WCPFC18.

388. Ecuador conveyed the greetings of the Government of Ecuador, wished success in the deliberations of WCPFC, and expressed appreciation to the members of the WCPFC for renewing Ecuador's CNM status, which has been granted since 2009. Ecuador recalled its commitment to fully comply with the Commission's CMMs and all administrative and financial obligations, and stated that it has done this. It also expressed its support to:

- (i) enforce tropical tuna conservation and management measures for all fleets that limits fishing mortality for bigeye, yellowfin, and skipjack;
- (ii) adopt a work plan for FADs with a timeframe to transition from traditional FADs to primarily FADs made primarily from biodegradable materials; and develop FAD recovery policies, marking procedures, and ownership rules;
- (iii) adopt target reference points for bigeye and yellowfin;
- (iv) adopt a CMM for an Electronic Observers' Monitoring Program and Minimum Standards for the use of electronic monitoring in all WCPFC fisheries; and
- (v) continue the work towards reforming at-sea transshipment CMM and CMS.

389. Ecuador stated it has expressed its desire to become full member of WCPFC at several WCPFC annual meetings, but that unfortunately, Ecuador's request has not been well received. Given this, Ecuador officially asked what the legal procedure would be to achieve that objective, aspiring that it should be clear, fair, and transparent. It recalled that at WCPFC14 the USA delivered a discussion document on this issue, and that it had also been raised by the EU. It noted that their analysis would facilitate the delayed treatment that has been given to this important matter. It noted that in 2015 WCPFC took a first step by implementing a change in the “CNM application form”, in which candidate countries were asked whether they would like to become full members. In this regard, Ecuador inquired again what the benefit of this question is, and if there had been any follow-up. It reminded CCMs that the general framework of RFMOs states that no State or group of States that have a real interest in the fisheries should be discriminated against, and that Ecuador and most members of the WCPFC are parties to UNCLOS and the UNFSA, which are pillars of the international legal framework for fishing and the oceans. In this regard, Ecuador considers that officially and repeatedly informing WCPFC of its interest in becoming a “full member” while receiving no response constitutes discrimination and a violation of the UNCLOS and UNFSA rules. It noted the foregoing contrasts with the treatment given to states in other RFMOs. By way of example, following adoption of the new IATTC Convention in Antigua, Guatemala in 2003, the IATTC accepted several coastal states not located in the Eastern Pacific Ocean (e.g., Belize, the People's Republic of China, and Kiribati) to become full members with no barrier. Ecuador reiterated its request that the Commission consider establishing a framework and conditions to allow interested CNMs to become full Members. Along these lines, Ecuador reiterated its interest and requested to be accepted as a full Member.

AGENDA ITEM 15 — SUMMARY REPORT OF WCPFC18

390. The Chair outlined the process for adoption of the Summary Report for WCPFC18, with an Outcomes Document containing agreed decision points to be circulated to the Commission within seven working days following the close of the annual session, and the draft Summary Report to be provided as soon as possible. CCMs would be given thirty working days after circulation of the draft Summary Report to provide any changes. The complete Summary Report would be finalised intersessionally and posted on the Commission website and meeting participants would be advised accordingly

AGENDA ITEM 16 — CLOSE OF MEETING

391. CCMs thanked the Chair for her leadership and guidance for reaching a solution after a long and contentious meeting, and thanked the Secretariat for its hard work.

392. The Executive Director noted that the Commission had agreed on a new tropical tuna measure and an arrangement that allows for the continuation of the CMS, and congratulated the Chair, CCMs and their delegations for delivering the needed outcomes after a very intensive 7-day meeting. He expressed special thanks to the Chair for her guidance throughout the year, and to CCMs for engaging in a spirit of cooperation and collaboration. He offered best wishes to everyone for 2022.

393. The Chair thanked all CCMs for their constructive engagement and the Secretariat for its support throughout the process.

394. The Chair closed WCPFC18 on Tuesday, 07 December 2021 at 4:21 pm (Pohnpei time).

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WCPFC 18 Opening Statement

WCPFC Chair, Jung-re Riley Kim

Distinguished CCM delegations and observers,

Madame Vice Chair Josie Tamate,

Mr. Feleti Teo OBE, the Executive Director of the Western and Central Pacific Fisheries Commission and his team,

I hope everyone is keeping well and safe, and I am very pleased to see you albeit via online.

Being considerate of the time constraints and as I have shared my priorities and expectations for WCPFC 18 with you in advance, I will keep my opening statement brief.

Despite our strong hopes for an in-person meeting this year, circumstances have once again placed us to hold our annual session in a virtual format. Despite these challenges, though, our collective efforts have kept our tuna stocks healthy, and CCMs have carried on with important tasks through subsidiary body and working group meetings and intersessional consultations. Albeit inconvenient and slow, our work to fulfill our responsibilities has never been ceased.

In this regard, I would like to express my sincere appreciation to all of you for your flexibility, compromise, patience and hard work that enabled the Commission to carry on with our responsibilities leading up to WCPFC 18.

With the WCPFC being one the world's most advanced RFMOs, the international fisheries community's attention is now on a tropical tuna measure to be adopted at this meeting. We have had two rounds of tropical tuna workshops and now have the Chair's consultative draft as a basis for our discussions throughout this week. I am convinced that the spirit of good cooperation can yield a result that is commensurate with our efforts and reputation, and I count on CCMs' close engagement with one another in this regard.

WCPFC 18 is also tasked with a wide range of important issues, including , the improvement of compliance monitoring scheme, harvest strategy, management of non-tropical tuna stocks such as South Pacific Albacore, Pacific Bluefin Tuna, Southwest Pacific Swordfish and North Pacific striped marlin, electronic monitoring and reporting, transshipment, VMS and FAD management to name a few.

Before I close, I would like to emphasize that what we must have in mind along the way is the special requirements of developing states who are more vulnerable to challenges and difficulties stemming from the COVID-19 pandemic.

Colleagues,

The global health crisis over the past two years has tested our solidarity and I believe we have proved our collective strength. I am convinced that this year, we can once again demonstrate our commitment to the attainment of the objectives of the Commission. Thank you.

Attachment C

WCPFC18 Opening Remarks **Executive Director Feleti P. Teo**

Thank you, Madam Chair. And a very good day to you Chair and good day to all the Commissioners and members of their delegations and to representatives of observer delegations. I will be brief with my remarks, Madam Chair, mindful of the high premium we give to the timing of these virtual meetings.

I join you Madam Chair in welcoming all delegates to this 18th annual session of the Commission and the second time in the Commission history for its annual session to be held virtually. We had our high hopes this time last year that we would have a physical meeting this time. But the disruptions caused by the global pandemic continue to make international travels problematic to organize. So here we are again, meeting under similar circumstances as we did 12 months ago. But with two years of experience under our belt working virtually, we meet this time with more comfort and enhanced familiarity with the zoom meeting platform which should assist with the efficient conduct of our meeting. In this regard, Madam Chair, your Secretariat and in particular our small IT team of Tim and Sam would remain ready to provide whatever assistance delegates may require to facilitate their smooth participation in the meeting.

Madam Chair, as you indicated this year 2021 has been a very busy and intense one for the WCPFC and its members and for the Secretariat. The last Commission meeting in December 2020 set a very ambitious and substantive intersessional work programme for the Commission and its membership. In addition to the regular annual responsibilities of the Commission, this year was further loaded with other pressing priorities.

At the top of those priorities, is of course, the requirement to develop a new tropical tuna measure to succeed the current one that would expire early next year in February. The tropical tuna measure, as all would appreciate, is a signature measure of the WCPFC. It is a measure that has served the Commission well, and one that has enabled the Commission to manage successfully the tropical tuna stocks of bigeye, skipjack and yellowfin, all assessed to be managed above sustainable levels for several years now, a feat that only the western and central Pacific Ocean region can boast of. So, in my humble view the Commission was justified in investing a lot of its time and resources this year in developing a new tropical tuna measure that should continue to sustain its conservation objectives as supported by the best scientific advice and information available and also permit sustainable economic growth of the fishing industry. The two Commission level workshops to develop a tropical tuna measure this year did cover a lot of grounds, and despite a lot of key issues remain unresolved, I sense an unwavering commitment by Commission members to strive ahead to ensure the continuation of the management regime for the tropical tuna in 2022 and beyond. As your Executive Director, I can also assure the meeting of the unwavering commitment of your Secretariat in supporting the efforts of you Madam Chair and the Commission in finding a pathway forward to ensure there is no gap in the management regime for the tropical tuna stock after this year. I wish the meeting very well in its collective efforts to develop a new tropical tuna measure during the course of this meeting.

Another of the other pressing priorities, is the need to continue the operation of the WCPFC compliance monitoring scheme beyond this year. As known, the measure that operates the scheme

will lapse at the end of this year and a new measure is required to continue the operation of the scheme beyond this year. As, all would appreciate, the compliance monitoring scheme is at the core of the Commission's ability to assess the compliance performance of each CCM of the conservation and management obligations that they have committed themselves to uphold.

Removing that capability from the Commission because the Commission is unable to agree on a new measure to allow the Commission to undertake such assessment, in my respectful view as your Executive Director, is a major integrity issue for the Commission and a significant regression in the advancements that the WCPFC is reputed to have achieved and setting the bar for other RFMOs to follow. As your Executive Director, I commit all the resources and time of the Secretariat to working closely with CCMs to find a pathway forward that would allow the continuation of the ability of the Commission to assess annually the compliance performance of CCMs while at the same time address any deficiencies and reforms necessary to enhance the efficiency and equity of the compliance monitoring scheme.

Madam Chair, Distinguished delegates. As alluded earlier, this year has been a very busy year for the Commission and the Secretariat. My annual report for this year document and chronicled the many activities that the Commission and members were engaged in, not only at the Commission level but also at the subsidiary body level and at the various intersessional working group activities. The annual report for this year also documents separately the activities attributed directly to the Secretariat, which were reported against the milestones and performance indicators in the Corporate Plan for the Secretariat which was acknowledged and accepted by the Commission in December 2019 at WCPFC16 as an internal planning document to guide the work of the Secretariat. This is the second year that the Secretariat has implemented the Corporate Plan for the Secretariat and the Corporate Plan has proved to be a useful internal planning document that the Secretariat intends to refresh and update regularly to ensure its continued relevance and applicability. Since the Executive Director's annual report would not be presented, I would simply commend it to members as a true and full account of the myriad of activities of the Commission and its Members and of the Secretariat in 2021.

Despite the continued disruptions caused by the global pandemic this year, the Commission and its members as supported by the Secretariat were able to deliver on their key responsibilities for 2021. And it is my fervent hope that the same level of success would also be reflected in the outcomes of this meeting.

I wish you Madam Chair and the WCPFC18 meeting well in your deliberations over the course of the next 7 days, inclusive of the rest days.

Your Secretariat stands ready as always to support your deliberations.

I thank you and kalanghan.

END



**COMMISSION
EIGHTEENTH REGULAR SESSION**

Electronic Meeting
1 – 7 December 2021

ADOPTED AGENDA

AGENDA ITEM 1. OPENING OF MEETING

- 1.1 Adoption of agenda
- 1.2 Statements from Members and Participating Territories
- 1.3 Meeting arrangements
 - 1.3.1 Online meeting protocols
 - 1.3.2 Establishment of small working groups (CNMs, CMR, others)

AGENDA ITEM 2. ANNUAL REPORT OF THE EXECUTIVE DIRECTOR

AGENDA ITEM 3. MEMBERSHIP AND OTHER APPLICATIONS

- 3.1 Status of the Convention
- 3.2 Update on Observer status
- 3.3 Applications for Cooperating Non-Member (CNM) status
 - 3.3.1 Participatory rights of CNMs

AGENDA ITEM 4. NEW PROPOSALS

AGENDA ITEM 5. INTERSESSIONAL DECISIONS IN RESPONSE TO COVID-19

AGENDA ITEM 6. SPECIAL REQUIREMENTS OF DEVELOPING STATES

- 6.1 Implementation of Article 30 of WCPFC Convention and CMM 2013-07 (SIDS special requirements)
- 6.2 Updated Strategic Investment Plan

AGENDA ITEM 7: WCPO TUNA AND BILLFISH STOCKS

- 7.1 General overview of the status of WCPO stocks
- 7.2 Bigeye, Skipjack and Yellowfin
 - 7.2.1 Harvest Strategy issues
 - 7.2.1.1 Review target reference point for skipjack
 - 7.2.1.2 Review target reference point for bigeye and yellowfin
 - 7.2.1.3 Management procedures for skipjack
 - 7.2.2 Proposed New Measure for Tropical Tuna
 - 7.2.2.1 SSP Analysis of Requests by TTMW2
 - 7.2.2.2 Report of the FAD-MO IWG
 - 7.2.3 Other commercial fisheries for bigeye, skipjack and yellowfin

- 7.3 South Pacific Albacore
 - 7.3.1 Review of the interim target reference point
 - 7.3.2 Roadmap for effective conservation and management of SP albacore
 - 7.3.3 Review of CMM 2015-02
- 7.4 Pacific bluefin tuna
 - 7.4.1 Review of CMM 2020-02
- 7.5 Southwest Pacific swordfish
 - 7.5.1 Future projections as requested by WCPFC16
 - 7.5.2 Review of CMM 2009-03
- 7.6 North Pacific Striped Marlin
 - 7.6.1 Advice from ISC
 - 7.6.2 Review of CMM 2010-01 and an Interim Building Plan

AGENDA ITEM 8: HARVEST STRATEGY

- 8.1 Review of Indicative Work Plan
- 8.2 Science-Management Dialogue

AGENDA ITEM 9: REPORTS FROM SUBSIDIARY BODIES AND WORKING GROUPS

The reports of under this agenda will be taken as read. Only recommendations of the reports not addressed under other agenda items will be considered under this agenda item.

- 9.1 SC17
- 9.2 TCC17
- 9.3 NC17
- 9.4 Intersessional working groups and intersessional work
 - 9.4.1 E-reporting and E-monitoring (ERandEM WG)
 - 9.4.2 Transshipment review (TS IWG)
 - 9.4.3 Crew labour standards

AGENDA ITEM 10: COMPLIANCE MONITORING SCHEME

- 10.1 Consideration and adoption of the Final Compliance Monitoring Report (CMR)
- 10.2 Work to progress the CMS future work included in Section IX of CMM 2019-06 Compliance Monitoring Scheme (CMS-IWG)
- 10.3 Expiry of CMM 2019-06
- 10.4 List of obligations to be reviewed by the Compliance Monitoring Scheme in 2022

AGENDA ITEM 11: ADOPTION OF THE 2022 IUU VESSEL LIST

AGENDA ITEM 12: REPORT OF THE FAC15

- 12.1 Report of the Fifteenth Finance and Administration Committee
- 12.2 Budget for 2022 and Indicative Budgets for 2023 and 2024

AGENDA ITEM 13: ADMINISTRATIVE MATTERS

- 13.1 Election of officers
- 13.2 Future meetings
- 13.3 Timeline for recruitment of new Executive Director

AGENDA ITEM 14: OTHER MATTERS

AGENDA ITEM 15: SUMMARY REPORT OF THE WCPFC18

AGENDA ITEM 16: CLOSE OF MEETING



**COMMISSION
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**CONSERVATION AND MANAGEMENT MEASURE FOR CHARTER
NOTIFICATION SCHEME**

Conservation and Management Measure 2021-04¹

The Western and Central Pacific Fisheries Commission (WCPFC)

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

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

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

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

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

¹ By adoption of this CMM (CMM 2021-04) the Commission rescinds CMM 2019-08 which has been replaced.

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

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

3. Each chartering Member or Participating Territory shall notify the Executive Director as well as the flag State, within 15 days, or in any case within 72 hours before commencement of fishing activities under a charter arrangement of:
 - a) any additional chartered vessels along with the information set forth in paragraph 2;
 - b) any change in the information referred to in paragraph 2 with respect to any chartered vessel; and
 - c) termination of the charter of any vessel previously notified under paragraph 2.Upon receipt of the information the Executive Director will immediately notify the SSP.
4. Only vessels listed on the WCPFC Record of Fishing Vessels or the WCPFC Interim Register of Non-CCM Carriers and Bunkers, and not on the WCPFC IUU vessel list, or IUU List of another RFMO, are eligible for charter.
5. The Executive Director shall make the information required in paragraph 2 and 3 available to all CCMs.
6. Each year the Executive Director shall present a summary of all notified chartered vessels to the Commission for review. If necessary, the Commission may review and revise this measure.
7. Unless specifically provided in other CMMs, catches and effort of vessels notified as chartered under this CMM shall be attributed to the chartering Member or Participating Territory. Unless specifically provided in other CMMs, the chartering Member or Participating Territory shall report annually to the Executive Director catch and effort of chartered vessels in the previous year.
8. This Measure shall expire on 28 February 2025 unless renewed by the Commission.

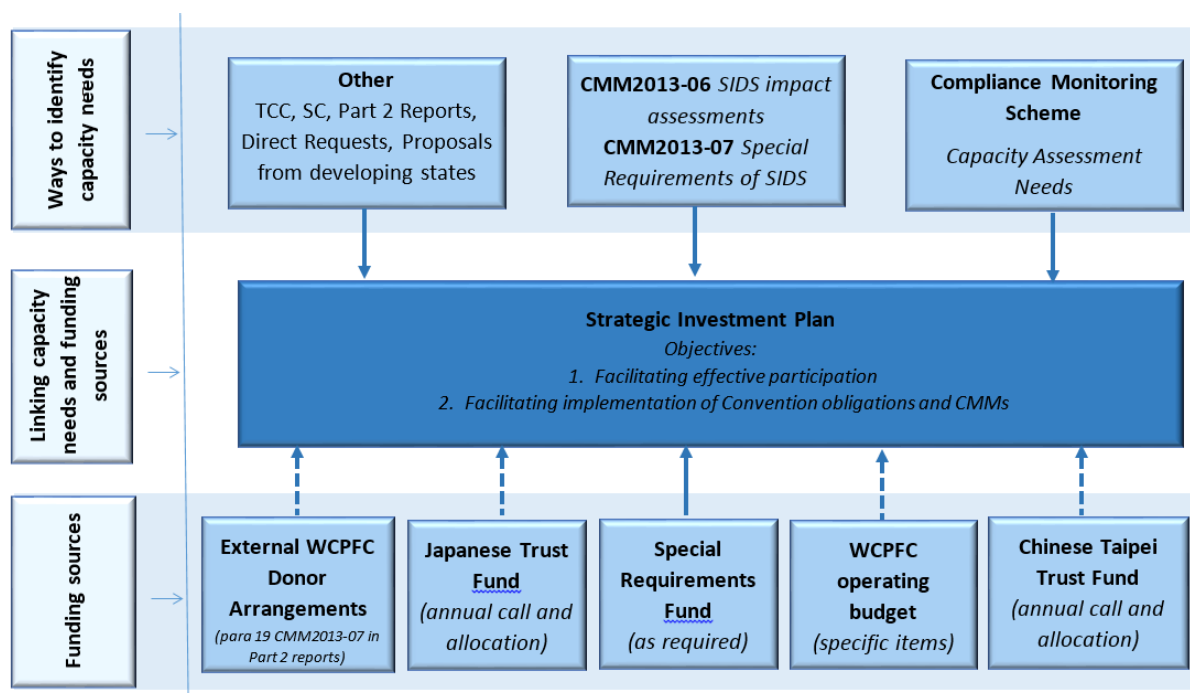


COMMISSION
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2021 Strategic Investment Plan

Introduction

1. The Western and Central Pacific Fisheries Commission (WCPFC), at its 14th meeting in Manila, Philippines, agreed to the development of a Strategic Investment Plan.
2. The purpose of the Strategic Investment Plan is to match capacity and capability requirements of developing states and territories with appropriate investment strategies as outlined in the following diagram:



Objectives

3. The objectives of the Strategic Investment Plan are to support:
 - effective input and participation of member developing states and territories in the meetings of the Commission; and
 - development of management and technical capability and capacity in developing states and territories to enable them to implement obligations under the WCPFC Convention and Conservation and Management Measures (CMMs).

Funding

4. Funding options are illustrated in the diagram above and the WCPFC Secretariat has a role in ensuring capacity needs identified in this Strategic Investment Plan are addressed over the coming year. This includes provision of information to developing state and territory members on how to access funds and notification to members when funds are needed. This will assist the Commission as a whole meet the requirements of Article 30 of the Convention¹.

Capacity needs recommended by the Technical and Compliance Committee (TCC)

5. The following Capacity Assistance Need areas were recommended by TCC17 in the Compliance Monitoring Report:

| | | |
|---|---|--|
| Indonesia for Scientific data provision (SciData03) | Capacity Assistance Needed (RY2016, RY2017, RY2018, RY2019, RY2020) | Indonesia reported that there were some continuing delays in 2020 in the anticipated timeframe and assistance delivery set out in the Capacity Development Plan due to COVID-19 circumstances. TCC17 noted that implementation of the capacity needs in the Capacity Development Plan is still open and requested Indonesia to report back following TCC with more specificity on the dates when the necessary technical assistance can take place. TCC noted that for RY 2020 Indonesia's capacity assistance needs in their Capacity Development Plan were not yet met. |
| Indonesia for annual report on estimated number of releases and status upon release of oceanic whitetip sharks (CMM 2011-04 paragraph 3) | Capacity Assistance Needed (RY2019, RY2020) | Indonesia reported that assistance and funding was being sought from SPC to hold dedicated workshops on sharks. However, this has been delayed due to COVID-19. TCC17 noted the continuing delays due to COVID-19 circumstances in implementation of the capacity needs in the Capacity Development Plan and requested Indonesia to report back following TCC with more specificity on the dates when the necessary technical assistance can take place. TCC noted that for RY 2020 Indonesia's capacity assistance needs in their Capacity Development Plan were not yet met. |
| Indonesia for annual report on estimated number of releases and status upon release of silky sharks (CMM 2013-08 paragraph 3) | Capacity Assistance Needed (RY2019, RY 2020) | Indonesia reported that assistance and funding was being sought from SPC to hold dedicated workshops on sharks. However, this has been delayed due to COVID-19. TCC17 noted the continuing delays due to COVID-19 circumstances in implementation of the capacity needs in the Capacity Development Plan and requested Indonesia to report back following TCC with more specificity on the dates when the necessary technical assistance can take place. TCC noted that for RY 2020 Indonesia's capacity assistance needs in their Capacity Development Plan were not yet met. |
| Philippines for 100% purse seine observer coverage for vessels fishing exclusively in | Capacity Assistance Needed (RY 2018, RY2019, RY2020) | TCC noted that a written report was received from the Philippines on progress on its Capacity Development Plan which provided a schedule for implementation to progressively increase observer coverage in Philippine waters over 2020 to 2023. |

¹ Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, 2000

| | | |
|--|---|--|
| areas under national jurisdiction (CMM 2018-01 paragraph 5) | | TCC noted that for RY 2020 Philippine’s capacity assistance needs in their Capacity Development Plan were not yet met. |
| Indonesia for 100% purse seine coverage: specific rules for vessels fishing exclusively in areas under its national jurisdiction (CMM 2018-01 paragraph 35) | Capacity Assistance Needed (CMR RY2020) | TCC noted that Indonesia’s capacity assistance needed for the implementation of the obligation in CMM 2018-01 paragraph 35 is incorporated into a Capacity Development Plan for RY 2020. TCC17 expects Indonesia to be meet this obligation in 2022. |
| French Polynesia for 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 (CMM 2018-04 paragraph 06) | Capacity Assistance Needed (CMR RY2020) | TCC noted that French Polynesia’s capacity assistance needed for the implementation of the obligation in CMM 2018-04 paragraph 6 is incorporated into a Capacity Development Plan for RY 2020. TCC17 expects French Polynesia to be meet this obligation in 2022. |
| French Polynesia for Sea Turtle mitigation requirements for shallow-set longline vessels, including incident reporting requirements (CMM 2018-04 paragraph 7a) | Capacity Assistance Needed (CMR RY2020) | TCC noted that French Polynesia’s capacity assistance needed for the implementation of the obligation in CMM 2018-04 paragraph 7a is incorporated into a Capacity Development Plan for RY 2020. TCC17 expects French Polynesia to be meet this obligation in 2022. |

Capacity needs identified through WCPFC Annual Report Part 2

6. The following areas of capacity assistance were identified by CCMs in their Annual Report Part 2 RY2020 and that were outside the scope of the list of obligations to be assessed in the CMS in 2021. Some capacity assistance needs were initially reported in RY 2018 and are continuing in RY 2020 (#). These are identified in paragraph 41 of the final Compliance Monitoring Report:

| Obligation | Capacity assistance requested by CCMs in their Annual Report Part 2 covering 2020 reporting year |
|--|---|
| <p>CMM 2017-03 03-06, 11, 12 Observer Safety CMM</p> | <p>Cook Islands: Assistance from FFA with this and other measures that require legislation changes #</p> |
| <p>CMM 2013-07 Paras 01-03 General Provisions</p> | <p>"Indonesia is included in the SIDS partnership as announced at the Third International Conference on Small Island Developing States (SIDS Conference) was held from 1 to 4 September 2014 in Apia, Samoa. Several multi-stakeholders partnerships initiatives for SIDS where Indonesia as one of the partners have been operating in several SIDS such as Papua New Guinea and Solomon Island for Coral Triangle Initiative. http://www.sids2014.org/partnerships/countries/?country=219 http://www.sids2014.org/partnerships/countries/?country=238"</p> <p>Recently, in mid 2020, Indonesia called for mobilization of adequate resources and support for Small Island Developing States during a discussion with the premise on mobilizing international solidarity, accelerating action and embarking on new pathways to realize the 2030 agenda and the Samoa Pathway: Small Island Developing States</p> <p>Kiribati is one of the SIDS countries that depend much on assistance from regional and sub-regional agencies such as WCPFC, FFA and PNA including donor partners.</p> <p>RMI is a SIDS with limited capacity and we expect continued cooperation and assistance from non-SIDS CCMs in our ongoing capacity building needs and efforts</p> <p>New Caledonia received no assistance in this category since 2017</p> <p>Tonga cooperate at regional and sub regional initiatives to support the development of SIDS Fisheries.</p> <p>Vanuatu: CCM is in need of adequate capacity assistance provided for by the Commission and its partners on all areas.</p> |
| <p>CMM 2013-07 Paras 04-05 Capacity development for personnel</p> | <p>Fiji still needs trainings and attachments in the following areas: 1) prosecution 2) data analysis 3) MCS #</p> <p>Indonesia (as per above response for 01-03)</p> <p>Kiribati is a small island country with limited resources to manage its vast EEZ.</p> <p>RMI is a SIDS with limited capacity and we expect continued cooperation and assistance from non-SIDS CCMs in our ongoing capacity building needs and efforts</p> <p>New Caledonia received no assistance in this category since 2017</p> <p>Tonga: Our current national capacity does not provide Tonga ability to assist capacity development of other SIDS. Tonga is recipient of capacity development assistance</p> <p>Vanuatu: CCM is in need of adequate capacity assistance provided for by the Commission and its partners on all areas.</p> |

| Obligation | Capacity assistance requested by CCMs in their Annual Report Part 2 covering 2020 reporting year |
|---|--|
| <p>CMM 2013-07 Paras 06-07 Assistance with technology transfers</p> | <p>FSM: National IMS Development/FIMS Development/TUFMN2 development/EM/ER initiatives</p> <p>Indonesia (as per above response for 01-03)</p> <p>Kiribati as small island developing states depend much on technology assistance from regional agencies and development partners.</p> <p>RMI is a SIDS with limited capacity and we expect continued cooperation and assistance from non-SIDS CCMs in our ongoing capacity building needs and efforts</p> <p>New Caledonia received no assistance in this category since 2017</p> <p>Tonga: Our current national capacity does not provide Tonga ability to assist capacity development of other SIDS. Tonga is recipient of capacity development assistance</p> <p>Vanuatu: CCM is in need of adequate capacity assistance provided for by the Commission and its partners on all areas.</p> |
| <p>CMM 2013-07 Paras 08-09 Assistance in areas of fisheries conservation and management</p> | <p>FSM: bilateral arrangements to implement ROP, transshipment monitoring and sharing of MCS data when necessary</p> <p>Indonesia (as per above response for 01-03)</p> <p>Kiribati: Kiribati is small island with limited resources, hence unable to provides further assistance while concentrating effort within national jurisdiction only.</p> <p>RMI is a SIDS with limited capacity and we expect continued cooperation and assistance from non-SIDS CCMs in our ongoing capacity building needs and efforts</p> <p>New Caledonia received no assistance in this category since 2017</p> <p>Tonga cooperate at regional and sub-regional initiatives to support the development of SIDS Fisheries</p> <p>Vanuatu: CCM is in need of adequate capacity assistance provided for by the Commission and its partners on all areas.</p> |
| <p>CMM 2013-07 Paras 10-11 Assistance in the areas of Monitoring, Control and surveillance</p> | <p>Indonesia (as per above response for 01-03)</p> <p>Kiribati: As small island state with only one patrol boat to monitor three separated EEZ. Kiribati greatly need assistance from developed partners to assist in both aerial and surface surveillance coverage. #</p> <p>RMI is a SIDS with limited capacity and we expect continued cooperation and assistance from non-SIDS CCMs in our ongoing capacity building needs and efforts</p> <p>New Caledonia received no assistance in this category since 2017</p> <p>Vanuatu: CCM is in need of adequate capacity assistance provided for by the Commission and its partners on all areas.</p> |
| <p>CMM 2013-07 Paras 12-18 support for the Domestic Fisheries Sector and Tuna-fisheries related businesses and market access</p> | <p>FSM: PNA market related initiatives - MSC, VDS,CDS,EM/ER,PSM</p> <p>Indonesia (as per above response for 01-03)</p> <p>RMI is a SIDS with limited capacity and we expect continued cooperation and assistance from non-SIDS CCMs in our ongoing capacity building needs and efforts</p> <p>New Caledonia received no assistance in this category since 2017</p> <p>Vanuatu: CCM is in need of adequate capacity assistance provided for by the Commission and its partners on all areas.</p> |

Capacity needs identified through the SRF Intersessional Working Group process

7. An analysis of conceptual capacity needs to meet the objectives of the Strategic Investment Plan (see paragraph 3 above) was conducted and WCPFC members were asked to rank these needs in terms of priority.
8. Current development assistance was identified from open source data and assessed against each capacity need area. A summary of the findings is provided at **Attachment A**. The broad conclusion was that nearly all capacity needs have a funding stream associated.
9. The main gap identified was an explicit mechanism to support effective participation. The following proposal is included in the Strategic Investment Plan to fill this void.

| |
|---|
| Title: Enabling effective participation in the WCPFC |
| Obligation: Article 30 |
| <p>Capacity Building Assistance Needed:</p> <p>Support to effectively input and participate in meetings of the WCPFC. This includes support for:</p> <ul style="list-style-type: none"> • travel to the Science Committee, the Technical and Compliance Committee and/or the main meeting of the Commission, and • in-country capacity building prior to and post WCPFC meetings to help build capacity to engage and to institutionalise outcomes of the meetings (existing Secretariat support built into WCPFC budget). <p>It is noted that the level of assistance required will vary between members, so should remain flexible to the needs of the country. This will depend on the sovereign interests of the member, including the scale of WCPFC fishery interests, the capacity of the administration to engage in the program and the priority afforded to this over other interests.</p> <p>Parameters around accessing the program will include:</p> <ul style="list-style-type: none"> • limit to one participant per country per meeting (or as funding allows) – this is in addition to the one participant already funded for each meeting from the WCPFC operational budget |
| Timeframe: Ongoing, annual calls by the Secretariat for participation in the funded program |
| Cost: up to USD300,000 annually |

Capacity assistance delivered by FFA/SPC that were funded through the Regional Capacity Building Workshop budget item in the WCPFC core budget

10. Each year since 2015, the Commission has included under Sub-item 2.3 Technical & Compliance Programme an annual budget line for Regional Capacity Building Workshops which FFA/SPC are to advise on the activities to be supported. The following are the activities that have been funded annually:

| | | |
|--|---|------------------------|
| <p>2016: WCPFC support to FFA for cohort 2 Certificate IV in Fisheries Enforcement and Compliance study programme through USP</p> | <p>To build competencies for Members’ MCS practitioners to ensure proficiency in application of required knowledge and skills</p> | <p>Cost: \$126,268</p> |
|--|---|------------------------|

| | | |
|---|--|-----------------|
| for Pacific Fisheries and Surveillance Officers | | |
| 2017: WCPFC support to FFA for cohort 2 Certificate IV in Fisheries Enforcement and Compliance study programme through USP for Pacific Fisheries and Surveillance Officers | To build competencies for Members' MCS practitioners to ensure proficiency in application of required knowledge and skills | Cost: \$55,000 |
| 2017: WCPFC support towards SPC Tuna Data Workshop | The regional Tuna Data Workshop is conducted on an annual basis for SPC member countries to improve their scientific tuna monitoring and data management capacity, and satisfy their data reporting obligations to the Western and Central Pacific Fisheries Commission (WCPFC). | Cost: \$75,000 |
| 2018: WCPFC support towards FFA capacity building workshops | Two regional workshops were held (April and November) on allocation processes. Several opportunities were taken during the year to engage members on the development of a regional longline strategy with a dedicated workshop held in November. A dedicated workshop to discuss the south Pacific albacore target reference point, and development of the roadmap was held in November. | Cost: \$72,558 |
| 2018: WCPFC support towards SPC Tuna Data Workshop | The regional Tuna Data Workshop is conducted on an annual basis for SPC member countries to improve their scientific tuna monitoring and data management capacity, and satisfy their data reporting obligations to the Western and Central Pacific Fisheries Commission (WCPFC). | Cost: \$57,442 |
| 2019: WCPFC support towards SPC Tuna Data Workshop | The regional Tuna Data Workshop is conducted on an annual basis for SPC member countries to improve their scientific tuna monitoring and data management capacity, and satisfy their data reporting obligations to the Western and Central Pacific Fisheries Commission (WCPFC). | Cost: \$71,625 |
| 2021: WCPFC support to sea safety training for selected observers from several FFA member's national observer programmes (NOPs). | Funds are to be used to facilitate Sea Safety Training for the FFA Members' national observer programmes to ensure their observers have valid sea safety certificates. | Cost: \$223,374 |

ATTACHMENT A

| Thematic capacity needs | Rank 1 = highest; 18 = lowest priority | Funding support available (see Attachment B for recipients) |
|---|---|---|
| 17. Disproportionate burden & economic development | 1 | Australia, the EU, ABNJ project, FFA, OFMP2, NZ, PROP, US and the SRF |
| 3. Capacity to understand, evaluate and implement harvest strategies | 2 | Australia, the EU, ABNJ project, FFA, OFMP2, Japan, NZ, PROP, US, the SRF and SPC |
| 11. Capacity to collect data and meet reporting obligations | 3 | All donors |
| 16. Capacity to establish and implement other MCS & enforcement measures | 4 | All donors |
| 18. Additional capacity building needs | 5 | All donors – except meeting support |
| 2. Capacity to implement legal and policy aspects of managing fishing authorisations/licensing & related issues | 6 | Australia, the EU, ABNJ project, FFA, OFMP2, Japan, NZ, PROP, US and the SRF |
| 4. Capacity to regulate, implement, monitor and enforce tropical tuna measures | 7 | Australia, the EU, FFA, OFMP2, Japan, NZ, PROP, US and the SRF |
| 15. Capacity to establish, implement and enforce port State measures | 8 | All donors |
| 1. Capacity to understand and effectively implement technical & operational aspects of managing fishing authorisations/licensing and related requirements | 9 | Australia, the EU, ABNJ project, FFA, OFMP2, Japan, NZ, PROP, US and the SRF |
| 5. Capacity to regulate, implement, monitor and enforce rules related to albacore and Pacific Bluefin tuna | 10 | Australia, the EU, FFA, OFMP2, NZ, PROP and the SRF |
| 13. Capacity to regulate, monitor and enforce rules relating to transshipment | 11 | All donors |
| 14. Capacity needs relating to the administration, training, provision and work of observers, including in relation to the Regional Observer Program (ROP). | 12 | All donors |
| 9. Purse seine rules relating to non-target species | 13 | Australia, the EU, ABNJ project, FFA, OFMP2, NZ, PROP and the SRF |
| 12. Capacity to implement and use vessel monitoring system | 13 | All donors |
| 8. Capacity to implement rules relating to other non-target species | 15 | Australia, the EU, ABNJ project, FFA, OFMP2, NZ, PROP and the SRF |
| 7. Capacity to regulate, implement, monitor and enforce rules relating to sharks | 16 | Australia, the EU, ABNJ project, FFA, OFMP2, NZ, PROP and the SRF |
| 6. Capacity to implement rules relating to billfish species | 17 | Australia, the EU, FFA, OFMP2, NZ, PROP and the SRF |
| 10. Capacity to regulate, implement, monitor and enforce fishing gear restrictions | 18 | Australia, CTTF, the EU, ABNJ project, FFA, OFMP2, NZ, PROP and the SRF |

ATTACHMENT B

| Donor/program | Eligible Recipients |
|--|--|
| Australia: various programs | Pacific island countries and Pacific regional |
| WCPFC Chinese Taipei Trust Fund | Developing states party to the WCPFC Convention, in particular SIDS |
| European Union: Pacific-EU Marine Partnership (PEUMP) | PACP countries and Pacific regional |
| FAO GEF: Sustainable Management of Tuna Fisheries and Biodiversity Conservation of Areas Beyond National Jurisdiction (ABNJ project) | WCPFC, PNA, FFA |
| FFA: various programs | Pacific island FFA members |
| GEF/UNDP/FAO Pacific Islands Oceanic Fisheries Management Project II (OFMP 2) | FFA, SPC, MSG, Pacific SIDS, PITIA, WWF |
| WCPFC Japanese Trust Fund | Developing states party to the WCPFC Convention, in particular SIDS |
| New Zealand: various programs | Pacific SIDS, PICTs, FFA, SPC; Indonesia, Philippines, Vietnam through WCPFC |
| World Bank/GEF: Pacific Islands Regional Oceanscape Program (PROP) | FSM, RMI, SI, Tuvalu, FFA |
| US: various programs | All WCPFC members |



**COMMISSION
EIGHTEENTH REGULAR SESSION**

Electronic Meeting
1 – 7 December 2021

**CONSERVATION AND MANAGEMENT MEASURE FOR BIGEYE, YELLOWFIN
AND SKIPJACK TUNA IN THE WESTERN AND CENTRAL PACIFIC OCEAN**

Conservation and Management Measure 2021-01

PREAMBLE

The Western and Central Pacific Fisheries Commission (WCPFC):

Recalling that the objective of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention) is to ensure through effective management, the long-term conservation and sustainable use of the highly migratory fish stocks of the Western and Central Pacific Ocean in accordance with the 1982 Convention and the Agreement;

Recalling further the final statement of the Chairman of the Multilateral High Level Conferences in 2000 that: “It is important to clarify, however, that the Convention applies to the waters of the Pacific Ocean. In particular, the western side of the Convention Area is not intended to include waters of South-East Asia which are not part of the Pacific Ocean, nor is it intended to include waters of the South China Sea as this would involve States which are not participants in the Conference” (Report of the Seventh and Final Session, 30th August- 5 September 2000, p.29);

Recognizing that the Scientific Committee has:

(a) determined that the bigeye stock is not overfished and is likely not experiencing overfishing; and, re-iterated that the Commission could continue to consider measures to reduce fishing mortality from fisheries that take juveniles, with the goal to increase bigeye fishery yields and reduce any further impacts on the spawning biomass for this stock in the tropical regions; and recommended, as a precautionary approach, that the fishing mortality on bigeye should not be increased from the level that maintains spawning biomass at 2012-2015 levels until the Commission can agree on an appropriate target reference point;

(b) determined that the yellowfin stock is not overfished and is not experiencing overfishing, and that the stock is currently exploited at relatively low levels; recommended the Commission notes that further increases in yellowfin tuna fishing mortality would likely affect other stocks/species which are currently moderately exploited due to the multispecies/gears interactions in WCPFC fisheries taking yellowfin tuna; and recommended as a precautionary approach that the fishing mortality on yellowfin tuna stock should not be increased from the level that maintains spawning

biomass at 2012-2015 levels until the Commission can agree on an appropriate target reference point; and

(c) determined that the skipjack stock is not overfished and is not experiencing overfishing, and is currently moderately exploited and the fishing mortality level is sustainable; at the same time, noted that fishing mortality is continuously increasing for both adult and juvenile while the spawning biomass reached the historical lowest level; and recommended that the Commission take appropriate management action to ensure that the biomass depletion level fluctuates around the target reference point (TRP) (e.g., through the adoption of a harvest control rule).

Recognizing further the interactions that occur between the fisheries for bigeye, yellowfin, and skipjack tuna;

Noting that Article 30(1) of the Convention requires the Commission to give full recognition to the special requirements of developing States that are Parties to the Convention, in particular small island developing States and Territories and possessions, in relation to the conservation and management of highly migratory fish stocks in the Convention Area and development of fisheries on such stocks, including the provision of financial, scientific, and technological assistance;

Noting further that Article 30(2) of the Convention requires the Commission to take into account the special requirements of developing States, in particular Small Island developing States and Territories. This includes ensuring that conservation and management measures adopted by it do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto developing States, Parties, and Territories;

Noting that Article 8(1) of the Convention which requires compatibility of conservation and management measures established for the high seas and those adopted for areas under national jurisdiction;

Recalling Article 8(4) of the Convention which requires the Commission to pay special attention to the high seas in the Convention Area that are surrounded by exclusive economic zones (EEZs);

Noting that the Parties to the Nauru Agreement (PNA) have adopted and implemented “A Third Arrangement Implementing The Nauru Agreement Setting Forth Additional Terms And Conditions Of Access To The Fisheries Zones Of The Parties”;

Noting further that the Parties to the Nauru Agreement have adopted and implemented a Vessel Day Scheme for the longline fishery, a Vessel Day Scheme for the purse seine fishery and a registry for FADs in the zones of the Parties, and may establish longline effort limits, or equivalent catch limits for longline fisheries within their exclusive economic zones;

Noting furthermore that the Members of the Pacific Islands Forum Fisheries Agency have indicated their intention to adopt a system of zone-based longline limits to replace the current system of flag-based bigeye catch limits within their EEZs;

Acknowledging that the Commission has adopted a limit reference point (LRP) for bigeye, skipjack, and yellowfin tuna of 20% of the estimated recent average spawning biomass in the absence of fishing;

Acknowledging that the Commission has adopted CMM 2014-06 on Establishing a Harvest Strategy for Key Fisheries and Stocks in the Western and Central Pacific Ocean and a Work Plan to guide the development of key components of a Harvest Strategy, including the recording of management objectives, adoption of reference points, and development of harvest control rules;

Recognizing the United Nations' Climate Change Sustainable Development Goal to "take urgent action to combat climate change and its impacts", and that climate change has particularly negative impacts on Small Island Developing States and Territories; and noting that Article 5 (c) of the Convention requires the application of the precautionary approach, and Article 5 (d) of the Convention requires the Commission to assess the impacts of fishing, other human activities and environmental factors on target stocks, non-target species, and species belonging to the same ecosystem or depend upon or associated with the target stocks;

Noting the SEAPODYM analyses presented to SC11, SC12 and SC13 on the projected impacts climate change will have on tuna distribution, larval numbers and stock biomass, the WCPFC needs to build resilience into the medium and long-term planning and manage WCPO fish stocks in a precautionary manner, and Article 30(2)(c) of the Convention requires the Commission to ensure there is no disproportionate burden of conservation action on developing States, Parties and Territories;

Adopts in accordance with Article 10 of the Convention, the following Conservation and Management Measure with respect to the skipjack (*Katsuwonus pelamis*), yellowfin (*Thunnus albacares*) and bigeye (*Thunnus obesus*) tuna stocks in the Western and Central Pacific Ocean:

PURPOSE

1. This measure is intended and designed to support fisheries for skipjack tuna, bigeye tuna, and yellowfin tuna in the Convention Area that benefit CCMs and their communities, and to do so in a way that is fair to all Members and addresses the special requirements of developing States and Participating Territories. The measure's provisions are based on the interim stock-specific objectives below, as well as other relevant provisions of the Convention and decisions of the Commission. As the harvest strategies for the tropical tuna stocks and/or their associated fisheries are developed, the objectives and provisions of the Measure will be amended accordingly.

PRINCIPLES FOR APPLICATION OF THE MEASURE

Compatibility

2. Conservation and management measures established for the high seas and those adopted for areas under national jurisdiction shall be compatible in order to ensure conservation and management of bigeye, skipjack, and yellowfin tuna stocks in their entirety. Measures shall ensure, at a minimum, that stocks are maintained at levels capable of producing maximum

sustainable yield, pending agreement on target reference points as part of the harvest strategy approach, as qualified by relevant environmental and economic factors including the special requirements of developing States in the Convention Area as expressed by Article 5 of the Convention.

Area of Application

3. This Measure applies to all areas of high seas and all EEZs in the Convention Area except where otherwise stated in the Measure.
4. Coastal states are encouraged to take measures in archipelagic waters and territorial seas which are consistent with the objectives of this Measure and to inform the Commission Secretariat of the relevant measures that they will apply in these waters.

Small Island Developing States

5. With the exception of paragraphs 14-24, 29, 31-36, and 47-50, nothing in this Measure shall prejudice the rights and obligations of those small island developing State Members and Participating Territories in the Convention Area seeking to develop their domestic fisheries.
6. For the avoidance of doubt, where the term “SIDS” is used throughout this measure, the term includes Participating Territories. The term “CCM” means Members, Cooperating Non-Members and Participating Territories.
7. In giving effect to this CMM, the Commission shall pay attention to:
 - (a) the geographical situation of a small island developing State which is made up of non-contiguous groups of islands having a distinct economic and cultural identity of their own but which are separated by areas of high seas;
 - (b) the special circumstances of a State which is surrounded by the exclusive economic zones of other States and has a limited exclusive economic zone of its own; and
 - (c) the need to avoid adverse impacts on subsistence, small-scale and artisanal fishers.

GENERAL PROVISIONS

Charter Arrangements

8. For the purposes of paragraphs 37-38 and 42-46, attribution of catch and effort shall be to the flag State, except that catches and effort of vessels notified as chartered under CMM 2021-04 or its replacement shall be attributed to the chartering Member, or Participating Territory. Attribution for the purpose of this Measure is without prejudice to attribution for the purposes of establishing rights and allocation.
9. For purposes of paragraphs 37-38 and 42-46, catches and effort of United States flagged vessels operating under agreements with its Participating Territories shall be attributed to the Participating Territories. Such agreements shall be notified to the Commission in the form of

notification under CMM 2021-04 or its replacement. Attribution for the purpose of this Measure is without prejudice to attribution for the purposes of establishing rights and allocation.

Overlap Area

10. Where flag CCMs choose to implement IATTC measures in the overlap area, any calculation of limits for the Convention Area (excluding the overlap area) that are done on the basis of historical catch or effort levels, shall exclude historical catch or effort within the overlap area. Notwithstanding decisions on application of catch and/or effort limits, all other provisions of this measure apply to all vessels fishing in the overlap area.

HARVEST STRATEGIES AND INTERIM OBJECTIVES FOR BIGEYE, SKIPJACK, AND YELLOWFIN TUNA

Bigeve

11. Pending agreement on a target reference point the spawning biomass depletion ratio ($SB/SB_{F=0}$) is to be maintained at or above the average $SB/SB_{F=0}$ for 2012-2015.

Skipjack

12. The spawning biomass of skipjack tuna is to be maintained on average at a level consistent with the interim target reference point of 50% of the spawning biomass in the absence of fishing, adopted in accordance with CMM 2015-06.

Yellowfin

13. Pending agreement on a target reference point the spawning biomass depletion ratio ($SB/SB_{F=0}$) is to be maintained at or above the average $SB/SB_{F=0}$ for 2012-2015.

PURSE SEINE FISHERY

FAD Set Management

14. A three (3) months (July, August and September) prohibition of deploying, servicing or setting on FADs shall be in place between 0001 hours UTC on 1 July and 2359 hours UTC on 30 September each year for all purse seine vessels, tender vessels, and any other vessels operating in support of purse seine vessels fishing in exclusive economic zones and the high seas in the area between 20°N and 20°S.¹

¹ Members of the PNA may implement the FAD set management measures consistent with the Third Arrangement Implementing the Nauru Agreement of May 2008. Members of the PNA shall provide notification to the Commission of the domestic vessels to which the FAD closure will not apply. That notification shall be provided within 15 days of the arrangement being approved. The Secretariat shall provide each year to the Scientific Services Provider and TCC the list of fishing vessels that have not

15. In addition to the three-month FAD closure in paragraph 14, except for those vessels flying the Kiribati flag when fishing in the high seas adjacent to the Kiribati exclusive economic zone, and Philippines' vessels operating in HSP1 in accordance with **Attachment 2**, it shall be prohibited to deploy, service or set on FADs in the high seas for two additional sequential months of the year. Each CCM shall decide which two sequential months (either April – May or November – December) shall be closed to setting on FADs by their fleets in the high seas for 2022, and 2023 and notify the Secretariat of that decision by March 1, each year. In case a CCM decides to change the notified period at any given year of the application of this CMM this shall be notified to the Secretariat before 1st March of that year.

16. The provisions of paragraphs 3 to 7 of CMM 2009-02 apply to the high seas FAD closures.

Non-entangling FADs

17. To reduce the risk of entanglement of sharks, sea turtles or any other species, as from 1st January 2024,² CCMs shall ensure that the design and construction of any FAD to be deployed in, or that drifts into, the WCPFC Convention Area shall comply with the following specifications:

- (a) The use of mesh net shall be prohibited for any part of a FAD.
- (b) If the raft is covered, only non-entangling material and designs shall be used.
- (c) The subsurface structure shall only be made using non-entangling materials.

18. To reduce the amount of synthetic marine debris, CCMs shall encourage vessels flying their flag to use, or transition towards using, non-plastic and biodegradable materials in the construction of FADs.

19. The Scientific Committee shall continue to review research results on the use of biodegradable material on FADs, and shall provide specific recommendations to the Commission in 2022 including on a definition of biodegradable FADs, a timeline for the stepwise introduction of biodegradable FADs, potential gaps/needs and any other relevant information.

20. The Commission at its 2023 annual session, based on specific guidelines defined by the FAD Management Options Intersessional Working Group and advice from SC19 and TCC19 shall consider the adoption of measures on the implementation of biodegradable material on FADs.

Instrumented Buoys

21. A flag CCM shall ensure that each of its purse seine vessels shall have deployed at sea, at any one time, no more than 350 drifting Fish Aggregating Devices (FADs) with activated instrumented buoys. An instrumented buoy is defined as a buoy with a clearly marked reference number allowing its identification and equipped with a satellite tracking system to

applied the FAD closure in the previous year, as well as, their respective numbers of FADs sets during the FADs closure.

² This timeframe may be extended where there are extraordinary circumstances which make implementation impossible. Due to legislative constraints, Indonesia will have an additional 2 years to implement subparagraph (a).

monitor its position. The buoy shall be activated exclusively on board the vessel. A flag CCM shall ensure that its vessels operating in the waters of a coastal State comply with the laws of that coastal State relating to FAD management, including FAD tracking.

22. CCMs shall also encourage vessels to:

- (a) responsibly manage the number of drifting FADs deployed each year;
- (b) carry equipment on board to facilitate the retrieval of lost drifting FADs;
- (c) make reasonable efforts to retrieve lost drifting FADs; and
- (d) report the loss of drifting FADs, and if the loss occurred in the EEZ of a coastal State, report the loss to the coastal State concerned.

23. The Commission at its 2023 meeting based on consideration of the FAD Management Options Working Group shall review the effectiveness of the limit on the number of FADs deployed as set out in paragraph 21 and whether the current limit of 350, or any limit, is appropriate and provide advice on the monitoring of FADs.

Zone-based purse seine effort control

24. Coastal CCMs within the Convention Area shall restrict purse seine effort and/or catch of skipjack, yellowfin and bigeye tuna within their EEZs in accordance with the effort limits established and notified to the Commission and set out in **Table 1 of Attachment 1**. Those coastal CCMs that have yet to notify limits to the Commission shall do so by 31 December 2022.

High seas purse seine effort control³

25. CCMs that are not SIDS shall restrict the level of purse seine effort on the high seas in the area 20°N to 20°S to the limits set out in **Attachment 1, Table 2**, except that the Philippines shall take measures on the high seas in accordance with **Attachment 2**.

26. CCMs shall ensure that the effectiveness of these effort limits for the purse seine fishery are not undermined by a transfer of effort in days fished into areas within the Convention Area south of 20°S and/or north of 20°N.

27. The limits set out in **Attachment 1, Table 2** do not confer the allocation of rights to any CCM and are without prejudice to future decisions of the Commission. The Commission commits to transitioning to a more equitable allocation framework for high seas fishing opportunities that takes into account Articles 8, 10 (3) and 30 of the Convention. The Commission will commence a process to develop that framework in 2022, to enable the Commission to reach agreement in 2023 on hard effort or catch limits in the high seas of the Convention Area and a framework for the allocation of those limits in the high seas amongst all Members and Participating Territories that adequately takes into account Articles 8, 10 (3)

³ Throughout this measure, in the case of small purse seine fleets, of five vessels or less, the baseline level of effort used to determine a limit shall be the maximum effort in any period and not the average.

and 30 of the Convention. The Commission shall also consider options as to how CCMs would use their limits.

28. Where the catch and effort limits in paragraphs 24 and 25 have been exceeded, any overage of the annual limits by a CCM or the collective annual limits of a group of CCMs shall be deducted from the limits for the following year for that CCM or group of CCMs.

Catch retention: Purse Seine Fishery

29. To create an incentive to reduce the non-intentional capture of juvenile fish, to discourage waste and to encourage an efficient utilization of fishery resources, CCMs shall require their purse seine vessels fishing in EEZs and on the high seas within the area bounded by 20°N and 20°S to retain on board and then land or transship at port all bigeye, skipjack, and yellowfin tuna. (Paragraphs 8 to 12 of CMM 2009-02 set out the Commission's rules for catch retention in the high seas.) The only exceptions to this paragraph shall be:

- (a) when, in the final set of a trip, there is insufficient well space to accommodate all fish caught in that set, noting that excess fish taken in the last set may be transferred to and retained on board another purse seine vessel provided this is not prohibited under applicable national law; or
- (b) when the fish are unfit for human consumption for reasons other than size; or
- (c) when serious malfunction of equipment occurs.

30. Nothing in paragraphs 14-16 and 29 shall affect the sovereign rights of coastal States to determine how these management measures will be applied in their waters, or to apply additional or more stringent measures.

Monitoring and Control: Purse Seine Fishery

31. Notwithstanding the VMS SSP, a purse seine vessel shall not operate under manual reporting during the FADs closure periods, but the vessel will not be directed to return to port until the Secretariat has exhausted all reasonable steps to re-establish normal automatic reception of VMS positions in accordance with the VMS SSPs. The flag State shall be notified when VMS data is not received by the Secretariat at the interval specified in CMM 2014-02 or its replacement, and paragraph 35.

32. CCMs shall ensure that purse seine vessels entitled to fly their flags and fishing within the area bounded by 20°N and 20°S exclusively on the high seas, on the high seas and in waters under the jurisdiction of one or more coastal States, or vessels fishing in waters under the jurisdiction of two or more coastal States, shall carry an observer from the Commission's Regional Observer Program (ROP) (CMM 2018-05).

33. Each CCM shall ensure that all purse seine vessels fishing solely within its national jurisdiction within the area bounded by 20°N and 20°S carry an observer. These CCMs are encouraged to provide the data gathered by the observers for use in the various analyses conducted by the Commission, including stock assessments, in such a manner that protects the ownership and confidentiality of the data.

34. ROP reports for trips taken during FADs closure period shall be given priority for data input and analysis by the Secretariat and the Commission's Science Provider.

35. VMS polling frequency shall be increased to every 30 minutes during the FAD closure period. The increased costs associated with the implementation of this paragraph will be borne by the Commission.

Research on Bigeye and Yellowfin

36. CCMs and the Commission are encouraged to conduct and promote research to identify ways for purse seine vessels to minimize the mortality of juvenile bigeye tuna and yellowfin tuna, particularly in accordance with any research plans adopted by the Commission.

LOONGLINE FISHERY

37. As an interim measure, CCMs listed in **Attachment 1, Table 3** shall restrict the level of bigeye catch to the levels specified in **Table 3**. Where the limits in **Table 3** have been exceeded, any overage of the catch limit by a CCM listed in **Table 3** shall be deducted from the catch limit for the following year for that CCM.

38. CCMs listed in **Attachment 1, Table 3** shall report monthly the amount of bigeye catch by their flagged vessels to the Commission Secretariat by the end of the following month. The Secretariat shall notify all CCMs when 90% of the catch limits for a CCM is exceeded.

39. The limits set out in **Attachment 1, Table 3** do not confer the allocation of rights to any CCM and are without prejudice to future decisions of the Commission.

40. Subject to paragraph 5, each Member that caught less than 2,000 tonnes in 2004 shall ensure that its bigeye catch does not exceed 2,000 tonnes annually.

41. The Commission commits to transitioning to a more equitable allocation framework for fishing opportunities that takes into account Articles 8, 10 (3) and 30 of the Convention. The Commission will commence a process to develop that framework in 2022, to enable the Commission to reach agreement in 2023 on hard limits for bigeye amongst all Members and Participating Territories.

CAPACITY MANAGEMENT FOR PURSE SEINE AND LOONGLINE VESSELS

Purse Seine Vessel Limits

42. CCMs, other than Small Island Developing States and Indonesia⁴, shall keep the number of purse seine vessels flying their flag larger than 24m with freezing capacity operating between 20°N and 20°S (hereinafter "LSPSVs") to the applicable level under CMM 2013-01.

⁴ This paragraph shall not create a precedent with respect to application of exemptions to non-SIDS CCMs.

43. The concerned CCMs shall ensure that any new LSPSV constructed or purchased to replace a previous vessel or vessels, shall have a carrying capacity or well volume no larger than the vessel(s) being replaced, or shall not increase the catch or effort in the Convention Area from the level of the vessels being replaced. In such case, the authorization to fish in the Convention Area of the replaced vessel shall be immediately revoked by the flag CCM.

Limits on Longline Vessels with Freezing Capacity

44. CCMs, other than Small Island Developing States and Indonesia⁵, shall not increase the number of their longline vessels with freezing capacity targeting bigeye tuna above the applicable level under CMM 2013-01.⁶

Limits on ice-chilled longline vessels landing fresh fish

45. CCMs, other than Small Island Developing States and Indonesia⁷ shall not increase the number of their ice-chilled longline vessels targeting bigeye tuna and landing exclusively fresh fish above the applicable level under CMM 2013-01, or above the number of licenses under established limited entry programmes applying during the operation of CMM 2013-01.⁸

46. Nothing in this measure shall restrict the ability of SIDS or Participating Territories to construct or purchase vessels from other CCMs for their domestic fleets.

OTHER COMMERCIAL FISHERIES

47. CCMs shall take necessary measures to ensure that the total catch of their respective other commercial tuna fisheries for bigeye, yellowfin or skipjack tuna, but excluding those fisheries taking less than 2,000 tonnes of tropical tunas (bigeye, yellowfin and skipjack), shall not exceed either the average level for the period 2001-2004 or the level of 2004.

DATA PROVISION REQUIREMENTS

48. Operational level catch and effort data in accordance with the *Standards for the Provision of Operational Level Catch and Effort Data* attached to the Rules for *Scientific Data to be Provided to the Commission* relating to all fishing in EEZs and high seas south of 20N subject to this CMM except for artisanal small-scale vessels shall be provided to the

⁵ This paragraph shall not create a precedent with respect to application of exemptions to non-SIDS CCMs.

⁶ The provisions of this paragraph do not apply to those CCMs who apply domestic quotas, including individual transferable quotas, within a legislated/regulated management framework.

⁷ This paragraph shall not create a precedent with respect to application of exemptions to non-SIDS CCMs.

⁸ The provisions of this paragraph do not apply to those CCMs who apply domestic quotas, including individual transferable quotas, within a legislated/regulated management framework.

Commission not only for the purpose of stocks management but also for the purpose of cooperation to SIDS under Article 30 of the Convention.^{9 10}

49. The Commission shall ensure the confidentiality of those data provided as non-public domain data.

50. CCMs whose vessel fish in EEZs and high seas north of 20N subject to this CMM shall ensure that aggregated data by 1 x 1 in that area be provided to the Commission, and shall also, upon request, cooperate in providing operational level data in case of Commission's stock assessment of tropical tuna stocks under a data handling agreement to be separately made between each CCM and the Scientific Provider. Those CCMs shall report such agreement to the Commission.

REVIEW AND FINAL PROVISIONS

51. The Commission shall review this CMM annually to ensure that the various provisions are having the intended effect.

52. This measure replaces CMM 2020-01. This measure shall come into effect on 16 February 2022 and remain in effect until 15 February 2024 unless earlier replaced or amended by the Commission.

⁹ CCMs which had domestic legal constraints under CMM 2014-01 shall provide operational level data as of the date on which those domestic legal constraints were lifted.

¹⁰ This paragraph shall not apply to Indonesia, until it changes its national laws so that it can provide such data. This exception shall expire when such changes take effect but in any event no later than 31 December 2025. Indonesia will, upon request, make best effort to cooperate in providing operational level data in case of Commission's stock assessment of those stocks under a data handling agreement to be separately made with the Scientific Provider.

Attachment 1**Table 1: EEZ purse seine effort limits [paragraph 24]***(Table updated with information provided to Secretariat)*

| Coastal CCMs' EEZ/Group | Effort in Vessel days/Catch limit | Comment |
|-------------------------|---|---|
| PNA | 44,033 days | This limit will be managed cooperatively through the PNA Vessel Day Scheme. |
| Tokelau | 1000 days | |
| Cook Islands | 1,250 days | |
| Fiji | 300 days | |
| Niue | 200 days | |
| Samoa | 150 days | |
| Tonga | 250 days | |
| Vanuatu | 200 days | |
| Australia | 30,000 mt SKJ 600 mt BET 600 mt YFT | |
| French Polynesia | 0 | |
| Indonesia | 70,820 mt | |
| Japan | 1500 days | |
| Korea | * | |
| New Zealand | 40,000 mt SKJ | |
| New Caledonia | 20,000 mt SKJ | |
| Philippines | * | |
| Chinese Taipei | 59 days (~34 purse seine vessels) | |
| United States ** | 558 days | |
| Wallis and Futuna | * | |

* Limits not notified to the Commission

** The United States notified the Secretariat of the combined US EEZ and high seas effort limits on 1 July 2016 (1828 fishing days on the high seas and in the U.S. EEZ (combined)). The US EEZ limit is understood to be this notified limit minus the high seas effort limit for the United States set out in **Table 2** of **Attachment 1**.

Table 2. High seas purse seine effort control [paragraphs 25-27]

| CCM | EFFORT LIMIT (DAYS) |
|-------------------|---------------------|
| CHINA | 26 |
| ECUADOR | ** |
| EL SALVADOR | ** |
| EUROPEAN UNION | 403 |
| INDONESIA | (0) |
| JAPAN | 121 |
| NEW ZEALAND | 160 |
| PHILIPPINES | # |
| REPUBLIC OF KOREA | 207 |
| CHINESE TAIPEI | 95 |
| USA | 1270 |

** subject to CNM on participatory rights
The measures that the Philippines will take are in **Attachment 2**.

Table 3. Bigeye Longline Catch Limits [paragraphs 37-39]

| Bigeye catch limits by flag | |
|-----------------------------|--------------|
| CCMs | Catch Limits |
| CHINA | 8,224 |
| INDONESIA | 5,889* |
| JAPAN | 18,265 |
| KOREA | 13,942 |
| CHINESE TAIPEI | 10,481 |
| USA | 3,554 |

*Provisional and maybe subject to revision following data analysis and verification

Japan will make an annual one-off transfer of 500 metric tonnes of its bigeye tuna catch limit to China.

Attachment 2: Measure for Philippines

1. This Attachment shall apply to Philippine traditional fresh/ice chilled fishing vessels operating as a group.

AREA OF APPLICATION

2. This measure shall apply only to High Seas Pocket no. 1 (HSP-1), which is the area of high seas bounded by the Exclusive Economic Zones (EEZs) of the Federated States of Micronesia to the north and east, Republic of Palau to the west, Indonesia and Papua New Guinea to the south. For the purposes of this measure, the exact coordinates for the area shall be those used by the WCPFC vessel monitoring system (VMS). A map showing the HSP-1 Special Management Area (SMA) is attached.

REPORTING

3. Philippines shall require its concerned vessels to submit reports to the Commission at least 24 hours prior to entry and no more than 6 hours prior to exiting the HSP-1 SMA. This information may, in turn, be transmitted to the adjacent coastal States/Territories.

The report shall be in the following format:

VID/Entry or Exit: Date/Time; Lat/Long

4. Philippines shall ensure that its flagged vessels operating in the HSP-1 SMA report sightings of any fishing vessel to the Commission Secretariat. Such information shall include: vessel type, date, time, position, markings, heading and speed.

OBSERVER

5. The fishing vessels covered by this measure shall employ a WCPFC Regional Observer on board during the whole duration while they operate in HSP-1 SMA in accordance with the provisions of CMM 2018-05.

6. Regional Observers from other CCMs shall be given preference/priority. For this purpose, the Philippines and the Commission Secretariat shall inform the CCMs and the Adjacent Coastal State of the deployment needs and requirements at 60 days prior expected departure. The Secretariat and the CCM that has available qualified regional observer shall inform the Philippines of the readiness and availability of the Regional Observer at least 30 days prior to the deployment date. If none is available, the Philippines is authorized to deploy regional observers from the Philippines.

VESSEL LIST

7. The Commission shall maintain an updated list of all fishing vessels operating in HSP-1 SMA based on the foregoing vessel's entry and exit reports submitted to the Commission. The list will be made available to Commission Members through the WCPFC website.

MONITORING OF PORT LANDINGS

8. The Philippines shall ensure that all port landings of its vessels covered by this decision are monitored and accounted for to make certain that reliable catch data by species are collected for processing and analysis.

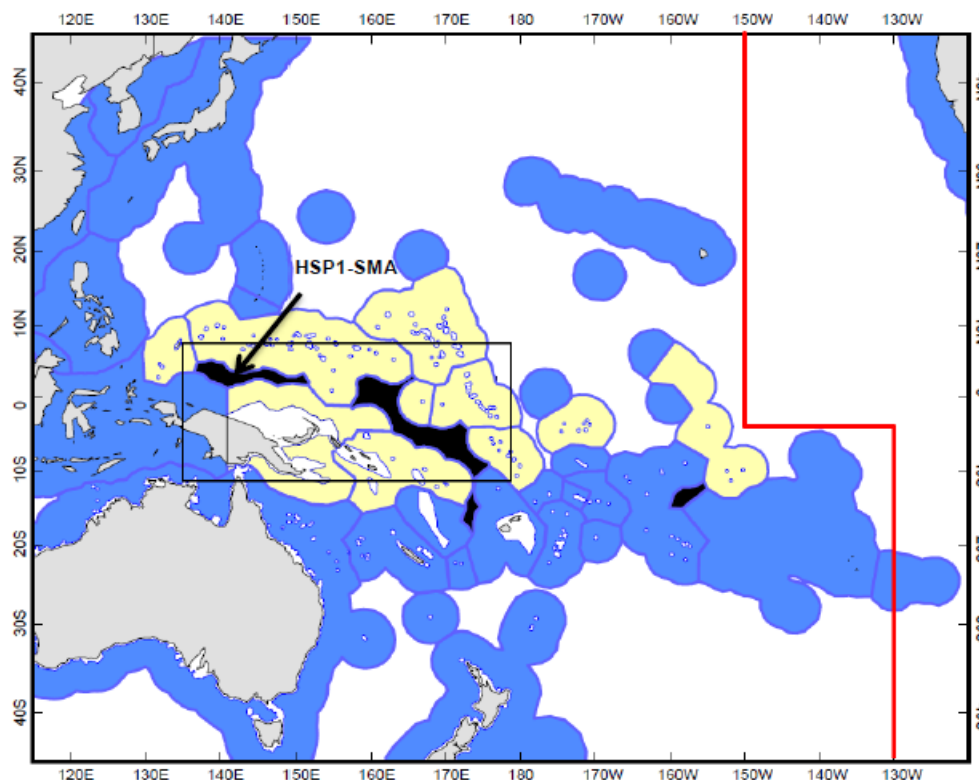
COMPLIANCE

9. All vessels conducting their fishing activities pursuant to this Attachment to CMM 2021-01 shall comply with all other relevant CMMs. Vessels found to be non-complaint with this decision shall be dealt with in accordance with CMM 2019-07 or its replacement CMM, and any other applicable measure adopted by the Commission.

EFFORT LIMIT

10. The total effort of these vessels shall not exceed 4,659¹⁴ days. The Philippines shall limit its fleet to 36 fishing vessels (described by the Philippines as catcher fishing vessels) in the HSP-1 SMA.

Map showing HSP-1 SMA where the Arrangements in Attachment 2 apply



This map displays indicative maritime boundaries only. It is presented without prejudice to any past, current or future claims by any State. It is not intended for use to support any past, current or future claims by any State or territory in the western and central Pacific or east Asian region. Individual States are responsible for maintaining the coordinates for their maritime claims. It is the responsibility of flag States to ensure their vessels are informed of the coordinates of maritime limits within the Convention Area. Coastal States are invited to register the coordinates for their negotiated and agreed maritime areas with the Commission Secretariat.

¹⁴ Reference Table 2(b), WCPFC9-2012-IP09_rev3



**COMMISSION
EIGHTEENTH REGULAR SESSION**
Electronic Meeting
1 – 7 December 2021

**CONSERVATION AND MANAGEMENT MEASURE FOR
PACIFIC BLUEFIN TUNA**

Conservation and Management Measure 2021-02

The Western and Central Pacific Fisheries Commission (WCPFC):

Recognizing that WCPFC6 adopted Conservation and Management Measure for Pacific bluefin tuna (CMM 2009-07) and the measure was revised ten times since then (CMM 2010-04, CMM 2012-06, CMM 2013-09, CMM 2014-04, CMM 2015-04, CMM 2016-04, CMM 2017-08, CMM 2018-02, CMM 2019-02 and CMM 2020-02) based on the conservation advice from the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) on this stock;

Noting the latest stock assessment provided by ISC Plenary Meeting in July 2020, indicating the following:

- (1) spawning stock biomass (SSB) fluctuated throughout the assessment period (fishing years 1952-2018), (2) the SSB steadily declined from 1996 to 2010, (3) the slow increase in the stock biomass has been continuing since 2011, (4) total biomass in 2018 exceeded the historical median with an increase in immature fish; and (5) fishing mortality (F%SPR) declined from a level producing about 1% of SPR in 2004-2009 to a level producing 14% of SPR in 2016-2018;
- A substantial decrease in estimated F has been observed in ages 0-2 in 2016-2018 relative to the previous years;
- Since the early 1990s, the WCPO purse seine fisheries, in particular those targeting small fish (age 0-1) have had an increasing impact on the spawning stock biomass, and in 2016 had a greater impact than any other fishery group;
- Harvesting small fish has a greater impact on future spawning stock biomass than harvesting large fish of the same amount;
- The projection results indicate that, under all the examined scenarios, the initial goal of rebuilding the stock to SSB_{MED} by 2024 with at least 60% probability, is reached with 99% or 100% probability, and that the risk of SSB falling below SSB_{loss} is negligible; and
- The projection results also indicate that, under all the examined scenarios, the estimated probability of achieving the second biomass rebuilding target (20% of $SSB_{F=0}$) 10 years after the achievement of the initial rebuilding target or by 2034, whichever is earlier, is greater than 90%.

Recalling that paragraph (4) of the Article 22 of the WCPFC Convention, which requires cooperation between the Commission and the IATTC to reach agreement to harmonize CMMs for fish stocks such as Pacific bluefin tuna that occur in the convention areas of both organizations;

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

General Provision

1. This conservation and management measure has been prepared to implement the Harvest Strategy for Pacific Bluefin Tuna Fisheries (Harvest Strategy 2017-02), and the Northern Committee shall periodically review and recommend revisions to this measure as needed to implement the Harvest Strategy.

Management measures

2. CCMs shall take measures necessary to ensure that total fishing effort by their vessel fishing for Pacific bluefin tuna in the area north of the 20° N shall stay below the 2002–2004 annual average levels.

3. Japan, Korea and Chinese Taipei shall, respectively, take measures necessary to ensure that its catches of Pacific bluefin tuna less than 30 kg and Pacific bluefin tuna 30 kg or larger shall not exceed the annual catch limits in the tables below. The basis for the limits is as follows; annual catch limits for Pacific bluefin tuna less than 30 kg are 50% of the 2002-2004 average annual levels and annual catch limits for Pacific bluefin tuna 30 kg or larger are 115% of the 2002-2004 average annual levels or 30 metric tons for a CCM who does not have an initial catch limit for Pacific bluefin tuna 30 kg or larger before 2022.

Pacific bluefin tuna less than 30kg

| | 2002-2004 average annual level | Annual initial catch limit |
|-------|--------------------------------|----------------------------|
| Japan | 8,015 metric tons | 4,007 metric tons |
| Korea | 1,435 metric tons | 718 metric tons |

Pacific bluefin tuna 30kg or larger

| | 2002-2004 average annual level | Annual initial catch limit |
|----------------|--------------------------------|----------------------------|
| Japan | 4,882 metric tons | 5,614 metric tons |
| Korea | 0 metric tons | 30 metric tons |
| Chinese Taipei | 1,709 metric tons | 1,965 metric tons |

4. CCMs, not described in paragraph 3, may increase their catch of Pacific bluefin tuna 30kg or larger by 15% above their 2002-2004 annual average levels. CCMs with a base line catch of 10 tons or less of Pacific bluefin tuna 30 kg or larger may increase their catch as long as it does not exceed 10 metric tons per year.

5. Any overage or underage of the catch limit shall be deducted from or may be added to the catch limit for the following year. The maximum underage that a CCM may carry over in any given year shall not exceed 5% of its annual initial catch limit¹.

6. CCMs described in paragraph 3 may use part of the catch limit for Pacific bluefin tuna smaller than 30 kg stipulated in paragraph 3 above to catch Pacific bluefin tuna 30 kg or larger in the same year. In this case, the amount of catch 30 kg or larger shall be counted against the catch limit for Pacific bluefin tuna smaller than 30 kg². CCMs shall not use the catch limit for Pacific bluefin tuna 30 kg or larger to catch Pacific bluefin tuna smaller than 30 kg.

¹ Notwithstanding paragraph 5, a CCM may carry over up to 17% of its initial catch limits in 2021, 2022 and 2023, which remain uncaught, to 2022, 2023 and 2024, respectively.

² In 2022, 2023 and 2024, a CCM may count the amount of catch 30 kg or larger adjusted with the conversion factor 0.68 (catch 30 kg or larger multiplied by 0.68) against the catch limit for Pacific bluefin tuna smaller than 30 kg up to 10% of its initial catch limit for Pacific bluefin tuna smaller than 30 kg. Notwithstanding the first sentence of this footnote, a CCM who does not have an initial catch limit for Pacific bluefin tuna 30kg or larger before 2022 may apply the conversion factor 0.68 up to 25% instead of 10% of its initial catch limit for Pacific bluefin tuna less than 30kg for the same period.

7. All CCMs except Japan shall implement the limits in paragraph 3 on a calendar-year basis. Japan shall implement the limits using a management year other than the calendar year for some of its fisheries and have its implementation assessed with respect to its management year. To facilitate the assessment, Japan shall:

- a. Use the following management years:
 - 1) For its fisheries licensed by the Ministry of Agriculture, Forestry and Fisheries, use the calendar year as the management year.
 - 2) For its other fisheries, use 1 April – 31 March as the management year.³
- b. In its annual reports for PBF, for each category described in a.1 and a.2 above, complete the required reporting template for both the management year and calendar year clearly identifying fisheries for each management year.

8. CCMs shall report to the Executive Director by 31 July each year their fishing effort and <30 kg and ≥30 kg catch levels, by fishery, for the previous 3 year, accounting for all catches, including discards. CCMs shall report their annual catch limits and their annual catches of PBF, with adequate computation details, to present their implementation for paragraph 5 and 6, if the measures and arrangements in the said paragraphs and relevant footnotes applied. The Executive Director will compile this information each year into an appropriate format for the use of the Northern Committee.

9. CCMs shall intensify cooperation for effective implementation of this CMM, including juvenile catch reduction.

10. CCMs, in particular those catching juvenile Pacific bluefin tuna, shall take measures to monitor and obtain prompt results of recruitment of juveniles each year.

11. Consistent with their rights and obligations under international law, and in accordance with domestic laws and regulations, CCMs shall, to the extent possible, take measures necessary to prevent commercial transaction of Pacific bluefin tuna and its products that undermine the effectiveness of this CMM, especially measures prescribed in the paragraph 3 above. CCMs shall cooperate for this purpose.

12. CCMs shall cooperate to establish a catch documentation scheme (CDS) to be applied to Pacific bluefin tuna in accordance with the **Attachment** of this CMM.

13. CCMs shall also take measures necessary to strengthen monitoring and data collecting system for Pacific bluefin tuna fisheries and farming in order to improve the data quality and timeliness of all the data reporting.

14. CCMs shall report to Executive Director by 31 July annually measures they used to implement paragraphs 2, 3, 4, 7, 8, 10, 11 13 and 16 of this CMM. CCMs shall also monitor the international trade of the products derived from Pacific bluefin tuna and report the results to Executive Director by 31 July annually. The Northern Committee shall annually review those reports CCMs submit pursuant to this paragraph and if necessary, advise a CCM to take an action for enhancing its compliance with this CMM.

15. The WCPFC Executive Director shall communicate this CMM to the IATTC Secretariat and its contracting parties whose fishing vessels engage in fishing for Pacific bluefin tuna in EPO and request them

³ For the category described a.2 of paragraph 7, the TCC shall assess in year 20XX its implementation during the management year that starts 1 April 20XX-1 (e.g., in the 2020 compliance review, the TCC will assess Japan's implementation for its fisheries licensed by the Ministry of Agriculture, Forestry and Fisheries during calendar-year 2019 and for its other fisheries during 1 April 2019 through 31 March 2020).

to take equivalent measures in conformity with this CMM.

16. To enhance effectiveness of this measure, CCMs are encouraged to communicate with and, if appropriate, work with the concerned IATTC contracting parties bilaterally.

17. The provisions of paragraphs 2 and 3 shall not prejudice the legitimate rights and obligations under international law of those small island developing State Members and participating territories in the Convention Area whose current fishing activity for Pacific bluefin tuna is limited, but that have a real interest in fishing for the species, that may wish to develop their own fisheries for Pacific bluefin tuna in the future.

18. The provisions of paragraph 17 shall not provide a basis for an increase in fishing effort by fishing vessels owned or operated by interests outside such developing coastal State, particularly Small Island Developing State Members or participating territories, unless such fishing is conducted in support of efforts by such Members and territories to develop their own domestic fisheries.

19. This CMM replaces CMM 2020-02. On the basis of stock assessment conducted by ISC in 2022, and other pertinent information, this CMM shall be reviewed and may be amended as appropriate in 2022.

Attachment

Development of a Catch Document Scheme for Pacific Bluefin Tuna

Background

At the 1st joint working group meeting between NC and IATTC, held in Fukuoka, Japan from August 29 to September 1, 2016, participants supported to advance the work on the Catch Documentation Scheme (CDS) in the next joint working group meeting, in line with the development of overarching CDS framework by WCPFC and taking into account of the existing CDS by other RFMOs.

1. Objective of the Catch Document Scheme

The objective of CDS is to combat IUU fishing for Pacific Bluefin Tuna (PBF) by providing a means of preventing PBF and its products identified as caught by or originating from IUU fishing activities from moving through the commodity chain and ultimately entering markets.

2. Use of electronic scheme

Whether CDS will be a paper based scheme, an electronic scheme or a gradual transition from a paper based one to an electronic one should be first decided since the requirement of each scheme would be quite different.

3. Basic elements to be included in the draft conservation and management measure (CMM)

It is considered that at least the following elements should be considered in drafting CMM.

- (1) Objective
- (2) General provision
- (3) Definition of terms
- (4) Validation authorities and validating process of catch documents and re-export certificates
- (5) Verification authorities and verifying process for import and re-import
- (6) How to handle PBF caught by artisanal fisheries
- (7) How to handle PBF caught by recreational or sport fisheries
- (8) Use of tagging as a condition for exemption of validation
- (9) Communication between exporting members and importing members
- (10) Communication between members and the Secretariat
- (11) Role of the Secretariat
- (12) Relationship with non-members
- (13) Relationship with other CDSs and similar programs
- (14) Consideration to developing members
- (15) Schedule for introduction
- (16) Attachment
 - (i) Catch document forms
 - (ii) Re-export certificate forms
 - (iii) Instruction sheets for how to fill out forms
 - (iv) List of data to be extracted and compiled by the Secretariat

4. Work plan

The following schedule may need to be modified, depending on the progress on the WCPFC CDS for tropical tunas.

- | | |
|------|--|
| 2017 | The joint working group will submit this concept paper to the NC and IATTC for endorsement. NC will send the WCPFC annual meeting the recommendation to endorse the paper. |
| 2018 | The joint working group will hold a technical meeting, preferably around its meeting, to materialize the concept paper into a draft CMM. The joint working group will report the progress to the WCPFC via NC and the IATTC, respectively. |
| 2019 | The joint working group will hold a second technical meeting to improve the draft CMM. The joint working group will report the progress to the WCPFC via NC and the IATTC, respectively. |
| 20XX | The joint working group will hold a third technical meeting to finalize the draft CMM. Once it is finalized, the joint working group will submit it to the NC and the IATTC for adoption. The NC will send the WCPFC the recommendation to adopt it. |

Attachment I



**COMMISSION
EIGHTEENTH REGULAR SESSION**

Electronic Meeting
1 - 7 December 2021

**INDICATIVE WORK PLAN FOR THE ADOPTION OF HARVEST STRATEGIES
UNDER CMM 2014-06**

- The first Harvest Strategy Workplan was developed in 2015 in accordance with CMM2014-06. It set out a deliberately ambitious schedule of technical work and Commission decision making for the development of harvest strategies across the four key tuna stocks. The workplan was always intended to be a living document and has been updated annually to reflect actual progress as well as other needs and developments.
- It is acknowledged that delays in the execution of the workplan may occur, noting the complexity of developing harvest strategies for multiple species within the multilateral WCPFC environment as well as the capacity of member CCMs to understand and participate fully in the process. For this reason, all parties are cautioned against an expectation that harvest strategy elements will be completed in specific years. Completion dates have changed in the past and may change in the future.
- This workplan simply schedules decisions noting that it is the Commission’s decision as to their interim nature. It is important to understand the implications of single species management procedures within a multi-species fishery context upon application of any of the management procedures.
- There is a very important need for capacity building to allow CCMs to understand and participate fully in the harvest strategy development process and ultimately to have confidence that an adopted harvest strategy is an agreeable balance of their objectives. This is particularly so as the Commission starts to consider the multispecies nature of the fishery and how management procedures will interact.
- For clarity and consistency, the term “Management Procedure” is used from 2020 onward in this workplan in place of the term “Harvest Control Rule (HCR)”. A Management Procedure is a key part of a Harvest Strategy comprising a more formal specification of data collection, the associated estimation model (e.g. the estimation of stock status through an analytical or empirical method) together with a Harvest Control Rule. Together these clearly define what management actions are to be made in response to changes in the stock or fishery condition.

2021 Update

- The technical progress of the Scientific Services Provider included the refinement of the MSE framework for skipjack and South Pacific albacore and ongoing testing of management procedures for both, and the development of the mixed fishery harvest strategy framework for WCPO tuna stocks. Harvest strategy capacity building workshops were also conducted, and additional online capacity building material has been developed to try to limit the impacts of the ongoing COVID 19 pandemic.
- As in 2020, the online nature of the SC17 meeting limited the discussion of harvest strategy issues.
- The indicative plan has been extended for an additional two years to 2024.
- South Pacific Albacore and Skipjack management procedures are remain scheduled for adoption in 2022 (no change) and management procedures for yellowfin and bigeye are now scheduled for adoption in 2024 (new).
- For all species, a new task has been assigned for the SC to formally agree the operating models to be used for management strategy evaluation.
- For all species, some additional and clearer tasking has been assigned for the SC and Commission to develop and implement the monitoring strategy.

Note: Within the tables below, progress in earlier years is in grey. Bold items are the six elements that are referred to in CMM 2014-06 (Objectives, Reference Points, Acceptable Levels of Risk, Monitoring, Harvest Control Rules/Management Procedure and MSE). Items in brackets are related to harvest strategy development and so are part of the plan but are not one of these six elements.

| | South Pacific Albacore | Skipjack | Bigeye | Yellowfin |
|-------------|--|---|---|-----------|
| 2015 | SC provided advice on implications of a range of Target Reference Points for South Pacific albacore. | Commission agreed an interim Target Reference Point (b). | Commission tasked SC to determine a biologically reasonable timeframe for rebuilding bigeye tuna to [or above] its limit reference point. | |
| | Commission agreed to workplan for the adoption of harvest strategies under CMM 2014-06 [WCPFC12 Summary Report, Attachment Y] | | | |

| | South Pacific Albacore | Skipjack | Bigeye | Yellowfin |
|------|---|---|--|--|
| 2016 | <p>Commission considered management objectives for the fishery or stock (a).</p> <p>Performance indicators and Monitoring strategy (d).</p> <ul style="list-style-type: none"> • SC provided advice on a monitoring strategy to assess performance against reference points. • SC provided advice on a range of performance indicators to evaluate performance of harvest control rules. • Commission tasked SPC/SC to develop interim performance indicators to evaluate harvest control rules. • <i>[Commission agree to a monitoring strategy to assess performance against reference points.]</i> | <p>Commission considered management objectives for the fishery or stock (a).</p> <p>Performance indicators and Monitoring strategy (d).</p> <ul style="list-style-type: none"> • SC provided advice on a monitoring strategy to assess performance against reference points. • SC provide advice on a range of performance indicators to evaluate performance of harvest control rules. • Commission agreed interim performance indicators to evaluate harvest control rules. [see WCPFC13 Summary Report Attachment M] • <i>[Commission agree to a monitoring strategy to assess performance against reference points.]</i> | <p>Commission considered management objectives for the fishery or stock (a).</p> <p>Commission agreed timeframes to rebuild stock to limit reference point. [see page 8 of HSW]</p> | <p>Commission considered management objectives for the fishery or stock (a).</p> |
| | Commission agreed on interim maximum acceptable risk level for breaching the LRP (c). [see page 8 of HSW] | | | |
| | Commission agreed to a refined workplan for the adoption of harvest strategies under CMM 2014-06 [WCPFC13 Summary Report Attachment N] | | | |
| | <p>Progress Summary:</p> <p>Recognised the need for some harvest strategy elements to be adopted as ‘interim’ noting that they be reconsidered as the harvest strategy process develops.</p> <p>Considered management objectives for the fisheries or stocks and made progress on identifying performance measures for tropical purse seine fisheries. For South Pacific albacore acknowledged the benefit of SPC adapting the same list of indicators to further similar work for south Pacific albacore. Commenced some early discussions on the relationship between harvest strategies for the different species and multispecies issues.</p> | | | |

| | South Pacific Albacore | Skipjack | Bigeye | Yellowfin |
|--|---|--|--|---|
| 2017 | <p>Performance indicators and Monitoring strategy (d).</p> <ul style="list-style-type: none"> • SC provided advice on a range of performance indicators for the Southern Longline Fishery to evaluate performance of harvest control rules. • Commission noted performance indicators for the Southern Longline Fishery to evaluate harvest control rules. | <p>Develop harvest control rules (e) and Management strategy evaluation (f).</p> <ul style="list-style-type: none"> • SC provide advice on candidate harvest control rules based on agreed reference points (ongoing). • Commission consider advice on progress towards harvest control rules (ongoing). | <p>Performance indicators and Monitoring strategy (d).</p> <ul style="list-style-type: none"> • SC provide advice on a range of performance indicators for the Tropical Longline Fishery to evaluate performance of harvest control rules. • Commission noted performance indicators for the Tropical Longline Fishery to evaluate harvest control rules <p>[SC report on BET status following updated assessment.]</p> <p>[SC and SPC provide advice to the Commission on the likely outcomes of revised tropical tuna measure.]</p> | <p>Performance indicators and Monitoring strategy (d).</p> <ul style="list-style-type: none"> • SC provide advice on a range of performance indicators for the Tropical Longline Fishery to evaluate performance of harvest control rules. • Commission noted performance indicators for the Tropical Longline Fishery to evaluate harvest control rules |
| Consider management objectives for stocks and fisheries (a). | | | | |
| <p>Progress Summary:</p> <ul style="list-style-type: none"> • Noted candidate performance indicators for the Southern Longline Fishery and the Tropical Longline fishery to evaluate harvest control rules. • Agreed on actions to prioritise the development and adoption of a Target Reference Point for south Pacific albacore at WCPFC15. • Recognized the importance of developing harvest strategies for key stocks in the WCPO. The Commission recognized that this work requires the consideration of fisheries managers and scientists at different stages. The Commission notes that the time required for harvest strategy discussions is substantial but will also vary from year to year and the Commission recognized the need for this to be accommodated. • Agreed to reprioritise as needed the annual agenda of the Commission and Scientific Committee to allow sufficient additional time for consideration of harvest strategy issues. In addition WCPFC recognised that there may also be a need for a dedicated science/management dialogue. | | | | |

| | South Pacific Albacore | Skipjack | Bigeye | Yellowfin |
|-------------|--|---|---|---|
| 2018 | <p>Agree Target Reference Point (b).</p> <ul style="list-style-type: none"> Commission agree a TRP for south pacific albacore. <p>Develop harvest control rules (e) and Management strategy evaluation (f)</p> <ul style="list-style-type: none"> SC provide advice on performance of candidate harvest control rules. (ongoing). TCC consider the implications of candidate harvest control rules. (ongoing). Commission consider advice on progress towards harvest control rules. (ongoing). <p>[SC updated advice on SP albacore status.]</p> | <p>Develop harvest control rules (e) and Management strategy evaluation (f)</p> <ul style="list-style-type: none"> SC provide advice on performance of candidate harvest control rules. (ongoing). TCC consider the implications of candidate harvest control rules. (ongoing). Commission consider advice on progress towards harvest control rules. (ongoing). | <p>[SC updated advice on BET status.]</p> <p>[SC and SPC provide advice to the Commission on the likely outcomes of revised tropical tuna measure.]</p> <p>[SC and Commission discussion of management objectives for fisheries and/or stocks, and subsequent development of candidate TRPs for BET and YFT.]</p> | <p>[SC and Commission discussion of management objectives for fisheries and/or stocks, and subsequent development of candidate TRPs for BET and YFT.]</p> |
| | Consider management objectives for stocks and fisheries (a). | | | |
| | <p>Progress Summary:</p> <ul style="list-style-type: none"> An interim target reference point (TRP) for south Pacific albacore (0.56 SBF=0) was agreed. The Commission agreed to hold a 6-day annual meeting in 2019 with additional time devoted for the Commission to discuss harvest strategies. | | | |

| | South Pacific Albacore | Skipjack | Bigeye | Yellowfin |
|-------------|---|---|--|--|
| 2019 | <p>Develop harvest control rules (e) and Management strategy evaluation (f)</p> <ul style="list-style-type: none"> • SC provided advice on performance of candidate harvest control rules. (ongoing). • TCC considered the implications of candidate harvest control rules. (ongoing). • Commission considered advice on progress towards harvest control rules. (ongoing). <p>[Science Service Provider identified a range of alternative catch pathways to the interim TRP and timeframes that achieve this]</p> | <p>Develop harvest control rules (e) and Management strategy evaluation (f)</p> <ul style="list-style-type: none"> • SC provided advice on performance of candidate harvest control rules. (ongoing). • TCC considered the implications of candidate harvest control rules. (ongoing). • Commission considered advice on progress towards harvest control rules. (ongoing). <p>[“TRP shall be reviewed by the Commission no later than 2019” – CMM 2015-06]</p> <p>[Updated stock assessment considered by SC15]</p> <p>[SC advised on required analyses to support TRP review]</p> | <p>Target Reference Point (b).</p> <ul style="list-style-type: none"> • SC provided advice on potential Target Reference Points for bigeye. • Commission considered potential Target Reference Points for bigeye. | <p>Target Reference Point (b).</p> <ul style="list-style-type: none"> • SC provided advice on potential Target Reference Points for yellowfin. • Commission considered potential Target Reference Points for yellowfin. |
| | Consider management objectives for stocks and fisheries (a). | | | |
| | <p>Progress Summary: A range of harvest strategy related research was presented and discussed by WCPFC16. Research and technical documents in areas requested for 2019 are available on the SC15 and WCPFC16 websites. The harvest strategy workplan was subject to a substantial review and update at WCPFC16 to reflect decisions taken (or deferred) at WCPFC16. A schedule of research and technical work was identified to support the consideration of TRPs for skipjack (a revision), bigeye and yellowfin. Science Service Provider to review potential options to capture multi species issues under the HS process.</p> | | | |

| | South Pacific Albacore | Skipjack | Bigeye | Yellowfin |
|-------------|---|---|--|--|
| 2020 | <p>Develop management procedures (e) and Management strategy evaluation (f)</p> | <p>Develop management procedures (e) and Management strategy evaluation (f)</p> <ul style="list-style-type: none"> • <p>[Scientific Committee provide, and Commission consider, advice on range of issues pertaining to the formulation of a revised TRP for skipjack]</p> | <p>Consider Target Reference Point (b).</p> <ul style="list-style-type: none"> • Scientific Committee provide advice on range of issues pertaining to the formulation of a TRP for bigeye. • Commission consider SC advice on range of issues pertaining to the formulation of a TRP for bigeye. <p>[Initiate development of multispecies framework in advance of further harvest strategy development]</p> <p>[Updated stock assessment considered by SC16]</p> | <p>Consider Target Reference Point (b).</p> <ul style="list-style-type: none"> • Scientific Committee provide advice on range of issues pertaining to the formulation of a TRP for yellowfin. • Commission consider SC advice on range of issues pertaining to the formulation of a TRP for yellowfin. <p>[Initiate development of multispecies framework in advance of further harvest strategy development]</p> <p>[Updated stock assessment considered by SC16]</p> |
| | Consider management objectives for stocks and fisheries (a). | | | |

| | South Pacific Albacore | Skipjack | Bigeye | Yellowfin |
|-------------|---|---|--|---|
| 2021 | <p>Develop management procedures (e) and Management strategy evaluation (f)</p> <ul style="list-style-type: none"> • SC provide advice on performance of candidate management procedures. • TCC consider the implications of candidate management procedures. • Commission consider and refine a candidate set of management procedures. <p>[Updated stock assessment considered by SC17]</p> <p>[Potential update of TRP following assessment and in accordance with WCPFC15 adopted approach]</p> | <p>Develop management procedures (e) and Management strategy evaluation (f)</p> <ul style="list-style-type: none"> • SC provide advice on performance of candidate management procedures. • TCC consider the implications of candidate management procedures. • Commission consider and refine a candidate set of management procedures. <p>Develop and implement relevant elements of the monitoring strategy.</p> <p>[Scientific Committee provide, and Commission consider, an update to paper WCPFC17-2020-11 to include additional candidate skipjack TRPs of 36, 38 and 40 %SB_{F=0}]</p> | <p>[Development of multispecies framework in advance of further harvest strategy development]</p> <p>Agree Target Reference Point (b).</p> <ul style="list-style-type: none"> • SC provide advice on potential Target Reference Points for bigeye. <p>[Economic and other analysis to support TRP decision making]</p> | <p>[Development of multispecies framework in advance of further harvest strategy development]</p> <p>Agree Target Reference Point (b).</p> <ul style="list-style-type: none"> • SC provide advice on potential Target Reference Points for yellowfin. <p>[Economic and other analysis to support TRP decision making]</p> |
| | Consider management objectives for stocks and fisheries (a). | | | |
| | Progress Summary: See WCPFC18-2021-23-rev1 <i>Reference Document on the Progress of the Harvest Strategy Workplan Under CMM 2014-06</i> (Secretariat) | | | |

| | South Pacific Albacore | Skipjack | Bigeye | Yellowfin |
|--------------------------|---|--|---|---|
| 2022 | <p>Develop management procedures (e) and Management strategy evaluation (f)</p> <ul style="list-style-type: none"> • SC agree the operating models for MSE. • SC provide advice on performance of candidate management procedures. • SC provides advice on relevant elements of the monitoring strategy. • TCC consider the implications of candidate management procedures. <p>Commission review and adopt a management procedure.</p> | <p>Complete review of the Target Reference Point.</p> <p>Develop management procedures (e) and Management strategy evaluation (f)</p> <ul style="list-style-type: none"> • SC agree the operating models for MSE. • SC provide advice on performance of candidate management procedures. • SC provides advice on relevant elements of the monitoring strategy. • TCC consider the implications of candidate management procedures. <p>Commission review and adopt a management procedure.</p> <p>[Updated stock assessment considered by SC18]</p> | <p>Agree Target Reference Point (b).</p> <ul style="list-style-type: none"> • Commission agree a TRP for bigeye <p>[Continue development of multispecies framework]</p> <p>Develop management procedures (e) and Management strategy evaluation (f)</p> <ul style="list-style-type: none"> • SC provide advice on potential management procedures. • <p>[YFT peer review. Relevant to BET operating models.]</p> | <p>Agree Target Reference Point (b).</p> <ul style="list-style-type: none"> • Commission agree a TRP for bigeye <p>[Continue development of multispecies framework]</p> <p>Develop management procedures (e) and Management strategy evaluation (f)</p> <ul style="list-style-type: none"> • SC provide advice on potential management procedures. • <p>[YFT peer review. Relevant to operating models.]</p> |
| Progress Summary: | | | | |

| | South Pacific Albacore | Skipjack | Bigeye | Yellowfin |
|-------------|---|---|--|--|
| 2023 | <p>Implement management procedure</p> <p>Commission reviews and adopts the monitoring strategy(d)</p> <p>[SC consider multispecies aspects of WCPO harvest strategies and implications for the monitoring strategy]</p> | <p>Implement management procedure</p> <p>Commission reviews and adopts the monitoring strategy(d)</p> <p>[SC consider multispecies aspects of WCPO harvest strategies and implications for the monitoring strategy]</p> | <p>Develop management procedures(e) and Management strategy evaluation (f)</p> <ul style="list-style-type: none"> • SC agree the operating models for MSE. • SC provide advice on performance of potential management procedures. • SC provides advice on relevant elements of the monitoring strategy. • TCC consider the implications of candidate management procedures. • Commission consider advice on progress towards management procedures. <p>Develop and implement relevant elements of the monitoring strategy(d)</p> <p>[Updated stock assessment considered by SC19]</p> | <p>Develop management procedures(e) and Management strategy evaluation (f)</p> <ul style="list-style-type: none"> • SC agree the operating models for MSE. • SC provide advice on performance of potential management procedures. • SC provides advice on relevant elements of the monitoring strategy. • TCC consider the implications of candidate management procedures. • Commission consider advice on progress towards management procedures. <p>Develop and implement relevant elements of the monitoring strategy(d)</p> <p>[Updated stock assessment considered by SC19]</p> |

| | South Pacific Albacore | Skipjack | Bigeye | Yellowfin |
|-------------|--|--|--|--|
| 2024 | <p>Implement management procedure</p> <p>Implement Monitoring Strategy (d)</p> <p>[SC consider multispecies aspects of WCPO harvest strategies and implications for the monitoring strategy]</p> | <p>Implement management procedure</p> <p>Implement Monitoring Strategy (d)</p> <p>[SC consider multispecies aspects of WCPO harvest strategies and implications for the monitoring strategy]</p> | <p>Develop management procedures(e) and Management strategy evaluation(f)</p> <ul style="list-style-type: none"> • SC provide advice on performance of candidate management procedures. • SC provides advice on relevant elements of the monitoring strategy. • TCC consider the implications of candidate management procedures. • Commission consider and refine a candidate set of management procedures. <p>Commission ADOPT a management procedure.</p> | <p>Develop management procedures(e) and Management strategy evaluation(f)</p> <ul style="list-style-type: none"> • SC provide advice on performance of candidate management procedures. • SC provides advice on relevant elements of the monitoring strategy. • TCC consider the implications of candidate management procedures. • Commission consider and refine a candidate set of management procedures. <p>Commission ADOPT a management procedure.</p> |



**COMMISSION
EIGHTEENTH REGULAR SESSION**
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1 - 7 December 2021

Standards, specifications and procedures (SSP) for the fishing vessel monitoring system (VMS) of the Western and Central Pacific Fisheries Commission (WCPFC)¹

Responsible for conservation and management of highly migratory species within its convention area, WCPFC is empowered to establish a VMS under Article 24(8) of the *Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean* and, subsequently, by the adoption of Conservation and Management Measure 2007-02 at its fourth regular session. Annex 1 of this Measure defines the basic, functional specification for the VMS in terms of the generic equipment to be used, position accuracy and reporting frequency and data delivery time.

The purpose of these SSP is to establish the terms of implementation of the VMS, including methods to ensure compliance of Automatic Location Communicators (ALCs: term identical with the FFA's Mobile Transceiver/Transmitter Unit or MTU) with the Annex 1 standards; inspection protocols; rules on polling; reporting frequencies; tampering prevention measures; and obligations and roles of fishing vessels, CCMs, the FFA secretariat and the Commission secretariat.

1. Application

The SSPs shall apply to the Commission VMS that covers the high seas within the Convention Area. The SSP for the operation of VMS programs within waters under national jurisdiction shall be the exclusive responsibility of the Coastal State.

¹ The first WCPFC VMS SSPs were approved at WCPFC5 (Dec 2008). This version incorporates i) as an attachment the WCPFC9 adopted amendment related to the reporting timeframes for manual reporting in the event of ALC malfunction which applies from 1 March 2013 - 1 March 2017 and the standard reporting format for these manual reports; ii) agreed amendments at WCPFC12 (Dec 2015) to Section 2 paragraph 7; and iii) updates throughout of references of "CMM 2007-02" with "CMM 2014-02 (or its successor measure)". The update from WCPFC13 was to extend Attachment 1 requirements for two years, The update from WCPFC15 was to amend Section 2 paragraph 7 and to extend Attachment 1 requirements for two years until 1 March 2021. The update from WCPFC18 was to amend Section 2 paragraph 7 and to extend Attachment 1 requirements through 1 March 2024, and WCPFC18 also agreed that this remains in force thereafter unless the Commission directs otherwise.

2. Methods to ensure ALCs comply with WCPFC standards

1. Vessels subject to the Commission's VMS in the WCPFC Convention Area will be required to carry a fully operational ALC that complies with the full range of minimum standards set out in Annex 1 of CMM-2007-02, (hereafter referred to as Annex 1).
2. The installation and use of ALCs will be governed by rules, based upon the principles set down in this SSP, and adopted and published by the Commission.
3. Vessels with ALCs that comply with the full range of the minimum standards set out in Annex I, but that cannot be remotely polled must either have a regular reporting rate of one hour or less, or will carry and operate, in addition to the ALC, a means of two-way communication by voice (e.g., radio, satellite telephone) or data (e.g., telex, facsimile, email) permitting real time contact with the WCPFC Secretariat, as necessary, with the assistance of the flag CCM, in the English language.
4. At the time of registration of the VMS, vessels equipped with a means of two-way communication, as provided in paragraph 3 above, will declare this means of communication as well as relevant user ID and any additional information required by the Secretariat to be able to establish communications with the vessel.
5. Verification of compliance with the requirements of Annex 1 will be the responsibility of the flag-state CCM for a given vessel.
6. In preparing the initial list of approved ALCs, the WCPFC Secretariat will take into account lists approved by existing regional and sub-regional VMS programmes and lists approved by CCMs.
7. The Secretariat will assess proposals for inclusion of additional ALC/MTU makes and models on this list from both CCMs and equipment manufacturers. The Secretariat shall include the ALC/MTU make or model being proposed on this list, if no CCM objects in writing within 30 days of the Secretariat circulating notice of its intent to all CCMs, and, if in the Secretariat's assessment, the ALC/MTU make or model meets the minimum standards for the Commission VMS as set out in Annex 1 of CMM 2014-02 (or its successor measure), the WCPFC SSPs, as relevant, by determining that the ALC/MTU make and model has the ability to successfully report to the Commission VMS, and by using the methodology established by the FFA with expenses for type approval processing to be borne by the proposing entity. Where the Secretariat concludes in its assessment that a proposed ALC/MTU make or model does not meet these requirements, or if a CCM objects in writing to the Secretariat's proposal to approve a new ALC/MTU make or model, the Secretariat within the annual report shall make recommendations

regarding the proposed ALC/MTU make or model for the TCC's consideration and the Commission's approval. The Secretariat will recommend, as needed, to TCC the removal of units currently on the list of approved ALC/MTU makes and models that it has determined no longer meet the minimum standards set out in Annex 1 of CMM2014-02 (or successor measure), or do not have the ability to successfully report to the Commission VMS. If an ALC/MTU make and model is removed from the list of approved ALC/MTU types, flag CCMs will ensure that their fishing vessels replace non-type approved ALC/MTUs with approved ALC/MTUs by the next replacement of the ALC/MTU, but no later than three years after the Commission's decision.

8. The Secretariat will administer a Commission VMS database. For each fishing vessel required to report to the Commission VMS the flag CCM will submit all necessary data to complete its data file in the Commission's VMS database. This data will include the name of the vessel, unique vessel identification number (UVI)², radio call sign, length, gross registered tonnage, power of engine expressed in kilowatts/horsepower, types of fishing gear(s) used as well as the make, model, unique network identifier (user ID) and equipment identifier (manufacturer's serial number) of the ALC that vessel will be using to fulfil its Commission VMS reporting requirements.

9. Periodic audits of a representative sample of installed ALCs are to be carried out by CCMs to verify that the specification and standards as set out in Annex 1 are being complied with, and that there is no visible evidence of tampering.

10. The number of audits, to be planned on an annual basis, will be determined by cost/benefit, logistical and practical aspects.

11. CCMs are responsible for ensuring that the audits are conducted by qualified operatives, such as officers currently authorised under CCM national fisheries legislation.

12. Audit reports will include measurements of ALC position accuracy, elapsed time between transmission and reception of data, and any physical anomalies (connections, power supply, evidence of tampering) noted by the inspectors.

13. The results of these audits will be provided to the Commission in the part 2 component of the annual report to the Commission by the CCMs and those results compiled by the Secretariat into a VMS Audit Report Document.

14. Furthermore, the Secretariat of the WCPFC, or its appointee will be, at the Secretariat's discretion and on *prima facie* grounds, entitled to audit ALCs from any CCM to independently verify conformity with standards. The execution of such examinations will be guided by an analysis of the on-going data files kept on

² If, and when, adopted by the Commission

each vessel. The resulting reports will be made available to the Commission through the Technical and Compliance Committee (TCC).

3. ALC inspection protocol

1. At the time of a boarding and inspection of a vessel authorised to fish in the Convention Area, such inspections to be conducted in accordance with national laws, when undertaken inside a country's EEZ and, when on the high seas, in accordance with the CMM-2006-08.
2. On boarding, the vessel master must make available for inspection, where so directed by an authorised fisheries officer or inspector, its ALC unit, including antenna, connectors and antenna cable.
3. Should a vessel master refuse access to its ALC unit, antenna and connectors to an authorised fisheries officer or inspector, the inspecting party will immediately inform the relevant flag state CCM and the Secretariat. The flag State will order the vessel to immediately comply. Any vessels which refuse this order will be directed by the flag State, or the chartering State, to head directly to port where a full inspection of the equipment in question can be carried out.
4. Failure to carry out this order may result in the suspension or revocation of a vessel's authorisation to fish in the Convention Area by the flag State responsible. The responsibilities of a vessel master during boarding and inspection on the high seas are detailed in CMM 2006-08.
5. A report issued as a result of each inspection will confirm conformity of the ALC unit and installation with the specifications set out in Annex 1. A copy of this report will be given to the master of the vessel and forwarded to the vessel's responsible flag State.
6. In the case where the inspection reveals any anomaly with the specification, the inspector will inform the flag State CCM, the Secretariat and, if applicable, its chartering State. From that date, the vessel operator will have 30 days to rectify the problem and to submit to a new inspection to verify the installation. During that period, the vessel will be required to report its position at intervals of four (4) hours by an alternative communications means approved by the Secretariat.
7. A report of each inspection will be submitted to the CCM to which the vessel is flagged and to the Commission by the inspecting authority, as provided for in CMM-2006-08 and at Article 25 of the Convention.

4. Rules on polling and reporting of ALC units incapable of being polled

1. Any request by the WCPFC monitoring authority for a vessel's current position must receive a response within 90 minutes after its transmission, that response to include the vessel position in latitude and longitude, and date and time of message transmission.
2. For vessels carrying an ALC that uses the ARGOS system to report to the Commission VMS, the Commission VMS will use the ARGOS proprietary positioning system as a means of verifying the GPS calculated positions provided by the vessel's ALC.

5. Vessel reporting, including position reporting frequencies

1. In accordance with Annex 1, ALCs fitted to vessels subject to the Commission's VMS must be capable of transmitting data hourly. The Commission may vary these standards depending upon the fishery, applicable Conservation and Management Measures or for monitoring control and surveillance purposes.
2. The Secretariat will require written authorisation from the vessel operator to download a DNID or equivalent. Should a vessel operator withhold such an authorisation then the vessel's authorisation to fish may be made invalid by the relevant flag State CCM.
3. The Commission VMS shall include an automated alert to report when vessels enter or exit the high seas of the Convention Area. Vessels subject to the Commission's VMS must be reporting to the Commission VMS through automatic means upon entry into the high seas of the Convention Area and continue reporting until the high seas of the Convention Area is exited. In the case of ALC failure or malfunction, these reports shall be provided by the vessel on a manual basis. It is the responsibility of a vessel's flag State CCM to ensure compliance with this requirement.

See Attachment 1 for decisions that replaces Section 5 paragraphs 4 and 5 from 1 March 2013 – 1 March 2021.

[4. In the event of non-reception of two consecutive, programmed high seas VMS positions, and where the Secretariat has exhausted all reasonable steps to re-establish normal automatic reception of VMS positions the Secretariat shall inform the vessel's flag State CCM and the vessel Master. From the time of transmission of this communication to the CCM, the vessel Master shall be required to take immediate steps to re-establish automatic reporting and in any event within [30 days or at its first port of call if less than 30 days]. During this period the vessel shall be required to report its position manually to the Secretariat every [8][4] hours. In cases where automatic reporting has not been re-established within [30] days the CCM shall order the vessel to cease fishing, stow all fishing gear and return to port. The vessel may recommence fishing on the high seas only when the ALC has been confirmed as operational by the Secretariat following the flag State CCM informing the Secretariat that the vessel's automatic reporting complies with the regulations established in this SSP.]

[5. In exceptional circumstances, the flag State CCM may extend the period established in paragraph 4 for an additional consecutive [15] days during which time the vessel will continue to report its position manually every [4] hours to the Secretariat while on the high seas. When such permission is provided the flag State CCM shall provide a report to the Secretariat as to the nature of the exceptional circumstances and steps taken to re-establish automatic reporting. Such reports shall be included in the Secretariat's annual report on the operations of the Commission's VMS to the TCC as required under paragraph 7.3.9.]

6. The Secretariat shall maintain and make available to all CCMs a current list of those vessels subject to manual reporting and the duration of that reporting.

6. Measures to prevent tampering

1. Before being authorized for operation aboard vessels authorised to fish in the Convention Area, ALCs must be included on the WCPFC approved list of ALCs.

2. ALCs so designated during their type approval process, will be fitted with a physical security mechanism to prevent access to the processing unit.

3. It will be the responsibility of WCPFC to provide CCMs with requirements for the physical security, which will be chosen taking into account the cost, facility of fitting and security quality as well as relevant ISO standards.

4. Data routes from ALCs to the Commission VMS will use international data communications services provided by recognized telecommunications authorities whose systems and operations conform to current ISO guidelines for network data security, or to standards that may supersede these guidelines in the future or their equivalents.

5. The auditing processes described in Section 1 of this document will be used to assure that anti-tampering and, tamper-evident, standards for ALCs are being met.
6. Security of the Commission Secretariat's VMS data will reflect the Secretariat's role as the guardian of the confidential VMS data for the high seas in Convention Area.
7. All security standards, procedures and practices will be consistent with the Commission's Information Security Policy (ISP).
8. Access to the Secretariat's VMS data computer system will be in conformity with the Commission's ISP.
9. A set of Standard Operating Procedures, elaborated by the Secretariat, and subject to approval by the Commission on the recommendation of the TCC, will be developed to deal with all operational anomalies of the VMS, such as interruption of position reports, downloading of DNIDs and their equivalent and responding to reports providing incoherent data (e.g. vessel on land, excessive speed, etc.).
10. The integrity of the Secretariat's VMS data will be verified annually by qualified personnel, exterior to Commission Secretariat staff.

7. Obligations and roles of fishing vessels, CCMs, Service Level Provider(s) and the WCPFC Secretariat

7.1 Fishing vessel obligations

1. To register, carry and continually operate an ALC that meets the standards set out in Annex 1 as well as any additional standards, specifications and procedures agreed by the Commission.
2. To provide access to the ALC, associated connections and antennas, when directed by authorized fisheries officers, inspectors or other authorized persons or organizations, in accordance with relevant inspection provisions whilst on the high seas or in port.
3. To carry aboard and monitor at all times a two-way communication device that supports real-time communication between vessels and the Commission's VMS, with the assistance of the flag State, as necessary.
4. To ensure that a vessel's ALC is protected from any attempt to tamper with its operation, data transmission or integrity of data transmitted in conformity with Section 5 above.

7.2 CCMs

1. To ensure compliance by their vessels and operators with the provisions of Annex 1 and any other WCPFC standards, specifications and procedures, including those that may be established in relation to the management and use of VMS data in the high seas by application of the inspection protocol described in section 2 above.
2. To conduct and report results of ALC inspections in accordance to procedures established for that purpose, results to include data specified in Section 2 above.
3. To utilize the Commission VMS in accordance with the Commission's conservation and management measures and any of the standards, specifications and procedures agreed by the Commission.
4. To provide to the WCPFC Secretariat a list of all ALC inspections by flag and vessels type, including a summary of the results of each inspection.
5. To report, by e-mail, facsimile or data entry procedures established by the Commission to the Secretariat within a period of 5 days any registered ALC, including connections and antennas, associated vessels (by name and flag) and vessel masters that appear to not be in compliance with CMM-20014-02 (or its successor measure) and/or specifications and procedures agreed by the Commission as well as the details of the non-compliance. The Secretariat will issue an acknowledgement of reception of each report and, in the absence of this acknowledgement within 72 hours of transmission, the CCM is required to re-transmit any unacknowledged report.
6. To apply sanctions and penalties sufficient to deter violations of applicable VMS requirements and standards and to report action taken and sanctions applied to ensure compliance.

7.3 The WCPFC Secretariat

1. To ensure that data once received at the Commission VMS is not altered, accessed, manipulated, copied or interfered with in any way, or used by anyone other than those authorized to do so, as prescribed in the Commission's ISP and the associated rules and procedures developed by the AHTG [Data] adopted by the Commission.
2. To provide a stable, reliable, fully maintained and supported Commission VMS that conforms to the security standards set out in the Commission's ISP.
3. To develop and manage a service level agreement (SLA) with the FFA for provision of VMS services. An additional SLA may be required for the provision of

VMS software, support and the possible provision of out sourced VMS services between the WCPFC secretariat and a software provider.

4. SLAs will include provisions for confidentiality and non-disclosure; SLA contract clauses; services provided under the SLA; service rates; target response times; help desk support; billing; possible provision of outsourced VMS services (e.g. front-line ALC management).

5. To enter into, and to maintain, direct contracts with mobile communications service providers for the provision of position (and other) data from the ALCs to the Commission VMS. A strategy of joining cooperating RFMOs, where possible, will be followed to achieve a goal of negotiating the best possible rates for these services.

6. To utilize the Commission VMS in a manner consistent with the Convention, the Commission's conservation and management measures, and any of the standards, specifications and procedures relating to the Commission's VMS adopted by the Commission. Unless explicitly requested by a coastal State in accordance with Article 24(8) of the Convention the Commission shall not have access to, interfere with, or use any VMS data owned by the coastal State.

7. To administer the list of ALCs approved for use in the Commission VMS.

8. To compile and circulate to all CCMs a list of registered ALCs by vessel and flag reported to the Commission in compliance or non-compliance with CMM-2014-02 (or its successor measure) and these standards, specifications and procedures, as agreed by the Commission.

9. To monitor and report annually to the TCC the performance of the Commission VMS and its application and, as necessary, make recommendations for improvements or modifications to the system, standards, specifications or procedures established to support it, in order to ensure the Commission VMS continues to function as a stable, secure, reliable, cost effective, efficient, fully maintained and supported system.

10. The Secretariat will include in its annual report (6.3.9) on the operations of the Commission's VMS to the Technical and Compliance Committee, all details for non-compliant ALCs detected in the previous 12 months. The TCC may recommend appropriate penalties or sanctions to the Commission as a means of deterring non-compliance.

Attachment 1: WCPFC9 adopted amendments to the VMS SSPs extended at WCPFC11, WCPFC13 & WCPFC15 & WCPFC18

Section 5 of the Commission's VMS SSPs is to be modified as follows:

“4. In the event of non-reception of two consecutive, programmed high seas VMS positions, and where the Secretariat has exhausted all reasonable steps³ to re-establish normal automatic reception of VMS positions the Secretariat will notify the flag State CCM who shall then direct the vessel Master to begin manual reporting. During this period the vessel shall be required to report its position manually to the Secretariat every 6 hours. If automatic reporting to the Commission VMS has not been re-established within 30 days of the commencement of manual reporting the flag state CCM shall order the vessel to cease fishing, stow all fishing gear and return immediately to port. The vessel may recommence fishing on the high seas only when the ALC/MTU has been confirmed as operational by the Secretariat following the flag State CCM informing the Secretariat that the vessel's automatic reporting complies with the regulations established in this SSP.

4bis. The standards outlined in Paragraph 4 above will apply for the period 1 March 2013 to 1 March 2024 and will remain in force thereafter unless the Commission directs otherwise. This will also be reviewed for MCS effectiveness by TCC.

5 In exceptional circumstances⁴, the flag State CCM may extend the period established in paragraph 4 for an additional consecutive 15 days during which time the vessel will continue to report its position manually every 4 hours to the Secretariat while on the high seas. When such permission is provided the flag State CCM shall provide a report to the Secretariat as to the nature of the exceptional circumstances and steps taken to re-establish automatic reporting. Such reports shall be included in the Secretariat's annual report on the operations of the Commission's VMS to the TCC as required under paragraph 7.3.9.

WCPFC9 agreed a standard format for manual position reporting in the event of ALC/MTU Malfunction or Failure:

- 1 WIN
- 2 Vessel Name
- 3 Date: dd/mm/yy
- 4 Time: 24 hour format HH:MM (UTC)
- 5 Latitude – DD-MM-SS (N/S)
- 6 Longitude – DDD-MM-SS (E/W)
- 7 Activity (Fishing/Searching/Transit/Transshipping)

³ The flag State CCM, in coordination with the Secretariat and through communication with the vessel master as appropriate, will endeavour to re-establish normal automatic reception of VMS positions. If such efforts reveal that the vessel is successfully reporting to the flag State CCM's VMS or a sub-regional VMS (indicating that the vessel's VMS hardware is functional), the Secretariat, in coordination with the flag State CCM will take additional steps to re-establish automatic reporting to the Commission VMS.

⁴ Exceptional circumstances includes such events as satellite malfunction unrelated to MTU/ALC and mechanical failure of fishing vessel that reduces the ability of the fishing vessel to return to port within 30 days. ”

VMS-related template approved by WCPFC18 as a new annex to CMM 2014-02

Annex2: Template for reporting implementation of this CMM. Each CCM shall include the following information in Part 2 of its annual report:

| CMM paragraph | Brief description | Annual Reporting list/question |
|------------------------------------|---|--|
| CMM 2014-02 04 | Vessels shall continue to report to Commission VMS after moving into Northern Quadrant | AR Pt 2 (prior year implementation) PR-045 |
| CMM 2014-02 9a | Fishing vessels comply with the Commission standards for WCPFC VMS including being fitted with ALC/MTU that meet Commission requirements ¹ | AR Pt 2 (prior year implementation) PR-046 (Proposed New): "Have flag CCMs adopted national measures or management plans to implement CMM 2014-02 9a? Please specify such mechanism, including the measures requiring vessels to install ALC units that are on the Commission ALC/MTU Approval List, and actions when vessels that are "fishing in the Convention Area beyond their area under national jurisdiction" unexpectedly stop reporting to the Commission VMS." |
| CMM 2014-02 9a VMS SSPs 2.8 | Provision of current ² ALC/MTU 'VTAF' data | AR Pt 2 (prior year implementation) PR-047 |

¹ Monitoring CCMs' compliance with this item can be streamlined if 1) CCMs monitor and update their vessel's status (e.g., "In Port", "Out of Convention Area", "Manual Reporting", "new VTAF data submitted to Secretariat", etc.) using the new interactive utility in the VRST at least every 31 days, and 2) the Secretariat updates all vessels' VTAF submission status on a daily basis as outlined in the draft revised VMS SOPs. In that case, CCMs may simply refer to their VRST review/update process in response to relevant AR Pt 2 questions.

² Monitoring CCMs' compliance with this requirement can now be automated via the VRST if 1) CCMs monitor and update their vessel's status (e.g., "In Port", "Out of Convention Area", "Manual Reporting", "new VTAF data submitted to Secretariat", etc.) using the interactive utility in the VRST at least every 31 days, and 2) the Secretariat updates all vessels' VTAF submission status on a daily basis as outlined in the draft revised VMS SOPs.

| CMM paragraph | Brief description | Annual Reporting list/question |
|--|--|---|
| CMM 2014-02 9a VMS SSPs 5.4 - 5.5 | VMS Manual Reporting procedures - applies until 1 March 2021 | AR Pt 2 (prior year implementation) PR-048 |
| CMM 2014-02 9a VMS SSPs 7.2.4 | Protocol for inspecting CCMs to inspect ALCs/MTU of other CCMs vessels at sea, includes reporting requirements for inspecting CCMs | AR Pt 2 (prior year implementation) PR-049 |
| CMM 2014-02 9a VMS SSPs 7.2.5 | Report to Secretariat any ALC/MTU, and associated details, that appear to not be in compliance with applicable CMMs related to VMS reporting | AR Pt 2 (prior year implementation) PR-050 |
| CMM 2014-02 9a VMS SSPs 7.2.2 | CCMs to conduct periodic audits of ALC/MTUs of its vessels and report results to the Commission (AR Pt 2) | Reporting checklist in AR Pt 2 (2020 Specific) (Proposed NEW): "What checks and procedures do flag CCMs presently use to inspect ALC/MTUs of its vessels that are authorised to "fish in the Convention Area beyond their area under national jurisdiction"?" "On what basis (e.g., under certain circumstances as they may occur, based on the vessel's fisheries compliance behaviour, randomly, etc.) do flag CCMs schedule audits of ALC/MTUs?" |



Commission VMS Standard Operating Procedures (SOPs)

1. Version notes

| Version | WCPFC decision reference | Description of updates | Effective date |
|---------|--------------------------|--|--------------------|
| 1.0 | WCPFC6 | <i>Approved by the Commission of the SOP, as per requirement of VMS SSPs section 6.9</i> | <i>Feb 19 2010</i> |
| 2.0 | WCPFC15 | <i>Updates made to include versioning and to streamline and improve the focus of the SOPs and better reflect current Secretariat practices including reference to the present VMS service provider/s</i> | <i>Feb 13 2019</i> |
| 3.0 | WCPFC18 | <i>Updates made to provide details on recent and ongoing Secretariat software upgrades to improve capacity to monitor manual reports and monitor / address MTU non-reporting. Also clarifies procedures for activating MTUs and specific gateways, and current procedures for MTU testing (including new MTU testing checklist) prior to Commission decisions on approval or de-listing.</i> | <i>Feb 08 2022</i> |

2. Overview

The WCPFC operates a Vessel Monitoring System (Commission VMS) to assist in the management and conservation of highly migratory fish stocks in the Western and Central Pacific Ocean.

In December 2008, a Service Level Agreement (SLA) was formalised with FFA for the provision of the WCPFC VMS services. The contracted system that provides VMS information to the FFA VMS and the WCPFC VMS systems is referred to as the “Pacific VMS”. The WCPFC VMS came into operation on April 1, 2009.

The approved structure of the WCPFC VMS system allows vessels to report to the WCPFC through two ways: i) directly to the WCPFC VMS, or ii) to the WCPFC through the FFA VMS. In respect of the latter, it is recognized that there may be additional requirements for VMS reporting which arise from FFA requirements and national VMS requirements that are relevant.

The WCPFC has more than 3,000 WCPFC-registered vessels that report to the WCPFC VMS through the Pacific VMS. In addition, the WCPFC VMS receives, through the SLA with FFA, high seas VMS information relating to FFA-registered vessels.

The Commission VMS requires the use of Mobile Transceiver Units (MTUs)/Automatic Location Communicators (ALCs) that are on the Commission's approved list of MTU/ALC¹. This list is based on the Secretariat's assessments of ALCs against minimum standards for the Commission VMS. These standards are set out in Annex 1 of CMM 2014-02 (or its successor measure) and WCPFC SSPs. The Secretariat assess whether the ALC make and model has the ability to successfully report to the Commission VMS.

2.1 Purpose of these Standard Operating Procedures

These standard operating procedures (SOPs) have been developed to provide uniform guidance for Commission personnel in the management and operation of the Commission VMS.

2.2 Specific Commission Decisions and Guidelines governing the Commission VMS and access to VMS data

- a) Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission (2007 data RaP) – December 2007;
- b) Service Level Agreement (SLA) with FFA for the provision of the WCPFC VMS services – December 2008 (WCPFC VMS came into operation on April 1, 2009);
- c) Rules and Procedures for the Protection, Access to, and Dissemination of High Seas Non-Public Domain Data and Information Compiled by the Commission for the Purpose of Monitoring, Control or Surveillance (MCS) Activities and the Access to and Dissemination of High Seas VMS Data for Scientific Purposes. (2009 MCS data RaP) – December 2009;
- d) WCPFC Standards Specifications and procedures (SSPs) for the fishing vessel monitoring system (VMS) of the Western and Central Pacific Fisheries Commission (WCPFC) – December 2018 (or its update);
- e) WCPFC Agreed Statement describing Purpose and Principles of the WCPFC VMS – December 2011;
- f) WCPFC9 decision regarding application of Commission VMS to national waters of Members (WCPFC9 Summary Report paragraph 238) – December 2012;
- g) Conservation and Management Measure for the Commission VMS – CMM 2014-02 (or its replacement CMM) – December 2014;
- h) WCPFC VMS Reporting Requirement Guidelines – May 2018 (or its update); and
- i) The last update of the list of approved MTU/ALCs can be accessed from the website: <https://www.wcpfc.int/vessel-monitoring-system>

2.3 General Information Security Policy and Administrative Procedures for the Secretariat

The Secretariat's WCPFC Information Security Policies and Guidelines, as well as Administrative Procedures apply to the administration and access to the Commission VMS.

¹ The terms "ALC", "MTU", "ALC/MTU", and "MTU/ALC" are used interchangeably in this document.

2.4 Update of these SOPs

VMS SSPs 6.9 states: “A set of Standard Operating Procedures, elaborated by the Secretariat, and subject to approval by the Commission on the recommendation of the TCC, will be developed to deal with all operational anomalies of the VMS, such as interruption of position reports, downloading of DNIDs and their equivalent and responding to reports providing incoherent data (e.g. vessel on land, excessive speed, etc.).” In 2021, the Secretariat is in the process of enhancing the VMS procedures, and online user experience and helpdesk. For this reason, this document will be reviewed no later than TCC18 in 2022. Note that the 2021 updates in these SOPs are consistent with the current VMS reporting framework outlined in the Convention and CMM 2014-02. The updates reflect technological updates, processes and enhancements to address current VMS data gaps or procedural issues.

3. VMS Software Applications

3.1 Trackwell

The Trackwell VMS user interface is implemented as a suite of web modules selectable from the main menu.

The main modules are:

- a) Monitoring - Secretariat and CCM VMS operators main view;
- b) Vessel – the vessel registry database synchronized with the Record of Fishing Vessels (RFV)
- c) Events and Actions – used to define the events to be monitored and the actions to be taken when an event occurs;
- d) Reports – provide a list of pre-programmed reports for Secretariat and CCM VMS operators eg. A count of position reports per day by area per month or a date range;
- e) Live Map – An interactive map display showing vessels’ position and zones in near real-time; and
- f) Map history - this module contains tools to display historical trails of one or more vessels in a graphical map interface. The user can then define a date and time range to see the trail history of the selected vessels.

The Monitoring View is the operator’s main view. All important events and alerts handled by the system are listed in this view as issues. An operator can select an “Issue” to work on or record actions taken in relation to the selected issue until it is closed.

3.2 Software to Automate Integration of Manual Reports into the Commission VMS

Vessels are expected to report their positions automatically. The Commission VMS does not presently have a capability to automatically upload manual positions (eg in the case of MTU/ALC failure). The Secretariat is developing, with TrackWell, a facility for CCMs’ vessels to enable them to submit manual position reports to the Commission VMS via email. Updates on this work were provided to TCC17².

3.3 VMS Reporting Status Tool (VRST)

Since 2020, through the development of the VMS Reporting Status Tool (VRST), the Secretariat provides a fully automated report for each CCM to review, in more detail, the reporting status for all their vessels. The reporting status provides a daily snapshot of whether³ each vessel on the RFV is meeting its Commission VMS requirements. These requirements are met by direct reporting to the Commission VMS or through reporting via the FFA VMS (based on FFA Good Standing List). For any vessel not reporting, the daily snapshot should assist to indicate whether WCPFC has completed the necessary steps to activate

² See further details in section 4.5 below.

³ Based on available data and information.

its MTU to report to the Commission VMS, and if so, the VRST provides a generic current vessel status (e.g., “OK” or “STOP”) for each of their vessels and a daily VMS-reporting status (how many position reports are transmitted by each vessel each day for the past 31 days)⁴. The data can be exported to a file in CSV format for each report.

The VRST was enhanced in 2021 giving flag CCMs the ability to update VRST data to inform the status for their non-reporting vessels.

4. Operational Procedures

This section contains ten (10) subsections:

1. Trackwell - VMS Client Tool;
2. Vessel Tracking Data to be submitted by CCMs (VTAF);
3. MTU/ALC Activation Procedure for WCPFC VMS;
4. VMS Reporting Status Tool (VRST);
5. Manual Reporting;
6. Routine Reports from the Secretariat on VMS reporting anomalies and WCPFC VMS;
7. Secretariat processes to identify and follow-up on VMS reporting issues;
8. Proposals for Inclusion of Additional ALC makes and models on the Approved MLC/ALC List;
9. Removal of ALC/MTU from the Approved ALC/MTU List; and
10. Commission VMS Helpdesk.

4.1 Trackwell - VMS Client User Access

The VMS Manager can provide user access to the Commission VMS to an individual user on request from an authorised CCM official.

The Commission VMS is configured so that each user has a unique login ID and password which can be changed at the discretion of the user.

The system is being integrated with the WCPFC website user accounts which will allow Party Administrators to give access to the Commission VMS. Users will have a single user account and password across all WCPFC systems in a manner consistent with the WCPFC Information Security Policy and associated rules.

4.2 Vessel Tracking Data to be submitted by CCMs (VTAF)

The flag CCM is to submit all necessary data to complete its data file in the Commission’s VMS database, in respect of all vessels authorized to operate in the WCPFC Convention area. In accordance with the VMS SSPs, this data will include the name of the vessel, unique vessel identification number (UVI) [* if and when adopted by the Commission], radio call sign, length, gross registered tonnage, power of engine expressed in kilowatts/horsepower, types of fishing gear(s) used as well as the make, model, unique network identifier (user ID) and equipment identifier (manufacturer’s serial number) of the ALC that vessel will be using to fulfil its Commission VMS reporting requirements.

To facilitate the submission of necessary vessel tracking data for each vessel required to report to the WCPFC VMS, the Secretariat has provided a guideline Vessel Tracking Agreement Form (VTAF) to enable activation and automatic tracking of the vessel through WCPFC VMS. VTAFs of vessels already reporting to FFA VMS will not be activated and may not need to be provided but if submitted, can be filed in case

⁴ That VRST’s display of CCMs’ most recent month’s vessel-level VMS-reporting status does not impose any additional monitoring obligations on flag CCMs or the Secretariat.

the vessel needs to have the ALC activated to report to WCPFC VMS system (should the vessel no longer report to the FFA VMS system).

A copy of the guideline VTAF form is appended at **Annex A**.

When updated or new VTAF data is received from a CCM, the following initial steps are to be taken by the Secretariat:

1. acknowledge receipt of the VTAF by e-mail to the CCM official who sent it.
2. check that the VTAF data is completed correctly. Any incomplete VTAF data will be referred back to the CCM official who sent it.
3. check that the MTU/ALC described in the VTAF is on the WCPFC Approved ALC/MTU List. If not, advise the CCM official accordingly.
4. if the MTU is on the WCPFC Approved ALC/MTU List, then check the FFA Good Standing List to determine if the vessel is listed. If it is listed, the MTU will be held on file by the Secretariat and no further action required. The vessel will be monitored when it enters waters of the WCPFC Convention Area covered by the WCPFC VMS.
5. If the vessel is not listed on the FFA Good Standing List then its MTU/ALC must be activated to report directly to the Commission VMS (see **Section 4.3** below).

4.3 MTU/ALC Activation procedure for WCPFC VMS

Vessels not listed on the FFA Good Standing List will be activated to report directly to WCPFC VMS once a VTAF or information required under Paragraph 2.9 of the Commission VMS SSPs is provided in full.

The following procedures are to be followed by the Secretariat for such vessels:

1. Secretariat to enter VTAF data as a new record in MTU Update request (see Figure 1).

MTU Update Request - New Item

EDIT PAGE

Save Cancel Paste Copy Attach File Spelling

Commit Clipboard Actions Spelling

Save Cancel

Submitted By * [dropdown]

Received Date * [date picker]

Vessel * [dropdown]

MTU Details

Approved MTU Type * [dropdown]

Equipment ID * [text field]
Manufacturer's serial number for this MTU

Network ID [text field]
Unique ID Number by which MTU is tracked on the satellite network

Save Cancel

Figure 1

2. Secretariat to follow activation procedure that is specific to the gateway for the MTU/ALC (see below). The following details must be provided for all activation requests:
 1. Vessel Name
 2. Reg No
 3. IRCS
 4. Vessel Type
 5. Flag
 6. Approved MTU Type
 7. Equipment ID
 8. Network ID
3. If activation was successful, Secretariat to advise CCM, via email that the vessel has been activated to report⁵. The Secretariat to complete internal procedure so that MTU update request form is completed to show “MTU Update Request Completed OK”. This provides advice to Trackwell VMS system that the vessel MTU/ALC details have been confirmed and are activated to report to WCPFC VMS. The MTU Network ID is the unique ID of the MTU that links the MTU to the vessel based on VTAF submission.
4. If activation was not successful, the Secretariat to request the CCM official to check the vessel’s MTU/ALC, rectify any anomalies with the MTU/ALC or VTAF data and inform the WCPFC Secretariat of when the vessel is ready for activation.
5. On receipt of the advice by the CCM that the MTU/ALC is ready for a second activation attempt, the Secretariat to activate the vessel on the system again.
6. If the MTU/ALC activation fails on the second attempt, the Secretariat to notify the CCM and draw to the CCM’s attention that vessel position reports shall be provided by the vessel on a manual basis, as required by the Commission VMS SSPs.

Vessel activation procedure for specific gateways:

WCPFC VMS has gateways for the following services:

- Argos
- Faria Watchdog
- Halios – CLS MTUs using the Iridium service
- Inmarsat BGAN – for iFleetONE MTUs
- Inmarsat C
- Iridium – for insight X2 EMTU (Nautic Alert)
- Iridium (mini LEO) - for BB3 & BB5 MTUs (SASCO)
- Iridium SBD – for iTrac II (MetOcean Telematics) and RomTrax Wifi (Rom Communications)
- SkyMate
- Skywave/ORBCOMM – currently operational for Chinese Taipei and Australian vessels using IDP-690.

⁵ The success of their vessels’ MTU/ALC activations will also be evident in the VRST to CCMs.

ARGOS

Argos MTUs installed post WCPFC14 decision are no longer accepted for activation. Therefore, if a CCM contact requests activation of an Argos MTU, the Secretariat to draw to the CCM's attention to the WCPFC14 decision and that vessel position reports shall be provided by the vessel on a manual basis, as required by the Commission VMS SSPs, until a suitable MTU/ALC may be installed and activated.

FARIA WATCHDOG:

Faria MTUs and the vessel's details are to be sent to SpeedCast (support.mss.apac@speedcast.com) with a request to provide Faria 4-digit unique MTU Id made on activation. The outcome will be advised by the Secretariat to the CCM contact⁶.

HALIOS

List of vessels with Halios MTU/ALCs to be activated should be sent by the Secretariat to CLS-OCEANIA (hspencer@groupcls.com). CLS-OCEANIA will then advise the Secretariat whether activation is successful or not. MTU reporting status may also be verified through the CLS portal application - <https://mydata.cls.fr/iwp/Main.do>.

INMARSAT C

For Inmarsat C MTUs, activation is done at the Secretariat using a web application developed by SpeedCast (see Figure 2, below).

Figure 2

If activation was not successful then the Secretariat to advise CCM Official of why the activation was unsuccessful, which may include:

- Unknown mobile number
- Mobile logged out
- Mobile is not in the Ocean Region
- DNID sent to vessel, but vessel did not send acknowledgement to Commission VMS;
- Program sent to vessel but vessel did not send acknowledgement to Commission VMS; or
- Start Command sent to vessel but vessel did not send acknowledgement to Commission VMS.

INMARSAT BGAN

Activation request for iFleetONE MTUs are sent to Addvalue (weehong.ng@addvalue.com.sg). Addvalue will then advise the Secretariat if activation is successful or not.

IRIDIUM

Activation request for insight X2 EMTU is to be sent to Nautic Alert via email: nfvelado@nauticalert.com. Nautic Alert will then advise the Secretariat if activation is successful or not.

⁶ This activation confirmation process between the Secretariat and CCM will be followed for all approved MTU/ALC types shown in this section; the MTU/ALC status will also be evident to the CCM contact via the VRST.

IRIDIUM (mini LEO)

Activation request for Sasco BB3 & BB5 MTUs are to be sent to SASCO email: chuck@sasco-inc.com. SASCO will then advise the Secretariat if activation is successful or not.

IRIDIUM SBD

This is a gateway service for iTrac II and RomTrax Wifi MTUs.

Activation of iTrac II MTU are to be sent by the Secretariat to MetOcean Telematics (service@metocean.com). MetOcean Telematics will then advise the Secretariat if activation is successful or not.

Activation RomTrax Wifi are to be sent by the Secretariat to Rom Communications (michael@romcomm.net). Rom Communications will then advise the Secretariat if activation is successful or not.

SKYMATE

For skymate MTUs, the vessel's details are to be sent by the Secretariat to Skymate (williamricaurte@navcast.com). Skymate will then advise the Secretariat if activation is successful or not.

SKYWAVE / ORBCOMM

For Skywave/ORBCOMM MTUs, the flag CCM's mobile communications service provider (MCSP) for the MTUs establishes a reporting channel / account for the vessels that are required to report to the Commission VMS.

The MCSP establishes a link with the VMS service provider of WCPFC (currently Trackwell) through an application programming interface (API) which allows Trackwell to access the VMS data.

The flag CCM submits to the WCPFC Secretariat the Vessel Tracking Agreement Form (VTAF) for each vessel carrying these MTUs. The Secretariat processes the VTAF information and registers the MTU on the WCPFC MTU Register.

The Secretariat completes its MTU update request form to show "MTU Update Request Completed OK". The completion of this form advises Trackwell VMS system that the vessel's MTU details have been confirmed and are activated to report to WCPFC VMS.

Orbcomm MTUs communicate with the Commission's VMS through Orbcomm service providers. TrackWell currently receives data from Orbcomm MTUs in use on two CCM's vessels. If other CCMs authorize their vessels to use Orbcomm MTUs, consultation with WCPFC and TrackWell is necessary to establish communication channel arrangements between the CCM's Orbcomm service provider and WCPFC's VMS service provider (TrackWell), before the vessels can be activated to report to the WCPFC VMS.

4.4 VMS Reporting Status Tool (VRST)

Access to the VRST is granted to WCPFC website user accounts by assigning one of the following two roles:

1. VMS Viewer - provides read-only access to the VRST.
2. VMS Editor – provides VMS Viewer access plus it allows the user to update the reporting status of vessels not reporting.

The roles can be assigned by a CCM Party Administrator, or upon CCM request, the Secretariat can assist in managing user accounts on behalf of a CCM. More information on managing roles can be found in the Party Administrator Guide on the WCPFC knowledgebase - <https://wcpfc.freshdesk.com/>

The VRST provides the authorized CCM contact a daily snapshot of whether each CCM vessel on the Record of Fishing Vessels is meeting its Commission VMS requirements. The VRST is updated each day at 1am UTC. There are currently four parts to the VRST (see Figure 3 below):

1. Information

The “Information” tab of the VRST provides explanatory information about the VRST.

2. All Vessels

The "All Vessels" tab of the VRST is in response to the WCPFC12 task and provides the latest WCPFC VMS reporting status for every vessel on the Record of Fishing Vessels (RFV).

3. CCM Vessels

The "CCM Vessels" tab of the VRST lists only RFV vessels flagged to the CCM, viewable only by that CCM's authorized contact.

The CCM Vessels tab provides CCMs with a daily snapshot of whether each of their vessels on the RFV is meeting its Commission VMS requirements. If a vessel is not on the FFA Good Standing List, the VRST provides an indication of whether WCPFC has completed the necessary steps to activate the vessels MTU to report to the Commission VMS, and if so the VRST provides a generic current vessel status (e.g., “OK” or “STOP”) for each of their vessels and a daily VMS-reporting status (how many position reports are transmitted by each vessel each day for the past 31 days⁷).

For vessels that are not on FFA Good Standing List, the VRST will display the following status to the vessels based on reporting and CCMs advice.

- ‘ACTR’ – VTAF info received and in the process of activation by the Secretariat.
- ‘In Port’ – based on advice from CMMs that the vessel is in port and MTU is powered down.
- ‘OK’ – the vessel’s MTU is reporting correctly to WCPFC VMS. No action required.
- ‘Outside the WCPFC Convention Area’ – based on advice from flag CCM, the vessel is operating outside of the Convention area and is not reporting to WCPFC VMS.
- ‘Within flag CCM EEZ’ – based on advice from flag CCM, the vessel is within the flag CCM’s EEZ and is not reporting to WCPFC VMS.
- ‘STOP’ – The vessel has stopped reporting. Secretariat staff to work with Flag CCM to resolve the non-reporting issue.

4. Non-Reporting Vessels

The “Non-Reporting Vessels” tab of the VRST is a subset of the CCM Vessels tab list providing a list of vessels from which the expected VMS data is not being received.

For each vessel that is not reporting to the WCPFC VMS, authorized CCM users are able to update the status to ‘In Port’ or ‘Outside the Convention Area’ or ‘Within flag CCM EEZ’ and the date the status took effect. When VMS data is received by the WCPFC VMS, the status will be automatically reset to ‘OK’.

⁷ See footnote 4 above

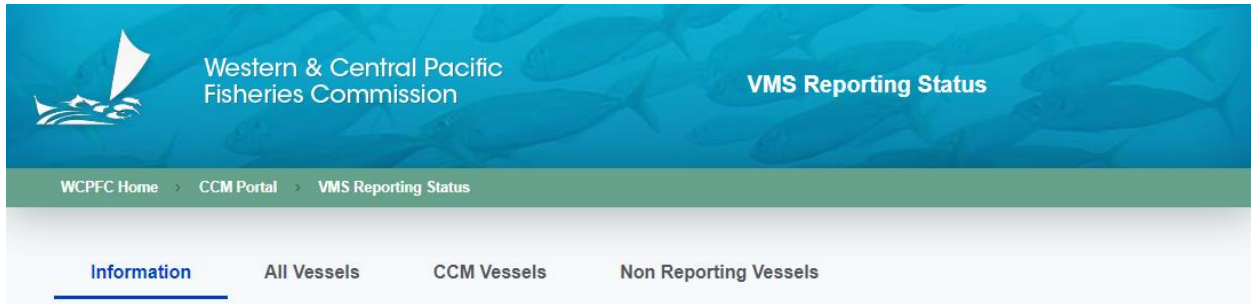


Figure 3

4.5 Manual Reporting

Since 1 March 2013, the Commission has agreed to regular extensions of amendments to the SSPs related to the reporting timeframes for manual reporting in the event of ALC malfunction. A standard reporting format for these manual reports has been previously agreed as is required by the WCPFC Standards Specifications and procedures (SSPs) for the fishing vessel monitoring system (VMS) of the Western and Central Pacific Fisheries Commission (WCPFC) – December 2016 (or its update).

CCM vessels that fail to report to the Commission VMS must commence manual reporting not later than the time specified in the SSPs unless the CCM contact has provided an appropriate and accurate update of the MTU status (either via the VRST directly, or by email to the Secretariat VMS staff).

Manual reports should be sent to email: VMSManualReports@wcpfc.int. The first manual report received from a vessel will be recorded in the WCPFC Intranet – VMS Manual Report (see Figure 4 below). This record will remain open until the vessel resumes normal VMS reporting.

The image shows a web form titled "VMS Manual Reporting - New Item" with a close button (X) in the top right corner. The form has a toolbar at the top with icons for "EDIT", "Save", "Cancel", "Paste", "Copy", "Attach File", and "Spelling". Below the toolbar are several input fields: "Vessel *" with a dropdown menu showing "#4, [29779]" and a subtext "Vessel reporting positions manually, or having its VMS switched off"; "VMS Status *" with three radio button options: "Malfunction", "Not Fitted", and "Switched Off"; "Reporting Start Date *" with a date input field and a calendar icon, and a subtext "The date when manual reporting must commence, or the date when VMS was switched off"; "VMS Resume Deadline Date *" with a date input field and a calendar icon, and a subtext "The deadline by which VMS reporting must be resumed"; "VMS Resume Actual Date" with a date input field and a calendar icon, and a subtext "The actual date when VMS reporting resumed"; and "Notes" with a text area and a subtext "Any notes regarding this Vessel's manual reporting". At the bottom right of the form are "Save" and "Cancel" buttons.

Figure 4

All manual position reports should then be entered in the VMS Manual Reporting database (Figure 5).

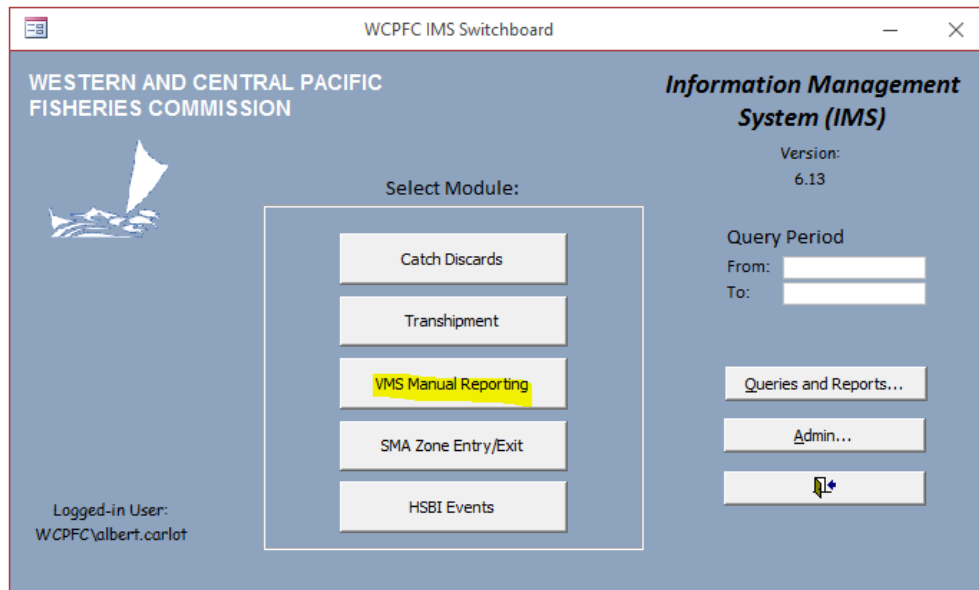


Figure 5

The vessel may recommence fishing on the high seas only when the MTU/ALC has been confirmed as operational by the WCPFC Secretariat following the flag CCM informing the Secretariat that the vessel's automatic reporting complies with the regulations established in the Commission VMS Standards, Specifications and Procedures (SSPs).

Pending approval by the Commission, the process in development to automate integration of VMS manual reports into the Commission VMS is based on the relatively common North Atlantic Format (NAF). In this framework, VMS manual report messages would be submitted to the Commission's VMS via email. Correctly formatted data received would then automatically be integrated into the Commission VMS.

4.6 Routine Reports from the Secretariat on VMS reporting anomalies and WCPFC VMS

As was explained in Section 4.4, the VRST tool, which is accessible by authorized CCM users, provides CCMs a daily snapshot of whether each of their vessels on the RFV is meeting Commission VMS requirements.

The following reports are provided to TCC annually:

- Annual Report on the Commission VMS;
- Review of integrity of the Secretariat's VMS data
- Annual Report on the administration of the data rules and procedures.

Ad hoc reports may be generated on request and following necessary approvals in accordance with the data rules and administrative procedures.

4.7 Secretariat processes to identify and follow-up on VMS reporting issues

The Secretariat will routinely check on the VMS reporting status of vessels when there is a change to their listing on FFA Good Standing List and take appropriate action:

1. If a vessel that has its MTU activated to report directly to WCPFC VMS is subsequently listed on the FFA Good Standing List, WCPFC Secretariat VMS staff will take necessary steps to deactivate the MTU and update WCPFC records to show that the vessel is expected to be reporting to WCPFC VMS through the FFA VMS.
2. If a vessel that was on the FFA Good Standing List is de-listed, VMS staff will take necessary steps activate the most recent VTAF received for direct reporting.
3. Flag CCMs may receive relevant updates through the VRST about whether their vessel is on the FFA Good Standing List and if a MTU is in the process of activation by the Secretariat (refer to Section 4.4).

For vessels not on the FFA Good Standing List, the Secretariat routinely checks the following issues:







1. That a vessel is not showing as 'STOP' in VRST, when:
 - a high seas transshipment notification is received by the Secretariat,
 - a notification is received that a vessel has been inspected through the High Seas Boarding and Inspection Scheme,
 - a charter notification is received by the Secretariat
 - a notification in accordance with para. 3, Attachment 2 of CMM 2020-01 is received by the Secretariat, and
 - Upon request by an authorized CCM contact.
2. For all vessels that have a vessel status 'STOP' in the VRST, a workflow process will document actions taken by the VMS staff to resolve non reporting (refer to Figure 6 below).
3. Flag CCMs may receive relevant updates through the VRST about whether their vessel is on the FFA Good Standing List, if a MTU is in the process of activation by the Secretariat, if a vessel is In Port or outside the Convention Area, and if the vessel is reporting normally or has stopped reporting to the Commission VMS. (refer to Section 4.4).

The following procedures are to be followed by the Secretariat when a VMS non-reporting is identified:

1. Create a record in RFV MTU workflow that the vessel has stopped reporting and proceed with the process getting the MTU to resume reporting.
2. Check with the flag CCM to confirm that the MTU is switched on and reporting to the CCM's VMS. If so:
 - a. Confirm with the flag CCM that the VTAF info is accurate;
 - b. For Inmarsat C MTUs, a re-download of DNID and polling might be required;
 - c. For other MTU types, the Secretariat will contact the MCSP to verify the MTU's status, and VMS staff to follow-up with Trackwell or MCSP where appropriate, to ensure the data is being received by the WCPFC VMS.
3. If the flag CCM indicates that the MTU has been replaced, remind the CCM contact of their responsibility to provide VTAF info for the new MTU, and proceed with normal activation process (refer to Section 4.3 above).
4. Failure of the MTU to properly report requires the flag CCM require the vessel to provide manual reports as per manual reporting requirements (refer Section 4.5 above).

RFV MTU Workflow - New Item ×

EDIT


| | | | | | |
|---|---|--|---|--|---|
|  Save |  Cancel |  Paste |  Copy |  Attach File |  Spelling |
| Commit | | Clipboard | | Actions | Spelling |

Vessel *

Source
Choose a reason why the follow up is needed

Notes
Describe the latest step in what has been done to resolve vessel reporting issues

Status

Follow Up Date 

Assigned To

Figure 6

4.8 Proposals for Inclusion of Additional ALC makes and models on the Approved MTU/ALC List

Commission VMS SSPs require that the Secretariat will assess proposals for inclusion of additional ALC makes and models on this list from both CCMs and equipment manufacturers. VMS SSPs 2.7 states “The Secretariat shall include the ALC/MTU make or model being proposed on this list, if no CCM objects in writing within 30 days of the Secretariat circulating notice of its intent to all CCMs, and, if in the Secretariat’s assessment, the ALC/MTU make or model meets the minimum standards for the Commission VMS as set out in Annex 1 of CMM 2014-02 (or its successor measure), the WCPFC SSPs, as relevant, by determining that the ALC/MTU make and model has the ability to successfully report to the Commission VMS, and by using the methodology established by the FFA with expenses for type approval processing.”

The Secretariat is to assess proposals for the inclusion of additional MTU/ALC units and their communication / satellite service provider / gateway, against the new MTU/ALC type approval checklist (appended in **Annex B**). The following procedures are to be followed by the Secretariat when a proposal from MTU manufacturers, CCMs and service providers is received seeking the inclusion of additional ALC makes and models on the Approved MTU/ALC List:

1. Application received with sufficient⁸ supporting technical documentation.

⁸ For example, full technical specifications of all MTU/ALC hardware that will be installed on vessels, citations of any previous domestic or RFMO type approvals of the proposed MTU/ALC, data/results from previous domestic or other testing of the equipment, or images depicting the hardware components.

2. Secretariat checks application information and verifies it against minimum standards in Annex 1 of the CMM 2014-02 (or its successor).
3. Submit request for testing to TrackWell. TrackWell will liaise with the ALC/MTU applicant to conduct physical⁹ testing to ensure the gateway created is able to receive error-free position reports as per Annex 1 of CMM 2014-02 (or its successor).
4. Trackwell will provide complete test report to the Secretariat for final assessment.
5. As part of the assessment, the Secretariat VMS staff shall detail how each step on the checklist was or was not satisfied for the ALC/MTU proposed for listing.

Where the Secretariat concludes in its assessment that a proposed ALC/MTU make or model does meet these requirements, the Secretariat will follow the existing approval process and timelines outlined above (from VMS SSPs 2.7). Additionally, the Secretariat shall provide CCMs details on how each step on the checklist was satisfied for the ALC/MTU, along with any other documentation provided by the flag CCM or vendor, to better inform CCMs' consideration.

Where the Secretariat concludes in its assessment that a proposed ALC/MTU make or model does not meet these requirements, or if a CCM objects in writing to the Secretariat's proposal to approve a new ALC/MTU make or model, the Secretariat shall make recommendations in the annual report regarding the proposed ALC/MTU make or model for the TCC's consideration. The Secretariat shall provide CCMs with details on how each step on the checklist was satisfied for each unit, along with any other documentation provided by the flag CCM or vendor, to better inform CCMs' consideration.

4.9 Removal of ALC/MTU from the Approved ALC/MTU List

The Secretariat will recommend to TCC as needed, the removal of units currently on the list of approved ALC/MTU makes and models that no longer meet the minimum standards set out in Annex 1 of CMM 2014-02 (or successor measure), or that do not have the ability to successfully report to the Commission VMS. As part of the assessment, the Secretariat VMS staff shall detail how each step on the checklist in **Annex 2** was or was not satisfied for each unit proposed for removal from the Approved ALC/MTU List.

4.10 Commission VMS Helpdesk Support

The Secretariat is committed to developing online self-service support options via the WCPFC support knowledgebase (<https://wcpfc.freshdesk.com/>) and VMS help topics are in the process of being developed.

Email support for the Commission VMS can be sent to VMS.helpdesk@wcpfc.int

⁹ Tests of successful position reporting to the Commission VMS by the relevant MTU hardware that is physically located within the Convention Area.

Annex B

| ALC/MTU testing checklist | | | | |
|---|--|---|-------------------------------|------------------------|
| Item | Description | Requirements | Evidence Provided (YES or NO) | Secretariat Assessment |
| Documents to be provided on application | | | | |
| 1 | Submit application | Letter of application. | | |
| | | Supporting technical reference documentation. | | |
| | | Provide proof of Type Approval received for the ALC/MTU. | | |
| Assessment against Annex 1 of CMM 2014-02 | | | | |
| 2 | The ALC/MTU shall automatically and independently of any intervention on the vessel communicate. | ALC/MTU static unique identifier. | | |
| | | the current geographical position. | | |
| | | UTC date and time. | | |
| 3 | Data shall be obtained from a satellite-based positioning system. | Indicate satellite service provider. | | |
| 4 | ALC/MTU fitted to fishing vessel must be capable of transmitting data. | hourly intervals. | | |
| 5 | The data shall be received by the Commission VMS under normal operating conditions. | within 90 minutes of being generated by the ALC/MTU. | | |
| 6 | ALC/MTU fitted to fishing vessel must be protected. | Tamper proof. | | |
| 7 | Storage of information within the ALC/MTU under normal conditions. | safe, secure and integrated. | | |
| 8 | It must not be reasonably possible for anyone other than the monitoring authority to alter any of authority's data stored in the ALC/MTU. | Secure DNIIDs and reporting parameters. | | |
| 9 | Any features built into the ALC/MTU or terminal software to assist with servicing shall not allow unauthorised access to any areas of the ALC/MTU. | ALC/MTU software access should be password protected. | | |
| 10 | The ALC/MTU shall be installed on the vessel in accordance with their manufacturer's specification and applicable standards. | The ALC/MTU shall be installed on the vessel in accordance with their manufacturer's specification and applicable WCPFC requirements. | | |
| 11 | Under normal satellite navigation operating conditions, positions derived from the data forwarded must be accurate to within 100 square metres Distance Root Mean Square (DRMS). | 98% of the positions must be within this range. | | |
| 12 | The ALC/MTU and/or forwarding service provide must be capable to support the ability for data to be sent to multiple independent destinations. | capable for direct simultaneous reporting. | | |
| 13 | The satellite navigation decoder and transmitter shall be fully integrated and housed in the same tamper-proof physical enclosure. | GPS and transmitter module be fully integrated and housed in the same tamper-proof physical enclosure. | | |
| TrackWell testing | | | | |
| 14 | Gateway / Communications channel. | Gateway / Channel setup and capable of receiving positions reports in either PUSH or PULL method. | | |
| 15 | Position transmission. | Positions received without errors. | | |
| 16 | Latency. | Positions received with 90 minutes of being generated by the ALC/MTU. | | |
| 17 | Test report. | test completion report provided to the Secretariat | | |
| <p>The Secretariat has assessed the Application and deemed that the <<insert ALC/MTU type name>> has PASSED / FAILED the requirements to be included in the WCPFC Approved List of ALC / MTU</p> | | | | |



Guidelines for the Voluntary Submission of Purse seine Processor data by CCMs to the Commission

1. Purpose

Purse seine processor (cannery) data have been identified as a potentially important source of data to adequately verify the estimates of purse seine tuna species catch determined from observer data. While there is a requirement for 100% coverage of observers on purse seine vessels in the tropical WCPO purse seine fishery, species composition sampling is only currently possible to undertake on less than 0.2% of the catch to avoid disruptions to the fishing operation. The WCPFC Scientific Service Provider (SSP) would use these data as an invaluable means of verification of the estimates of purse seine tuna species composition obtained from the observer data in the future.

These guidelines acknowledge that processor (cannery) data have been submitted to the WCPFC by International Seafood Sustainability Foundation (ISSF) participating companies since 2013 but that higher coverage of these data is required to be of use to the work of the Commission, specifically WCPFC Project 60.

2. Data requirements

To assist the scientific work of the Commission, specifically in verifying estimates of purse seine tuna species catch estimates, CCMs are requested to voluntarily submit purse seine processor (cannery) data compiled by companies operating in their country.

The processor (cannery) data represent the measured weights of commercial categories of tuna species and size classes, data which are linked to a specific purse seine trip. Table A1 below provides a list of the required fields, which are aligned to the standard used for submissions by the ISSF-affiliated companies.

3. Provision guidelines

The provision of processor (cannery) data by CCMs is to be done entirely at their own discretion, is not compulsory or binding in any form nor is it a requirement of the Commission.

It is acknowledged that CCMs understand the usefulness of processor (cannery) data to the scientific work of the Commission but will be required to liaise with their processor (cannery) companies regarding the release and compilation of these data for submission to the Commission, which may require establishing Memoranda of Understanding (MOUs) or similar agreements with the processor companies. In this respect, the WCPFC Secretariat, the WCPFC SSP and/or an agreed WCPFC Contractor will assist, to the extent possible, in establishing agreements required to maintain the security of these data.

CCMs should provide processor (cannery) data to the Commission and/or the WCPFC SSP, ideally on a quarterly basis.

The Commission cannot be held responsible should CCMs provide processor (cannery) data to any unapproved parties.

Any processor (cannery) data voluntarily provided by CCMs under this process should be clearly identified as being submitted under these guidelines.

4. Classification

All processor (cannery) data submitted by CCMs are consistent with “records of vessel unloading” and “raw data from catch documentation” which are considered non-public domain, as specified under the *Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission*.

The risk classification of processor (cannery) data submitted by CCMs is acknowledged to be medium-high and may need to be specifically included in Table 1 of the *Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission*.

5. Dissemination

Processor (cannery) data are anticipated to be used by the WCPFC SSP, although could be considered for release under agreed Commission work according to confidentiality rules as specified in the *Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission*, and according to any MOUs established with the sources of the processor (cannery) data (see Section 3 Provision guidelines).

6. Reporting

By the adoption of these Guidelines the Commission requests that the Secretariat provide, or arrange for the WCPFC SSP to provide, an annual report providing information on the provision and dissemination of processor (cannery) data submitted under these guidelines.

Table A1. List of minimum required fields for voluntary processor (cannery data) submissions of catch from purse seine vessels

| Field no. | Data Field | Mandatory | Highly desirable |
|---|---|-------------------|---|
| 1 | Country | Y | |
| 2 | Processor (cannery) company identifier (a distinct identifier which may be the name of the processor company, or an anonymous identifier, if deemed confidential) | Y | |
| Carrier vessel information | | | |
| 3 | - Carrier vessel name | Y | |
| 4 | - Carrier vessel flag | Y | |
| 5 | - Carrier vessel IMO | Y | |
| 6 | - Carrier vessel Call sign | Y | |
| Fishing vessel information | | | |
| 7 | - Fishing vessel name | Y | |
| 8 | - Fishing vessel flag | Y | |
| 9 | - Fishing vessel WCPFC Identification / IMO number | Y | |
| 10 | - Fishing vessel Call sign | Y | |
| 11 | - Fishing vessel gear type (PS) | Y | |
| 12 | Start of Unloading at processing plant | | Y |
| 13 | End of Unloading at processing plant | | Y |
| 14 | RFMO Area where catch taken (e.g. WCPFC Area) | Y | |
| 15 | Start date of fishing trip (departure from port of fishing vessel) | Y | |
| 16 | End date of fishing trip (return to port of fishing vessel) | Y | |
| 17 | Port of offloading or transshipment to Carrier vessel | | Y |
| 18 | Coordinates of transshipment at sea (if relevant) | | Y |
| 19 | Start date of transshipment from fishing vessel to carrier | Y | |
| 20 | End date of transshipment from fishing vessel to carrier | Y | |
| [Actual measured/weighed quantities (in kilograms, or metric tons to 3 decimal places) of catch received at processing plants in the commercial size categories outlined in Table A2] | | | |
| 21 | Species/size category weight unit (P = lbs/pounds or K = kilograms) – see Table A2 | Y | |
| | Species | Size category No. | Weight of catch received for each species/size category [kgs or metric tons to 3 decimal places] See Table A2 |
| 22 | SKIPJACK TUNA | 1 | |
| 23 | | 2 | |
| 24 | | 3 | |
| 25 | | 4 | |
| 26 | YELLOWFIN TUNA | 1 | |
| 27 | | 2 | |
| 28 | | 3 | |
| 29 | | 4 | |
| 30 | | 5 | |
| 31 | BIGEYE TUNA | 1 | |
| 32 | | 2 | |
| 33 | | 3 | |
| 34 | | 4 | |
| 35 | | 5 | |
| 36 | REJECTED TUNA, by SIZE CLASS and SPECIES, if possible | | Y |

Table A2. Typical Cannery Data Size Categories

| Size category Number | Commercial categories | Equivalent categories in KGs | Equivalent used on PS logbooks for YFT and BET |
|-----------------------------|------------------------------|-------------------------------------|---|
| 1 | < 3lbs | (< 1.4 kgs) | SMALL < 20 lbs (~9 kgs) |
| 2 | 3.0 - 4.0 lbs | (1.4- 1.8 kgs) | |
| 3 | 4.0 -7.5 lbs | (1.8 – 3.4 kgs) | |
| 4 | 7.5 - 20 lbs | (3.4 – 9.1 kgs) | |
| 5 | 20 lbs up | (9 or 10 kgs up) | LARGE > 20 lbs (~9 kgs) |

Footnote: the above are recommended size categories, other cannery size categories may be used



**COMMISSION
EIGHTEENTH REGULAR SESSION**

Electronic Meeting

1 - 7 December 2021

BEST PRACTICES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS

The following are guidelines for best handling practices of marine mammals, specifically cetaceans, for purse seine and longline vessels fishing for tuna and tuna-like species in the western and central Pacific Ocean:

GENERAL PROVISIONS:

Safety First: These guidelines should be considered in light of safety and practicability for crew. Crew safety should always come first. Cetaceans can be very powerful and hooked or entangled cetaceans can be unpredictable, therefore it is not safe to enter the water in order to release an animal.

Suggested Equipment: Vessels should have equipment on board to facilitate the release of cetaceans. For purse seine vessels, suggested equipment includes: canvas or net slings or stretchers for carrying or lifting, large mesh net or grid to cover hatches/hoppers, and tools for cutting/removing net. For longline vessels, suggested equipment includes long handled cutters and de-hookers. Long handled cutters should be safety cutters or have a safety blade to avoid injuring the animal.

Training: Crew should be provided with training on best practices for the safe handling and release of cetaceans, including the use of appropriate equipment carried on board for such purposes.

Notifications: Once a cetacean is observed inside a purse seine net or hooked or entangled on longline gear, immediately notify the captain or fishing master and ensure the crew knows what to do.

General Guidelines: For all gear types, keep animals in the water whenever possible. Removing a cetacean from the water is extremely stressful for the animal and can cause injury, so they should be released while in the water, wherever possible. However, cetaceans can be very powerful and hooked or entangled cetaceans can be unpredictable, therefore it is not safe to enter the water in order to release an animal. If it is necessary to land small cetaceans on deck in purse seine fisheries, always minimize time on deck and release cetaceans back to the water as soon as possible. When handling cetaceans, it is always best to handle with two or more people.

**ANNEX I: GUIDELINES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS
PURSE SEINE GEAR:**

FOR LARGE CETACEANS (baleen whales and sperm whales) :

1. Large cetaceans should remain in the water
2. Do not attempt to release large cetaceans by having crew in the water, to the extent possible
3. Release the animal as quickly as possible, without jeopardizing the safety of the crew

FOR SMALL CETACEANS (all toothed whales other than sperm whales):

Do's:

If in purse seine net:

1. Facilitate release of cetaceans while they are still free-swimming using whatever means that are safe and practical (e.g. back down procedure¹, 'dolphin gate'², cutting net, etc.)

If in brail or on deck:

1. Cetaceans that cannot be released in the water without compromising the safety of the crew or the cetacean itself should be returned to the water as soon as possible, either utilizing a ramp from the deck connecting to an opening on the side of the vessel, or through escape hatches. If ramps or escape hatches are not available, cetaceans should be lowered with a sling or cargo net, using a crane or similar equipment, if available.
2. If entangled in netting, carefully cut the net away from the animal and release it to sea as quickly as possible with minimal or no netting attached to the animal.
3. If on deck, keep the animal in an upright position, with dorsal side up.
4. Be cautious of the tail, which is powerful and can cause injury. Lift from the mid-section of the cetacean when possible, and never from the tail.
5. Cease hauling until cetacean is released, release cetacean as soon as possible.
6. Release cetaceans away from fishing operations, when main engines are in neutral to minimize the risk of further entanglement. Maintain observation of released animals until they have disappeared from sight or are sufficiently distant from the vessel to ensure no further interaction before resuming fishing operations.

Don'ts:

1. Do not handle the animal in any way that could cause harm, including
 - a. Do not cut or punch holes through the animal's body
 - b. Do not use gaffs or sharp objects to grab, move, or hold the animal

¹ Backdown Procedure: The vessel goes astern, so the corkline becomes elliptical and the most forward end is pulled below the surface, thus facilitating escape.

² Dolphin gate: A prefabricated quick release rope detaches the corkline from the seine net, which sinks and creates an opening for escape.

- c. Do not leave the animal exposed to sunlight for extended periods on deck
- d. Cetaceans breathe through their blowhole. Do not drag or pull the cetacean underwater in a manner that prevents it from surfacing to breathe. Do not cover or block the blowhole, or spray water in or near it, or allow water or other material to flow into the blowhole.
- e. Do not push, pull, bend, or lift by tail, flippers, fins, flukes or beaks
- f. Do not rest the cetacean on sharp or rough surfaces.

**ANNEX II: GUIDELINES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS
IN LONGLINE GEAR:**

FOR LARGE CETACEANS (baleen whales and sperm whales) :

1. Large cetaceans should remain in the water
2. Do not attempt to release large cetaceans by having crew in the water, to the extent possible
3. Maneuver vessel to minimize tension on the fishing gear, to the extent possible
4. Release the animal as quickly as possible, without jeopardizing the safety of the crew

FOR SMALL CETACEANS (all toothed whales other than sperm whales):

Do's:

1. Determine if the animal is hooked or entangled and prepare to remove the line.
 - a. If entangled: To the extent possible, maneuver the vessel in a way that will reduce tension on the line. Use a long-handled line cutter to cut as much line off of or as close to the animal as you can.
 - b. If hooked:
 - i. Determine whether the hook is ingested or not. If the hook appears to be ingested, to the extent possible, maneuver vessel in a way that will reduce tension on the line. Use a long-handled line cutter to cut the line as close to the hook as possible, removing as much gear as possible
 - ii. If the hook is not ingested:
 1. If using “weak³” circle hooks:
 - a. To the extent possible, maintain tension on the line, giving the hook a chance to straighten and release the animal without the hook or trailing line attached.
 - b. If the hook does not straighten, use a de-hooker to remove the hook and trailing line.
 - c. If the hook is not straightened or removed, use a long-handled line cutter to cut the line as close as you can to the hook, removing as much gear as possible.
 2. If not using weak circle hooks: Avoid pulling sharply on the branchline. To the extent possible, maneuver vessel in a way that will reduce tension on the line. Use a long-handled line cutter to cut the line as close to the hook as possible, removing as much gear as possible.

Don'ts:

1. Do not handle the animal in any way that could cause harm
 - a. Do not use gaffs or sharp objects to grab, move, or hold an animal
 - b. Do not cover or block the blowhole, or spray water in or near it, to allow uninterrupted breathing
 - c. Do not push, pull or lift by tail, flippers, fins, flukes or beaks
 - d. Do not drag or pull the cetacean underwater in a manner that prevents it from surfacing to breathe.

³ Circle hooks with a wire diameter of 4.5 mm or less with an offset not to exceed 10 degrees

References:

[Food and Agriculture Organization of the United Nations. Good Practice Guide for the Handling of Cetaceans Caught Incidentally in Mediterranean Fisheries.](#)

[Hamer, D. and Minton, G. \(2020\). Guidelines for the safe and humane handling and release of bycaught small cetaceans from fishing gear. UNEP/CMS Secretariat. Bonn, Germany 50 pages. CMS Technical Series No. 43.](#)

National Marine Fisheries Service (NMFS). Marine Mammal Handling and Release Guidelines. NMFS Pacific Islands Regional Office.

[NMFS. Protected Species Workshop Handling, Release, and Identification Guidelines. NMFS Pacific Islands Regional Office.](#)

[NMFS. Marine mammal handling/release guidelines: A quick reference for Atlantic pelagic longline gear. NMFS/ARFO Marine Mammal Handling Guidelines. NMFS Greater Atlantic Regional Fisheries Office.](#)



TCC WORK PLAN 2022 - 2024

1. TCC Priority core business tasks (standing Agenda Items)

- a. Monitor and review compliance with conservation and management measures and other obligations stemming from the Convention.
- b. Assessment of IUU fishing vessel nominations and review of fishing vessels currently on the IUU list
- c. Review of Cooperating Non-Member applications.
- d. Monitor obligations relating to Small Island Developing States and territories.
- e. Review the implementation of cooperative measures for monitoring, control, surveillance and enforcement adopted by the Commission and make such recommendations to the Commission as may be necessary.
- f. Review Annual report(s) of the WCPFC Secretariat, which should address relevant technical and compliance issues, which may include HSBI, ROP, VMS, RFV, Data Rules, transshipment, port State measures, and note the Executive Director's report on these matters, the Secretariat's anticipated forecast of work commitments for TCC, and other issues as appropriate.
- g. Provide technical and compliance-related advice to support the development of harvest strategies, including consideration of the implications of harvest control rules.
- h. Review the ongoing work of the Intersessional Working Groups (IWG) noted in Section 3.
- i. Review information about technical and compliance matters arising under existing CMMs.
- j. Make technical and compliance related comments on proposed CMMs.

2. TCC Priority project specific tasks

| Priority | 2022 | 2023 | 2024 | Updates/Progress: |
|---|--|---|------|--|
| <i>Article 14(1)(a) Priority tasks with respect to the provision of information, technical advice and recommendations</i> | | | | |
| <p>a) Support building the capacity of SIDS, which may include:</p> <ul style="list-style-type: none"> <i>i. implement observer programs, including training and data management</i> <i>ii. develop and implement MCS information management system (IMS) at a national level</i> <i>iii. improve bycatch reporting</i> <i>iv. set up a system or process for reports on transshipment activities and MTU inspections</i> <i>v. implement minimum standards for Port State measures</i> | | | | <p>Annual TCC Task.</p> <p>Website to track Implementation of Article 30 of the Convention is available at: https://www.wcpfc.int/implementation-article-30-convention</p> |
| <p>b) Review information about scientific data provision [TCC task]</p> | | | | <p>Annual TCC task. Report reviewed annually.</p> |
| <p>c) Analyze framework for the management and control of chartered vessels to promote compliance with CMMs, clarify flag and chartering CCM's control of chartered vessels, and clarify attribution of catch and effort [TCC task]</p> | <p>Provide advice on any necessary modifications to CMM 2019-08</p> | | | <p>CMM 2019-08, Conservation and Management Measure for Charter Notification Scheme, shall expire on 28 February 2022 unless renewed by the Commission (CMM 2019-08, para. 8)</p> |
| <p>d) Develop information and advice to promote compliance with the south Pacific albacore CMM (2015-02 and successor measures) and improve its effectiveness, including providing technical and compliance advice for the development and implementation of the south Pacific albacore roadmap [TCC task]</p> | <p>Provide advice on relevant analyses to inform the work of the SPA IWG</p> | <p>Provide advice on key components of a new south Pacific albacore CMM</p> | | <p>The most recent meeting of the South Pacific Albacore Roadmap Working Group was held in June 2021. All papers are available on the meeting page here.</p> |

| Priority | 2022 | 2023 | 2024 | Updates/Progress: |
|--|--|--|------|--|
| <i>e) Development and implementation of Commission measures for crew safety [TCC task]</i> | Provide advice on intersessional work to improve crew safety, including advice on the development of a draft conservation and management measure | | | <p>At WCPFC17, “The Commission agreed to intersessional work to be led by Co-Leads Indonesia and an FFA Member through various means to promote discussion among members and enable the sharing of information, with initial discussion points to be developed in consultation with the Commission Chair and the Secretariat.” (WCPFC17 Summary Report, para. 322).</p> <p>The Co-Leads submitted a draft CMM, which is being developed intersessionally, for initial review by TCC17 – TCC17-2021-DP05.</p> |
| Article 14(1)(b) Priority tasks with respect to the monitoring and review of compliance | | | | |
| <i>f) Review progress of the work included in the multi-year workplan of tasks to enhance the Compliance Monitoring Scheme</i> | | | | Work is being undertaken by the CMS IWG. All documents relevant to the progress of the CMS IWG are available at: https://www.wcpfc.int/cms-iwg_2020 |
| <i>i. Develop audit points to clarify the assessment of existing Commission obligations under the CMS [TCC task]</i> | Consider work undertaken by the CMS IWG in the development of audit points | Incorporate audit points into review of the dCMR (trial). Provide advice on adoption of audit points | | Work is being led by Ms. Rhea Moss-Christian (RMI). Considering how to progress this work in 2021 and beyond. All associated documents are available on the CMS IWG webpage at: https://www.wcpfc.int/cms-iwg_2020 |

| Priority | | 2022 | 2023 | 2024 | Updates/Progress: |
|----------|---|--|------|------|---|
| ii. | <p><i>Explore investment and technology solutions to facilitate improvements to the compliance case file system [CCMs, Secretariat task] \$</i></p> | <p>Secretariat to complete delivery of WCPFC17 tasks enhance CCFS to make it easier to use.</p> <p>CCMs to trial CCFS messaging tool to track observer requests</p> <p>Implement further refinements to CCFS (for CMM 17-04 Marine Pollution, enhance Article 25(2) and bycatch interactions</p> <p>Implement refinements to aggregate summary tables (based on TCC17 recommendations)</p> <p>(Budget: \$??)</p> | | | <p>TCC17-2021-12 - Secretariat paper on Update on enhancements to the WCPFC online CCFS provides additional details on proposed activities for 2022</p> |

| Priority | | 2022 | 2023 | 2024 | Updates/Progress: |
|---|--|---|---|--|---|
| iii. | <i>Develop a risk-based assessment framework to inform compliance assessments and ensure obligations are meeting the objectives of the Commission [TCC task]</i> | Consider the effectiveness of the 2022 list of obligations (covering 2021 activities) developed through a trial of RBAF, any improvements on the RBAF and the approach for 2023 | Provide recommendations regarding the adoption of a risk-based assessment approach, taking into account the development of audit points | | Work is being led by Ms. Heather Ward (New Zealand). Draft outline of a possible approach to a risk-based assessment framework was circulated for comment in July 2021. Comments were incorporated and a further Discussion Document and Risk Rating Template were circulated for discussion at TCC17 in September 2021 (TCC17-2021-13B). All associated documents are available on the CMS IWG webpage at: https://www.wcpfc.int/cms-iwg_2020 |
| iv. | <i>Develop corrective actions to encourage and incentivize CCM's compliance with the Commission's obligations, where non-compliance is identified [TCC task]</i> | Nominate lead; begin work through the CMS IWG on the development of corrective actions | Provide advice on corrective actions developed by the CMS IWG | Incorporate corrective actions into review of the dCMR (trial). Provide advice on adoption of corrective actions | |
| v. | <i>Develop guidelines for participation of observers in closed meetings of the Commission and its subsidiary bodies which consider the Compliance Monitoring Report [TCC task]</i> | Nominate lead; begin work on the development of an approach to allow participation of observers in review of the dCMR | Admission of observers to dCMR (trial). Provide advice on approach to allow participation of observers | Further review and modify approach as necessary. | |
| <i>g) Provide advice on CMMs that need revision to improve compliance and monitoring, including those for which interpretation issues have been identified through the CMS process [TCC task]</i> | | | | | Annual task. Recommendations to be included in the Provisional and Final CMR adopted by the Commission each year. |

| Priority | 2022 | 2023 | 2024 | Updates/Progress: |
|--|---|--|------|---|
| <p><i>h) Respond to capacity assistance needs identified through the CMS process, including through annual consideration of implementation plans[TCC task, Secretariat task]</i></p> | | | | <p>Annual task. Secretariat report reviewed annually by TCC.</p> |
| <p><i>i) Continued development of the Commission’s Information Management System (IMS) to support implementation of the Compliance Monitoring Scheme with the aim of making it more efficient and effective by streamlining processes. [TCC task, Secretariat task] \$</i></p> | <p>Delivery of a new CCFS system that meets minimum requirements of the current CCFS in Jan 2022</p> <p>Implement any changes to CMR online system considering new CMM on CMS (as adopted at WCPFC18)</p> <p>Support to the risk-based assessment framework trial</p> <p>Enhance Secretariat analytical capability and associated integrated-IMS tools to support the CMS</p> | <p>AR Pt 2 and CMR upgrade (IT-related system consolidation)</p> <p>Enhance Secretariat analytical capability and associated integrated-IMS tools to support the CMS</p> <p>(Budget: \$??)</p> | | <p>TCC17-2021-17 - Secretariat paper on anticipated forecast of Secretariat work commitments for TCC (in progress) provides additional details on priority activities for 2022/23</p> |

| Priority | 2022 | 2023 | 2024 | Updates/Progress: |
|---|--|--|------|-------------------|
| | (Budget: \$??) | | | |
| <p><i>j) Review and provide advice improvements to the ROP data fields, including those in ROP pre-notifications, to allow for more useful consideration in the compliance case file system and compliance review process [TCC task with assistance from Secretariat]</i></p> | <p>Review and provide advice on improvements to the ROP minimum standard data fields for whale sharks and cetaceans – to allow for a distinction between an interaction and a possible infraction in the compliance case file system</p> | <p>Consider improvements to the Observer Trip Monitoring Summary data fields, which trigger pre-notifications, to better align with the Commission’s priorities in terms of compliance</p> <p>Review and provide advice on improvements to the ROP minimum standard data fields for sea turtles and seabirds to allow for use of ROP data in the compliance case file system, taking into account overall workloads of observers</p> | | |

| Priority | 2022 | 2023 | 2024 | Updates/Progress: |
|---|---|---|------|--|
| Article 14(1)(c) Priority tasks with respects to implementation of cooperative MCS & E | | | | |
| <i>k) Further develop port-based initiatives as part of the suite of MCS tools and a summary of port state measures undertaken by members [TCC task]</i> | | Provide advice on any necessary modifications to CMM 2017-02 | | CMM 2017-02, Conservation and Management Measure on minimum standards for Port State Measures, requires that, “ <i>The Commission shall review this measure within 2years of its entry in to force, which shall include but not be limited to an evaluation of its effectiveness, and any financial and administrative burdens associated with its implementation.</i> ” (CMM 2017-02, para. 28) |
| <i>l) Development, improvement and implementation of the Commission’s measures for observer safety and related issues [TCC task]</i> | | | | |
| <i>m) Enhance how CCM’s and Secretariat’s practices integrate to facilitate ongoing monitoring and compliance with CMM 2014-02 (VMS) [TCC task with assistance from Secretariat] \$</i> | Provide advice on future work to enable direct/simultaneous VMS reporting by vessels/ALCs reporting to the WCPFC VMS. | Provide recommendations on ‘VMS best practices’ to minimise data gaps from VMS failures | | Future work tasks were recommended by the VMS SWG in their report to TCC17 – TCC17-2021-15A . All documents relevant to the progress of the VMS SWG are available at: https://www.wcpfc.int/2020_vms-swg |
| <i>n) Develop improved mechanisms for the flow of observer information from ROP Providers to CCMs needing such information for their investigations [TCC task]</i> | Review and provide advice on CCFS improvements to track observer report requests and responses | | | Work is being undertaken by the TCC Observer IWG led by the USA). Most recent recommendations of the IWG are available in the WCPFC17 Summary Report (paragraphs 314-318) |

| Priority | 2022 | 2023 | 2024 | Updates/Progress: |
|--|--|--|------|--|
| <p><i>o) Continued development of the Commission’s Information Management System (IMS) to support MCS activities, including exploration of IMS data submission and extraction tools. [TCC task, Secretariat task] \$</i></p> | <p>RFV upgrade (IT-related system consolidation) – including consideration of the integration of a FLUX protocol to support that work</p> <p>Develop automated extraction and provision IT tools to support the parameters of common data requests to support MCS activities.</p> <p>Enhance Secretariat analytical capability and associated integrated-IMS tools to support MCS activities</p> <p>(Budget: \$??)</p> | <p>Enhance Secretariat analytical capability and associated integrated-IMS tools to support MCS activities</p> | | <p>TCC17-2021-17 - Secretariat paper on anticipated forecast of Secretariat work commitments for TCC (in progress) will provide additional details on priority activities for 2022</p> |

| Priority | 2022 | 2023 | 2024 | Updates/Progress: | |
|---|---|---|---|---|--|
| <i>p) Continued development of training resources and learning aids for the IMS [Secretariat task] \$?</i> | | | | The ' WCPFC Helpdesk ', created late 2020, provides brief reference information for members. These are very short guides with new topics progressively being added as resources permit. | |
| <i>q) Review and consider updates to improve the effectiveness of CMMs related to transshipment at sea and compliance with their provisions</i> | | | | | |
| <i>i.</i> | <i>Review transshipment measure (CMM 2009-06) [TCC task]</i> | Consider and provide advice on TS-IWG draft recommendations to the Commission stemming from the Completed Transshipment Information Analysis and on progress related to other priorities in the Terms of Reference. | Consider and provide advice on TS-IWG draft recommendations to the Commission related to strengthening the transshipment measure. | | Work is being undertaken by the TS IWG (led by USA & Vanuatu). Scope of Work for the Transshipment Information Analysis in Support of the Review of CMM 2009-06 agreed in March 2021. All documents relevant to the progress of the TS IWG are available at: https://www.wcpfc.int/iwg-transshipment |
| <i>ii.</i> | <i>Further development of protocols, observer data fields/forms including electronic data fields and databases, as needed, to better monitor transshipments at sea, [TCC task, Secretariat task] \$</i> | | | | |

| Priority | 2022 | 2023 | 2024 | Updates/Progress: |
|--|--|--|------|---|
| <p><i>r) Development and implementation of Commission measures for Electronic Reporting & Electronic Monitoring [TCC task]</i></p> | <p>Consider and provide advice on outputs from the ER and EM Working Group, including those related to existing obligations, data gaps and the prioritization of ER and EM and draft minimum standards for electronic monitoring</p> | <p>Consider and provide advice on outputs from the ER and EM Working Group, including a draft E-Monitoring CMM</p> | | <p>Work is being undertaken by the ER & EM IWG (led by Australia). All documents relevant to the progress of the ER&EM IWG are available at: https://www.wcpfc.int/ERandEM-IWG</p> |

Commission & TCC Intersessional working groups

ROP IWG: Review ROP (Current Chair: vacant; no current tasking)

FAD Management Options IWG: Review and develop FAD measures (Current Chair: Jamel James – FSM; work ongoing)

CDS IWG: Develop and implement a Catch Documentation Scheme for WCPFC species (Current Chair: vacant; no current tasking).

EM and ER IWG: Continue the development of standards, specifications and procedures for-technologies (Current Chair: Australia; work ongoing).

CMS IWG: Work to progress the CMS future work included in Section IX of CMM 2019-06 (Current Chair: Emily Crigler – USA; work ongoing)

TCC Observer WG: Develop improved process for CCMs to obtain copies of observer reports for their vessels in a timely manner, explore ways to facilitate access to observer reports from both ROP Providers and the Secretariat, and recommend possible improvements to the ROP CMM, Agreed Minimum Standards and Guidelines of the ROP, and other Commission decisions (Current Chair: Tom Graham – USA; work ongoing).

TS IWG: Review CMM 2009-06 through analysis of transshipment data, and identify provisions that should be updated to address current practices (Current Co-Chairs: Felix Ngwango – Vanuatu & Alex Kahl – USA; work ongoing).

VMS SWG: to address the VMS Gap and improve the number of vessels reporting to the Commission VMS (Current Co-Chairs: Terry Boone – USA & Viv Fernandes – Australia; work ongoing).

SPA Roadmap IWG: work to develop the Roadmap for Effective Conservation and Management of South Pacific Albacore (Current Chair: Neomai Ravitu – Fiji; work ongoing)

Attachment P



**COMMISSION
EIGHTEENTH REGULAR SESSION**

Electronic Meeting
1 – 7 December 2021

HARVEST STRATEGY FOR PACIFIC BLUEFIN TUNA FISHERIES

Harvest Strategy 2021-01

Introduction and scope

This harvest strategy has been prepared in accordance with the Commission’s Conservation and Management Measure on Establishing a Harvest Strategy for Key Fisheries and Stocks in the Western and Central Pacific Ocean.

Although the provisions of this harvest strategy are expressed in terms of a single stock, they may be applied to multiple stocks as appropriate and as determined by the Northern Committee.

1. Management objectives

The management objectives are, first, to support thriving Pacific bluefin tuna fisheries across the Pacific Ocean while recognizing that the management objectives of the WCPFC are to maintain or restore the stock at levels capable of producing maximum sustainable yield, second, to maintain an equitable balance of fishing privileges among CCMs and, third, to seek cooperation with IATTC to find an equitable balance between the fisheries in the western and central Pacific Ocean (WCPO) and those in the eastern Pacific Ocean (EPO).

2. Reference points

Because steepness in the stock-recruitment relationship is not well known but the key biological and fishery variables are reasonably well estimated¹, the stock of PBF is to be treated as a Level 2 stock under the Commission’s hierarchical approach for setting biological limit reference points.

2.1 Rebuilding targets

Initial rebuilding target:

The initial rebuilding target for the PBF stock size is the median SSB estimated for the period 1952 through 2014, to be reached by 2024 with at least 60% probability.

¹ See the information provided by the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (WCPFC-NC9-2013/IP-03) in response to a request made by the Northern Committee at its Eighth Regular Session (Attachment F of the report of NC8).

Recruitment scenario during initial rebuilding period:

The low recruitment scenario (resampling from the relatively low recruitment period (1980-1989)) or the recent recruitment scenario (resampling from the last 10 years), whichever is lower, will be used for the ISC's SSB projections until 2024 or until the SSB reaches the initial rebuilding target, whichever is earlier. The ISC is requested to periodically evaluate whether the recruitment scenario used during the initial rebuilding period is reasonable given current conditions, and to make recommendations on whether a different scenario should be used. If ISC recommends a different scenario, this will be considered by the NC.

Second rebuilding target:

The second rebuilding target for the PBF stock size is $20\%SSB_{F=0}^2$, to be reached by 2034, or 10 years after reaching the initial rebuilding target, whichever is earlier, with at least 60% probability.

However, if: (1) the SSB reaches the initial rebuilding target earlier than 2024; (2) ISC recommends a recruitment scenario lower than the average recruitment scenario; and (3) the SSB projections indicate that the second rebuilding target will not be achieved on this schedule, the deadline for rebuilding may be extended to 2034 at the latest.

Also, if there is a recommendation from the Northern Committee that $20\%SSB_{F=0}$ is not appropriate as the second rebuilding target, taking into account consideration from IATTC, scientific advice from ISC, IATTC or WCPFC SC, and socioeconomic factors, another objective may be established.

Recruitment scenario during second rebuilding period:

After the initial rebuilding target is reached and until the second rebuilding target is reached, the recruitment scenario to be used for the SSB projections will tentatively be the average recruitment scenario (resampling from the entire recruitment period).

The ISC is requested to periodically evaluate whether the recruitment scenario used during the second rebuilding period is reasonable given current conditions, and to make recommendations on whether a different scenario should be used. If ISC recommends a different scenario, this will be considered by the NC.

2.2 Development of reference points

The Northern Committee will develop more refined management objectives as well as limit reference point(s) and target reference point(s) through MSE process specified in Section 6.

3. Acceptable levels of risk

Until the stock is rebuilt, the Northern Committee will recommend conservation and management measures as needed to ensure rebuilding in accordance with the probabilities specified in sections 2.1 and 5 for each of the two rebuilding targets.

Once the stock is rebuilt, in accordance with Article 6.1(a) of the Convention, the Northern Committee will recommend conservation and management measures as needed to ensure that any target reference point(s)

² $SSB_{F=0}$ is the expected spawning stock biomass under average recruitment conditions without fishing.

(once adopted) are achieved on average in the long term, and ensure that the risk of the stock size declining below the B-limit (once adopted) is very low.³

4. Monitoring strategy

The ISC will periodically evaluate the stock size and exploitation rate with respect to the established reference points and the report will be presented to the Scientific Committee. Until 2024, while the MSE is being developed (see section 6), the ISC is requested to conduct stock assessments in 2018, 2020 and 2022.

In order to cope with the adverse effects on the rebuilding of the stock due to drastic drops of recruitment: (1) all the available data and information will be reviewed annually, including recruitment data provided by the ISC and in National Reports; and (2) the ISC is requested to conduct in 2019, and periodically thereafter as resources permit and if drops in recruitment are detected, projections to see if any additional measure is necessary to achieve the initial rebuilding target by 2024 with at least 60% probability.

5. Decision rules

Harvest control rules during initial rebuilding period:

The interim harvest control rules below will be applied based on the results of stock assessments and SSB projections to be conducted by ISC.

- (a) If the SSB projection indicates that the probability of achieving the initial rebuilding target by 2024 is less than 60%, management measures will be modified to increase it to at least 60%. Modification of management measures may be (1) a reduction (in %) in the catch limit for fish smaller than 30 kg (hereinafter called “small fish”) or (2) a transfer of part of the catch limit for small fish to the catch limit for fish 30 kg or larger (hereinafter called “large fish”). For this purpose, ISC will be requested, if necessary, to provide different combinations of these two measures so as to achieve 60% probability.
- (b) If the SSB projection indicates that the probability of achieving the initial rebuilding target by 2024 is at 75% or larger, the WCPFC may increase their catch limits as long as the probability is maintained at 70% or larger, and the probability of reaching the second rebuilding target by the agreed deadline remains at least 60%. For this purpose, ISC will be requested, if necessary, to provide relevant information on potential catch limit increases.

Harvest control rules during second rebuilding period:

The harvest control rules during the second rebuilding period below will be applied based on the results of stock assessments and SSB projections to be conducted by ISC.

- (a) If the SSB projection indicates that the probability of achieving the second rebuilding target by 2034 or 10 years after reaching the initial rebuilding target, whichever is earlier, is less than 60%, management measures shall be modified to increase it to at least 60%. For this purpose, the ISC will be requested, if necessary, to provide information on possible management measures to achieve 60% probability.

³ WCPFC13 agreed that any risk level greater than 20 percent to be inconsistent with the limit reference point related principles in UNFSA (as references in Article 6 of the Convention) including that the risk of breaching limit reference points be very low.

- (b) If the SSB projection indicates that the probability of achieving the second rebuilding target by 2034, or 10 years after reaching the initial rebuilding target, whichever is earlier, is at 75% or larger, fishery controls may be changed, including adjustment of catch limits, as long as the probability is maintained at 70% or larger. For this purpose, ISC will be requested, if necessary, to provide relevant information on potential fishery controls.
- (c) Any adjustments to management measures shall be considered in cooperation between the two RFMOs taking into account historical and future projected proportional fishery impacts on SSB between fisheries in the EPO and fisheries in the WCPO. For this purpose, ISC will be requested, if necessary, to provide relevant information, including projected proportional fishery impact of potential management measures changes.
- (d) This harvest control rule will be reviewed and modified, as necessary, if depletion estimates across the time-series have been adjusted due to changes in assumptions and/or settings of the stock assessment model.

The Northern Committee will, through MSE development process, develop decision rules related to the limit reference points once adopted including for the case of their being breached.

6. Performance evaluation

Until the stock is rebuilt, the Northern Committee will work with the ISC and the Scientific Committee and consult with the IATTC to identify and evaluate the performance of candidate rebuilding strategies with respect to the rebuilding targets, schedules, and probabilities.

The ISC is requested to start the work to develop a management strategy evaluation (MSE) for Pacific bluefin tuna fisheries in 2019 and have a goal of completing it by 2024.

To support development of the MSE, ISC is encouraged to identify at least two experts and NC members are encouraged to provide additional funds for the ISC's work on the MSE.

The Joint WG will start to discuss in 2018, and aim to finalize no later than 2019, guidelines for the MSE, including at least one candidate long-term target reference point (TRP), two candidate limit reference points (LRPs) and candidate harvest control rules (HCRs), which will be provided to the ISC. Those candidate TRPs, LRPs and HCRs will be tested and changed if appropriate during the MSE development process.

In preparation for the Joint WG meeting in 2019, the ISC is requested to organize workshops in early 2018 and 2019 to support the identification of specific management objectives, including level of risks and timelines. The workshops will include managers, scientists and stakeholders, taking into account any recommendations of the Joint WG, and the number of representatives should be relatively small, as it was for the MSE workshop for North Pacific albacore.

In evaluating the performance of candidate target reference points, limit reference points, and harvest control rules, the Northern Committee, in consultation with the ISC and the Scientific Committee, should consider the following criteria:

- 1) Probability of achieving each of the rebuilding targets within each of the rebuilding periods (if applicable).
- 2) Time expected to achieve each of the rebuilding targets (if applicable).
- 3) Expected annual yield, by fishery.
- 4) Expected annual fishing effort, by PBF-directed fishery.

- 5) Inter-annual variability in yield and fishing effort, by fishery.
- 6) Probabilities of SSB falling below the B-limit and the historical lowest level.
- 7) Probability of fishing mortality exceeding FMSY or an appropriate proxy, and other relevant benchmarks.
- 8) Expected proportional fishery impact on SSB, by fishery and by WCPO fisheries and EPO fisheries.

Recognizing that developing the operating model and other aspects of the MSE will take time and additional resources, and might require further dialogue between the Northern Committee, the ISC, and the IATTC, while the MSE is in development the ISC is requested to perform this work using the best means at its disposal.

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2021 FINAL COMPLIANCE MONITORING REPORT (COVERING 2020 ACTIVITIES)

Executive Summary

I. INTRODUCTION

1. WCPFC18 undertook its eleventh annual review of compliance by CCMs against an updated list of Commission obligations agreed to at WCPFC17 for review in 2021 based on the updated Provisional CMR provided by TCC17.
2. WCPFC18 and TCC17 conducted its review in accordance with the Compliance Monitoring Scheme (CMS) adopted at WCPFC16 – CMM 2019-06. The CMS provides for TCC to identify a compliance assessment for each specific obligation that is assessed.
3. In accordance with paragraph 7 and Annex I of CMM 2019-06, the following statuses were considered in making the assessments: Compliant, Non-Compliant, Priority Non-Compliant, Capacity Assistance Needed, and CMM Review.

II. DEVELOPMENT OF THE PROVISIONAL COMPLIANCE MONITORING REPORT BY TCC17

4. TCC17 reviewed the draft Compliance Monitoring Report (draft CMR) for thirty-seven (37) CCMs and for one obligation for one (1) collective group of Members in a closed working group session. The European Union (EU) and USA reiterated the importance of transparency in all aspects of the Commission's work and supported holding the CMR process in open session. The draft and Provisional CMR is classified as non-public domain data and some CCMs stated that the requirements for release of this data had not been met. The decision was therefore taken to close the CMR. As outlined in paragraph 46(v) of CMM 2019-06, TCC17 noted the work that was underway to develop guidelines on the participation of Observers which, once agreed, could provide the basis for TCC's consideration of the CMR in open session in the future.
5. Notwithstanding the effort undertaken by CCMs, the Provisional CMR retained an issue where majority and minority positions are noted that could not be resolved at TCC17.

III. COMPLIANCE REVIEW PROCESS

6. TCC17 considered the CMR Review Process in advance of conducting its review (**TCC17-2021-09**).
7. TCC17 agreed that it would prioritize consideration to the 39 potential compliance issues identified by the Secretariat in the full draft Compliance Monitoring Report. In line with the approach taken at TCC16, it was agreed that CCMs may raise additional potential issues not identified in the dCMR. No reporting deadline obligations were included in the list of obligations agreed for assessment by WCPFC17.
8. Where a status of "Non-Compliant" or "Priority Non-Compliant" was assigned, TCC17 determined in accordance with CMM 2019-06, paragraph 40, CCMs may provide additional information up to 21 days after TCC17, noting that additional information is restricted to that which only requires administrative consideration by the Secretariat to fill an information gap, and this

allowance to provide additional information shall not apply to substantive issues (CMM 2019-06 paragraph 40).

9. TCC17 also determined in accordance with CMM 2019-06, paragraph 31, which provides that “CCMs may also provide additional information to TCC with respect to implementation of its obligations”, and the desirability of closing off to the extent feasible the CMR at TCC, that written information received after the 15-day deadline in CMM 2019-06 paragraph 30 would be considered by TCC17. However, in line with the process outlined in **TCC17-2021-09**, TCC17 determined this would not extend to verbal information provided at TCC, which would be limited to providing clarifications only.

10. With respect to the Aggregated Tables, TCC17 considered the process set out in **TCC17-2021-09**. In line with the Commission’s existing approach regarding the dCMR, outstanding cases related to ROP pre-notifications (other than observer obstruction incidents) were excluded from the review of the Aggregated Tables. TCC17 also noted that as the information in the Compliance Case File System (CCFS) on cetaceans and whale shark (CWS) interactions does not currently distinguish between interactions where there is no alleged infringement and interactions where an infringement may have taken place – TCC17 agreed this data would be excluded from consideration of this trial process of reviewing the Aggregated Tables. The EU expressed concern that by excluding this data a significant number of alleged infringements could possibly escape from the scrutiny of TCC. TCC17 agreed that it was of critical importance to resolve how to consider ROP pre-notifications and cetacean and whale shark cases in the aggregated tables ahead of next year’s TCC meeting.

11. TCC17 agreed that the consideration of implementation challenges under paragraph 33 of CMM 2019-06 would be restricted to self-identified challenges, unless a CCM consented to an implementation issue being raised by another CCM.

12. Cases in the CCFS older than 24 months and that remain open were considered in accordance with paragraph 34 of CMM 2019-06. Following discussion and consistent with the view that this is a trial process, TCC17 accepted the Chair’s suggestion to revert to the process set out in Circular 2021/68, on an interim basis, so that consideration of the Aggregated Tables would not affect a CCM’s compliance score for 2020. Although the possibility was left open for TCC17 to revise this process following consideration and discussion of the Aggregated Tables, it did not do so.

13. The review of the Aggregated Tables took place prior to the dCMR review, in order to facilitate any discussion of implementation challenges arising from the review of Aggregated Tables. The Chair oversaw this process in line with the Principles articulated in Section I and II of CMM 2019-06.

IV. AGGREGATED SUMMARY TABLES

14. Aggregated Summary Tables of cases in the online compliance case file system which are based on the templates in Annex II of CMM 2019-06 were considered by TCC17 in accordance with paragraphs 26(ii), 33 and 34 of CMM 2019-06. The outcome of this consideration is included in Appendix 3. Aggregate Summary Tables of cases in the online compliance case file system which are based on the templates in Annex III of CMM 2019-06 are attached as Appendix 4.

a.) Implementation challenges

15. With respect to paragraph 33 of CMM 2019-06 and in line with the process outlined in **TCC17-2021-09**, CCMs were provided the opportunity to raise for TCC17 consideration implementation challenges pertaining to either themselves, or other CCMs. TCC17 notes that no issues were raised

in advance by CCMs by the deadline (of fifteen days prior to TCC17). At TCC17 no implementation challenges were raised by any CCM.

b.) Addressing outstanding cases (> 24 months and that remain open) in the Online Compliance Case File System

16. With respect to paragraph 34 of CMM 2019-06, and consistent with the process outlined in **TCC17-2021-09**, each relevant CCM in turn was asked to provide to TCC17 information pertaining to these cases at a level that they determined appropriate and in line with **CMM 2019-06 paragraph 32(ii) and paragraph 34a and b**, namely:

- a) Identify what is needed to progress or resolve these cases;
- b) Determine a timeframe for resolution of the cases

17. TCC17 discussed the information and made its determinations under sub-paragraphs a and b for each CCM, which are presented in tabular form in Appendix 3.

- a.) The EU provided a voluntary update related to its outstanding cases – as these cases relate to Cetacean and Whale Shark interactions and ROP pre-notifications, these cases are not included in Appendix 3 (as per the decision outlined in para 10 above).

18. TCC17 discussed the process of considering the Aggregated Tables. For the majority of outstanding cases in the Aggregated Tables, some CCMs reported they were unable to complete investigations due to a failure to receive observer reports from the ROP observer providers. These CCMs noted that they requested the observer reports and some providers were able to provide the information in a timely fashion, but that other providers were not responsive to flag CCM requests for observer reports. Some CCMs highlighted the non-receipt of observer reports which had hindered their investigations, as shown in Table 2 of Appendix 3. Other CCMs considered that communication was the problem including that the observer reports may not have been requested yet in some cases as well as the time lag in notification of the alleged infringements in the CCFS and emphasized the importance of reaching out bilaterally to ROP observer providers to obtain observer reports, as well as the use of other investigative tools to progress investigations. Some CCMs noted that observer providers made every effort to respond to requests for reports and provided them.

19. Some CCMs reported for some outstanding cases in the Aggregated Tables it is not possible for flag CCMs to conduct investigations again, due to the vessel in question being reconstructed and the captain and crew in question retired or left the fisheries. Some CCMs also noted that other compliance tools can be used to investigate alleged infractions, such as effective port state measures, which can support investigations into the infractions.

20. TCC17 noted that paragraph 1 of CMM 2019-06 provided that the CMS is “not to assess compliance by individual vessels”. Two CCMs noted TCC should not review investigations for specific cases (e.g., naming specific fishing vessels), but that TCC should review CCM investigations for each CCFS category with one open investigation just as it would for those categories with more than one open investigation. TCC17 agreed that it would be useful to have further guidance on this matter in future.

21. TCC17 noted the significant work by the Secretariat in preparing the Aggregated Tables. Pending TCC17s consideration of CMS issues more broadly, TCC17 considered that CCMs should work intersessionally ahead of TCC18, under the leadership of the TCC Chair, to further consider how the Aggregated Tables may be used to indicate potential anomalies in the implementation of obligations by a CCM in accordance with paragraph 26(ii). From this point, CCMs will need to further consider

the causes of these potential anomalies, whether through identifying “implementation challenges for a CCM” or identifying “systemic failures to take flag state action in relation to alleged violations” in accordance with paragraphs 33 and 34. Further guidance is also required as to, how the Aggregated Tables might inform compliance scores, and how the process can be improved in future.

V. SUMMARY OF COMPLIANCE REVIEW ASSESSMENTS

a.) Capacity Assistance Needs

22. TCC17 received reports from CCMs on the progress of capacity development plans for 2020. The outcomes of the discussions are in the table and information set out below.

| Obligation | Capacity Assistance Needed Ongoing | Capacity Assistance Needed Completed |
|--|--|--------------------------------------|
| Scientific data provision (SciData 03) | Indonesia (RY2016, RY 2017, RY 2018, RY2019) | |
| Annual report on estimated number of releases and status upon release of oceanic whitetip sharks (CMM 2011-04 paragraph 3) | Indonesia (RY2019) | |
| Annual report on estimated number of releases and status upon release of silky sharks (CMM 2013-08 paragraph 3) | Indonesia (RY2019) | |
| 100% purse seine observer coverage for vessels fishing exclusively in areas under national jurisdiction (CMM 2018-01 paragraph 35) | Philippines (RY2018, RY2019) | |

a. **Indonesia** (SciData 03): Indonesia reported that were some continuing delays in 2020 in the anticipated timeframe and assistance delivery set out in the Capacity Development Plan due to COVID-19 circumstances. TCC17 noted that implementation of the capacity needs in the Capacity Development Plan is still open and requested Indonesia to report back following TCC with more specificity on the dates when the necessary technical assistance can take place. TCC noted that for RY 2020 Indonesia’s capacity assistance needs in their Capacity Development Plan were not yet met.

b. **Indonesia** (CMM 2011-04 paragraph 3): Indonesia reported that assistance and funding was being sought from SPC to hold dedicated workshops on sharks. However, this has been delayed due to COVID-19. TCC17 noted the continuing delays due to COVID-19 circumstances in implementation of the capacity needs in the Capacity Development Plan and requested Indonesia to report back following TCC with more specificity on the dates when the necessary technical assistance can take place. TCC noted that for RY 2020 Indonesia’s capacity assistance needs in their Capacity Development Plan were not yet met.

c. **Indonesia** (CMM 2013-08 paragraph 3): Indonesia reported that assistance and funding was being sought from SPC to hold dedicated workshops on sharks, however, this has been delayed due to COVID-19. TCC17 noted the continuing delays due to COVID-19

circumstances in implementation of the capacity needs in the Capacity Development Plan and requested Indonesia to report back following TCC with more specificity on the dates when the necessary technical assistance can take place. TCC noted that for RY 2020 Indonesia's capacity assistance needs in their Capacity Development Plan were not yet met.

d. **Philippines** (CMM 2018-01 paragraph 35): TCC noted that a written report was received from the Philippines on progress on its Capacity Development Plan which provided a schedule for implementation to progressively increase observer coverage in Philippine waters over 2020 to 2023. TCC noted that for RY 2020 Philippine's capacity assistance needs in their Capacity Development Plan were not yet met.

b.) Consideration of CMR

23. In accordance with CMM 2019-06, paragraph 35, where there were majority/minority views on the assessment, TCC17's provisional assessment reflects the majority view and records the minority view. TCC17 notes the following assessments with majority/minority views for the Commission for its final assessment:

a. **CMM 2015-02 01** – The majority view was that Chinese Taipei should be assessed as Priority Non-Compliant; however, there was a minority view that the obligation should be assessed as CMM Review.

b. **CMM 2015-02 01** – The majority view was that China should be assessed as Compliant; however, there was a minority view that the obligation should be assessed as Priority Non-Compliant.

24. After further deliberation at WCPFC18, there remained majority/minority views on these two assessments. As there was not consensus on the compliance status, WCPFC18 noted the majority and minority views for these two assessments.

25. A summary of the detailed discussion of this assessment is contained in Section VI.

26. There was one obligation that WCPFC18 and TCC17 once again assessed as CMM Review.

a. **CMM 2018-01 paragraph 51:** In applying a status of "CMM Review" to paragraph 51 of CMM 2018-01, TCC17 recognized the difficulty of the application of this paragraph in terms of the scope of "other commercial fisheries" in Indonesia and the Philippines. TCC17 noted that Indonesia and the Philippines had submitted papers to SC16 and TCC16 in response to the tasking from TCC15 to inform a Commission discussion on the application of paragraph 51 of CMM 2018-01. The virtual format of these meetings made it difficult to consider these papers at SC16 and TCC16. SPC prepared a paper on an assessment of available information to address the WCPFC17 recommendation on the Tropical Tuna CMM para 51 (other commercial fisheries) which was submitted and discussed at the SC17 Meeting. TCC17 also noted relevant TCC17 papers: **TCC17-2021-16** and **TCC17-2021-IP11**. TCC17 recommends that WCPFC18 review the application of paragraph 51 of CMM 2018-01.

27. The RY2020 assessments are set out in the Appendices 1 and 2. Consistent with the Final Compliance Monitoring Reports for 2012 – 2019, CCMs evaluated as "Non-Compliant" or "Priority Non-Compliant" for obligations are strongly encouraged to address their implementation issues.

VI. ISSUES RELATED TO SPECIFIC CMMs OR OTHER OBLIGATIONS

28. TCC17 noted that TCC consistently had difficulty assessing some obligations due to differing interpretations of those obligations and different views on how implementation of the obligation was to be assessed.

29. With regard to CMM 2015-02 on South Pacific Albacore, TCC17 noted that concerns had been expressed by many CCMs over a number of years concerning the South Pacific albacore fishery and the desire to develop a new measure.

30. Chinese Taipei noted during CMR review process that there is lack of consensus for the definition of “vessels fishing for south Pacific albacore”. This issue should be discussed further, including at future Commission meetings. The majority of CCMs were of the view that the data provided by the Scientific Services Provider (SPC-OFP) indicates that this CCM had exceeded its limit for the number of vessels actively fishing for albacore south of 20°S and noted that this had been assessed this way consistently in the past and therefore should be assessed as Priority Non-Compliant. A minority of TCC17 highlighted the difficulty that TCC had in defining terms such as “fishing for” a stock and also questioned the basis for the assessment of “actively fishing” in terms of the weight of catch. Many CCMs noted that the breach of the quantitative limits in CMM 2015-02, paragraph 1, by Chinese Taipei was considered a serious issue.

31. WCPFC18 noted that there were ongoing difficulties related to interpretation of the term “actively fishing for” (and similar terms such as “directed at” and “targeting”) for this CMM which continue to present challenges and makes it difficult for TCC to complete the assessments of some obligations during the CMR.

32. Most CCMs considered that it was important to treat all CCMs the same and to use a consistent approach to the use of baseline data for the assessment of the quantitative limit under CMM 2015-02. One CCM raised an issue on the quantitative limit under CMM 2015-02, which was not raised in the dCMR. It noted its view that China should be assessed as Priority Non-Compliant as in its view China had exceeded the number of vessels which fished in 2005 as set out in TCC17-2021-IP07, which was based on TCC14-2018-IP14. China noted that the data set out in TCC17-2021-IP07 was based on partial information and that the baseline of 70 vessels had been accepted by TCC in past assessments. One CCM disputed TCCs acceptance of the baseline 70 vessels, based on TCC14-2018-IP14.

33. CCMs noted that China did provide additional information related to the number of vessels and their catch for the baseline year (2005) however this information was received after the deadline for submission of information after TCC17 and could not be verified and hence was not considered in this discussion, but that this information would be reviewed by the Scientific Services Provider (SPC-OFP) and the Secretariat in accordance with existing practice in the new year.

34. WCPFC18 also noted that the disparities in available operational-level data for determined baseline periods raised difficulties in undertaking compliance assessments as this results in some limits being based on analysis of operational-level data and other limits being based on self-reporting.

35. WCPFC18 noted the issued raised during discussions on this CMM and emphasized the importance of ensuring that CMMs are clear in their application, and are able to be monitored and enforced. WCPFC18 requested the South Pacific Albacore Roadmap WG take note of this in consideration of its future work.

36. One CCM queried why FAD sets during the FAD closure, by fishing vessels flagged to non-PNA

CCMs, associated with the exemption outlined in footnote 1 to para 16 of CMM 2018-01 are not raised in the dCMR or the aggregated tables. This CCM expressed its views that the CCFS should distinguish between vessels flagged to SIDS and vessels not flagged to SIDS using the exemption under footnote 1, at least to allow TCC appreciating the scale of this practice and debating of the interpretation of the CMM. Many CCMs expressed the view that this is a mistaken interpretation and that according to their interpretation vessels chartered by SIDS are part of the domestic fleets of SIDS, to which the footnote 1 exemption applies.

37. In response to a request for clarification, the Secretariat confirmed that ROP observer FAD sets during the 3 month FAD closure (July - September) in waters of a coastal CCM by vessels that have been notified by that coastal CCM in reference to footnote 1 of CMM 2018-01 (or its earlier iteration) were excluded from the CCFS and from presentation in the aggregate tables. The Secretariat also clarified that Article 25(2) responsibility is applied to flag States. The EU noted that this is the only case in the CCFS where the responsibility of implementing an obligation is not in some cases attributed to the flag CCM.

38. TCC17 identified a continuing issue with the implementation of CMM 2018-01, paragraph 16 relating to the 3-month FAD closure, and in particular the non-implementation of this requirement by some CCMs. These CCMs noted that they were implementing CMM 2018-01, paragraph 16 on the basis of “compatible measures”. Most CCMs were of the view that the CMM did not provide for CCMs to employ alternative methods of implementing the obligation and it was on this basis that the compliance assessments were made.

39. In relation to consideration of paragraph 5(a) of CMM 2018-04 relating to sea turtle mitigation, TCC17 accepted advice that the provision was a binding obligation placed on CCMs “to ensure” that operators of its purse seine fishing vessels take certain sea turtle mitigation measures.

VII. REQUESTS FOR ASSISTANCE AND CAPACITY BUILDING

40. Some targeted assistance was identified to assist SIDS and other CCMs in implementing specific obligations. These are identified in the table and information set out below.

| Obligation | CMR section | CCM | Capacity Assistance Needed Score |
|--|----------------|------------------|--|
| 100% purse seine coverage: specific rules for vessels fishing exclusively in areas under its national jurisdiction (CMM 2018-01 35) | Implementation | Indonesia | Capacity Assistance Needed (CMR RY2020) |
| 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 (CMM 2018-04 06) | Implementation | French Polynesia | Capacity Assistance Needed (CMR RY 2020) |
| Sea Turtle mitigation requirements for shallow-set longline vessels, including incident reporting requirements (CMM 2018-04 7a) | Implementation | French Polynesia | Capacity Assistance Needed (CMR RY 2020) |

a. Indonesia's capacity assistance needed for the implementation of the obligation in CMM 2018-01 paragraph 35 is incorporated into a Capacity Development Plan for RY 2020. TCC17 expects Indonesia to be meet this obligation in 2022.

b. French Polynesia's capacity assistance needed for the implementation of the obligation in CMM 2018-04 paragraph 6 is incorporated into a Capacity Development Plan for RY 2020. TCC17 expects French Polynesia to be meet this obligation in 2022.

c. French Polynesia's capacity assistance needed for the implementation of the obligation in CMM 2018-04 paragraph 7a is incorporated into a Capacity Development Plan for RY 2020. TCC17 expects French Polynesia to be meet this obligation in 2022.

41. Some areas of capacity assistance were identified by certain CCMs in their Annual Report Part II covering RY 2020 and that were outside the scope of the list of obligations to be assessed in the CMS in 2021 are listed in the table below. Some capacity assistance needs were initially reported in RY2018 and are continuing in RY 2020 (#).

| Obligation | Capacity assistance requested by CCMs in their Annual Report Part 2 covering 2020 reporting year |
|--|---|
| CMM 2017-03 03-06, 11, 12 Observer Safety CMM | Cook Islands: Assistance from FFA with this and other measures that require legislation changes # |
| CMM 2013-07 Paras 01-03 General Provisions | <p>"Indonesia is included in the SIDS partnership as announced at the Third International Conference on Small Island Developing States (SIDS Conference) was held from 1 to 4 September 2014 in Apia, Samoa. Several multi-stakeholders partnerships initiatives for SIDS where Indonesia as one of the partners have been operating in several SIDS such as Papua New Guinea and Solomon Island for Coral Triangle Initiative. http://www.sids2014.org/partnerships/countries/?country=219 http://www.sids2014.org/partnerships/countries/?country=238"</p> <p>Recently, in mid 2020, Indonesia called for mobilization of adequate resources and support for Small Island Developing States during a discussion with the premise on mobilizing international solidarity, accelerating action and embarking on new pathways to realize the 2030 agenda and the Samoa Pathway: Small Island Developing States</p> <p>Kiribati is one of the SIDs countries that depend much on assistance from regional and sub-regional agencies such as WCPFC, FFA and PNA including donor partners.</p> <p>RMI is a SIDS with limited capacity and we expect continued cooperation and assistance from non-SIDS CCMs in our ongoing capacity building needs and efforts</p> <p>New Caledonia received no assistance in this category since 2017</p> <p>Tonga cooperate at regional and sub regional initiatives to support the development of SIDS Fisheries.</p> <p>Vanuatu: CCM is in need of adequate capacity assistance provided for by the Commission and its partners on all areas.</p> |

| Obligation | Capacity assistance requested by CCMs in their Annual Report Part 2 covering 2020 reporting year |
|--|--|
| <p>CMM 2013-07 Paras 04-05 Capacity development for personnel</p> | <p>Fiji still needs trainings and attachments in the following areas: 1) prosecution 2) data analysis 3) MCS #</p> <p>Indonesia (as per above response for 01-03)</p> <p>Kiribati is a small island country with limited resources to manage its vast EEZ.</p> <p>RMI is a SIDS with limited capacity and we expect continued cooperation and assistance from non-SIDS CCMs in our ongoing capacity building needs and efforts</p> <p>New Caledonia received no assistance in this category since 2017</p> <p>Tonga: Our current national capacity does not provide Tonga ability to assist capacity development of other SIDS. Tonga is recipient of capacity development assistance</p> <p>Vanuatu: CCM is in need of adequate capacity assistance provided for by the Commission and its partners on all areas.</p> |
| <p>CMM 2013-07 Paras 06-07 Assistance with technology transfers</p> | <p>FSM: National IMS Development/FIMS Development/TUFMN2 development/EM/ER initiatives</p> <p>Indonesia (as per above response for 01-03)</p> <p>Kiribati as small island developing states depend much on technology assistance from regional agencies and development partners.</p> <p>RMI is a SIDS with limited capacity and we expect continued cooperation and assistance from non-SIDS CCMs in our ongoing capacity building needs and efforts</p> <p>New Caledonia received no assistance in this category since 2017</p> <p>Tonga: Our current national capacity does not provide Tonga ability to assist capacity development of other SIDS. Tonga is recipient of capacity development assistance</p> <p>Vanuatu: CCM is in need of adequate capacity assistance provided for by the Commission and its partners on all areas.</p> |
| <p>CMM 2013-07 Paras 08-09 Assistance in areas of fisheries conservation and management</p> | <p>FSM: bilateral arrangements to implement ROP, transshipment monitoring and sharing of MCS data when necessary</p> <p>Indonesia (as per above response for 01-03)</p> <p>Kiribati: Kiribati is small island with limited resources, hence unable to provides further assistance while concentrating effort within national jurisdiction only.</p> <p>RMI is a SIDS with limited capacity and we expect continued cooperation and assistance from non-SIDS CCMs in our ongoing capacity building needs and efforts</p> <p>New Caledonia received no assistance in this category since 2017</p> <p>Tonga cooperate at regional and sub-regional initiatives to support the development of SIDS Fisheries</p> <p>Vanuatu: CCM is in need of adequate capacity assistance provided for by the Commission and its partners on all areas.</p> |

| Obligation | Capacity assistance requested by CCMs in their Annual Report Part 2 covering 2020 reporting year |
|---|--|
| <p>CMM 2013-07 Paras 10-11 Assistance in the areas of Monitoring, Control and surveillance</p> | <p>Indonesia (as per above response for 01-03)</p> <p>Kiribati: As small island state with only one patrol boat to monitor three separated EEZ. Kiribati greatly need assistance from developed partners to assist in both aerial and surface surveillance coverage. #</p> <p>RMI is a SIDS with limited capacity and we expect continued cooperation and assistance from non-SIDS CCMs in our ongoing capacity building needs and efforts</p> <p>New Caledonia received no assistance in this category since 2017</p> <p>Vanuatu: CCM is in need of adequate capacity assistance provided for by the Commission and its partners on all areas.</p> |
| <p>CMM 2013-07 Paras 12-18 support for the Domestic Fisheries Sector and Tuna-fisheries related businesses and market access</p> | <p>FSM: PNA market related initiatives - MSC, VDS,CDS,EM/ER,PSM</p> <p>Indonesia (as per above response for 01-03)</p> <p>RMI is a SIDS with limited capacity and we expect continued cooperation and assistance from non-SIDS CCMs in our ongoing capacity building needs and efforts</p> <p>New Caledonia received no assistance in this category since 2017</p> <p>Vanuatu: CCM is in need of adequate capacity assistance provided for by the Commission and its partners on all areas.</p> |

Appendix 2: 2021 Final Compliance and Monitoring Report (for 2020 activities)

Obligation Category: Quantitative Limits (QL) Implementation (IM) Report (RP)

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|---|--|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| <i>CMM 2006-04: SW Striped Marlin</i> | | | | | |
| <i>Para 1</i> QL <i>Limit number of fishing vessels fishing for MLS south of 15S to 2000 – 2004 levels</i> | Australia, Canada, China, European Union, Indonesia, Japan, Korea, Philippines, Chinese Taipei, United States | | | | |
| <i>Para 4</i> RP <i>Annual catches of MLS (bycatch), and annual numbers of vessels fishing for MLS south of 15S and their catch levels</i> | Australia, Canada, China, European Union, Indonesia, Japan, Korea, Philippines, Chinese Taipei, United States | | | | |
| <i>CMM 2009-03: Swordfish</i> | | | | | |
| <i>Para 1</i> QL <i>Limit number of vessels fishing for SWO south of 20S to the number in any one year between 2000-2005</i> | Australia, China, European Union, Indonesia, Japan, Korea, New Zealand, Philippines, Chinese Taipei, United States | | | | |
| <i>Para 2</i> QL <i>Limit the catch of SWO by its vessels in area south of 20S to the amount in any one year during 2000-2006</i> | Australia, China, European Union, Indonesia, Japan, Korea, New Zealand, Philippines, Chinese Taipei, United States | | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|---|--|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| <p><i>Para 3</i> IM CCMs shall not shift their fishing effort for SWO to the area north of 20°S</p> | Australia, China, European Union, Indonesia, Japan, Korea, New Zealand, Philippines, Chinese Taipei, United States | | | | |
| <p><i>Para 8</i> RP Report annually the number of vessels that fished for SWO and total catch of SWO - in AR Pt1</p> | Australia, China, Cook Islands, European Union, Fiji, Indonesia, French Polynesia, Japan, Kiribati, Korea, New Caledonia, New Zealand, Niue, Philippines, Solomon Islands, Chinese Taipei, Tonga, United States, Vanuatu | | | | |
| CMM 2009-06: Transshipment | | | | | |
| <p><i>Para 11</i> RP Annual report on all transshipment activities covered by this Measure (including transshipment activities that occur in ports or EEZs) in accordance with the specified guidelines (Annex II)</p> | Australia, China, European Union, Federated States of Micronesia, Fiji, Japan, Kiribati, Korea, Marshall Islands, New Zealand, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Tuvalu, United States, Curacao, Liberia, Panama | | Vanuatu | | Vanuatu [8] |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|---|---|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| <p style="text-align: center;"><i>Para 13</i> IM</p> <p><i>CCM shall ensure that vessels they are responsible for carry observers from the WCPFC ROP to observe transshipments at sea</i></p> <p><i>Note: Through the Intersessional decisions this obligation was suspended effective 28 May 2020. The review of this obligation through the CMS should only relate to the period 1 Jan 2020 - 27 May 2020.</i></p> | China, Fiji, Japan, Korea, Philippines, , Chinese Taipei, United States, Vanuatu, Curacao, Liberia, Panama | | | | |
| <p style="text-align: center;"><i>Para 29</i> QL</p> <p><i>Limit on purse seine vessels transshipment outside of port to vessels that have received an exemption from the Commission. Where applicable, flag CCM authorisation should be vessel-specific and address any specific conditions identified by the Commission.</i></p> | Australia, China, Cook Islands, European Union, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Zealand, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Tuvalu, United States, Vanuatu, Ecuador, El Salvador | | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|---|--|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| <p style="text-align: center;"><i>Para 34</i> QL <i>Ban on high seas transshipment, unless a CCM has determined impracticability in accordance with para 37 guidelines, and has advised the Commission of such</i></p> | China, Japan, Korea, Chinese Taipei, United States, Vanuatu, Liberia, Panama, Thailand | | | | |
| <p style="text-align: center;"><i>Para 35 (a) (ii)</i> RP <i>Flag CCM's notification to the Secretariat on its flag vessels that are authorised to transship on the high seas</i></p> | China, Japan, Korea, Chinese Taipei, United States, Vanuatu, Liberia, Panama, Thailand | | | | |
| <p style="text-align: center;"><i>Para 35 (a) (iii)</i> RP <i>WCPFC Transshipment Advance Notification (including fields in Annex III)</i></p> | China, Japan, Korea, Chinese Taipei, United States, Vanuatu, Liberia, Panama, | | | | |
| <p style="text-align: center;"><i>Para 35 (a) (iv)</i> RP <i>WCPFC Transshipment Declaration (including information in Annex I)</i></p> | China, Japan, Korea, Chinese Taipei, United States, Vanuatu, Liberia, Panama, | | | | |
| CMM 2010-01: North Pacific Striped Marlin | | | | | |
| <p style="text-align: center;"><i>Para 5</i> QL <i>NP striped marlin catch limits applicable to CCMs with vessels fishing in the Convention Area north of the equator: commencing 2011</i></p> | China, Indonesia, Japan, Korea, Philippines, Chinese Taipei, United States | | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|---|---|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| <p><i>Para 8</i> RP NP striped marlin required report</p> | China, Indonesia, Japan, Korea, Philippines, Chinese Taipei, United States | | | | |
| CMM 2010-07: Sharks | | | | | |
| <p><i>Para 9</i> IM Take measures to prohibit their vessels from retaining, transshipping, landing or trading in any fins harvested in contravention of this CMM</p> | Australia, Canada, China, Cook Islands, European Union, Federated States of Micronesia, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Caledonia, New Zealand, Palau, Papua New Guinea, Philippines, Samoa, Solomon Islands, Chinese Taipei, Tonga, Tuvalu, United States, Vanuatu, Curacao, Ecuador, El Salvador, Liberia, Panama | | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|---|---|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| <p style="text-align: center;"><i>Para 12</i> RP <i>Report on implementation of this CMM, and any alternative measures that are applied (para 11)</i></p> | Australia, Canada, China, Cook Islands, European Union, Federated States of Micronesia, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Caledonia, New Zealand, Palau, Papua New Guinea, Philippines, Samoa, Solomon Islands, Chinese Taipei, Tonga, Tuvalu, United States, Vanuatu, Curacao, Ecuador, El Salvador, Liberia, Panama, Thailand | | | | |
| <i>CMM 2012-04: Protection of Whale Sharks from Purse Seine Fishing</i> | | | | | |
| <p style="text-align: center;"><i>Para 1</i> IM <i>Prohibit purse seine setting on whale sharks, if animal is sighted prior to commencement of the set</i></p> | China, Cook Islands, European Union, Federated States of Micronesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Zealand, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Tuvalu, United States, Vanuatu Ecuador, El Salvador | Indonesia | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|---|---|---------------|---------------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| CMM 2014-02: Vessel Monitoring System | | | | | |
| <p style="text-align: center;"><i>Para 9(a)</i> IM <i>Fishing vessels comply with the Commission standards for WCPFC VMS including being fitted with ALC/MTU that meet Commission requirements</i></p> | Australia, China, Cook Islands, European Union, Federated States of Micronesia, Fiji, Kiribati, Korea, Marshall Islands, Nauru, New Zealand, Papua New Guinea, Solomon Islands, Chinese Taipei, Tuvalu, United States, Curacao, Ecuador, El Salvador, Liberia, Panama | | Japan Philippines Vanuatu | | Japan [4], Philippines[4], Vanuatu [4] |
| <p style="text-align: center;"><i>Para 9(a) – VMS SSPs para 2.8</i> IM <i>Provision of ALC/MTU 'VTAF' data</i></p> | Australia, China, Cook Islands, European Union, Federated States of Micronesia, Fiji, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Zealand, Papua New Guinea, Philippines Solomon Islands, Chinese Taipei, Tuvalu, United States, Vanuatu, Curacao, Ecuador, El Salvador, Liberia, Panama | | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|--|--|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| <p><i>Para 9(a) – VMS SSPs para 7.2.2</i> RP <i>CCMs to conduct periodic audits of ALC/MTUs of its vessels and report results to the Commission (AR Pt 2)</i></p> | Australia, China, Cook Islands, European Union, Federated States of Micronesia, Fiji, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Zealand, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Tuvalu, United States, Vanuatu, Curacao, Ecuador, El Salvador, Liberia, Panama | | | | |
| CMM 2015-02: South Pacific Albacore | | | | | |
| <p><i>Para 1</i> QL <i>Limit on number of vessels actively fishing for SP albacore south of 20S above 2005 or 2000-2004 levels</i></p> | Australia, European Union, Indonesia, Japan, Korea, New Zealand, Philippines, United States | | | | <u>Not assessed:</u> China, Chinese Taipei |
| <p><i>Para 4</i> RP <i>SP albacore required report</i></p> | Australia, China, Cook Islands, European Union, Fiji, French Polynesia, Japan, Korea, New Caledonia, New Zealand, Niue, Solomon Islands, Chinese Taipei, Tonga, United States, Vanuatu | | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|---|--|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| CMM 2016-02: Eastern High Seas Special Management Area | | | | | |
| <p><i>Para 6</i> QL <i>Prohibition on transshipment in the Eastern High Seas Pocket</i></p> | Australia, China, Cook Islands, European Union, Federated States of Micronesia, Fiji, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Zealand, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Tuvalu, United States Curacao, Ecuador, El Salvador, Liberia, Panama | | Vanuatu | | |
| CMM 2017-04: Marine Pollution | | | | | |
| <p><i>Para 2</i> IM <i>Flag CCMs to prohibit fishing vessels from discharging any plastics (including plastic packaging, items containing plastic and polystyrene) but not including fishing gear.</i></p> | Australia, Canada, China, Cook Islands, European Union, Federated States of Micronesia, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Caledonia, New Zealand, Palau, Papua New Guinea, Philippines, Samoa, Solomon Islands, Chinese Taipei, Tonga, Tuvalu, United States, Vanuatu, | | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|---|---|---------------|--------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| | Curacao, Ecuador, El Salvador, Liberia, Nicaragua, Panama, Thailand | | | | |
| CMM 2018-01: Tropical Tunas | | | | | |
| <i>Para 16</i> IM <i>Purse seine 3 month FAD closure (1 July - 30 September)</i> | Australia, China, Cook Islands, European Union, Federated States of Micronesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Zealand, Papua New Guinea, Solomon Islands, Tuvalu, Chinese Taipei, United States, Vanuatu, Ecuador, El Salvador | | Indonesia Philippines | | Indonesia [3] Philippines [3] |
| <i>Para 17</i> IM <i>Implementation of two additional month high seas FAD closure (April-May or Nov-Dec)</i> | Australia, China, Cook Islands, European Union, Federates States of Micronesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Zealand, Papua New Guinea, Solomon Islands, Chinese Taipei, Tuvalu, United States, Vanuatu, El Salvador | | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|---|---|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| <p><i>Para 17</i> RP Advice on choice of two additional month high seas FAD closure (April-May or Nov-Dec)</p> | China, Cook Islands, European Union, Federates States of Micronesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Zealand, Papua New Guinea, Solomon Islands, Chinese Taipei, Tuvalu, United States, Vanuatu El Salvador | | | | |
| <p><i>Para 23</i> IM Each purse seine vessel is limited to no more than 350 FADs with activated instrumented buoys</p> | Australia, China, Cook Islands, European Union, Federated States of Micronesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Zealand, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Tuvalu, United States, Vanuatu Ecuador, El Salvador | | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|--|---|---------------|------------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| <p style="text-align: center;"><i>Para 25</i></p> <p style="text-align: center;">QL</p> <p><i>Purse seine EEZ limits (for skipjack, yellowfin and bigeye tuna) and advice from other coastal CCMs of EEZ limits to be applied</i></p> | Australia, Cook Islands, Fiji, French Polynesia, Indonesia, Japan, New Caledonia, New Zealand, Niue, Philippines, Samoa, Tonga, Chinese Taipei, United States, Vanuatu, PNA + Tokelau | | Wallis and Futuna | | Wallis and Futuna [4] |
| <p style="text-align: center;"><i>Para 26</i></p> <p style="text-align: center;">QL</p> <p><i>High seas purse seine effort limits applying 20N to 20S</i></p> | China, European Union, Indonesia, Japan, Korea, New Zealand, Philippines, Chinese Taipei Ecuador, Nicaragua | | United States El Salvador | | |
| <p style="text-align: center;"><i>Para 27</i></p> <p style="text-align: center;">IM</p> <p><i>CCMs not to transfer fishing effort in days fished in the purse seine fishery to areas N20N and S20S</i></p> | China, European Union, Japan, Korea, New Zealand, Philippines, Chinese Taipei, United States, El Salvador | | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|---|--|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| <p><i>Para 31</i> IM Purse seine catch retention requirements (20N - 20S)</p> | China, Cook Islands, European Union, Federated States of Micronesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Zealand, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei Tuvalu, United States, Vanuatu Ecuador, El Salvador | | | | |
| <p><i>Para 33</i> IM Purse seine vessels are not to operate under manual reporting during FAD closure period</p> | China, Cook Islands, European Union, Federated States of Micronesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Zealand, Papua New Guinea, Philippines, Solomon Islands, Tuvalu, Chinese Taipei, United States, Vanuatu Ecuador, El Salvador | | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|---|--|---------------|------------------------|---------------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| <p><i>Para 34</i> IM Requirement for purse seine vessels to carry a ROP observer</p> <p><i>Note: Through the Intersessional decisions this obligation was suspended effective 8 April 2020. The review of this obligation through the CMS should only relate to the period 1 Jan 2020 - 7 April 2020.</i></p> | China, Cook Islands, European Union, Federated States of Micronesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Zealand, Papua New Guinea, Philippines, , Solomon Islands, Chinese Taipei, Tuvalu, United States, Vanuatu Ecuador, El Salvador | | | | |
| <p><i>Para 35</i> IM 100% purse seine coverage: specific rules for vessels fishing exclusively in areas under its national jurisdiction</p> <p><i>Note: Through the Intersessional decisions this obligation was suspended effective 8 April 2020. The review of this obligation through the CMS should only relate to the period 1 Jan 2020 - 7 April 2020.</i></p> | Cook Islands, Federated States of Micronesia, , Kiribati, Marshall Islands, Nauru, Papua New Guinea, Solomon Islands, Tuvalu, United States, Vanuatu | | | Philippines[3] Indonesia | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|--|---|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| <p><i>Para 39</i> QL <i>Bigeye longline catch limits for 2019 and 2020, with adjustment to be made for any overage</i></p> | China, Indonesia, Japan, Korea, Chinese Taipei, United States | | | | |
| <p><i>Para 41</i> RP <i>Bigeye longline catch required report</i></p> | China, Indonesia, Japan, Korea, Chinese Taipei, United States | | | | |
| <p><i>Para 43</i> QL <i>Bigeye longline catch limits by flag for certain other members which caught less than 2000t in 2004</i></p> | Australia, Canada, European Union, New Zealand, Philippines | | | | |
| <p><i>Para 45</i> QL <i>Limit by flag on number of purse seine vessels >24m with freezing capacity between 20N and 20S</i></p> | Australia, Canada, China, European Union, Japan, Korea, New Zealand, Nicaragua, Philippines, Chinese Taipei, United States Ecuador, El Salvador, Nicaragua | | | | |
| <p><i>Para 47</i> QL <i>Limit by flag on number of longline vessels with freezing capacity targeting bigeye above the current level (applying domestic quotas are exempt)</i></p> | China, Japan, Korea, New Zealand, Philippines, Chinese Taipei, United States | | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|--|--|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| <p style="text-align: center;">Para 48 QL</p> <p><i>Limit by flag on number of ice-chilled longline vessels targeting bigeye and landing exclusively fresh fish above the current level or above the number of current licenses under established limited entry programmes (applying domestic quotas are exempt)</i></p> | China, Japan, Philippines, United States | | | | |
| <p style="text-align: center;">Para 51 QL</p> <p><i>Limit on total catch of certain other commercial tuna fisheries (that take >2000Mt of BET, YFT and SKJ)</i></p> | CMM Review | | | | |
| <p style="text-align: center;">Para 52 RP</p> <p><i>Requirement to provide operational level catch and effort data for EEZ and high seas S20N</i></p> | China, Japan, Korea, Philippines, Chinese Taipei | | | | |
| <p style="text-align: center;">Para 54 RP</p> <p><i>Requirement to provide 1 x 1 aggregate data for vessels fishing in EEZs and high seas N 20 N, as well as to cooperate in providing operational data to SPC for stock assessment</i></p> | China, Japan, Korea, Philippines, Chinese Taipei | | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|--|--|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| <p><i>Att 2 (3)</i> RP Philippines vessels Entry/Exit reports for HSP1-SMA</p> | | | Philippines | | Philippines [3] |
| <p><i>Att 2 (5-6)</i> IM Specific requirements for deploying observers on Philippines vessels fishing in HSP1-SMA</p> | Philippines | | | | |
| <p><i>Att 2 (8)</i> IM Philippines to monitor landings by vessels operating in HSP1-SMA and collect reliable catch data by species</p> | Philippines | | | | |
| CMM 2018-03: Seabird Mitigation | | | | | |
| <p><i>Para 1</i> IM Required longline mitigation measures to be used by vessels fishing south of 30S (hook-shielding devices OR at least two of these options: weighted branch lines, night setting and tori lines)</p> | Australia, China, European Union, Japan, New Zealand, Chinese Taipei, United States, | Vanuatu | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|---|---|--------------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| <p style="text-align: center;">Para 2 IM</p> <p><i>From 1 Jan 2020 required longline mitigation measures to be used by longline vessels in the high seas between 25S - 30S (one of these options: weighted branch lines, night setting or tori lines)</i></p> | Australia, China, Cook Islands, European Union, Japan, Korea, New Zealand, Chinese Taipei | Vanuatu | | | |
| <p style="text-align: center;">Para 6 IM</p> <p><i>Required longline mitigation measures to be used by longline vessels > 24m fishing north of 23N (choose 2 from Table 1 including at least 1 from Column A) and longline vessels < 24m fishing north of 23N (at least 1 measure from Column A in Table 1)</i></p> | China, Japan, New Zealand, Chinese Taipei, United States | Vanuatu | | | |
| CMM 2018-04: Sea Turtle Mitigation | | | | | |
| <p style="text-align: center;">Para 5a IM</p> <p><i>Sea Turtle mitigation requirements for purse seine vessels, including incident reporting requirements</i></p> | Cook Islands, European Union, Federated States of Micronesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Zealand, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Tuvalu, United States, Vanuatu Ecuador, El Salvador, | China Indonesia | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|--|--|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| <p><i>Para 6</i> IM 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> | Australia, China, Cook Islands, European Union, Federated States of Micronesia, Fiji, Japan, Kiribati, Korea, New Caledonia, New Zealand, Palau, Papua New Guinea, Samoa, Solomon Islands, Chinese Taipei, Tonga, Tuvalu, United States, Vanuatu | Indonesia | | French Polynesia | |
| <p><i>Para 7a</i> IM Sea Turtle mitigation requirements for shallow-set longline vessels, including incident reporting requirements</p> | Australia, Federated States of Micronesia, European Union, Japan, Chinese Taipei, Tonga, United States, Vanuatu | | | French Polynesia | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|---|---|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| CMM 2018-05: Regional Observer Programme | | | | | |
| <p style="text-align: center;"><i>Para 10</i> IM <i>CCMs shall explain to the vessel captain, observer duties relevant to appropriate measures adopted by the Commission</i></p> | <p>Australia, China, Cook Islands, European Union, Federated States of Micronesia, Fiji, Indonesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Caledonia, New Zealand, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Tuvalu, United States, Vanuatu, Curacao, Ecuador, El Salvador, Liberia, Panama</p> | | | | |
| <p style="text-align: center;"><i>Para 15(g)</i> IM <i>CCMs to ensure vessel operators comply with the Guidelines for the Rights and Responsibilities of Vessel Operators, Captains and Crew</i></p> | <p>Australia, China, Cook Islands, European Union, Federated States of Micronesia, Fiji, Indonesia, Japan, Kiribati, Korea, Marshall Island, Nauru, New Caledonia, New Zealand, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Tuvalu, United States, Vanuatu,</p> | | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|--|---|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| | Curacao Ecuador, El Salvador, Liberia, Panama | | | | |
| CMM 2018-06: Record of Fishing Vessels | | | | | |
| <p style="text-align: center;">Para 9 RP</p> <p><i>Submission by Member to ED a list of all vessels on national record in previous year, noting "fished" or "did not fish" for each vessel</i></p> | Australia, Canada, China, Cook Islands, European Union, Federated States of Micronesia, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Caledonia, New Zealand, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Tonga, Tuvalu, United States, Curacao, Ecuador, El Salvador, Liberia, Nicaragua, Panama, Thailand | Vanuatu | | | |
| CMM 2019-02: Pacific Bluefin Tuna | | | | | |
| <p style="text-align: center;">Para 2(1) QL</p> <p><i>Total effort by vessels for Pacific bluefin limited to 2002 - 2004 levels in Area north of 20N</i></p> | Australia, Canada, China, Japan, Korea, New Zealand, Philippines, Chinese Taipei, United States | | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|---|--|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| <p><i>Para 2(2)</i> QL <i>Catches of Pacific bluefin tuna less than 30kg shall be reduced to 50% of 2002-04 level. Overage or underage may be used in following year</i></p> | Australia, Canada, China, Japan, Korea, New Zealand, Philippines, Chinese Taipei, United States | | | | |
| <p><i>Para 3</i> IM <i>Every possible measure to be taken not to increase catches of Pacific bluefin >30kg from 2002-04 levels with some exceptions</i></p> | Japan, Korea, Chinese Taipei | | | | |
| <p><i>Para 5</i> RP <i>Pacific bluefin required report</i></p> | Australia, Canada, China, Cook Islands, Fiji, Japan, Korea, New Zealand, Philippines, Chinese Taipei, United States, Vanuatu | | | | |
| <p><i>Para 11</i> RP <i>Pacific bluefin required report on implementation</i></p> | Australia, Canada, China, Cook Islands, Fiji, Japan, Korea, New Zealand, Philippines, Chinese Taipei, United States, Vanuatu | | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|---|---|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| <i>CMM 2019-03: North Pacific Albacore</i> | | | | | |
| <i>Para 2</i> QL <i>CCMs take measures to ensure level of fishing effort by vessels fishing for NP albacore is not increased</i> | Canada, China, Japan, Korea, Philippines, Chinese Taipei, United States | | | | |
| <i>Para 3</i> RP <i>NP albacore required report</i> | Canada, China, Federated States of Micronesia, Fiji, Japan, Kiribati, Korea, Palau, Philippines, Chinese Taipei, United States, Vanuatu | | | | |
| <i>CMM 2019-08: Charter Notification</i> | | | | | |
| <i>Para 2</i> RP <i>Charter notification report</i> | Federated States of Micronesia, Fiji, Kiribati, Korea, Marshall Island, Samoa, Solomon Islands, United States | | | | |
| <i>Para 3</i> RP <i>Charter notification report</i> | Federated States of Micronesia, Fiji, Kiribati, Korea, Marshall Island, Papua New Guinea, Samoa, Solomon Islands | | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|---|---|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| <i>Para 7 RP Charter notification report</i> | Federated States of Micronesia, Fiji, Kiribati, Marshall Island, Papua New Guinea, Samoa, Solomon Islands, United States | | | | |
| Scientific Data | | | | | |
| <i>Section 01 – Estimate of Annual Catches RP</i> | Australia, Canada, China, Cook Islands, European Union, Federated States of Micronesia, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Caledonia, New Zealand, Palau, Papua New Guinea, Philippines, Samoa, Solomon Islands, Chinese Taipei, Tonga, Tuvalu, United States, Vanuatu Ecuador, El Salvador | | | | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|--|--|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| <i>Section 02 – Number of Active Vessels RP</i> | Australia, Canada, China, Cook Islands, European Union, Federated States of Micronesia, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Caledonia, New Zealand, Palau, Papua New Guinea, Philippines, Samoa, Solomon Islands, Chinese Taipei, Tonga, Tuvalu, United States, Vanuatu Ecuador, El Salvador | | | | |
| <i>Section 03 – Operational Level Catch and Effort Data RP</i> | Australia, Canada, China, Cook Islands, European Union, Federated States of Micronesia, Fiji, French Polynesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Caledonia, New Zealand, Palau, Papua New Guinea, Philippines, Samoa, Solomon Islands, Chinese Taipei, Tonga, Tuvalu, United States, Vanuatu Ecuador, El Salvador | | | Indonesia[5] | |

| CMM/Data Provision | Compliance or Implementation Status | | | | 2 nd , 3 rd , 4 th , 5 th , 6 th , 7 th , 8 th , 9 th or 10 th Year with a Potential Compliance Issue |
|---|---|---------------|------------------------|----------------------------|--|
| | Compliant | Non-Compliant | Priority Non-Compliant | Capacity Assistance Needed | |
| Section 05 – Size Composition RP | Australia, Canada, China, Cook Islands, European Union, Federated States of Micronesia, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Caledonia, New Zealand, Palau, Papua New Guinea, Philippines, Samoa, Solomon Islands, Chinese Taipei, Tonga, Tuvalu, United States, Vanuatu Ecuador, El Salvador | | | | |

Appendix 3 - 2021 Final Compliance Monitoring Report Outcomes from consideration of Aggregated tables from the WCPFC online compliance case file system

Table 1: Implementation Challenges (CMM 2019-06 para 33)

| Description of Issue | CCM | Information provided (para 33) a) b) |
|----------------------|-------------|--|
| Issue | None raised | Information provided (para 33) a) b) |

Table 2: CMM 2019-06 para 34: Outstanding cases (>24 months) from the Online CCFS) - For all CCFS lists excluding ROP pre-notification issues (PAI) and Cetacean and whale shark interactions in purse seine fishery interactions (CWS)

| CCM | Counts of Compliance Cases, for each CCFS List, that have been in the compliance case file system for two or more years and that remain open (as at 6 th Sept 2021) | Information provided (para 34) a) Identify what is needed to progress or resolve these cases; b) Determine a timeframe for resolution of the cases |
|-------------------------------------|--|--|
| China 45 cases | (ROP Report rc'd = 1 /45) <i>FAI = 10 (ROP Report rc'd = 0/10)</i> <i>OAI = 23 (ROP Report rc'd = 1/23)</i> <i>SHK = 12 (ROP Report rc'd = 0/12)</i> | a) All but one of the 45 outstanding cases are related to the provision of observer reports. Preliminary investigations complete but insufficient evidence to close cases. Report received in one case and is pending closure. b) Cases can be completed within one year after receipt of ROP observer reports. |

| CCM | Counts of Compliance Cases, for each CCFS List, that have been in the compliance case file system for two or more years and that remain open (as at 6 th Sept 2021) | Information provided (para 34) a) Identify what is needed to progress or resolve these cases; b) Determine a timeframe for resolution of the cases |
|--|--|---|
| Federated States of Micronesia 30 cases | (ROP Report rc'd = 18 /30) <i>FAI = 27 (ROP Report rc'd = 16/27)</i> <i>OAI = 2 (ROP Report rc'd = 2/2)</i> <i>SHK = 1 (ROP Report rc'd = 0/1)</i> | a) FSM has completed over 70% of its flag state investigations. Most of the outstanding cases relate to FAD infringements. Observer reports received in majority of cases due to cooperation with ROP observer providers. COVID-19 posed challenges to resolve issues in a timely manner as focused more on COVID=19 vessel movement assessments to facilitate transshipment. b) FSM will seek to resolve the outstanding cases ahead of WCPFC18 and prior to TCC18. |
| Japan 48 cases | (ROP Report rc'd = 0 /48) <i>FAI = 16 (ROP Report rc'd = 0/16)</i> <i>OAI = 15 (ROP Report rc'd = 0/15)</i> <i>SHK = 7 (ROP Report rc'd = 0/7)</i> | a) Japan has not been able to proceed with investigations of old cases due to non-receipt of observer reports and difficulty of conducting investigation given the length of time since the alleged infringement. b) Resolving the outstanding cases is contingent on receipt of the observer reports. |
| Kiribati 37 cases | (ROP Report rc'd = 4 /37) <i>FAI = 27 (ROP Report rc'd = 0/27)</i> <i>SHK = 10 (ROP Report rc'd = 3/10)</i> | a) Most of observer reports (30+) have been received. Investigations handed to the Police Department which was mandated to address issues. Updates have been sought. Legislation recently amended so that the Fisheries Department can investigate flag vessels. FAI cases within Kiribati EEZ have been resolved. b) The outstanding cases will be resolved prior to Commission meeting in December 2021. |
| Republic of Korea 140 cases | (ROP Report rc'd = 1 /140) <i>FAI = 6 (ROP Report rc'd = 1/6)</i> <i>OAI = 17 (ROP Report rc'd = 0/17)</i> <i>SHK = 117 (ROP Report rc'd = 0/117)</i> | a) Outstanding cases relate to non-receipt of observer reports. As these reports contain limited information, observer journals may also be necessary to complete investigations. b) Korea will seek to complete investigations and resolve cases within 6 months of receiving observer reports. |

| CCM | Counts of Compliance Cases, for each CCFS List, that have been in the compliance case file system for two or more years and that remain open (as at 6 th Sept 2021) | Information provided (para 34) a) Identify what is needed to progress or resolve these cases; b) Determine a timeframe for resolution of the cases |
|---|--|---|
| Republic of Marshall Islands 3 cases | (ROP Report rc'd = 1 /3) <i>FAI = 3 (ROP Report rc'd = 1/3)</i> | a) All observer reports for outstanding cases recently received following collaboration with observer providers. Investigations will be completed as soon as possible. b) The outstanding cases will be resolved prior to Commission meeting in December 2021. |
| Papua New Guinea 16 cases | (ROP Report rc'd = 16 /16) <i>FAI = 1 (ROP Report rc'd = 1/1)</i> <i>OAI = 8 (ROP Report rc'd = 8/8)</i> <i>SHK = 7 (ROP Report rc'd = 7/7)</i> | a) Of the outstanding FSI cases, 13 cases cannot be completed because the vessels have been deregistered and flagged to new CCMs. These 13 cases were notified in 2019 when the vessels were deregistered in 2018. Collaborative enforcement efforts are suggested here with new vessel's flag CCMs in sharing of investigation information to closing the cases. b) Investigations in the remaining 3 outstanding cases (2 SHK, 1 FAI) will be completed in the next two months and the investigation outcome updated at WCPFC18. |
| Philippines 32 cases | (ROP Report rc'd = 0 /32) <i>FAI = 5 (ROP Report rc'd = 0/5)</i> <i>OAI = 15 (ROP Report rc'd = 0/15)</i> <i>SHK = 12 (ROP Report rc'd = 0/12)</i> | a) No observer reports have been received for the outstanding cases. The Philippines has an administrative adjudication system, but reports are needed to progress resolution of the cases. b) Resolving the outstanding cases is contingent on receipt of the observer reports. |

| CCM | Counts of Compliance Cases, for each CCFS List, that have been in the compliance case file system for two or more years and that remain open (as at 6 th Sept 2021) | Information provided (para 34) a) Identify what is needed to progress or resolve these cases; b) Determine a timeframe for resolution of the cases |
|---|---|--|
| <p>Chinese Taipei</p> <p>55 cases</p> | <p>(ROP Report rc'd = 0 /55)</p> <p><i>FAI = 8 (ROP Report rc'd = 0/8)</i></p> <p><i>OAI = 29 (ROP Report rc'd = 0/29)</i></p> <p><i>SHK = 18 (ROP Report rc'd = 0/18)</i></p> | <p>a) The investigation process includes review of relevant data; logbooks; interviews including with master; journals; and observer reports, which are very useful. Some old cases are difficult to progress because of their age as Chinese Taipei's administrative penalty regime expires upon lapse of 3 years.</p> <p>b) Chinese Taipei will complete investigations and resolve cases within 6 months of receiving observer reports.</p> |
| <p>United States</p> <p>1 cases</p> | <p>(ROP Report rc'd = 1 /1)</p> <p><i>OAI = 1 (ROP Report rc'd = 1/1)</i></p> | <p>a) Case was closed in 2020 but due to a data processing error this was not advised. CCFS has now been updated.</p> <p>b) Not applicable.</p> |
| <p>Vanuatu</p> <p>3 cases</p> | <p><i>Art25(2) = 2 cases</i></p> <p>1 INVESTIGATION IN PROGRESS HSBI for RY2018</p> <p>1 INVESTIGATION IN PROGRESS HSBI for RY2019</p> <p>(ROP Report rc'd = 1 /1)</p> <p><i>OAI = 1 (ROP Report rc'd = 1/1)</i></p> | <p>a) Noted challenges in obtaining information in a timely manner. Vanuatu to liaise with Secretariat to seek further information necessary to close outstanding cases.</p> <p>b) Seek to resolve cases and provide updates to the Secretariat prior to WCPFC18, but will notify if further delays are expected.</p> |
| <p>Liberia</p> <p>1 case</p> | <p><i>Art25(2) = 1 case</i></p> <p>1 NEW CASE HSBI for RY2017</p> | <p>Liberia did not participate in TCC17. Secretariat will seek further information.</p> |
| <p>Panama</p> <p>2 cases</p> | <p><i>Art25(2) = 2 cases</i></p> <p>1 NEW CASE VMS-related for RY2018</p> <p>1 NEW CASE HSBI for RY2018</p> | <p>a) One case related to VMS has been closed as following investigation no infringement was found. Further information will be provided to the Secretariat. Investigation in second case is ongoing.</p> <p>b) Updated information can be provided to the Secretariat within 30 days.</p> |

Appendix 4 - 2021 Final Compliance Monitoring Report

Aggregated tables from the WCPFC online compliance case file system

Summary tables derived from the online compliance case file system and intended to provide summaries by topic of flag CCMs responses to compliance cases in the online compliance case file system.

Information is based on ROP observer data as at 1 July 2021 and Article 25(2) notifications, and CCMs updates in the WCPFC online compliance case file system as at 6 September 2021. **Table 1** provide counts of cases notified in the compliance case file system **Table 2** summarize outcome of flag CCM investigations of alleged infringements in Article 25(2), FAI, OAI and SHK cases, and **Table 3** summarizes outcomes of flag CCM investigations of cetacean and whale shark interactions in purse seine fishery.

Table 1A: Counts of cases in the compliance case file system based on ROP observer data by year showing count of FAD set, shark and observer obstruction alleged infringements cases by Investigation Status and counts of cases where ROP Observer Report was received (2016- 2020)

The ROP data that was available as at 1 July 2021, may not include all ROP trips for 2020.

FAI: FAD Sets Alleged infringements (CMM 2014-01, CMM 2015-01, CMM 2016-01, CMM 2017-01, CMM 2018-01: Alleged FAD set infringements)

OAI: Observer Obstructions Alleged Infringements (CMM 2007-01 and CMM 2018-05)

SHK: Shark Catch Alleged Infringements (CMM 2010-07: Sharks, CMM 2011-04: Oceanic-Whitetip Sharks and CMM 2013-08: Silky Sharks)

| | | NEW CASE | Investigation IN PROGRESS | Investigation COMPLETED | Total Compliance Case Count | Total ROP Observer Report received |
|--------------------|------|------------|---------------------------|-------------------------|-----------------------------|------------------------------------|
| FAI | 2016 | 0 | 7 | 222 | 229 | 13 |
| FAI | 2017 | 42 | 43 | 561 | 646 | 40 |
| FAI | 2018 | 2 | 30 | 23 | 55 | 14 |
| FAI | 2019 | 84 | 84 | 4 | 172 | 6 |
| FAI | 2020 | 1 | 2 | 0 | 3 | 2 |
| OAI | 2016 | 0 | 30 | 34 | 64 | 34 |
| OAI | 2017 | 7 | 15 | 16 | 38 | 22 |
| OAI | 2018 | 1 | 33 | 36 | 70 | 47 |
| OAI | 2019 | 12 | 48 | 7 | 67 | 18 |
| OAI | 2020 | 8 | 14 | 0 | 22 | 10 |
| SHK | 2016 | 0 | 34 | 10 | 44 | 16 |
| SHK | 2017 | 8 | 18 | 8 | 34 | 15 |
| SHK | 2018 | 6 | 47 | 13 | 66 | 17 |
| SHK | 2019 | 4 | 24 | 4 | 32 | 6 |
| SHK | 2020 | 4 | 5 | 2 | 11 | 2 |
| Grand Total | | 179 | 434 | 940 | 1553 | 262 |

Table 1B: Counts of Convention Article 25(2) requests for investigation in the compliance case file system by year showing count of cases by Investigation Status (2016 - Sept 2021)

A25: Convention Article 25(2)

| | | NEW CASE | Investigation IN PROGRESS | Investigation COMPLETED | Total Compliance Case Count |
|--------------------|------|----------|---------------------------|-------------------------|-----------------------------|
| A25 | 2016 | 0 | 0 | 54 | 54 |
| A25 | 2017 | 0 | 2 | 56 | 58 |
| A25 | 2018 | 2 | 1 | 83 | 86 |
| A25 | 2019 | 1 | 3 | 81 | 85 |
| A25 | 2020 | 1 | 1 | 5 | 7 |
| A25 | 2021 | 5 | 4 | 4 | 13 |
| Grand Total | | 9 | 11 | 283 | 303 |

Table 2: Summary Counts of obligations for flag CCM investigations of alleged infringements that were notified to WCPFC as Article 25(2) matters or in ROP observer data (FAI, OAI and SHK) grouped by CMM/obligation and by year showing counts of obligations by Investigation Status **For ease of readability, groups of CMM/obligations are presented in tables of similar topic (by theme groupings) Note in the below tables the omission of a row (year), confirms the annual count of cases were zero.*

Table 2A: Summary Counts of obligations for Additional Measures for Tropical Tunas

| Count of Obligations | NEW CASE | | Investigation IN PROGRESS | | Investigation COMPLETED | | Investigation COMPLETED Total | Grand Total |
|--|------------|------------|---------------------------|----------|-------------------------|--------------------------------------|-------------------------------|-------------|
| | | | | | No infraction | Infraction - w Infraction - sanction | | |
| | | | | | | | | |
| Additional measures for tropical tunas | 129 | 166 | 806 | 1 | 3 | 810 | 1105 | |
| Purse seine fishery FAD set management | 129 | 166 | 806 | 1 | 3 | 810 | 1105 | |
| Purse seine 3 months FAD closure (July, August, September 2016) | 0 | 7 | 218 | 0 | 3 | 221 | 228 | |
| CMM 2015-01 14 | 0 | 7 | 218 | 0 | 3 | 221 | 228 | |
| 2016 | 0 | 7 | 218 | 0 | 3 | 221 | 228 | |
| Advice of choice and implementation of additional FAD set reduction choice | | | | | | | | |
| during 2016 | 0 | 0 | 1 | 0 | 0 | 1 | 1 | |
| CMM 2015-01 16 | 0 | 0 | 1 | 0 | 0 | 1 | 1 | |
| 2016 | 0 | 0 | 1 | 0 | 0 | 1 | 1 | |
| Purse seine 3 months FAD closure (July, August, September 2017) | 33 | 22 | 468 | 0 | 0 | 468 | 523 | |
| CMM 2016-01 14 | 33 | 22 | 468 | 0 | 0 | 468 | 523 | |
| 2017 | 33 | 22 | 468 | 0 | 0 | 468 | 523 | |
| Advice and implementation of additional FAD set reduction choice during 2017 | 0 | 1 | 90 | 0 | 0 | 90 | 91 | |
| CMM 2016-01 16 | 0 | 1 | 90 | 0 | 0 | 90 | 91 | |
| 2017 | 0 | 1 | 90 | 0 | 0 | 90 | 91 | |
| High seas FAD prohibition for certain fleets as a further additional FAD | | | | | | | | |
| reduction in 2017 | 9 | 20 | 3 | 0 | 0 | 3 | 32 | |
| CMM 2016-01 18 | 9 | 20 | 3 | 0 | 0 | 3 | 32 | |
| 2017 | 9 | 20 | 3 | 0 | 0 | 3 | 32 | |
| Purse seine 3 month FAD closure (1 July - 30 September 2018) | 2 | 25 | 22 | 1 | 0 | 23 | 50 | |
| CMM 2017-01 16 | 2 | 25 | 22 | 1 | 0 | 23 | 50 | |
| 2018 | 2 | 25 | 22 | 1 | 0 | 23 | 50 | |
| Advice on choice and implementation of two additional month high seas FAD | | | | | | | | |
| closure (April-May 2018 or Nov-Dec 2018) | 0 | 5 | 0 | 0 | 0 | 0 | 5 | |
| CMM 2017-01 17 | 0 | 5 | 0 | 0 | 0 | 0 | 5 | |
| 2018 | 0 | 5 | 0 | 0 | 0 | 0 | 5 | |
| Purse seine 3 month FAD closure (1 July - 30 September) | 85 | 86 | 3 | 0 | 0 | 3 | 174 | |
| CMM 2018-01 16 | 85 | 86 | 3 | 0 | 0 | 3 | 174 | |
| 2019 | 84 | 84 | 3 | 0 | 0 | 3 | 171 | |
| 2020 | 1 | 2 | 0 | 0 | 0 | 0 | 3 | |
| Advice on choice and implementation of two additional month high seas FAD | | | | | | | | |
| closure (April-May or Nov-Dec) | 0 | 0 | 1 | 0 | 0 | 1 | 1 | |
| CMM 2018-01 17 | 0 | 0 | 1 | 0 | 0 | 1 | 1 | |
| 2019 | 0 | 0 | 1 | 0 | 0 | 1 | 1 | |
| Grand Total | 129 | 166 | 806 | 1 | 3 | 810 | 1105 | |

Table 2BA: Summary Counts of obligations for Activity related requirements

| Count of Obligations | Investigation IN PROGRESS | | | | | | Investigation COMPLETED | | Grand Total |
|---|---------------------------|---------------------------|-------------------------|----------------|----------------------|-----------|-------------------------|-----------------------|-------------|
| | NEW CASE | Investigation IN PROGRESS | Investigation COMPLETED | | | Total | Grand Total | | |
| | | | No infraction | Infraction - n | Infraction - warning | | | Infraction - sanction | |
| Activity related requirement | 1 | 2 | 27 | 6 | 16 | 21 | 70 | 73 | |
| Catch and effort reporting requirements | 0 | 2 | 17 | 5 | 15 | 17 | 54 | 56 | |
| Requirement to ensure the master of each vessel completes an accurate written or electronic log of every day that it spends at sea on the high seas of the Convention Area as specified. | 0 | 1 | 12 | 4 | 3 | 9 | 28 | 29 | |
| CMM 2013-05 01 | 0 | 1 | 12 | 4 | 3 | 9 | 28 | 29 | |
| 2016 | 0 | 0 | 1 | 0 | 0 | 4 | 5 | 5 | |
| 2017 | 0 | 0 | 3 | 0 | 0 | 1 | 4 | 4 | |
| 2018 | 0 | 0 | 4 | 0 | 0 | 4 | 8 | 8 | |
| 2019 | 0 | 1 | 4 | 4 | 3 | 0 | 11 | 12 | |
| Requirement that information recorded by the master of each vessel each day with fishing operations shall, at a minimum include the information as specified | 0 | 0 | 5 | 1 | 11 | 8 | 25 | 25 | |
| CMM 2013-05 02 | 0 | 0 | 5 | 1 | 11 | 8 | 25 | 25 | |
| 2016 | 0 | 0 | 0 | 0 | 1 | 4 | 5 | 5 | |
| 2017 | 0 | 0 | 1 | 1 | 6 | 1 | 9 | 9 | |
| 2018 | 0 | 0 | 4 | 0 | 3 | 1 | 8 | 8 | |
| 2019 | 0 | 0 | 0 | 0 | 1 | 2 | 3 | 3 | |
| Requirement that the master of each vessel fishing in the Convention Area provides an accurate and unaltered original or copy of the required information pertaining to the current trip on board the vessel at all times during the course of a trip | 0 | 1 | 0 | 0 | 1 | 0 | 1 | 2 | |
| CMM 2013-05 04 | 0 | 1 | 0 | 0 | 1 | 0 | 1 | 2 | |
| 2016 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 1 | |
| 2021 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | |
| HSP requirements | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 1 | |
| E-HSP Entry and Exit report | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 1 | |
| CMM 2010-02 02 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 1 | |
| 2016 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 1 | |
| Transshipment management | 1 | 0 | 9 | 1 | 1 | 4 | 15 | 16 | |
| PS prohibition to tranship at sea | 1 | 0 | 3 | 0 | 0 | 0 | 3 | 4 | |
| CMM 2009-06 25 | 1 | 0 | 3 | 0 | 0 | 0 | 3 | 4 | |
| 2018 | 1 | 0 | 2 | 0 | 0 | 0 | 2 | 3 | |
| 2019 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 1 | |
| WCPFC Transshipment Advance Notification (including fields in Annex III) | 0 | 0 | 2 | 1 | 0 | 2 | 5 | 5 | |
| CMM 2009-06 35 a (iii) | 0 | 0 | 2 | 1 | 0 | 2 | 5 | 5 | |
| 2016 | 0 | 0 | 1 | 1 | 0 | 2 | 4 | 4 | |
| 2019 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 1 | |
| WCPFC Transshipment Declaration (including information in Annex I) | 0 | 0 | 4 | 0 | 1 | 1 | 6 | 6 | |
| CMM 2009-06 35 a (iv) | 0 | 0 | 4 | 0 | 1 | 1 | 6 | 6 | |
| 2016 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 1 | |
| 2018 | 0 | 0 | 2 | 0 | 0 | 0 | 2 | 2 | |
| 2019 | 0 | 0 | 2 | 0 | 0 | 1 | 3 | 3 | |
| If high seas transshipment is authorised, plan is to be submitted detailing steps taken to encourage transshipment to occur in port in the future | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 | |
| CMM 2009-06 35 a (v) | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 | |
| 2018 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 | |
| Grand Total | 1 | 2 | 27 | 6 | 16 | 21 | 70 | 73 | |

Table 2C: Summary Counts of obligations: Inspection activity-related requirements

| Count of Obligations | NEW CASE | | Investigation IN PROGRESS | | | Investigation COMPLETED | | | Investigation COMPLETED Total | Grand Total |
|---|----------|---------------------------|---------------------------|----------------|----------------------|-------------------------|-----------|-----------|----------------------------------|-------------|
| | NEW CASE | Investigation IN PROGRESS | Investigation COMPLETED | | | | | | | |
| | | | No infraction | Infraction - n | Infraction - warning | Infraction - sanction | | | | |
| Inspection activity related requirement | 2 | 1 | 11 | 1 | 4 | 17 | 33 | 36 | | |
| HSBI | 2 | 1 | 11 | 1 | 4 | 17 | 33 | 36 | | |
| Notification of serious violation(s) detected during HSBI | 2 | 1 | 11 | 1 | 4 | 17 | 33 | 36 | | |
| CMM 2006-08 32 | 2 | 1 | 11 | 1 | 4 | 17 | 33 | 36 | | |
| 2016 | 0 | 0 | 5 | 1 | 0 | 8 | 14 | 14 | | |
| 2017 | 0 | 0 | 1 | 0 | 2 | 1 | 4 | 4 | | |
| 2018 | 0 | 0 | 3 | 0 | 0 | 6 | 9 | 9 | | |
| 2019 | 0 | 0 | 2 | 0 | 2 | 2 | 6 | 6 | | |
| 2021 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 3 | | |
| Grand Total | 2 | 1 | 11 | 1 | 4 | 17 | 33 | 36 | | |

Table 2D: Summary Counts of obligations: Observer activity-related requirements

| Count of Obligations | NEW CASE | | Investigation IN PROGRESS | | | Investigation COMPLETED | | | Investigation COMPLETED Total | Grand Total |
|--|-----------|---------------------------|---------------------------|----------------|----------------------|-------------------------|------------|------------|----------------------------------|-------------|
| | NEW CASE | Investigation IN PROGRESS | Investigation COMPLETED | | | | | | | |
| | | | No infraction | Infraction - n | Infraction - warning | Infraction - sanction | | | | |
| Observer activity related requirement | 28 | 142 | 74 | 2 | 5 | 21 | 102 | 272 | | |
| Observer welfare and safety | 28 | 142 | 72 | 1 | 5 | 19 | 97 | 267 | | |
| CCMs to ensure vessel operators comply with the Guidelines for the Rights and Responsibilities of Vessel Operators, Captains and Crew | 28 | 140 | 69 | 1 | 5 | 19 | 94 | 262 | | |
| CMM 2018-05 15 (g) | 28 | 140 | 69 | 1 | 5 | 19 | 94 | 262 | | |
| 2016 | 0 | 30 | 23 | 0 | 1 | 10 | 34 | 64 | | |
| 2017 | 7 | 15 | 10 | 0 | 3 | 3 | 16 | 38 | | |
| 2018 | 1 | 33 | 33 | 0 | 1 | 2 | 36 | 70 | | |
| 2019 | 12 | 48 | 3 | 1 | 0 | 4 | 8 | 68 | | |
| 2020 | 8 | 14 | 0 | 0 | 0 | 0 | 0 | 22 | | |
| Requirements that flag CCMs are to ensure their fishing vessels follow if an observer safety incident occurs while the observer is on the vessel (observer dies, is missing or presumed fallen overboard, observer suffers from a serious illness or injury) | 0 | 2 | 3 | 0 | 0 | 0 | 3 | 5 | | |
| CMM 2016-03 03-06 | 0 | 1 | 2 | 0 | 0 | 0 | 2 | 3 | | |
| 2017 | 0 | 1 | 2 | 0 | 0 | 0 | 2 | 3 | | |
| CMM 2017-03 03-06 | 0 | 1 | 1 | 0 | 0 | 0 | 1 | 2 | | |
| 2020 | 0 | 1 | 1 | 0 | 0 | 0 | 1 | 2 | | |
| Transshipment management | 0 | 0 | 2 | 1 | 0 | 2 | 5 | 5 | | |
| CCM shall ensure that vessels they are responsible for carry observers from the WCPFC ROP to observe transshipments at sea. | 0 | 0 | 2 | 1 | 0 | 2 | 5 | 5 | | |
| CMM 2009-06 13 | 0 | 0 | 2 | 1 | 0 | 2 | 5 | 5 | | |
| 2016 | 0 | 0 | 1 | 1 | 0 | 2 | 4 | 4 | | |
| 2017 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 1 | | |
| Grand Total | 28 | 142 | 74 | 2 | 5 | 21 | 102 | 272 | | |

Table 2E: Summary Counts of obligations: Operational Requirements for Fishing Vessels - Vessel Authorisation

| Count of Obligations | Investigation | | | | Investigation COMPLETED Total | Grand Total |
|--|---------------------------|-------------------------|--------------------------|--------------------------------------|-------------------------------|-------------|
| | Investigation IN PROGRESS | Investigation COMPLETED | | | | |
| | | No infraction | Infraction - no sanction | Infraction - w Infraction - sanction | | |
| Operational requirements for fishing vessels | 2 | 83 | 7 | 14 | 28 | 132 |
| RFV reporting requirements | 0 | 12 | 1 | 2 | 6 | 21 |
| Requirement to notify any additions, modifications and deletions of Vessels from the record, including for each vessel all details as set out in paragraph 6 of this CMM | 0 | 3 | 1 | 1 | 6 | 11 |
| CMM 2013-10 07 | 0 | 2 | 0 | 0 | 5 | 7 |
| 2017 | 0 | 2 | 0 | 0 | 5 | 7 |
| CMM 2017-05 07 | 0 | 1 | 1 | 0 | 1 | 3 |
| 2018 | 0 | 1 | 0 | 0 | 1 | 2 |
| 2019 | 0 | 0 | 1 | 0 | 0 | 1 |
| CMM 2018-06 07 | 0 | 0 | 0 | 1 | 0 | 1 |
| 2019 | 0 | 0 | 0 | 1 | 0 | 1 |
| Requirements and specifications to implement CMM 2017-05/2018-06 paragraph 6 (submit completed vessel record data for vessels authorised to fish beyond its flag CCMs areas under national jurisdiction) | 0 | 9 | 0 | 1 | 0 | 10 |
| CMM 2014-03 02 | 0 | 9 | 0 | 1 | 0 | 10 |
| 2018 | 0 | 9 | 0 | 1 | 0 | 10 |
| Vessel authorisation requirements | 2 | 65 | 5 | 7 | 22 | 99 |
| CCMs should only allow its fishing vessels to be used for fishing, if properly authorised | 0 | 3 | 0 | 1 | 5 | 9 |
| CMM 2013-10 03 | 0 | 3 | 0 | 0 | 5 | 8 |
| 2017 | 0 | 3 | 0 | 0 | 5 | 8 |
| CMM 2018-06 03 | 0 | 0 | 0 | 1 | 0 | 1 |
| 2019 | 0 | 0 | 0 | 1 | 0 | 1 |
| Vessels authorization requirement | 2 | 52 | 5 | 6 | 4 | 67 |
| CMM 2013-10 04 | 0 | 8 | 0 | 2 | 4 | 14 |
| 2016 | 0 | 2 | 0 | 2 | 2 | 6 |
| 2017 | 0 | 6 | 0 | 0 | 2 | 8 |
| CMM 2017-05 04 | 0 | 7 | 0 | 1 | 0 | 8 |
| 2018 | 0 | 7 | 0 | 1 | 0 | 8 |
| CMM 2018-06 04 | 2 | 37 | 5 | 3 | 0 | 45 |
| 2019 | 2 | 37 | 5 | 3 | 0 | 45 |
| Flag CCM to ensure its FVs have been placed on the RFV is accordance with this CMM. Vessels not on RFV shall be deemed not to be authorized to fish for, retain on board, transship or land HMFS in the CA beyond the national jurisdiction of its flag State | 0 | 3 | 0 | 0 | 10 | 13 |
| CMM 2013-10 17 | 0 | 2 | 0 | 0 | 9 | 11 |
| 2016 | 0 | 0 | 0 | 0 | 4 | 4 |
| 2017 | 0 | 2 | 0 | 0 | 5 | 7 |
| CMM 2017-05 17 | 0 | 1 | 0 | 0 | 1 | 2 |
| 2018 | 0 | 1 | 0 | 0 | 1 | 2 |
| Flag CCM to ensure fishing vessels are on RFV is accordance with this CMM. Vessels not on RFV shall be deemed not authorized to fish for, retain on board, transship or land HMFS in Convention Area beyond the national jurisdiction of its flag State | 0 | 1 | 0 | 0 | 0 | 1 |
| CMM 2018-06 17 | 0 | 1 | 0 | 0 | 0 | 1 |
| 2020 | 0 | 1 | 0 | 0 | 0 | 1 |
| Responsibility of flag state to take measures to ensure compliance by its vessels including not conducting unauthorised fishing national waters of a contracting parties | 0 | 5 | 0 | 0 | 2 | 7 |
| Convention Article 24 (1) | 0 | 5 | 0 | 0 | 2 | 7 |
| 2016 | 0 | 0 | 0 | 0 | 1 | 1 |
| 2018 | 0 | 4 | 0 | 0 | 0 | 4 |
| 2020 | 0 | 1 | 0 | 0 | 1 | 2 |
| Requirement that condition of every authorization issued by flag CCM that the fishing vessel operates (i) in the high seas in accordance with Annex III and (ii) in areas under national jurisdiction only if it has required license/permits from coastal CCM | 0 | 1 | 0 | 0 | 1 | 2 |
| Convention Article 24 (3) | 0 | 1 | 0 | 0 | 1 | 2 |
| 2017 | 0 | 1 | 0 | 0 | 0 | 1 |
| 2018 | 0 | 0 | 0 | 0 | 1 | 1 |
| Vessel nationality requirements | 0 | 6 | 1 | 5 | 0 | 12 |
| Vessels without Nationality | 0 | 6 | 1 | 5 | 0 | 12 |
| CMM 2009-09 01-05 | 0 | 6 | 1 | 5 | 0 | 12 |
| 2016 | 0 | 0 | 0 | 1 | 0 | 1 |
| 2017 | 0 | 4 | 0 | 3 | 0 | 7 |
| 2019 | 0 | 2 | 1 | 1 | 0 | 4 |
| Grand Total | 2 | 83 | 7 | 14 | 28 | 132 |

Table 2F: Summary Counts of obligations: Operational Requirements for Fishing Vessels - Vessel Marking and Identification

| Count of Obligations | | | Investigation COMPLETED | | | | Total | Grand Total |
|---|----------|---------------------------|-------------------------|----------------|----------------------|-----------------------|-----------|-------------|
| | NEW CASE | Investigation IN PROGRESS | Investigation COMPLETED | | | | | |
| | | | No infraction | Infraction - n | Infraction - warning | Infraction - sanction | | |
| Operational requirements for fishing vessels | 2 | 4 | 8 | 13 | 24 | 15 | 60 | 66 |
| Vessel marking and identification | 2 | 4 | 8 | 13 | 24 | 15 | 60 | 66 |
| Fishing vessel marking and technical specifications | 2 | 4 | 8 | 13 | 24 | 15 | 60 | 66 |
| CMM 2004-03 02 | 2 | 4 | 8 | 13 | 24 | 15 | 60 | 66 |
| 2016 | 0 | 0 | 3 | 7 | 11 | 7 | 28 | 28 |
| 2017 | 0 | 1 | 0 | 1 | 3 | 4 | 8 | 9 |
| 2018 | 0 | 0 | 4 | 4 | 7 | 2 | 17 | 17 |
| 2019 | 0 | 0 | 1 | 1 | 3 | 1 | 6 | 6 |
| 2020 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 |
| 2021 | 2 | 3 | 0 | 0 | 0 | 0 | 0 | 5 |
| Grand Total | 2 | 4 | 8 | 13 | 24 | 15 | 60 | 66 |

Table 2G: Summary Counts of obligations: Operational Requirements for Fishing Vessels - VMS

| Count of Obligations | | | Investigation COMPLETED | | | | Total | Grand Total |
|--|----------|---------------------------|-------------------------|----------------|----------------------|-----------------------|------------|-------------|
| | NEW CASE | Investigation IN PROGRESS | Investigation COMPLETED | | | | | |
| | | | No infraction | Infraction - n | Infraction - warning | Infraction - sanction | | |
| Operational requirements for fishing vessels | 2 | 4 | 81 | 2 | 9 | 10 | 102 | 108 |
| VMS | 2 | 4 | 81 | 2 | 9 | 10 | 102 | 108 |
| Vessels shall continue to report to Commission VMS after moving into | | | | | | | | |
| Northern Quadrant | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 2 |
| CMM 2014-02 04 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 2 |
| 2021 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 2 |
| Request for inclusion of new ALC/MTU approved types | 0 | 0 | 4 | 0 | 0 | 1 | 5 | 5 |
| CMM 2014-02 7d VMS SSPs 2.7 | 0 | 0 | 4 | 0 | 0 | 1 | 5 | 5 |
| 2017 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 1 |
| 2018 | 0 | 0 | 2 | 0 | 0 | 1 | 3 | 3 |
| 2019 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 1 |
| Fishing vessels comply with the Commission standards for WCPFC VMS | | | | | | | | |
| including being fitted with ALC/MTU that meet Commission | 1 | 3 | 76 | 2 | 9 | 9 | 96 | 100 |
| CMM 2014-02 9a | 1 | 3 | 76 | 2 | 9 | 9 | 96 | 100 |
| 2016 | 0 | 0 | 11 | 0 | 1 | 5 | 17 | 17 |
| 2017 | 0 | 0 | 19 | 0 | 2 | 0 | 21 | 21 |
| 2018 | 1 | 1 | 25 | 2 | 4 | 3 | 34 | 36 |
| 2019 | 0 | 0 | 20 | 0 | 2 | 1 | 23 | 23 |
| 2020 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 1 |
| 2021 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| Provision of ALC/MTU ""VTAf"" data | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 1 |
| CMM 2014-02 9a VMS SSPs 2.8 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 1 |
| 2018 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 1 |
| Grand Total | 2 | 4 | 81 | 2 | 9 | 10 | 102 | 108 |

Table 2H: Summary Counts of obligations: Mitigating Impacts of fishing on sharks

| | NEW CASE | Investigation IN PROGRESS | Investigation COMPLETED | | | Investigation COMPLETED Total | Grand Total |
|--|-----------|---------------------------|-------------------------|----------------|-----------------------|-------------------------------|-------------|
| | | | No infraction | Infraction - w | Infraction - sanction | | |
| | | | | | | | |
| Mitigating impacts of fishing on species of special interest | 24 | 130 | 42 | 2 | 17 | 61 | 215 |
| Annual report on implementation | 1 | 1 | 0 | 0 | 0 | 0 | 2 |
| CMM 2019-04 07-09 | 1 | 1 | 0 | 0 | 0 | 0 | 2 |
| Take measures necessary to require all sharks retained on board their vessels are fully utilized and ensure the prohibition of finning (provide in Part 2 Annual Report) | 1 | 1 | 0 | 0 | 0 | 0 | 2 |
| 2021 | 1 | 1 | 0 | 0 | 0 | 0 | 2 |
| Shark mitigation and fishery management | 23 | 129 | 42 | 2 | 17 | 61 | 213 |
| CMM 2010-07 06 | 0 | 0 | 2 | 0 | 3 | 5 | 5 |
| Full utilization of any catches of sharks retained | 0 | 0 | 2 | 0 | 3 | 5 | 5 |
| 2016 | 0 | 0 | 1 | 0 | 1 | 2 | 2 |
| 2019 | 0 | 0 | 1 | 0 | 2 | 3 | 3 |
| CMM 2010-07 07 | 0 | 0 | 2 | 1 | 4 | 7 | 7 |
| Vessels implement 5% fin to weight ratio or an alternative | 0 | 0 | 2 | 1 | 4 | 7 | 7 |
| 2017 | 0 | 0 | 2 | 0 | 0 | 2 | 2 |
| 2018 | 0 | 0 | 0 | 0 | 4 | 4 | 4 |
| 2019 | 0 | 0 | 0 | 1 | 0 | 1 | 1 |
| CMM 2010-07 09 | 6 | 24 | 2 | 0 | 0 | 2 | 32 |
| Take measures to prohibit their vessels from retaining, transshipping, landing or trading in any fins harvested in contravention of this CMM | 6 | 24 | 2 | 0 | 0 | 2 | 32 |
| 2016 | 0 | 3 | 2 | 0 | 0 | 2 | 5 |
| 2017 | 0 | 1 | 0 | 0 | 0 | 0 | 1 |
| 2018 | 5 | 18 | 0 | 0 | 0 | 0 | 23 |
| 2019 | 0 | 1 | 0 | 0 | 0 | 0 | 1 |
| 2020 | 1 | 1 | 0 | 0 | 0 | 0 | 2 |
| CMM 2011-04 01 | 1 | 9 | 2 | 0 | 0 | 2 | 12 |
| Prohibit vessels from retaining on board, transshipping, storing or landing any oceanic whitetip sharks, in whole or in part | 1 | 9 | 2 | 0 | 0 | 2 | 12 |
| 2016 | 0 | 1 | 0 | 0 | 0 | 0 | 1 |
| 2017 | 0 | 0 | 1 | 0 | 0 | 1 | 1 |
| 2018 | 0 | 5 | 1 | 0 | 0 | 1 | 6 |
| 2019 | 1 | 3 | 0 | 0 | 0 | 0 | 4 |
| CMM 2013-08 01 | 16 | 95 | 29 | 1 | 6 | 36 | 147 |
| Prohibit vessels from retaining on board, transshipping, storing or landing any silky sharks, in whole or in part (applied after 1 July 2014) | 16 | 95 | 29 | 1 | 6 | 36 | 147 |
| 2016 | 0 | 30 | 7 | 0 | 1 | 8 | 38 |
| 2017 | 8 | 17 | 6 | 1 | 0 | 7 | 32 |
| 2018 | 1 | 24 | 10 | 0 | 5 | 15 | 40 |
| 2019 | 3 | 20 | 4 | 0 | 0 | 4 | 27 |
| 2020 | 4 | 4 | 2 | 0 | 0 | 2 | 10 |
| CMM 2014-05 01 | 0 | 1 | 5 | 0 | 4 | 9 | 10 |
| Shark mitigation measures to be applied to fisheries targetting tuna and billfish | 0 | 1 | 5 | 0 | 4 | 9 | 10 |
| 2016 | 0 | 0 | 1 | 0 | 2 | 3 | 3 |
| 2017 | 0 | 0 | 2 | 0 | 0 | 2 | 2 |
| 2019 | 0 | 1 | 2 | 0 | 2 | 4 | 5 |
| Grand Total | 24 | 130 | 42 | 2 | 17 | 61 | 215 |

Table 21: Summary Counts of Obligations: Mitigating Impacts of fishing on seabirds & sea turtles

| Count of Obligations | Investigation COMPLETED | | | | | | Investigation COMPLETED Total | Grand Total |
|--|-------------------------|---------------------------|-------------------------|---------------------|----------------------|-----------------------|----------------------------------|-------------|
| | NEW CASE | Investigation IN PROGRESS | Investigation COMPLETED | | | | | |
| | | | No infraction | Infraction - no san | Infraction - warning | Infraction - sanction | | |
| Mitigating impacts of fishing on species of special interest | 2 | 1 | 19 | 4 | 11 | 15 | 49 | 52 |
| Sea turtle mitigation | 0 | 1 | 9 | 4 | 6 | 9 | 28 | 29 |
| CCMs to ensure fishermen use proper mitigation and handling techniques and foster the recovery of any turtles that are incidentally captured | 0 | 0 | 1 | 0 | 0 | 1 | 2 | 2 |
| CMM 2008-03 04 | 0 | 0 | 1 | 0 | 0 | 1 | 2 | 2 |
| 2016 | 0 | 0 | 1 | 0 | 0 | 1 | 2 | 2 |
| Sea Turtle mitigation requirements for purse seine vessels | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 |
| CMM 2008-03 05a | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 |
| 2020 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 |
| Requirements for sea turtle mitigation in longline fisheries | 0 | 1 | 8 | 4 | 6 | 7 | 25 | 26 |
| CMM 2008-03 06 | 0 | 1 | 8 | 4 | 6 | 7 | 25 | 26 |
| 2016 | 0 | 0 | 1 | 0 | 0 | 3 | 4 | 4 |
| 2017 | 0 | 0 | 2 | 1 | 2 | 1 | 6 | 6 |
| 2018 | 0 | 1 | 5 | 1 | 2 | 2 | 10 | 11 |
| 2019 | 0 | 0 | 0 | 2 | 2 | 0 | 4 | 4 |
| 2020 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 |
| Seabird mitigation | 2 | 0 | 10 | 0 | 5 | 6 | 21 | 23 |
| Required longline mitigation measures to be used by vessels fishing S 30 S (weighted branch lines, night setting and tori lines: choose at least two of the three) (applied from 1 July 2014) | 0 | 0 | 3 | 0 | 1 | 3 | 7 | 7 |
| CMM 2012-07 01 | 0 | 0 | 1 | 0 | 0 | 3 | 4 | 4 |
| 2016 | 0 | 0 | 1 | 0 | 0 | 3 | 4 | 4 |
| CMM 2015-03 01 | 0 | 0 | 2 | 0 | 1 | 0 | 3 | 3 |
| 2017 | 0 | 0 | 2 | 0 | 1 | 0 | 3 | 3 |
| Required longline mitigation measures to be used by vessels fishing S 30 S (weighted branch lines, night setting and tori lines: choose at least two of the three) | 0 | 0 | 3 | 0 | 1 | 0 | 4 | 4 |
| CMM 2017-06 01 | 0 | 0 | 3 | 0 | 1 | 0 | 4 | 4 |
| 2018 | 0 | 0 | 3 | 0 | 1 | 0 | 4 | 4 |
| Required longline mitigation measures to be used by vessels fishing south of 30S (hook-shielding devices OR at least two of these options: weighted branch lines, night setting and tori lines) | 2 | 0 | 4 | 0 | 0 | 0 | 4 | 6 |
| CMM 2018-03 01 | 2 | 0 | 4 | 0 | 0 | 0 | 4 | 6 |
| 2021 | 2 | 0 | 4 | 0 | 0 | 0 | 4 | 6 |
| From 1 Jan 2020 required longline mitigation measures to be used by longline vessels in the high seas between 25S - 30S (one of these options: weighted branch lines, night setting or tori lines) | 0 | 0 | 0 | 0 | 3 | 0 | 3 | 3 |
| CMM 2018-03 02 | 0 | 0 | 0 | 0 | 3 | 0 | 3 | 3 |
| 2019 | 0 | 0 | 0 | 0 | 3 | 0 | 3 | 3 |
| Required longline mitigation measures to be used by longline vessels > 24m fishing north of 23N (choose 2 from Table 1 including at least 1 from Column A) and longline vessels < 24m fishing north of 23N (at least 1 measure from Column A in Table 1) | 0 | 0 | 0 | 0 | 0 | 3 | 3 | 3 |
| CMM 2018-03 06 | 0 | 0 | 0 | 0 | 0 | 3 | 3 | 3 |
| 2019 | 0 | 0 | 0 | 0 | 0 | 2 | 2 | 2 |
| 2020 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 |
| Grand Total | 2 | 1 | 19 | 4 | 11 | 15 | 49 | 52 |

Table 3A: Summary Counts of ROP observer reported Cetacean and Whale Shark purse seine fishery interactions based on ROP observer data by year by Investigation Status and counts of cases where ROP Observer Report was received (2016- 2020) *The ROP data that was available as at 1 July 2021, may not include all ROP trips for 2020.*

CWS: Cetacean and Whale Shark fishery interaction (**CMM 2012-04:** Whale Sharks and **CMM 2011-03:** Cetaceans)

| | | NEW CASE | Investigation IN PROGRESS | Investigation COMPLETED | Total Compliance Case Count | Total ROP Observer Report received |
|--------------------|------|------------|---------------------------|-------------------------|-----------------------------|------------------------------------|
| ☐ CWS | 2016 | 1 | 251 | 209 | 461 | 241 |
| CWS | 2017 | 78 | 327 | 172 | 577 | 232 |
| CWS | 2018 | 52 | 334 | 173 | 559 | 223 |
| CWS | 2019 | 244 | 578 | 114 | 936 | 179 |
| CWS | 2020 | 126 | 170 | 13 | 309 | 67 |
| Grand Total | | 501 | 1660 | 681 | 2842 | 942 |

Table 3B: Summary Counts of flag CCMs investigations for ROP observer reported Whale Shark and Cetacean purse seine fishery interactions notified in the WCPFC online Compliance Case File System that were based on ROP data and are in the CWS list (2016-2020) *Note in the below tables the omission of a row (year), confirms the annual count of cases were zero.*

CMM 2011-03 (01 - 03): Cetaceans **CMM 2012-04 (01, 04):** Whale Sharks

| | NEW CASE | Investigation IN PROGRESS | Investigation COMPLETED | | | Investigation COMPLETED Total | Grand Total | |
|--|------------|---------------------------|-------------------------|----------------|----------------------|-------------------------------|-------------|-----------------------|
| | | | Investigation COMPLETED | | | | | |
| | | | No infraction | Infraction - n | Infraction - warning | | | Infraction - sanction |
| ☐ Mitigating impacts of fishing on species of special interest | 501 | 1660 | 635 | 1 | 21 | 24 | 681 | 2842 |
| ☐ Cetacean protection in purse seine fishery | 279 | 984 | 401 | 0 | 18 | 17 | 436 | 1699 |
| ☐ CMM 2011-03 (01-03) | 279 | 984 | 401 | 0 | 18 | 17 | 436 | 1699 |
| 2016 | 0 | 173 | 132 | 0 | 4 | 5 | 141 | 314 |
| 2017 | 49 | 224 | 108 | 0 | 12 | 3 | 123 | 396 |
| 2018 | 22 | 168 | 103 | 0 | 1 | 1 | 105 | 295 |
| 2019 | 130 | 299 | 48 | 0 | 1 | 8 | 57 | 486 |
| 2020 | 78 | 120 | 10 | 0 | 0 | 0 | 10 | 208 |
| ☐ Shark mitigation and fishery management | 222 | 676 | 234 | 1 | 3 | 7 | 245 | 1143 |
| ☐ CMM 2012-04 (01, 04) | 222 | 676 | 234 | 1 | 3 | 7 | 245 | 1143 |
| 2016 | 1 | 78 | 64 | 0 | 0 | 4 | 68 | 147 |
| 2017 | 29 | 103 | 48 | 0 | 1 | 0 | 49 | 181 |
| 2018 | 30 | 166 | 67 | 1 | 0 | 0 | 68 | 264 |
| 2019 | 114 | 279 | 52 | 0 | 2 | 3 | 57 | 450 |
| 2020 | 48 | 50 | 3 | 0 | 0 | 0 | 3 | 101 |
| Grand Total | 501 | 1660 | 635 | 1 | 21 | 24 | 681 | 2842 |

NOTE: TCC17 also determined that as the information in the Compliance Case File System (CCFS) on cetaceans and whale shark (CWS) interactions does not currently distinguish between interactions where there is no alleged infringement and interactions where an infringement may have taken place - hence, for TCC17 this data would be excluded from consideration of the Aggregated Tables



**COMMISSION
EIGHTEENTH REGULAR SESSION**

Electronic Meeting
1 - 7 December 2021

**CONSERVATION AND MANAGEMENT MEASURE FOR COMPLIANCE
MONITORING SCHEME**

Conservation and Management Measure 2021-03

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC):

Noting the various circumstances that prevented WCPFC from completing critical intersessional work to enhance the Compliance Monitoring Scheme in 2020 and 2021.

Adopts in accordance with Article 10 of the Convention, this Conservation and Management Measure with respect to the Commission's Compliance Monitoring Scheme (CMM 2019-06) which shall continue in force until 31 December 2023, with the following amendments:

- a) The Compliance Monitoring Report (CMR) assessment review process (provisional CMR and final CMR process), including the review of the aggregate tables, shall be deferred in 2022 so that the Technical and Compliance Committee can dedicate appropriate time to the completion of CMS Future Work components (Section IX);
- b) TCC18 shall focus on completing the development of audit points, a risk-based assessment framework and the development of guidelines for observer participation in the CMS and provide recommendations to WCPFC19 to support WCPFC19's adoption of these work areas. TCC18 shall also continue to consider:
 - i. the process for reviewing the aggregated information referred to in paragraph 26(ii);
 - ii. the other components of the CMS Future Work;
 - iii. further improvements to the compliance case file system; and
 - iv. appropriate compliance assessment decision making processes.
- c) WCPFC19 shall adopt audit points and a risk-based assessment framework for use in the 2023 CMR review;
- d) Notwithstanding subparagraph a) in 2022 and 2023, CCMs shall submit Annual Reports Part 1 and 2, scientific data to be submitted to the Commission and Fished and Did not Fish report (CMM 2018-06 09);
- e) In 2023, TCC19 shall consider a CMR that assesses CCMs' compliance over the previous 2 year reporting period (RY2021 and RY2022) using the agreed audit point and risk-based assessment framework adopted by WCPFC19.



COMMISSION
SIXTEENTH REGULAR SESSION
Port Moresby, Papua New Guinea
5 – 11 December 2019

**CONSERVATION AND MANAGEMENT MEASURE FOR COMPLIANCE
MONITORING SCHEME**

Conservation and Management Measure 2019-06

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Commission)

In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention):

Recalling that the Commission has adopted a wide range of conservation and management measures to give effect to the objective of the Convention,

Noting that, in accordance with Article 25 of the Convention, Members of the Commission have undertaken to enforce the provisions of the Convention and any conservation and management measures adopted by the Commission,

Noting also that, in accordance with international law, Members, Cooperating Non-Members of the Commission and Participating Territories have responsibilities to effectively exercise jurisdiction and control over their flagged vessels and with respect to their nationals,

Acknowledging that Article 24 of the Convention obliges Members of the Commission to take the necessary measures to ensure that fishing vessels flying their flag comply with the provisions of the Convention and the conservation and management measures adopted pursuant thereto, as well as the obligations of chartering States with respect to chartered vessels operating as an integral part of their domestic fleets,

Noting that, in a responsible, open, transparent and non-discriminatory manner, the Commission should be made aware of any and all available information that may be relevant to the work of the Commission in identifying and holding accountable instances of non-compliance by Members, Cooperating Non-Members and Participating Territories with management measures,

Committed to Article 30 of the Convention which requires the Commission to give full recognition to the special requirements of developing States, in particular SIDS and territories, which may include the provision of financial, technical and capacity development assistance,

Committed to the implementation of Conservation and Management Measure 2013-07 to give operational effect to the full recognition of the special requirements of SIDS and territories in the Convention Area, in particular such assistance as may be needed to implement their obligations,

Further committed to the implementation of Conservation and Management Measure 2013-06 by applying the criteria to determine the nature and extent of the impact of a proposal on SIDS

and territories in the Convention Area, in order to ensure that they can meet their obligations, and to ensure that any measure does not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto SIDS and territories,

Recalling the specific function of TCC under Article 14(1)(b) of the Convention to monitor and review compliance by CCMs with conservation and management measures adopted by the Commission and make such recommendations to the Commission as may be necessary,

Recognising the responsibility of Members, Cooperating Non-Members and Participating Territories to fully and effectively implement the provisions of the Convention and the conservation and management measures adopted by the Commission, and the need to improve such implementation and ensure compliance with these commitments,

Recalling the recommendation of the second joint meeting of the tuna Regional Fisheries Management Organizations (RFMOs) that all RFMOs should introduce a robust compliance review mechanism by which the compliance record of each Member is examined in depth on a yearly basis,

Cognisant of the MCS and enforcement framework developed by the Commission, *inter alia* the 2010-06 Conservation and Management Measure to Establish a List of Vessels Presumed to have carried out Illegal, Unreported and Unregulated Fishing activities in the WCPO, the online Compliance case file system, Article 25 of the Convention, which considers the compliance by individual vessels,

Adopts the following conservation and management measure in accordance with Article 10 of the Convention, establishing the WCPFC Compliance Monitoring Scheme:

Section I – Purpose

1. The purpose of the WCPFC Compliance Monitoring Scheme (CMS) is to ensure that Members, Cooperating Non-Members and Participating Territories (CCMs) implement and comply with obligations arising under the Convention and conservation and management measures (CMMs) adopted by the Commission. The purpose of the CMS is also to assess flag CCM action in relation to alleged violations by its vessels, not to assess compliance by individual vessels.

2. The CMS is designed to:

- (i) assess CCMs' compliance with their WCPFC obligations;
- (ii) identify areas in which technical assistance or capacity building may be needed to assist CCMs to attain compliance;
- (iii) identify aspects of CMMs which may require refinement or amendment for effective implementation;
- (iv) respond to non-compliance by CCMs through remedial and/or preventative options that include a range of possible responses that take account of the reason for and degree, the severity, consequences and frequency of non-compliance, as may be necessary and appropriate to promote compliance with CMMs and other Commission obligations;¹ and
- (v) monitor and resolve outstanding instances of non-compliance by CCMs with their WCPFC obligations.

¹ In accordance with the process for identifying corrective action, as provided for in paragraph 46(iv).

Section II – Principles

3. The implementation of the CMS and its associated processes shall be conducted in accordance with the following principles for the purpose of the application of this measure:

- (i) Effectiveness: Effectively serve the purpose of this CMM to assess compliance by CCMs and assist the TCC in fulfilling the provisions of Article 14(1)(b) of the Convention;
- (ii) Efficiency: Avoid unnecessary administrative burden or costs on CCMs, the Commission or the Secretariat and assist TCC in identifying and recommending removal of duplicative reporting obligations; and
- (iii) Fairness: Promote fairness, including by: ensuring that obligations and performance expectations are clearly specified, that assessments are undertaken consistently and based on a factual assessment of available information and that CCMs are given the opportunity to participate in the process.
- (iv) Cooperation towards Compliance: Promote a supportive, collaborative, and non-adversarial approach where possible, with the aim of ensuring long-term compliance, including considering capacity assistance needs or other quality improvement and corrective action.

Section III – Scope and application

4. The Commission, with the assistance of the Technical and Compliance Committee (TCC) shall evaluate CCMs' compliance with the obligations arising under the Convention and the CMMs adopted by the Commission and identify instances of CCM non-compliance, in accordance with the approach set out in this section.

5. The CMS shall not prejudice the rights, jurisdiction and duties of any CCM to enforce its national laws or to take more stringent measures in accordance with its national laws, consistent with that CCM's international obligations.

6. Each year, the Commission shall update what obligations shall be assessed in the following year using a risk-based approach, once developed and agreed. Until this risk-based approach is developed, the Commission shall take into account the following factors in considering the obligations to be assessed in the following year:

- (i) the needs and priorities of the Commission, including those of its subsidiary bodies;
- (ii) evidence of high percentages of non-compliance or persistent non-compliance by CCMs with specific obligations for multiple years;
- (iii) additional areas identified through the risk-based approach to be developed; and
- (iv) the potential risks posed by non-compliance by CCMs with CMMs (or collective obligations arising from CMMs) to achieve the objectives of the Convention or specific measures adopted thereunder.

7. The Commission shall undertake an annual assessment of compliance by CCMs during the previous calendar year with the priority obligations identified under paragraph 6. Such assessment shall be determined based on the following criteria:

- (i) For a CCM-level quantitative limit or collective CCM quantitative limit, such as a limit on fishing capacity, fishing effort, or catch, verifiable data indicating that the limit has not been exceeded.
- (ii) For other obligations:
 - a. Implementation – where an obligation applies, the CCM is required to provide information showing that it has adopted, in accordance with its own national policies and procedures, binding measures that implement that obligation; and
 - b. Monitor and ensure compliance – the CCM is required to provide information showing that it has a system or procedures to monitor compliance of vessels and persons with these binding measures, a system or procedures to respond to instances of non-compliance and has taken action in relation to potential infringements.

8. The preparation, distribution and discussion of compliance information pursuant to the CMS shall be in accordance with all relevant rules and procedures relating to the protection and dissemination of, and access to, public and non-public domain data and information compiled by the Commission. In this regard, Draft and Provisional Compliance Monitoring Reports shall constitute non-public domain data, and the Final Compliance Monitoring Report shall constitute public domain data.

Section IV – WCPFC Online Compliance Case file system

9. The Secretariat shall maintain the WCPFC online compliance case file system as a secure, searchable system to store, manage and make available information to assist CCMs with tracking alleged violations by their flagged vessels.

10. For each case in the online system, the following information shall be provided by the flag CCM:

- (a) Has an investigation been started? (Yes/No)
- (b) If yes, what is the current status of the investigation? (Ongoing, Completed)
- (c) If the alleged violations stem from an observer report, have you obtained the observer report? (Yes/No)
- (d) If no, what steps have you taken to obtain the observer report?
- (e) What was the outcome of the investigation? (Closed – no violation; Infraction – not charged; Infraction – charged)
- (f) If no violation, provide brief explanation
- (g) If infraction, but not charged, provide brief explanation
- (h) If infraction charged, how was it charged (e.g., penalty/fine, permit sanction, verbal or written warning, etc.) and level of charged (e.g., penalty amount, length of sanction, etc.)

11. A flag CCM shall provide updates into the online system on the progress of an investigation until its conclusion.
12. CCMs that are relevant to a case shall be allowed to view those cases for vessels flying other flags. Relevant CCMs shall comprise the CCM that notified the case to the flag CCM, and where applicable, the coastal CCM, the ROP observer provider and the chartering CCM.
13. The Secretariat shall notify relevant CCMs when a case is entered into the online system.

Section V – Special Requirements of Developing States

14. Notwithstanding paragraph 4, where a SIDS or Participating Territory, or Indonesia or the Philippines cannot meet a particular obligation that is being assessed, due to a lack of capacity², that CCM shall provide a Capacity Development Plan to the Secretariat with their draft Compliance Monitoring Report (dCMR), that:

- (i) clearly identifies and explains what is preventing that CCM from meeting that obligation;
- (ii) identifies the capacity assistance needed to allow that CCM to meet that obligation;
- (iii) estimates the costs and/or technical resources associated with such assistance, including, if possible, funding and technical assistance sources where necessary;
- (iv) sets out an anticipated timeframe in which, if the identified assistance needs are provided, that CCM will be able to meet that obligation.

15. The CCM may work together with the Secretariat to draft the Capacity Development Plan. This plan shall be attached to that CCM's comments to the dCMR.

16. Where a capacity assistance need has been identified, through the preparation of a Capacity Development Plan, in a dCMR by a SIDS, Participating Territory, Indonesia or the Philippines, which has prevented that CCM from fulfilling a particular obligation, and TCC has confirmed that all of the elements of the Capacity Development Plan as stated in paragraph 14 are included, TCC shall assess that CCM as "Capacity Assistance Needed" for that obligation. TCC shall recommend to the Commission that it allow the Capacity Development Plan to run until the end of the anticipated timeframe and assistance delivery set out therein.

17. That CCM shall report its progress under the Capacity Development Plan every year in its Annual Report Part II. That CCM shall remain assessed as "Capacity Assistance Needed" against that particular obligation until the end of the timeframe in the plan.

18. Where the Commission is identified in the Capacity Development Plan to assist that CCM, the Secretariat shall provide an annual report of such assistance to TCC.

19. If a CCM notifies the Commission that its capacity needs have been met, the Capacity Development Plan for that obligation shall be deemed completed and the CCM's compliance with that obligation shall then be assessed in accordance with Annex I.

² Any CCM may identify a capacity assistance need through the CMS process; however, the application of paragraphs 14-16 is limited to those CCMs identified in the paragraph.

20. Unless the SIDS, Participating Territory, Indonesia or Philippines amends the Capacity Development Plan that it submitted under paragraph 16 in its dCMR and TCC has confirmed that all the elements of that Plan as stated in paragraph 14 are included, once the timeframe in that original Plan has passed, that CCM's compliance with that obligation shall be assessed in accordance with Annex I.

21. The Commission recognises the special requirements of developing State CCMs, particularly SIDS and Participating Territories, and shall seek to actively engage and cooperate with these CCMs and facilitate their effective participation in the implementation of the CMS including by:

(i) ensuring that inter-governmental sub-regional agencies which provide advice and assistance to these CCMs, are able to participate in the processes established under the CMS, including by attending any working groups as observers and participating in accordance with Rule 36 of the Commission's Rules of Procedure, and having access to all relevant information, and

(ii) providing appropriately targeted assistance to improve implementation of, and compliance with, obligations arising under the Convention and CMMs adopted by the Commission, including through consideration of the options for capacity building and technical assistance.

Section VI – Prior to TCC

22. Prior to the annual meeting of the TCC, the Executive Director shall prepare a Draft Compliance Monitoring Report (the Draft Report) that consists of individual draft Compliance Monitoring Reports (dCMRs) concerning each CCM and a section concerning collective obligations arising from the Convention or CMMs related to fishing activities managed under the Convention.

23. Each dCMR shall reflect information relating to the relevant CCM's implementation of obligations as identified under paragraph 6 as well as any potential compliance issues, where appropriate. Such information shall be sourced from reports submitted by CCMs as required in CMMs and other Commission obligations, such as:

i information available to the Commission through data collection programmes, including but not limited to, high seas transshipment reports, Regional Observer Programme data and information, Vessel Monitoring System information, High Seas Boarding and Inspection Scheme reports, and charter notifications;

ii information contained in an Annual Report which is not available through other means; and

iii where appropriate, any additional suitably documented information regarding compliance during the previous calendar year.

24. The Draft Report shall present all available information relating to each CCM's implementation of obligations for compliance review by TCC.

25. At least 55 days prior to TCC each year, the Executive Director shall transmit to each CCM its dCMR.

26. At the same time, the Executive Director shall draw from the online case file system and transmit to:

- (i) each flag CCM, the infringement identification relating to alleged violations by its flagged vessels on the online system for the previous year, for that CCM to review with its dCMR. Relevant CCMs, as described in paragraph 12, shall also be provided this same information; and
- (ii) all CCMs, aggregated information across all fleets based on the information reported by CCMs pursuant to paragraph 10, for the previous 5 years. The templates attached as Annex II will serve as the basis for the data fields that will be included. This will be used to provide an indicator of potential anomalies in the implementation of obligations by a CCM, with a view towards identifying implementation challenges for that CCM and identifying systemic failures to take flag state action in relation to alleged violations. This information shall be considered by TCC alongside the Draft Compliance Monitoring Report.

27. Upon receipt of its dCMR, each CCM may, where appropriate, reply to the Executive Director no later than 28 days prior to TCC each year to:

- (i) provide additional information, clarifications, amendments or corrections to information contained in its dCMR;
- (ii) identify any particular difficulties with respect to implementation of any obligations; or
- (iii) identify technical assistance or capacity building needed to assist the CCM with implementation of any obligations.

28. Relevant CCMs may continue to provide additional information or clarification into the online compliance case file system. Where such additional information or clarification is provided, at least fifteen days in advance of the TCC meeting, the Executive Director shall circulate an updated version of the documents referred to under paragraph 26.

29. To facilitate meeting obligations under paragraphs 27 and 28, active cooperation and communication between a flag CCM and other relevant CCMs is encouraged.

30. At least fifteen days in advance of the TCC meeting, the Executive Director shall compile and circulate to all CCMs the full Draft Report that will include any potential compliance issues and requirements for further information to assess the relevant CCM's compliance status, in a form to be agreed to by the Commission, including all information that may be provided under paragraph 28.

31. TCC shall review the Draft Report and identify any potential compliance issues for each CCM, based on information contained in the dCMRs, as well as any information provided by CCMs in accordance with paragraph 27 of this measure. CCMs may also provide additional information to TCC with respect to implementation of its obligations.

Section VII – Development of the Provisional Compliance Monitoring Report at TCC

32. (i) Taking into account any Capacity Development Plans developed pursuant to paragraphs 14-16, reports and other information described in paragraph 26(ii), any additional information provided by CCMs, and, where appropriate, any additional information provided by non-government organisations or other organisations concerned with matters relevant to the implementation of this Convention, TCC shall develop a Provisional Compliance Monitoring Report (the Provisional Report) that includes a compliance status with respect to all applicable

individual obligations as well as recommendations for any corrective action(s) needed by the CCM or action(s) to be taken by the Commission, based on potential compliance issues it has identified in respect of that CCM and using the criteria and considerations for assessing Compliance Status set out in Annex I of this measure.

(ii) In the development of the Provisional Report, TCC shall not assess compliance by individual vessels.

33. When considering the aggregated report described in paragraph 26(ii), alongside the Draft Report, and where an implementation challenge has been identified by a CCM, the TCC shall, in consultation with the CCM:

- a. Identify any targeted assistance that might be required to address the challenge;
- b. Determine a timeframe for the resolution of the challenge;
- c. Report to the Commission on how that CCM will be able to satisfactorily meet its obligations; and
- d. Where the CCM is a SIDS or Participating Territory or Indonesia or the Philippines, Section V of this measure shall apply.

34. When considering the aggregated report described in 26(ii), alongside the Draft Report, and where cases have been in the compliance case file system for two or more years, remains open, and are not subject to paragraph 33, TCC shall, in consultation with the CCM:

- a. Identify what is needed to progress or resolve these cases;
- b. Determine a timeframe for resolution of the cases; and
- c. Report to the Commission on how that CCM will be able to satisfactorily meet its obligation.

35. A provisional assessment of each CCM's Compliance Status shall be decided by consensus. If every effort to achieve consensus regarding a particular CCM's compliance with an individual obligation has failed, the Provisional Report shall indicate the majority and minority views. A provisional assessment shall reflect the majority view and the minority view shall also be recorded.

36. Notwithstanding paragraph 35 above, a CCM shall not block its own compliance assessment if all other CCMs present have concurred with the assessment. If the assessed CCM disagrees with the assessment, its view shall be reflected in the Provisional Report or the final Compliance Monitoring Report.

37. Where a CCM has missed a reporting deadline,³ but has submitted the required information, this obligation will be accepted by TCC, unless a CCM has a specific concern or if there are updates from the Secretariat based on new information received.

38. The Provisional Report shall also comprise an executive summary, as well as tables including aggregated data (templates attached in Annex III) relating to the information provided in paragraph 10, including recommendations or observations from TCC regarding:

- (i) identification of any CMMs or obligations that should be reviewed to address implementation or compliance difficulties experienced by CCMs, particularly when TCC has identified ambiguity in the interpretation of or difficulty in monitoring and implementing that measure or obligation, including any specific amendments or improvements that have been identified,

³ For the purposes of the Compliance Monitoring Scheme, all reporting deadlines will be based on Universal Time Code (UTC) time unless the CMM establishing the deadline specifies otherwise.

- (ii) capacity building assistance or other obstacles to implementation identified by CCMs, in particular SIDS and Participating Territories,
- (iii) risk-based assessment of priority obligations to be assessed in the subsequent year (once the risk-based assessment is developed).

39. The Provisional Report shall be finalised at TCC and forwarded to the Commission for consideration at the annual meeting.

40. CCMs may provide additional information up to 21 days after TCC. Additional information is restricted to that which only requires administrative consideration by the Secretariat to fill an information gap. This paragraph shall not apply to substantive issues. TCC shall consider whether a particular obligation may be met with the provision of additional information.

41. The Secretariat shall update the compliance status of CCMs, 21 days after the deadline to submit additional information, based on the additional information provided by CCMs as outlined in paragraph 40. A summary of these updates shall be submitted to the Commission for their consideration, along with the pCMR.

Section VIII – Process at the Commission

42. At each annual Commission meeting, the Commission shall consider the Provisional Report recommended by the TCC, as well as any submission from a CCM indicating that its compliance assessment for a specific obligation at TCC was undertaken in a manner that the CCM deems to be procedurally unfair.

43. Taking into account any reviews undertaken after TCC under paragraph 42, the Commission shall adopt a final Compliance Monitoring Report.

44. The final Compliance Monitoring Report shall include a Compliance Status for each CCM against each assessed obligation and any corrective action needed, and also contain an executive summary setting out any recommendations or observations from the Commission regarding the issues listed in paragraph 38 of this measure, and include tables of aggregated data relating to the information provided in paragraph 10, as referenced in paragraph 38.

45. Each CCM shall include, in its Part II Annual Report, any actions it has taken to address non-compliance identified in the Compliance Monitoring Report from previous years.

Section IX – Future Work

46. The Commission hereby commits to a multi-year workplan of tasks to enhance the CMS, with the aim of making it more efficient and effective by streamlining processes. This workplan should include the development of guidelines and operating procedures to support the implementation of the Compliance Monitoring Scheme, and shall include *inter alia*:

During 2020

- (i) the development of audit points to clarify the Commission obligations assessed under the CMS, as well as the development of a checklist to be used by the proponents of any proposal to include a list of potential audit points for the consideration of the Commission;
- (ii) explore investment in technology solutions to facilitate improvements to the compliance case file system.

During –2020-2021

- (iii) the development of a risk-based assessment framework to inform compliance assessments and ensure obligations are meeting the objectives of the Commission;
- (iv) the development of corrective actions to encourage and incentivise CCMs' compliance with the Commission's obligations, where non-compliance is identified;
- (v) the development of the guidelines for participation of observers in closed meetings of the Commission and its subsidiary bodies which consider the Compliance Monitoring Report.

47. TCC shall consider any workplan and resourcing requirements to facilitate the work of the Secretariat in this regard.

Section X – Application and review

48. This measure may be reviewed and enhanced in 2020 as determined by progress with the future work in Section IX, or other refinements and adjustments needed.

49. This measure shall expire 31st December 2021.

Annex I

COMPLIANCE STATUS TABLE

| Compliance Status ⁴ | Criteria in 2019 Interim criteria | Criteria Once the audit points are developed | Response |
|--------------------------------|--|--|--|
| <i>Compliant</i> | A CCM will be deemed <i>Compliant</i> with an obligation if the following criteria have all been met: a. reporting or submission deadlines; b. implementation of obligations through national laws or regulations; c. submission of all mandatory information or data required, in the agreed format, as applicable. | Compliance with the audit points | None |
| <i>Non-Compliant</i> | A CCM will be deemed <i>Non-Compliant</i> with an obligation if any of the following have occurred, as applicable: a. a CCM has failed to comply with an obligation or category of obligations not specifically identified as <i>Priority Non-Compliant</i> ; b. information or data for the obligation has been submitted or reported in a way that is incomplete, incorrect. c. Where TCC does not consider that progress has been made on a CDP or flag CCM investigations, or wrongly formatted; or d. a CCM has failed to meet reporting or submission deadlines. | Failure to meet the audit points | Each CCM shall include, in its Part II Annual Report, any actions it has taken to address non-compliance identified in the Compliance Monitoring Report. Actions may include, one or more of the following: a. A CCM must address the issue to gain compliance by the next compliance assessment; or b. A CCM shall provide a Status Report to the Secretariat; or c. Other response as determined by the Commission. |

⁴ This annex applies to compliance statuses assigned for each individual obligation.

| Compliance Status ⁴ | Criteria in 2019 Interim criteria | Criteria Once the audit points are developed | Response |
|-----------------------------------|---|--|--|
| Priority Non-Compliant | <p>A CCM will be deemed Priority Non-Compliant with an obligation if any of the following have occurred, as applicable:</p> <ul style="list-style-type: none"> a. exceeded quantitative limit established by the Commission; b. failure to submit its Part II Annual Report; c. repeated non-compliance with an obligation for two or more consecutively assessed years; or d. any other non-compliance identified as Priority Non-Compliance by the Commission. | <ul style="list-style-type: none"> a. non-compliance with high-risk priority obligations and associated audit points b. repeated non-compliance with an obligation for two or more consecutively assessed years; or c. any other non-compliance identified as Priority Non-Compliant by the Commission. | <p>Each CCM shall include, in its Part II Annual Report, any actions it has taken to address non-compliance identified in the Compliance Monitoring Report. Actions may include, one or more of the following:</p> <ul style="list-style-type: none"> a. A CCM must address the issue to gain compliance by the next compliance assessment; b. Other response as determined by the Commission. |
| Capacity Assistance Needed | <p>A SIDS or Participating Territory or Indonesia or the Philippines will be deemed Capacity Assistance Needed where they cannot meet an obligation and the following have occurred:</p> <ul style="list-style-type: none"> a. that CCM has provided a Capacity Development Plan to the Secretariat with its dCMR prior to TCC; and b. TCC confirms that all the elements of paragraph 14 are included in that Plan. | <p>When a SIDS or Participating Territory or Indonesia or the Philippines cannot meet an obligation that is being assessed due to a lack of capacity, that CCM shall provide a Capacity Development Plan to the Secretariat with the dCMR prior to TCC.</p> | <ul style="list-style-type: none"> (i) The CCM shall complete the steps of the Capacity Development Plan for that obligation in order to become compliant with the obligation, and (ii) report progress against that plan every year in its Annual Report Part II until the end of the timeframe specified in that Plan. |
| CMM Review | <p>There is a lack of clarity on the requirements of an obligation.</p> | <p>There is a lack of clarity on the requirements of an obligation.</p> | <p>The Commission shall review that obligation and clarify its requirements.</p> |

Annex II

TWO PART TEMPLATE FOR THE AGGREGATED REPORT DESCRIBED IN PARAGRAPH 26(II)

PART A:-Template for Summary Tables related to each list in the WCPFC Online Compliance Case File System⁵

Summary tables derived from the online compliance case file system and intended to provide summaries by topic of flag CCMs responses to compliance cases in the online compliance case file system.

Annex 1:- Summary Tables of Flag CCM responses to Article 25(2) requests for investigation notified in the WCPFC online Compliance Case File System

Data is based on High Seas Boarding and Inspection Report, Aerial Surveillance or Port Inspection Reports, and Reports on Observer Safety Incidents

Table 1A: Counts of all Article 25(2) cases by CCM by Investigation Status

| | | Flag CCM Notified | Flag CCM Investigation Completed | | | | Total Compliance cases |
|-------|-----------|-------------------|----------------------------------|---------------------|----------------------|---------------|------------------------|
| | | | Infraction-no sanction | Infraction-sanction | Infraction - warning | No infraction | |
| CCMxx | Year 2017 | | | | | | |
| | Year 2018 | | | | | | |
| ... | ... | | | | | | |

Table 1B-1X: Summary Tables of Article 25(2) alleged infringements grouped by topic* and by CCM by year showing counts of cases by Investigation Status

**eg bycatch-related, vessel-related, VMS-reporting, others*

| | | | Flag CCM Notified | Flag CCM Investigation Completed | | | | Total Compliance cases |
|------------------|-----------|-------|-------------------|----------------------------------|---------------------|----------------------|---------------|------------------------|
| | | | | Infraction-no sanction | Infraction-sanction | Infraction - warning | No infraction | |
| CMM / CMM para A | Year 2017 | CCMxx | | | | | | |
| | | CCMxy | | | | | | |
| | Year 2018 | CCMxx | | | | | | |
| ... | ... | | | | | | | |

⁵ Update of WCPFC-TCC15-2019-dCMR02_rev1 Summary Tables of Flag CCM responses to alleged infringements notified in the WCPFC online compliance case file system 2019 (17 September 2019)

Annex 2: Summary Tables of Flag CCM responses to FAD Sets Alleged Infringements notified in the WCPFC online Compliance Case File System based on ROP data

Includes cases where ROP data indicates setting on FADs during a specified time period and/or in specific waters in the Convention Area, when the prohibition on setting on FADs was in effect.

Table 2A: Counts of all FAD Sets Alleged infringement cases by CCM by year showing counts of cases by Investigation Status and counts of cases where ROP Observer Report was received

| | | Flag CCM Notified | Flag CCM investigation in Progress | Flag CCM Investigation Completed | Total Compliance cases | ROP_rpt received count |
|-------|-----------|-------------------|------------------------------------|----------------------------------|------------------------|------------------------|
| CCMxx | Year 2017 | | | | | |
| | Year 2018 | | | | | |
| ... | | | | | | |

Table 2B-2X: Summary Tables of FAD closure Tropical Tunas alleged infringements grouped by topic* and by CCM by year showing counts of cases by Investigation Status

**eg 3 month FAD closure (1 July – 30 Sept), 4th Month FAD closure (1 – 31 Oct), High Seas FAD closure*

| | | Flag CCM Notified | Flag CCM investigation in Progress | Flag CCM Investigation Completed | | | | Total Compliance cases |
|-----------|-------|-------------------|------------------------------------|----------------------------------|---------------------|----------------------|---------------|------------------------|
| | | | | Infraction-no sanction | Infraction-sanction | Infraction - warning | No infraction | |
| Year 2017 | CCMxx | | | | | | | |
| | CCMxy | | | | | | | |
| ... | | | | | | | | |

Annex 3: Summary Tables of Flag CCM responses to Observer Obstruction Alleged Infringements notified in the WCPFC online Compliance Case File System based on ROP data

Includes cases where ROP data reports observer obstruction incidents

Table 3A: Counts of all Observer Obstruction Alleged infringement cases by CCM by year showing counts of cases by Investigation Status and counts of cases where ROP Observer Report was received

| | | Flag CCM Notified | Flag CCM investigation in Progress | Flag CCM Investigation Completed | Total Compliance cases | ROP_rpt received count |
|------|-----------|-------------------|------------------------------------|----------------------------------|------------------------|------------------------|
| CCMA | Year 2017 | | | | | |
| | Year 2018 | | | | | |
| ... | | | | | | |

Table 3B-3D: Summary Tables of Observer Obstruction alleged infringements grouped by topic and by CCM by year showing counts of cases by Investigation Status

RS-A: *Did the operator or any crew member assault, obstruct, resist, delay, refuse boarding to, intimidate or interfere with observer in the performance of their duties*

RS-B: *Request that an event not be reported by the observer;*

RS-D: *Did the operator fail 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 normally available to an officer on board the vessel;*

| | | Flag CCM Notified | Flag CCM investigation in Progress | Flag CCM Investigation Completed | | | | Total Compliance cases |
|-----------|-------|-------------------|------------------------------------|----------------------------------|---------------------|----------------------|---------------|------------------------|
| | | | | Infraction-no sanction | Infraction-sanction | Infraction - warning | No infraction | |
| Year 2017 | CCMxx | | | | | | | |
| | CCMxy | | | | | | | |
| ... | | | | | | | | |

Annex 4: Summary Tables of Flag CCM responses to Shark catch Alleged Infringements notified in the WCPFC online Compliance Case File System based on ROP data

Includes cases where ROP data indicates retention in part or whole of catches by vessels of shark species that are prohibited or a fate code that may indicate shark finning activities.

Table 4A: Counts of all Shark Catch Alleged infringement cases by CCM by year showing counts of cases by Investigation Status and counts of cases where ROP Observer Report was received

| | | Flag CCM Notified | Flag CCM investigation in Progress | Flag CCM Investigation Completed | Total Compliance cases | ROP_rpt received count |
|-------|-----------|-------------------|------------------------------------|----------------------------------|------------------------|------------------------|
| CCMxx | Year 2017 | | | | | |
| | Year 2018 | | | | | |
| ... | | | | | | |

Table 4B-4D: Summary Tables of Shark Catch Alleged Infringements grouped by topic and by CCM by year showing counts of cases by Investigation Status

CMM 2010-07 09: *CCMs shall take measures necessary to prohibit their fishing vessels from retaining on board, transshipping, landing, or trading any fins harvested in contravention of this Conservation and Management Measure (CMM).*

CMM 2011-04: *1. Members, Cooperating Non-Members and Participating Territories (CCMs) shall prohibit vessels flying their flag and vessels under charter arrangements to the CCM from retaining on board, transshipping, storing on a fishing vessel, or landing any oceanic whitetip shark, in whole or in part, in the fisheries covered by the Convention. 2. CCMs shall require all vessels flying their flag and vessels under charter arrangements to the CCM to release any oceanic whitetip shark that is caught as soon as possible after the shark is brought alongside the vessel, and to do so in a manner that results in as little harm to the shark as possible.*

CMM 2013-08: *1. Commission Members, Cooperating Non-Members and Participating Territories (CCMs) shall prohibit vessels flying their flag and vessels under charter arrangements to the CCM from retaining on board, transshipping, storing on a fishing vessel, or landing any silky shark caught in the Convention Area, in whole or in part, in the fisheries covered by the Convention. 2. CCMs shall require all vessels flying their flag and vessels under charter arrangements to the CCM to release any silky shark that is caught in the Convention Area as soon as possible after the shark is brought alongside the vessel, and to do so in a manner that results in as little harm to the shark as possible.*

| | | Flag CCM Notified | Flag CCM investigation in Progress | Flag CCM Investigation Completed | | | | Total Compliance cases |
|-----------|-------|-------------------|------------------------------------|----------------------------------|---------------------|----------------------|---------------|------------------------|
| | | | | Infraction-no sanction | Infraction-sanction | Infraction - warning | No infraction | |
| Year 2017 | CCMxx | | | | | | | |
| | CCMxy | | | | | | | |
| ... | | | | | | | | |

Annex 5: Summary Tables of Flag CCM responses to Cetacean and Whale Shark Internation Alleged Infringements notified in the WCPFC online Compliance Case File System based on ROP data

Includes cases where ROP data indicates one or more interaction/s occurred between a purse seine vessel and individual cetacean species or whale shark/s during a trip (as cases are by individual species and fate code, there are may be multiple cases per observed trip).

Relevant WCPFC requirements include: prohibiting purse seine vessels from setting if a whale shark or cetacean is sighted prior to the commencement of the set; required reporting of any incidents of unintentional encircling; and guidelines for safe release.

Table 5A: Counts of all Purse Seine and Whale Shark Alleged infringement cases by CCM by year showing counts of cases by Investigation Status and counts of cases where ROP Observer Report was received

| | | Flag CCM Notified | Flag CCM investigation in Progress | Flag CCM Investigation Completed | Total Compliance cases | ROP_rpt received count |
|-------|-----------|-------------------|------------------------------------|----------------------------------|------------------------|------------------------|
| CCMxx | Year 2017 | | | | | |
| | Year 2018 | | | | | |
| ... | | | | | | |

Table 5B-5C: Summary Tables of Purse Seine Alleged Infringements grouped by topic and by CCM by year showing counts of cases by Investigation Status

CMM 2011-03: *1. CCMs shall prohibit their flagged vessels from setting a purse seine net on a school of tuna associated with a cetacean in the high seas and exclusive economic zones of the Convention Area, if the animal is sighted prior to commencement of the set.*

CMM 2012-04: *1. This measure shall apply to the high seas and exclusive economic zones of the Convention Area. CCMs shall prohibit their flagged vessels from setting a purse seine on a school of tuna associated with a whale shark if the animal is sighted prior to the commencement of the set.*

| | | Flag CCM Notified | Flag CCM investigation in Progress | Flag CCM Investigation Completed | | | | Total Compliance cases |
|-----------|-------|-------------------|------------------------------------|----------------------------------|---------------------|----------------------|---------------|------------------------|
| | | | | Infraction-no sanction | Infraction-sanction | Infraction - warning | No infraction | |
| Year 2017 | CCMxx | | | | | | | |
| | CCMxy | | | | | | | |
| ... | | | | | | | | |

Annex 6. Summary Table of Flag CCM responses to ROP Pre-Notification Issues, other than alleged observer obstruction, presently notified in WCPFC online Compliance Case File System

Includes notifications to aggregated across all CCMs of those data elements (other than alleged observer obstruction incidents) that were answered in the affirmative by a ROP observer on the WCPFC Observer Trip Monitoring Summary, or which are included in SPC/FFA General Form 3.

***WCPFC14 accepted the TCC13 recommendation that the process of not considering the information contained in the ROP Pre-notification List, for the purpose of assessing any obligations for which it was relevant, with the exception of those cases related to observer interference or obstruction be followed in future years (WCPFC14 final CMR).*

WCPFC ROP Pre-notification codes

- LC-A** inaccurately record retained “target species” in the vessel log
- LC-B** inaccurately record “target species” discards
- LC-C:** record species inaccurately
- LC-E** inaccurately record bycatch species discards
- LC-F** inaccurately record retained bycatch species
- LP-A** inaccurately record vessel positions on vessel log sheet for sets, hauling and catch
- WC-b** high-grade the catch
- SI-b** Interact (not land with SSIs)
- WC-a** Fail to comply with any Commission Conservation and Management Measures
- NR-a** Fish in any areas where the vessel is not permitted to fish
- NR-c** Use a fishing method other than the method the vessel was designed or licensed
- NR-e** Transfer or transship fish from or to another vessel
- NR-g** Fail to stow fishing gear when entering areas where vessel is not authorised to fish
- LP-b** Fail to report vessel positions to countries, where required when entering and leaving an EEZ(crossing to or from an EEZ into or out of the High Seas)
- PN-a** Dispose of any metals, plastics, chemicals or old fishing gear
- PN-b** Discharge any oil
- PN-c** Lose any fishing gear
- PN-d** Abandon any fishing gear
- PN-e** Fail to report any abandoned gear
- SS-a** Fail to monitor international safety frequencies

| | | Flag CCM Notified | Flag CCM investigation in Progress | Flag CCM Investigation Completed | | | | Total Compliance cases |
|-----------------------|------|-------------------|------------------------------------|----------------------------------|---------------------|----------------------|---------------|------------------------|
| | | | | Infraction-no sanction | Infraction-sanction | Infraction - warning | No infraction | |
| Pre-notification code | Year | | | | | | | |
| | | | | | | | | |
| ... | | | | | | | | |

PART B:-Template for Summary Tables related to each CCM on cases in the WCPFC Online Compliance Case File System

Summary tables derived from the online compliance case file system and intended to provide summaries of an individual flag CCMs responses to compliance cases in the online compliance case file system.

CCMxx

Table 1:- Counts of all Alleged Infringement cases in the compliance case file system by year showing count of cases for each CCM by Investigation Status and where applicable counts of cases where ROP Observer Report was received

A25: Article 25(2)

FAI: FAD Sets Alleged infringements **OAI:** Observer Obstructions Alleged Infringements

SHK: Shark Catch Alleged Infringements

CWS: Cetacean and Whale Shark Interaction Alleged infringements

| | | Flag CCM Notified | Flag CCM investigation in Progress | Flag CCM Investigation Completed | Total Compliance cases | ROP_rpt received count |
|------------|------------------|-------------------|------------------------------------|----------------------------------|------------------------|------------------------|
| FAI | Year 2017 | | | | | |
| | Year 2018 | | | | | |
| ... | | | | | | |

Table 2:- Summary Tables of Flag CCM responses to compliance cases notified in WCPFC online Compliance Case File System that were based on ROP data

| | | Flag CCM Notified | Flag CCM investigation in Progress | Flag CCM Investigation Completed | | | | Total Compliance cases |
|-------------------------|------------------|-------------------|------------------------------------|----------------------------------|---------------------|----------------------|---------------|------------------------|
| | | | | Infraction-no sanction | Infraction-sanction | Infraction - warning | No infraction | |
| CMM / CMM para A | Year 2017 | | | | | | | |
| | Year 2018 | | | | | | | |
| | | | | | | | | |

Table 3:- Summary Tables of Flag CCM responses to Article 25(2) requests for investigations notified in WCPFC online Compliance Case File System

| | | Flag CCM Notified | Flag CCM investigation in Progress | Flag CCM Investigation Completed | | | | Total Compliance cases |
|-------------------------|------------------|-------------------|------------------------------------|----------------------------------|---------------------|----------------------|---------------|------------------------|
| | | | | Infraction-no sanction | Infraction-sanction | Infraction - warning | No infraction | |
| CMM / CMM para A | Year 2017 | | | | | | | |
| | Year 2018 | | | | | | | |
| | | | | | | | | |

ANNEX III

TEMPLATE FOR AGGREGATED TABLES TO BE APPENDED TO THE PROVISIONAL CMR

[Note: the aggregated tables are those from the previous reports and included summary by obligation (and not CCM) and include information on: Flag CCM notified; Flag CCM investigation in progress; Flag CCM investigation completed (including infraction – no sanction, infraction – sanction, infraction – warning, no infringement); total.]

Table I: Counts of all Alleged Infringement cases based on ROP observer data by year showing count of cases by Investigation Status and counts of cases where ROP Observer Report was received

FAI: FAD Sets Alleged infringements
OAI: Observer Obstructions Alleged Infringements
SHK: Shark Catch Alleged Infringements
CWS: Cetacean and Whale Shark Interaction Alleged infringements

| | | Flag CCM Notified | Flag CCM investigation in Progress | Flag CCM Investigation Completed | Total Compliance cases | ROP_rpt received count |
|-----------|-----|-------------------|------------------------------------|----------------------------------|------------------------|------------------------|
| Year 2015 | FAI | | | | | |
| Year 2016 | | | | | | |
| ... | | | | | | |

Table II-xx: Summary Tables of outcome of flag CCM investigations of alleged infringements that were notified to WCPFC as Article 25(2) matters or in ROP observer data grouped by CMM/obligation and by year showing counts of cases by Investigation Status

*For ease of readability, groups of CMM/obligations may be presented by tables of similar topic eg alleged FAD sets, bycatch-related, observer obstruction and safety incidents, vessel-related, VMS-reporting, others

| | | Flag CCM Notified | Flag CCM Investigation in Progress | Flag CCM Investigation Completed | | | | Total Compliance cases |
|------------------|-----------|-------------------|------------------------------------|----------------------------------|---------------------|----------------------|---------------|------------------------|
| | | | | Infraction-no sanction | Infraction-sanction | Infraction - warning | No infraction | |
| CMM / CMM para A | Year 2017 | | | | | | | |
| | | | | | | | | |
| | Year 2018 | | | | | | | |
| ... | ... | | | | | | | |

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LIST OF OBLIGATIONS TO BE REVIEWED IN 2022 DRAFT COMPLIANCE MONITORING REPORT (COVERING 2021 ACTIVITIES)

Key: To indicative Risk Rating

| | | | |
|-----|----------|------|--------|
| Low | Moderate | High | Severe |
|-----|----------|------|--------|

| # | CMM | Para and risk rating | Description | Category |
|----|------------------------|----------------------|---|-------------------------|
| 1 | Sci Data | SciData 01 | Estimates of Annual Catches | Report |
| 2 | | SciData 02 | Annual number of vessels active | Report |
| 3 | | SciData 03 | Operational Level catch and effort data | Report |
| 4 | | SciData 05 | Annual Size Composition Data | Report |
| 5 | Tropical Tuna Measure | 2020-01:16 | Purse seine 3-month FAD closure (July-Sept) for purse seine vessels in EEZ and HS. | Implementation |
| 6 | | 2020-01:17 | Additional 2-month FAD closure on high seas (April-May/Nov-Dec) | Implementation & Report |
| 7 | | 2020-01:25 | Restrict purse seine effort/catch within EEZ as notified in Table 1 | Limit |
| 8 | | 2020-01: 26 | Restrict high seas purse seine effort (20°N-20°S) - Table 2 | Limit |
| 9 | | 2020-01:39 | Restrict longline BET catch to limits set in Table 3 | Limit |
| 10 | | 2020-01:41 | Bigeye longline catch limits for 2021, with adjustment to be made for any overage in 2020 (Table 3) | Report |
| 11 | | 2020-01:43 | Bigeye longline catch limits by flag for certain other members which caught less than 2000t in 2004 | Limit |
| 12 | | 2020-01: 45 | Limit by flag on number of purse seine vessels >24m with freezing capacity between 20N and 20S | Limit |
| 13 | | 2020-01: 47 | Limit by flag on number of longline vessels with freezing capacity targetting bigeye above the current level (applying domestic quotas are exempt) | Limit |
| 14 | | 2020-01: 48 | Limit by flag on number of ice-chilled longline vessels targetting bigeye and landing exclusively fresh fish above the current level or above the number of current licenses under established limited entry programmes (applying domestic quotas are exempt) | Limit |
| 15 | | 2020-01: Att2 03 | Philippines vessels Entry/Exit reports for HSP1-SMA | Report |
| 16 | | 2020-01: Att2 05-06 | Specific requirements for deploying observers on Philippines vessels fishing in HSP-1 | Implementation |
| 17 | Pacific Bluefin Tuna | 2020-02:02 (1) | Total effort by vessels for Pacific Bluefin limited to 2002 - 2004 levels in Area north of 20N | Limit |
| 18 | | 2020-02: 02 (2) | Catches of Pacific bluefin tuna less than 30kg shall be reduced to 50% of 2002-04 level. Overage or underage may be used in following year | Limit |
| 19 | | 2020-02: 3 | Take measures not to increase catches of BFT >30kg from 2002-04 levels with some exceptions | Implementation |
| 20 | | 2020-02: 5 | Report annually Pacific bluefin effort and catch <>30kg (3 years) | Report |
| 21 | | 2020-02: 11 | Report annually on implementation of Pacific bluefin CMM (2,3,4,5,7,8,10,13) | Report |
| 22 | South Pacific Albacore | 2015-02: 04 | Annual report of SP ALB by vessel by species | Report |
| 23 | NP Marlin | 2010-01: 05 | NP striped marlin catch limits applicable to CCMs with vessels fishing in the Convention Area north of the equator: commencing 2011 | Limit |
| 24 | SWP. Marlin | 2006-04: 01 | L Limit number of fishing vessels fishing for MLS south of 15S to 2000 – 2004 levels | Limit |

| | CMM | Para and risk rating | Description | Category |
|----|---------------|---------------------------|---|---|
| 25 | | 2006-04: 04 | Annual catches of MLS (bycatch), and annual numbers of vessels fishing for MLS south of 15S and their catch levels | Report |
| 26 | Swordfish | 2009-03: 01 | Limit number of vessels fishing for SWO south of 20S to the number in any one year between 2000-2005 | Limit |
| 27 | | 2009-03: 02 | Limit the catch of SWO by its vessels in area south of 20S to the amount in any one year during 2000-2006 | Limit |
| 28 | | 2009-03: 03 | CCMs shall not shift their fishing effort for SWO to the area north of 20°S | Limit |
| 29 | | 2009-03: 08 | Report annually on total catch and effort for SWO S 20°S | Report |
| 30 | | RFV | 2018-06: 03 | CCMs should only allow its fishing vessels to be used for fishing, if properly authorised |
| 31 | 2018-06: 09 | | Submission by Member to ED a list of all vessels on national record in previous year, noting "fished" or "did not fish" for each vessel | Report |
| 32 | VMS | 2014-02: 09a | Fishing vessels comply with the Commission standards for WCPFC VMS including being fitted with ALC/MTU that meet Commission requirements | Implementation |
| 33 | | 2014-02: 09a VMS SSPs 2.8 | Provision of ALC/MTU 'VTAF' data | Implementation |
| 34 | Transshipment | 2009-06: 11 | Annual report on all transshipment activities covered by this Measure (including transshipment activities that occur in ports or EEZs) in accordance with the specified guidelines (Annex II) | Report |
| 35 | | 2009-06: 29 | Limit on purse seine vessels transshipment outside of port to vessels that have received an exemption from the Commission. Where applicable, flag CCM authorisation should be vessel-specific and address any specific conditions identified by the Commission. | Limit |
| 36 | | 2009-06: 34 | Ban on high seas transshipment, unless a CCM has determined impracticability in accordance with para 37 guidelines, and has advised the Commission of such. | Limit |
| 37 | | 2009-06:35 (a) (ii) | Flag State's notification to the Secretariat on its flag vessels that are authorised to transship on the high seas | Report |
| 38 | | 2009-06: 35 (a) (iii) | WCPFC Transshipment Advance Notification (including fields in Annex III) | Report |
| 39 | | 2009-06: 35 (a) (iv) | WCPFC Transshipment Declaration (including information in Annex I) | Report |
| 40 | | Charter Notifications | 2019-08: 02 | Notification of charter arrangements made to the ED |
| 41 | 2019-08: 07 | | Report annually to ED the catch and effort of chartered vessels in the previous year (unless specifically provided in other CMMs) | Report |
| 42 | Sea turtles | 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 | Implementation |
| 43 | | 2018-04: 07 (a) | Sea Turtle mitigation requirements for shallow-set longline vessels | Implementation |
| 44 | Sharks | 2019-04: 05 | Report to describe, where applicable, any alternative measures from those in CMM 2019-04 SHARKS which are applied by CCMs in areas under national jurisdiction (provide in Part 2 Annual Report) | Report |

| | CMM | Para and risk rating | Description | Category |
|----|------------------|-----------------------------|---|-----------------|
| 45 | | 2019-04: 07-10 | Take measures necessary to require all sharks retained on board their vessels are fully utilized and ensure the prohibition of finning (provide in Part 2 Annual Report) <i>Includes consideration of para 10</i> Report annually on shark fins attached/alternative measures | Implementation |
| 46 | | 2019-04: 11 | Report annually on shark fins attached/alternative measures | Report/Deadline |
| 47 | | 2019-04: 12 | Take measures necessary to prevent fishing vessels from retaining on board (including for crew consumption), transshipping and landing any fins harvested in contravention of CMM 2019-04 | Implementation |
| 48 | | 2019-04: 13 | Shark carcasses/fins landed/transhipped together to ensure verification | Implementation |
| 49 | | 2019-04: 14-15 | Implement at least one option to minimize bycatch of sharks in longline fisheries, and notify choice and whenever the selected option is changed | Implementation |
| 50 | | 2019-04: 16 | Report annually on management plans for longline fisheries targeting sharks in Pt 2 Annual Report | Implementation |
| 51 | | 2019-04: 18 | Ensure that sharks that are caught but are not to be retained, are hauled alongside the vessel in order to facilitate species identification (only applicable where observer or EM camera is present, and where safe for crew and observers) | Implementation |
| 52 | | 2019-04: 20 (1) | Prohibit retaining/transshipping/storing/landing oceanic whitetip & silky sharks | Implementation |
| 53 | | 2019-04: 20 (2) | Requirement to release oceanic whitetip & silky sharks asap | Implementation |
| 54 | | 2019-04: 20 (3) | If oceanic whitetip & silky sharks caught, must be given to govt or discarded | Implementation |
| 55 | | 2019-04: 21 (1-7) | Prohibit purse seine setting on whale sharks, retaining/transshipping/landing of whale sharks | Implementation |
| 56 | | 2019-04: 21 (4) | CCMs implement compatible measures for whale sharks in zone N30N | Report |
| 57 | | 2019-04: 23 | Report annually on implementation of shark CMM (Annex 2 template) | Report/Deadline |
| 58 | Cetaceans | 2011-03: 01 | Prohibit purse seine setting on cetaceans, if animal is sighted prior to commencement of the set | Implementation |
| 59 | | 2011-03: 02 | Requirements in the event of unintentional encircling of cetaceans in the purse seine net, including incident reporting requirements | Implementation |
| 60 | Mobulids | 2019-05: 04-06, 08, 10: | Mobulids: Prohibit retaining/transshipping/landing of mobulid rays | Implementation |



WCPFC IUU VESSEL LIST FOR 2022

(Effective from 5 February 2022: WCPFC18 agreed to maintain the WCPFC IUU list for 2021 as the WCPFC IUU list for 2022)

Note: Information provided in this list is in accordance with CMM 2019-07 para 19 and WCPFC13 decisions

| Current name of vessel (previous names) | Current flag (previous flags) | Date first included on WCPFC IUU Vessel List ¹ | Flag State Registration Number/ IMO Number | Call Sign (previous call signs) | Vessel Master (nationality) | Owner/beneficial owners (previous owners) | Notifying CCM | IUU activities |
|---|---------------------------------|---|--|---------------------------------|------------------------------------|--|------------------|---|
| Neptune | <i>unknown</i> (Georgia) | 10 Dec. 2010 | M-00545 | <i>unknown</i> (4LOG) | | Space Energy Enterprises Co. Ltd. | France | Fishing on the high seas of the WCPF Convention Area without being on the WCPFC Record of Fishing Vessels (CMM 2007-03-para 3a) |
| Fu Lien No 1 | <i>unknown</i> (Georgia) | 10 Dec. 2010 | M-01432 IMO No 7355662 | <i>unknown</i> (4LIN2) | | Fu Lien Fishery Co., Georgia | United States | Is without nationality and harvested species covered by the WCPF Convention in the Convention Area (CMM 2007-03, para 3h) |
| Yu Fong 168 | <i>unknown</i> (Chinese Taipei) | 11 Dec. 2009 | | BJ4786 | Mr Jang Faa Sheng (Chinese Taipei) | Chang Lin Pao-Chun, 161 Sanmin Rd., Liouciuo Township, Pingtung County 929, Chinese Taipei | Marshall Islands | Fishing in the Exclusive Economic Zone of the Republic of the Marshall Islands without permission and in contravention of Republic of the Marshall Islands's laws and regulations. (CMM 2007-03, para 3b) |

¹ **Supplementary note:** In October 2015, the Executive Director wrote to: Chinese Taipei and Georgia requesting information on their vessel/s on the WCPFC IUU list, and to other RFMOs (CCAMLR, CCSBT, IATTC, ICCAT, IOTC, NPAFC & SPRFMO) to seek their cooperation with locating the vessels on the list. Georgia confirmed that the vessels **Neptune** and **Fu Lien No 1** were no longer flying the Georgia flag. Chinese Taipei confirmed the **Yu Fong 168** license was revoked in 2009 and the vessel owner financially penalized for violating the rules of not returning to port. Chinese Taipei further advised information was received from Thailand's notification to IOTC that the vessel landed their catches in the port of Phuket in the year 2013. On 17 November 2017, Chinese Taipei informed WCPFC that the **Yu Fong 168** had been deregistered by Chinese Taipei. On 29 April 2020, WCPFC received further information from Chinese Taipei identifying the master of the **Yu Fong 168** at the time of the IUU fishing activity who had been sanctioned.



COMMISSION EIGHTEENTH REGULAR SESSION

Electronic Meeting

29 November - 7 December 2021

SUMMARY REPORT AND RECOMMENDATIONS OF THE FIFTEENTH SESSION OF THE FINANCE AND ADMINISTRATION COMMITTEE (FAC15)

WCPFC18-2021-FAC15

7 December 2021

INTRODUCTION

1. The Fifteenth Finance and Administration Committee (FAC15) was convened virtually by the FAC Co-Chair Mr. Michael Brakke (USA) on Monday, 29th November 2021. A subsequent session of FAC was held on 6th and 7th December 2021. Representatives of American Samoa, Australia, Canada, China, Cook Islands, European Union, French Polynesia, Federated States of Micronesia, Fiji, Indonesia, Japan, Kiribati, Republic of Korea, Republic of the Marshall Islands, New Caledonia, New Zealand, Niue, Palau, Philippines, Solomon Islands, Chinese Taipei, Tonga, Tokelau, Tuvalu, United States of America, Curaçao, Ecuador, El Salvador, Liberia, FFA, PEW, PNA, Conservation International, MSC, The Ocean Foundation, SPC, and WWF were in attendance. Meeting support was provided by the Secretariat. The list of participants is attached as Annex 4. The Committee agreed by consensus to present to the Commission the decisions and recommendations set out below.

AGENDA ITEM 1. OPENING OF MEETING

2. Mr. Michael Brakke (USA) chaired the 15th Session of the Finance and Administration Committee (FAC15). The meeting was called to order at 9:00AM. He noted that his co-chair resigned from her position in FSM and was no longer available to continue her role.

3. The Executive Director (ED), Feleti Teo, gave a brief opening message, welcoming all participants to FAC15. He noted the challenges and limitations of this virtual meeting with almost the same agenda as the previous year. He highlighted that the Committee's focus is to discuss the 2022 budget including the budgetary implications if the COVID-19 pandemic continues in the coming year.

1.1 Adoption of agenda

4. The FAC15 agenda set out in WCPFC18-2021-FAC15-01 was adopted without revision.

1.2 Meeting arrangements

5. The Secretariat ICT Manager, Tim Jones, gave an overview of the Zoom meeting protocols.
6. The Chair noted that FAC has only 2 hours available in its initial session in order to get through as much of the Committee's agenda as possible. The Chair said all reports will be taken as read. The Chair suggested that the meeting report should be as focused as possible to facilitate report adoption in a virtual format. The Chair indicated that the meeting arrangements and report format will be consistent with the approach followed in FAC14, including that the report should avoid characterizing interventions unless specifically requested, and the Chair encouraged CCMs to inform the Committee if they wanted their interventions reflected in the report.

AGENDA ITEM 2. AUDIT

2.1 Auditor Report for 2020 and General Account Financial Statements for 2020

7. The Finance and Administration Manager (FAM) Aaron Nighswander summarized the information in WCPFC18-2021-FAC15-04, noting the 2020 audit was circulated to Commission members on 28 June 2021. Based on the auditor's report, all financial statements were fair and that there were no instances of non-compliance with the Commission's Financial Regulation 12.4 (c) regarding income, expenditure, investment and asset management nor with Financial Regulation 12.4 (d) pertaining to financial procedures, accounting, internal controls and administration.
8. The FAM reported that for the General Account Fund, the financial statements showed that there was an excess of income over expenditure of USD837,826. In addition, prior years' contributions of USD1,262,646 were paid by some Members in 2020. In accordance with Financial Regulation 4.4 the balance was transferred to the Working Capital Fund.
9. **FAC15 recommended that the Commission accepts the audited financial statements for 2020 as set out in paper WCPFC18-2021-FAC15-05.**

AGENDA ITEM 3. STATUS OF THE COMMISSION'S FUNDS

3.1 Report on General Account Fund for 2021 – Contributions and Other Incomes

10. The FAM introduced paper WCPFC18-2021-FAC15-05. The assessed contributions for 2021 were USD6,696,183 and the outstanding 2021 unpaid contributions stand at USD1,460,030 as of 1 November 2021 from twelve members.
11. As an update the FAM informed the FAC that Vanuatu has paid their contribution in full since the posting of the report.
12. **FAC15 noted the report in WCPFC18-2021-FAC15-05.**

3.2 Report on the Status of Other Funds for 2021

13. The FAM discussed paper WCPFC18-2021-FAC15-07 noting the balances in i) the Special Requirements Fund (SRF); ii) the Japan Trust Fund; iii) the Chinese Taipei Trust Fund; iv) the CNM Contributions Fund; v) the Voluntary Contributions Fund; vi) the West Pacific East Asia Project Fund; and vii) the Working Capital Fund.

14. The FAM highlighted the USD408,989 remaining from the Special Requirements Fund (SRF) and USD 2,131,723 remaining budget from the Working Capital Fund (WCF). The FAM also updated the paper to reflect EU's contribution and amendments to the projects funded through the Chinese Taipei Trust Fund in 2021.

15. The EU suggested that in future reports on the status of other funds and FAC meetings, the Secretariat should reflect in the paper more information on the voluntary contributions. The Secretariat responded that it would attempt to provide additional information where possible.

16. FAC15 acknowledged with appreciation donors to the SRF and other funds and encouraged CCMs to submit proposals to utilize these funds consistent with the terms of the fund.

17. FAC15 noted the report in WCPFC18-2021-FAC15-07 Rev2.

AGENDA ITEM 4. HEADQUARTERS ISSUES

4.1 Headquarters Matters

18. The FAM presented paper WCPFC18-2021-FAC15-08 highlighting the issues at headquarters arising in 2021. The FAM highlighted with concern the following: i) medical care in Pohnpei, ii) reduced flights, and iii) delayed IT audit for 2021 due to the inability of the auditor to travel to Pohnpei, noting the travel restrictions.

19. FAC15 noted the report in WCPFC18-2021-FAC15-08.

4.2. Professional Staff Salary

20. The Chair summarized discussions and outcomes related to the Professional Staff Salary agenda item at FAC13 and FAC14. Last year, FAC14 recommended a 1.7% increase in professional staff salary, excluding the Executive Director, which the Commission approved. The Chair also noted that Cook Islands had volunteered to lead an informal small working group (SWG) to discuss issues related to Professional Staff Salary that came out of the Tri-annual Salary Market Data Review.

21. Cook Islands updated FAC15 that it held discussions with SWG members and started to draft a paper related to this matter, but needs more time to complete the paper and coordinate with the SWG.

22. FAC15 deferred further discussion on Professional Staff Salary to FAC16, when an updated tri-annual salary market review will be available, and encouraged the informal small working group led by Cook Islands to continue its deliberations intersessionally with a view towards helping to inform an appropriate consensus outcome on this issue at FAC16.

AGENDA ITEM 5. WORK PROGRAMME AND BUDGET FOR 2022 AND INDICATIVE WORK PROGRAMME AND BUDGET FOR 2023 AND 2024

23. The FAM presented paper WCPFC18-2021-FAC15-06 Rev1, detailing the proposed 2022 budget based on recommendations from SC, TCC, Intersessional Working Groups, and the operations of the WCPFC Secretariat. The revisions in Rev1 of the budget paper were related to changes in paragraph 7 and the additions of Annex 14 and 15. There were items that have not yet been included in the draft budget pending Commission decisions. The

FAM noted that the proposed rev1 budget represents a 0.4% increase from the indicative 2022 budget and a 3% increase from the 2021 budget. The FAM noted that there were significant savings in the 2021 expenditures due to continued travel restrictions and the inability to undertake certain activities due to the COVID-19 pandemic. The Chair requested CCMs first focus their questions and comments on general issues and budget figures related to the paper, followed by a more detailed line-item discussion on Annex 3 that was organized according to major parts of the budget.

24. The following were general comments and clarifications by the Secretariat and SPC in response to questions from CCMs on the budget:
- i. SPC clarified that the catches in Annex 9 were based on the annual catch estimates, and the breakdown of catches between EEZs and high seas were based on the operational data available.
 - ii. SPC confirmed that the budget's catch calculation is based on the combined annual catch estimates for the main target tuna species (excluding Pacific Bluefin tuna), as well as catches for the four main billfish species (black marlin, blue marlin, striped marlin and swordfish), which are deemed to be the most consistently reported across gears, fleets and time periods.
25. The following were discussed and clarified related to Annex 3. Part 1 – Administrative Expenses
- i. FAM highlighted that travel was negligible due to ongoing travel restrictions. The budget for website development under capital expenditure was moved under maintenance and renamed website hosting.
 - ii. FAM also clarified in response to a question from one CCM that the staff salary increase occurred as agreed in 2021 but no increase in staff salary due to inflation was proposed in the current budget.
26. The following were discussed and clarified related to Annex 3. Part 2. Sub-item 2.1 – Science Program
- i. One CCM asked about the nature of ranking in the average score column of the SC17 project table. The Science Manager explained the newly adopted *Scoring of the Proposed Scientific Committee Projects* and explained two criteria that CCMs should refer to, when scoring: i) Importance to WCPFC management outcomes or to the functioning of the SC, and ii) Feasibility: Likelihood of success. CCMs score 6 or 9 for high rank, 3 or 4 for medium rank, and 1 or 2 for low rank. Therefore, average scores represent CCMs' averaged priority to each project, which was formerly represented as High 1, High 2, Medium, or Low.
 - ii. Several CCMs expressed support for the rankings done by SC17 as more informative in prioritizing SC projects that would assist FAC in making its decisions. At least one CCM noted that the average rankings should not be the sole basis for making funding decisions.
 - iii. SPC further clarified that Project 17X3 (*Close-Kin-Mark-Recapture*) is contingent on EU's support. The USD40,000 is the matching fund required for the EU's support. EU also confirmed that if the project is approved by WCPFC18, EU funds will be ready for allocation by early 2022.
 - iv. The Science manager clarified that Project 17X5 (*Scientific advice for Southwest Pacific blue shark*) is an extension of Project 107 (*SP blue shark assessment*).
27. The following were discussed and clarified related to Annex 3. Part 2. Sub-item 2.2 – Technical and Compliance Program
- i. ROP Data Management - The budget for this line item was the same prior to the pandemic because it is mostly related to staff salaries that were maintained even during the pandemic. Staff were still employed full-time and continue to work to reduce the backlog of observer trip data for the past five years, which will improve the coverage of observer data, further outlined in annex 16.
 - ii. Enhanced Secretariat Analytical Capacity - The Secretariat drew the attention of FAC to WCPFC18-2021-IP12 *Update of Preliminary Consideration of Anticipated Forecast of Secretariat*

- work commitments for TCC in 2022/23* and noted that this paper provides the basis for the list in Annex 15 – unbudgeted items pending decisions by WCPFC18. The paper provides an update of the Secretariat's initial internal planning to forecast the future work commitments of the Secretariat's MCS and Compliance programme in 2022/23, considering the potential decisions by WCPFC18. The Secretariat stated that due to a potentially significant incremental increase in resource commitments for the Secretariat, that it is important that it is properly resourced to execute these tasks.
- iii. Regional Capacity Building Workshops - CCMs asked about the expenditure of these funds in 2021 and plans for the funds in 2022. FFA clarified that funds spent in 2021 supported observer activities such as observer safety training.
 - iv. ED Discretion - This budget was mainly used for hiring rapporteurs for workshops (e.g., development of CMM for tropical tunas).

28. The FAM updated the Committee that it has received additional report from SPC related ROP Data Management and reminded the Committee that it needs to consider budgetary implications for holding the science-management dialogue after SC18.

29. China requested that details on the budget provided to SPC which is around USD1 million annually be provided in future FAC meetings to address concerns of China's finance department. China can further discuss this matter with SPC and Secretariat to address their concerns.

30. The Cook Islands expressed concern with the FAC determining a funding threshold for scientific projects based on the average sum of individual rankings through the SC. The Cook Islands acknowledged the value of that process within the SC, but suggested it would be outside the remit of the FAC to do so at this stage. The Cook Islands suggested it would be useful to have clarity from the SC in future years on how they recommend the FAC use those rankings.

31. Based on FAC15 discussions, Project 68 (Seabird Mortality), Project 17X1 (Billfish Research Plan) and Project 108 (WCPO Silky shark assessment) budget lines will be delayed for a year (2023).

32. FAC15 recommended to the Commission a 2022 budget of \$ USD 8,309,136 (Annexes 1-3), pending any subsequent decisions reached by WCPFC18 that could have an impact on the budget.

AGENDA ITEM 6. ELECTION OF CO-CHAIRS

33. FAC15 recommended the Commission reappoint Michael Brakke (USA) and appoint David Power (AU) to serve as FAC Co-Chairs.

AGENDA 7. OTHER MATTERS

34. CCMs did not raise any other matters.

AGENDA ITEM 8. ADOPTION OF REPORT

35. FAC15 adopted this summary report which was tabled as WCPFC18-2021-FAC15.

36. FAC15 invites WCPFC18 to consider this report and to endorse its recommendations.

AGENDA ITEM 9. CLOSE OF MEETING

37. FAC Chair Mr. Michael Brakke closed the final session of FAC15 at 8:55AM on 7th December 2021.

ANNEX 1

**Summary of estimated General Fund budgetary requirements for 2022
and indicative figures for 2023 and 2024 (USD)**

| | <i>Approved budget 2021</i> | <i>Estimated expenditure 2021</i> | <i>Indicative budget 2022</i> | <i>Proposed budget 2022</i> | <i>Indicative budget 2023</i> | <i>Indicative budget 2024</i> |
|--|-------------------------------------|---|---------------------------------------|-------------------------------------|---------------------------------------|---------------------------------------|
| Part 1 - Administrative Expenses of the Secretariat | | | | | | |
| Sub-Item 1.1 <i>Staff Costs</i> | | | | | | |
| Professional Staff Salary | 943,750 | 913,667 | 954,982 | 974,552 | 980,393 | 986,303 |
| Professional Staff Benefits and Allowances | 865,791 | 786,220 | 850,061 | 861,608 | 865,054 | 868,541 |
| Professional Staff Insurance | 142,020 | 110,971 | 143,115 | 163,638 | 166,005 | 168,443 |
| Recruitment/Repatriation | 35,330 | 5,734 | 25,565 | 37,565 | 45,130 | 25,565 |
| Support Staff | 457,838 | 444,369 | 468,102 | 467,792 | 478,056 | 487,760 |
| Total, sub-item 1.1 | 2,444,728 | 2,260,961 | 2,441,825 | 2,505,155 | 2,534,638 | 2,536,611 |
| Sub-Item 1.2 <i>Other Personnel Costs</i> | | | | | | |
| Temporary Assistance/Overtime | 16,500 | 4,840 | 16,500 | 16,500 | 16,500 | 16,500 |
| Chairs Expenses | 0 | 0 | 0 | 0 | 0 | 0 |
| Consultants <i>see note 1</i> | 138,000 | 131,548 | 138,000 | 138,000 | 138,000 | 138,000 |
| Total, sub-item 1.2 | 154,500 | 136,388 | 154,500 | 154,500 | 154,500 | 154,500 |
| Sub-item 1.3 <i>Official Travel</i> | 122,500 | 8,640 | 210,000 | 122,500 | 210,000 | 210,000 |
| Sub-item 1.4 <i>General Operating Expenses</i> | | | | | | |
| Electricity, Water, Sanitation | 42,000 | 39,495 | 42,000 | 42,000 | 42,000 | 42,000 |
| Communications/Courier | 78,000 | 84,297 | 78,000 | 84,000 | 82,000 | 82,000 |
| Office Supplies & Fuel | 41,000 | 30,067 | 41,000 | 41,000 | 41,000 | 41,000 |
| Audit | 7,000 | 7,000 | 7,000 | 7,000 | 7,500 | 7,500 |
| Bank Charges | 10,000 | 8,124 | 10,000 | 10,000 | 10,000 | 10,000 |
| Official Hospitality | 10,000 | 9,355 | 10,000 | 10,000 | 10,000 | 10,000 |
| Community Outreach | 8,000 | 8,000 | 8,000 | 8,000 | 8,000 | 8,000 |
| Miscellaneous Services | 6,400 | 3,622 | 6,400 | 6,000 | 6,000 | 6,000 |
| Security | 100,500 | 92,830 | 100,500 | 100,500 | 100,500 | 100,500 |
| Training | 10,000 | 11,731 | 10,000 | 12,000 | 12,000 | 12,000 |
| Total, sub-item 1.4 | 312,900 | 294,521 | 312,900 | 320,500 | 319,000 | 319,000 |
| Sub-item 1.5 <i>Capital Expenditure</i> | | | | | | |
| Vehicles | 0 | 0 | 22,000 | 0 | 22,000 | 0 |
| Information Technology | 49,373 | 50,814 | 49,373 | 49,373 | 49,373 | 49,373 |
| Furniture and Equipment | 32,000 | 24,672 | 32,000 | 32,000 | 32,000 | 32,000 |
| Total, sub-item 1.5 | 81,373 | 75,486 | 103,373 | 81,373 | 103,373 | 81,373 |
| Sub-item 1.6 <i>Maintenance</i> | | | | | | |
| Vehicles | 6,000 | 6,829 | 6,000 | 6,000 | 6,000 | 6,000 |
| Information and Communication Technology | 152,077 | 153,457 | 152,077 | 156,653 | 156,653 | 156,653 |
| Website Hosting | 13,320 | 11,237 | 13,320 | 13,320 | 13,320 | 13,320 |
| Buildings & Grounds | 56,500 | 62,209 | 56,500 | 60,000 | 60,000 | 60,000 |
| Gardeners and Cleaners | 82,500 | 81,965 | 82,500 | 82,500 | 82,500 | 82,500 |
| Insurance | 27,500 | 28,386 | 27,500 | 28,400 | 28,400 | 28,400 |
| Total, sub-item 1.6 | 337,897 | 344,083 | 337,897 | 346,873 | 346,873 | 346,873 |
| Sub-item 1.7 <i>Meeting Services</i> | | | | | | |
| Annual Session <i>see note 2</i> | 165,000 | 1,200 | 165,000 | 165,000 | 165,000 | 165,000 |
| Scientific Committee | 212,000 | 1,981 | 192,000 | 212,000 | 192,000 | 192,000 |
| Northern Committee <i>see note 3</i> | 18,000 | 360 | 18,000 | 18,000 | 18,000 | 18,000 |
| Technical and Compliance Committee | 159,800 | 2,956 | 159,800 | 159,800 | 159,800 | 159,800 |
| Total, sub-item 1.7 | 554,800 | 6,497 | 534,800 | 554,800 | 534,800 | 534,800 |
| Sub-item 1.8 <i>Future Work - Commission note 4</i> | 0 | 0 | 220,000 | 0 | 220,000 | 220,000 |
| TOTAL, Section 1/Item 1 | 4,008,699 | 3,126,576 | 4,315,295 | 4,085,701 | 4,423,184 | 4,403,157 |

| | Approved budget 2021 | Estimated expenditure 2021 | Indicative budget 2022 | Proposed budget 2022 | Draft Indicative budget 2023 | Revised budget 2024 |
|--|---|----------------------------------|------------------------------|----------------------------|------------------------------------|---------------------------|
| ANNEX 1 (continued) | | | | | | |
| Part 2 - Science & Technical & Compliance Programme | | | | | | |
| Section 2 (Item 2) | | | | | | |
| Sub-item 2.1 | Scientific Services (SPC) | 943,015 | 943,015 | 961,875 | 961,875 | 981,112 |
| Sub-item 2.2 | Scientific Research | | | | | 1,000,734 |
| Additional Resourcing SPC | 169,810 | 169,810 | 173,206 | 173,206 | 176,670 | 180,204 |
| P35b Maintenance of WCPFC Tissue Bank | 101,180 | 101,180 | 103,204 | 103,204 | 105,268 | 107,373 |
| P42 Pacific Tuna Tagging Project | 730,000 | 730,000 | 730,000 | 730,000 | 730,000 | 730,000 |
| P60 Improving purse seine species composition | 40,000 | 40,000 | 0 | 0 | 0 | 0 |
| P65 Peer review of Stock Modelling | 0 | 0 | 50,000 | 50,000 | 0 | 0 |
| P68 Estimation of Seabird Mortality | 0 | 0 | 75,000 | 0 | 25,000 | 40,000 |
| P88 Acoustic FAD analyses | 15,000 | 15,000 | 0 | 0 | 0 | 0 |
| P90 Fish weights/lengths for scientific analyses | 20,000 | 20,000 | 75,000 | 75,000 | 0 | 0 |
| P104 - LRPs for SW Pacific marlin / billfish | 31,000 | 31,000 | 0 | 0 | 0 | 0 |
| P105 - Bomb radiocarbon age validation for BE / YF | 97,980 | 97,980 | 0 | 0 | 0 | 0 |
| P107 - SP blue shark assessment | 20,000 | 20,000 | 0 | 0 | 0 | 0 |
| P108 - WCPO silky shark assessment | 0 | 0 | 100,000 | 0 | 50,000 | 50,000 |
| P109 - Training observers for elasmobranch sampling | 25,000 | 25,000 | 0 | 0 | 0 | 0 |
| P17X1. Billfish Research Plan 2023 - 2027 | 0 | 0 | 0 | 0 | 55,000 | 0 |
| P17X2. SWP Mako Shark SA | 0 | 0 | 0 | 105,000 | 0 | 0 |
| P17X3. Preparing WCP tuna fisheries for CKMR | 0 | 0 | 0 | 40,000 | 0 | 0 |
| P17X4. Ensemble model for presenting SA uncertainty | 0 | 0 | 0 | 0 | 20,000 | 0 |
| P17X5. Scientific Advice for Southwest Pacific blue sh | 0 | 0 | 0 | 40,000 | 0 | 0 |
| Total, sub-item 2.2 | 1,249,970 | 1,249,970 | 1,306,410 | 1,316,410 | 1,161,938 | 1,107,577 |
| Sub-item 2.3 | Technical & Compliance Programme | | | | | |
| ROP - Audit/Remediation | 15,000 | 0 | 15,000 | 15,000 | 15,000 | 15,000 |
| ROP - Training, Assistance & Development | 10,000 | 0 | 10,000 | 10,000 | 10,000 | 10,000 |
| ROP - Special Projects and Research Activities | 2,000 | 0 | 2,000 | 0 | 0 | 0 |
| ROP Data Management | 923,904 | 923,904 | 923,904 | 923,904 | 923,904 | 923,904 |
| Vessel Monitoring System - Capital Costs | 20,000 | 0 | 20,000 | 20,000 | 20,000 | 20,000 |
| Vessel Monitoring System | 270,000 | 294,542 | 270,000 | 300,000 | 300,000 | 300,000 |
| Vessel Monitoring System - Airtime | 206,646 | 200,829 | 208,712 | 204,846 | 208,942 | 213,121 |
| Vessel Monitoring System - Security Audit | 8,400 | 7,500 | 8,400 | 8,400 | 8,400 | 8,400 |
| CCM/Staff VMS Training | 25,000 | 0 | 25,000 | 25,000 | 25,000 | 25,000 |
| Information Management System | 100,000 | 119,096 | 100,000 | 100,000 | 120,000 | 120,000 |
| Workshops/IATTC Cross Endor. Train. | 10,000 | 0 | 10,000 | 10,000 | 10,000 | 10,000 |
| AR Part 2/CMS Online Host. and Pub. | 18,000 | 18,400 | 18,000 | 18,000 | 18,000 | 18,000 |
| Targeted Capacity Building | 40,000 | 0 | 40,000 | 40,000 | 40,000 | 40,000 |
| Enhance Secretariat Analytical Capacity <i>see note 5</i> | 0 | 0 | 0 | 80,000 | 80,000 | 0 |
| E-Monitoring and E-Reporting Activities | 30,000 | 0 | 30,000 | 30,000 | 30,000 | 30,000 |
| CMS Future Work <i>see note 6</i> | 50,000 | 39,200 | 10,000 | 30,000 | 0 | 0 |
| Regional Capacity Building Workshops <i>see note 7</i> | 260,000 | 223,374 | 130,000 | 130,000 | 130,000 | 130,000 |
| Total, item 2.3 | 1,988,950 | 1,826,845 | 1,821,016 | 1,945,150 | 1,939,246 | 1,863,425 |
| TOTAL, Section 2/Item 2 | 4,181,935 | 4,019,830 | 4,089,300 | 4,223,435 | 4,082,296 | 3,971,736 |
| Total, Parts 1 & 2 | 8,190,633 | 7,146,406 | 8,404,595 | 8,309,136 | 8,505,480 | 8,374,893 |

Note 1: Consultancies proposed are:

| | |
|------------------------|------------------|
| Legal support services | \$55,000 |
| ED Discretion | \$25,000 |
| Media Consultant | \$10,000 |
| Meetings' rapporteur | \$48,000 |
| | <u>\$138,000</u> |

Note 2: Annual Session

To adjust once a final decision is reached on the hosting arrangements for WCPFC19

Note 3: Northern Committee

As per WCPFC9, an additional \$25,000 will be assessed from non-developing state members of the NC to fund attendance at the NC meeting by developing states and territories if needed.

Note 4: Sub-item 1.8 Future Work - Commission

Budget line added in 2020 to account for unidentified future work that may be required by the Commission. Amount reduced to \$0 for the proposed 2022 budget with the additional projects under Scientific Research.

Note 5: Enhance Secretariat Analytical Capacity

Supplementary dedicated analytical capacity for the Secretariat in 2022 and 2023 (refer TCC17-2021-17).

Intended to be in the form of additional short-term resources for the Secretariat in work to

- Support continued refinements of the CMS
- Support to develop automated extraction and IT tools to support the parameters of common data requests to support MCS activities and to further enhance public access to WCPFC scientific data and information and Summary information from MCS programmes
- Support develop and integrate new processes into Secretariat workflows, and to refresh front-facing web screens and user guidance for members and, where relevant, the public

Note 6: CMS Future Work

2022 – CCFS Messaging tool feasibility/design (\$10,000), CCFS improvements (\$20,000)

Note 7: Regional Capacity Building Workshops

FFA/SPC to advise on the use of these funds

ANNEX 2

Proposed General Fund financing table for 2022

| | |
|---|-------------------------|
| Proposed budget expenditure total | 8,309,136 |
| less | |
| Estimated interest | (3,400) |
| Transfer from Working Capital Fund | (1,350,000) |
| CNM Contributions Fund | (50,000) |
| Total assessed contributions | <u><u>6,905,736</u></u> |

Proposed General Fund financing table for 2023

| | |
|--|-------------------------|
| Proposed budget expenditure total | 8,505,480 |
| less | |
| Estimated interest and other income | (3,400) |
| Transfer from Working Capital Fund | (900,000) |
| CNM Contributions Fund | (50,000) |
| Total assessed contributions | <u><u>7,552,080</u></u> |

Proposed General Fund financing table for 2024

| | |
|--|-------------------------|
| Proposed budget expenditure total | 8,374,893 |
| less | |
| Estimated interest and other income | (3,400) |
| Transfer from Working Capital Fund | (500,000) |
| CNM Contributions Fund | (50,000) |
| Total assessed contributions | <u><u>7,821,493</u></u> |

Annex 3

Schedule of contributions based on the Commission's contribution formula

| 2022 Contribution Table | | | | | | | | |
|--------------------------------|--|---|---------------------------------------|--|---------------------------------------|------------------------------------|---|--|
| <i>Member</i> | <i>Base fee component: uniform share 10% of budget</i> | <i>National wealth component: 20% of budget</i> | <i>Catch component: 70% of budget</i> | <i>Addition for Northern Committee</i> | Total Contributions by Members | <i>Percent of Budget by member</i> | <i>Offset for Small Island Developing States*</i> | <i>Total of components: 100% of budget</i> |
| Australia | 26,561 | 87,655 | 10,482 | 0 | 124,697 | 1.83% | 0 | 124,697 |
| Canada | 26,561 | 78,562 | 0 | 0 | 105,123 | 1.54% | 0 | 105,123 |
| China | 26,561 | 159,666 | 121,491 | 0 | 307,717 | 4.52% | 0 | 307,717 |
| Cook Islands | 26,561 | 895 | 7,969 | 0 | 35,425 | 0.52% | 24,220 | 59,645 |
| European Union | 26,561 | 220,053 | 31,685 | 0 | 278,299 | 4.09% | 0 | 278,299 |
| Federated States of Micronesia | 26,561 | 5,004 | 348,937 | 0 | 380,501 | 5.59% | 0 | 380,501 |
| Fiji | 26,561 | 7,529 | 22,458 | 0 | 56,548 | 0.83% | 0 | 56,548 |
| France | 26,561 | 86,086 | 8,701 | 0 | 121,347 | 1.78% | 0 | 121,347 |
| Indonesia | 26,561 | 16,240 | 92,312 | 0 | 135,113 | 1.98% | 0 | 135,113 |
| Japan | 26,561 | 110,552 | 817,873 | 0 | 954,985 | 14.03% | 0 | 954,985 |
| Kiribati | 26,561 | 4,326 | 354,714 | 0 | 385,600 | 5.66% | 0 | 385,600 |
| Korea | 26,561 | 61,400 | 824,403 | 0 | 912,364 | 13.40% | 0 | 912,364 |
| Marshall Islands | 26,561 | 2,960 | 220,656 | 0 | 250,176 | 3.67% | 3,690 | 253,866 |
| Nauru | 26,561 | 542 | 107,416 | 0 | 134,518 | 1.98% | 18,613 | 153,131 |
| New Zealand | 26,561 | 59,492 | 29,252 | 0 | 115,305 | 1.69% | 0 | 115,305 |
| Niue | 26,561 | 82 | 0 | 0 | 26,643 | 0.39% | 21,533 | 48,176 |
| Palau | 26,561 | 905 | 2,325 | 0 | 29,790 | 0.44% | 22,159 | 51,949 |
| Papua New Guinea | 26,561 | 3,865 | 324,520 | 0 | 354,945 | 5.21% | 0 | 354,945 |
| Philippines | 26,561 | 9,161 | 129,366 | 0 | 165,088 | 2.43% | 0 | 165,088 |
| Samoa | 26,561 | 5,668 | 4,833 | 0 | 37,061 | 0.54% | 0 | 37,061 |
| Solomon Islands | 26,561 | 2,903 | 66,848 | 0 | 96,311 | 1.41% | 0 | 96,311 |
| Chinese Taipei | 26,561 | 42,751 | 685,113 | 0 | 754,424 | 11.08% | 0 | 754,424 |
| Tonga | 26,561 | 5,285 | 325 | 0 | 32,170 | 0.47% | 907 | 33,077 |
| Tuvalu | 26,561 | 590 | 23,350 | 0 | 50,500 | 0.74% | 7,086 | 57,585 |
| United States of America | 26,561 | 306,702 | 486,682 | 0 | 819,945 | 12.04% | 0 | 819,945 |
| Vanuatu | 26,561 | 4,067 | 112,305 | 0 | 142,932 | 2.10% | 0 | 142,932 |
| Totals | 690,574 | 1,282,939 | 4,834,015 | 0 | 6,807,528 | 100% | 98,208 | 6,905,736 |

* To be offset by the CNM Contributions Fund.

Annex 3 Cont.

Offset for Small Island Developing States as per Financial Regulation 5.2(b) (ii)

| <i>Member</i> | <i>Population</i> | <i>Maximum Payable for wealth component</i> | <i>National wealth component</i> | <i>Offset for Small Island Developing States</i> |
|--------------------------------|-------------------|---|----------------------------------|--|
| Cook Islands | 17,900 | 895 | 25,115 | 24,220 |
| Federated States of Micronesia | 115,020 | 5,751 | 5,004 | 0 |
| Fiji | 896,440 | 44,822 | 7,529 | 0 |
| Kiribati | 119,450 | 5,973 | 4,326 | 0 |
| Marshall Islands | 59,190 | 2,960 | 6,649 | 3,690 |
| Nauru | 10,830 | 542 | 19,154 | 18,613 |
| Niue | 1,640 | 82 | 21,615 | 21,533 |
| Palau | 18,090 | 905 | 23,063 | 22,159 |
| Papua New Guinea | 8,947,030 | 447,352 | 3,865 | 0 |
| Samoa | 198,410 | 9,921 | 5,668 | 0 |
| Solomon Islands | 686,880 | 34,344 | 2,903 | 0 |
| Tonga | 105,700 | 5,285 | 6,192 | 907 |
| Tuvalu | 11,790 | 590 | 7,675 | 7,086 |
| Vanuatu | 307,150 | 15,358 | 4,067 | 0 |
| Total | | | | 98,208 |

Additional Funding for Northern Committee as agreed in WCPFC9-2012-22 FAC 6 Summary Report 5.4 (25)

| <i>Non-developing States Members of NC</i> | <i>Percent of total budget</i> | <i>Percent of NC fund</i> | <i>Additional cost</i> |
|--|--------------------------------|---------------------------|------------------------|
| Canada | 1.52% | 3.5% | 0 |
| China | 4.46% | 10.1% | 0 |
| Japan | 1.96% | 4.5% | 0 |
| Korea | 13.21% | 30.1% | 0 |
| Chinese Taipei | 10.92% | 24.9% | 0 |
| United States of America | 11.87% | 27.0% | 0 |
| Total | 43.94% | 100.00% | 0 |

Annex 3 Cont.

Schedule of contributions based on proposed 2022 budgets without the Offset for Small Island Developing States and Additional funds Assessed on Non-Developing States Members of NC

| Member | 2022 | | | | | 2023 Indicative | | 2024 Indicative | |
|--------------------------------|---|--|--------------------------------|-------------------------------------|-----------------------|--------------------------------------|-----------------------|-------------------------------------|-----------------------|
| | Base fee component: uniform share 10% of budget | National wealth component: 20% of budget | Catch component: 70% of budget | Total of components: 100% of budget | % of budget by member | Total of components : 100% of budget | % of budget by member | Total of components: 100% of budget | % of budget by member |
| Australia | 26,561 | 87,655 | 10,482 | 124,697 | 1.81% | 136,368 | 1.81% | 141,233 | 1.81% |
| Canada | 26,561 | 78,562 | 0 | 105,123 | 1.52% | 114,962 | 1.52% | 119,063 | 1.52% |
| China | 26,561 | 159,666 | 121,491 | 307,717 | 4.46% | 336,518 | 4.46% | 348,523 | 4.46% |
| Cook Islands | 26,561 | 25,115 | 7,969 | 59,645 | 0.86% | 65,228 | 0.86% | 67,555 | 0.86% |
| European Union | 26,561 | 220,053 | 31,685 | 278,299 | 4.03% | 304,347 | 4.03% | 315,204 | 4.03% |
| Federated States of Micronesia | 26,561 | 5,004 | 348,937 | 380,501 | 5.51% | 416,114 | 5.51% | 430,959 | 5.51% |
| Fiji | 26,561 | 7,529 | 22,458 | 56,548 | 0.82% | 61,840 | 0.82% | 64,046 | 0.82% |
| France | 26,561 | 86,086 | 8,701 | 121,347 | 1.76% | 132,705 | 1.76% | 137,439 | 1.76% |
| Indonesia | 26,561 | 16,240 | 92,312 | 135,113 | 1.96% | 147,759 | 1.96% | 153,030 | 1.96% |
| Japan | 26,561 | 110,552 | 817,873 | 954,985 | 13.83% | 1,044,367 | 13.83% | 1,081,624 | 13.83% |
| Kiribati | 26,561 | 4,326 | 354,714 | 385,600 | 5.58% | 421,690 | 5.58% | 436,733 | 5.58% |
| Korea | 26,561 | 61,400 | 824,403 | 912,364 | 13.21% | 997,757 | 13.21% | 1,033,351 | 13.21% |
| Marshall Islands | 26,561 | 6,649 | 220,656 | 253,866 | 3.68% | 277,627 | 3.68% | 287,531 | 3.68% |
| Nauru | 26,561 | 19,154 | 107,416 | 153,131 | 2.22% | 167,463 | 2.22% | 173,437 | 2.22% |
| New Zealand | 26,561 | 59,492 | 29,252 | 115,305 | 1.67% | 126,096 | 1.67% | 130,595 | 1.67% |
| Niue | 26,561 | 21,615 | 0 | 48,176 | 0.70% | 52,685 | 0.70% | 54,564 | 0.70% |
| Palau | 26,561 | 23,063 | 2,325 | 51,949 | 0.75% | 56,811 | 0.75% | 58,838 | 0.75% |
| Papua New Guinea | 26,561 | 3,865 | 324,520 | 354,945 | 5.14% | 388,167 | 5.14% | 402,014 | 5.14% |
| Philippines | 26,561 | 9,161 | 129,366 | 165,088 | 2.39% | 180,540 | 2.39% | 186,980 | 2.39% |
| Samoa | 26,561 | 5,668 | 4,833 | 37,061 | 0.54% | 40,530 | 0.54% | 41,975 | 0.54% |
| Solomon Islands | 26,561 | 2,903 | 66,848 | 96,311 | 1.39% | 105,326 | 1.39% | 109,083 | 1.39% |
| Chinese Taipei | 26,561 | 42,751 | 685,113 | 754,424 | 10.92% | 825,035 | 10.92% | 854,467 | 10.92% |
| Tonga | 26,561 | 6,192 | 325 | 33,077 | 0.48% | 36,173 | 0.48% | 37,464 | 0.48% |
| Tuvalu | 26,561 | 7,675 | 23,350 | 57,585 | 0.83% | 62,975 | 0.83% | 65,222 | 0.83% |
| United States of America | 26,561 | 306,702 | 486,682 | 819,945 | 11.87% | 896,688 | 11.87% | 928,676 | 11.87% |
| Vanuatu | 26,561 | 4,067 | 112,305 | 142,932 | 2.07% | 156,310 | 2.07% | 161,886 | 2.07% |
| Totals | 690,574 | 1,381,147 | 4,834,015 | 6,905,736 | 100.00% | 7,552,080 | 100.00% | 7,821,493 | 100.00% |

ANNEX 1

**Summary of estimated General Fund budgetary requirements for 2022
and indicative figures for 2023 and 2024 (USD)**

| | <i>Approved budget 2021</i> | <i>Estimated expenditure 2021</i> | <i>Indicative budget 2022</i> | <i>Approved budget 2022</i> | <i>Indicative budget 2023</i> | <i>Indicative budget 2024</i> |
|--|--|---|---------------------------------------|-------------------------------------|---------------------------------------|---------------------------------------|
| Part 1 - Administrative Expenses of the Secretariat | | | | | | |
| Sub-Item 1.1 | <i>Staff Costs</i> | | | | | |
| Professional Staff Salary | 943,750 | 913,667 | 954,982 | 974,552 | 980,393 | 986,303 |
| Professional Staff Benefits and Allowances | 865,791 | 786,220 | 850,061 | 861,608 | 865,054 | 868,541 |
| Professional Staff Insurance | 142,020 | 110,971 | 143,115 | 163,638 | 166,005 | 168,443 |
| Recruitment/Repatriation | 35,330 | 5,734 | 25,565 | 37,565 | 45,130 | 25,565 |
| Support Staff | 457,838 | 444,369 | 468,102 | 467,792 | 478,056 | 487,760 |
| Total, sub-item 1.1 | 2,444,728 | 2,260,961 | 2,441,825 | 2,505,155 | 2,534,638 | 2,536,611 |
| Sub-Item 1.2 | <i>Other Personnel Costs</i> | | | | | |
| Temporary Assistance/Overtime | 16,500 | 4,840 | 16,500 | 16,500 | 16,500 | 16,500 |
| Chairs Expenses | 0 | 0 | 0 | 0 | 0 | 0 |
| Consultants <i>see note 1</i> | 138,000 | 131,548 | 138,000 | 138,000 | 138,000 | 138,000 |
| Total, sub-item 1.2 | 154,500 | 136,388 | 154,500 | 154,500 | 154,500 | 154,500 |
| Sub-item 1.3 | <i>Official Travel</i> | | | | | |
| | 122,500 | 8,640 | 210,000 | 122,500 | 210,000 | 210,000 |
| Sub-item 1.4 | <i>General Operating Expenses</i> | | | | | |
| Electricity, Water, Sanitation | 42,000 | 39,495 | 42,000 | 42,000 | 42,000 | 42,000 |
| Communications/Courier | 78,000 | 84,297 | 78,000 | 84,000 | 82,000 | 82,000 |
| Office Supplies & Fuel | 41,000 | 30,067 | 41,000 | 41,000 | 41,000 | 41,000 |
| Audit | 7,000 | 7,000 | 7,000 | 7,000 | 7,500 | 7,500 |
| Bank Charges | 10,000 | 8,124 | 10,000 | 10,000 | 10,000 | 10,000 |
| Official Hospitality | 10,000 | 9,355 | 10,000 | 10,000 | 10,000 | 10,000 |
| Community Outreach | 8,000 | 8,000 | 8,000 | 8,000 | 8,000 | 8,000 |
| Miscellaneous Services | 6,400 | 3,622 | 6,400 | 6,000 | 6,000 | 6,000 |
| Security | 100,500 | 92,830 | 100,500 | 100,500 | 100,500 | 100,500 |
| Training | 10,000 | 11,731 | 10,000 | 12,000 | 12,000 | 12,000 |
| Total, sub-item 1.4 | 312,900 | 294,521 | 312,900 | 320,500 | 319,000 | 319,000 |
| Sub-item 1.5 | <i>Capital Expenditure</i> | | | | | |
| Vehicles | 0 | 0 | 22,000 | 0 | 22,000 | 0 |
| Information Technology | 49,373 | 50,814 | 49,373 | 49,373 | 49,373 | 49,373 |
| Furniture and Equipment | 32,000 | 24,672 | 32,000 | 32,000 | 32,000 | 32,000 |
| Total, sub-item 1.5 | 81,373 | 75,486 | 103,373 | 81,373 | 103,373 | 81,373 |
| Sub-item 1.6 | <i>Maintenance</i> | | | | | |
| Vehicles | 6,000 | 6,829 | 6,000 | 6,000 | 6,000 | 6,000 |
| Information and Communication Technology | 152,077 | 153,457 | 152,077 | 156,653 | 156,653 | 156,653 |
| Website Hosting | 13,320 | 11,237 | 13,320 | 13,320 | 13,320 | 13,320 |
| Buildings & Grounds | 56,500 | 62,209 | 56,500 | 60,000 | 60,000 | 60,000 |
| Gardeners and Cleaners | 82,500 | 81,965 | 82,500 | 82,500 | 82,500 | 82,500 |
| Insurance | 27,500 | 28,386 | 27,500 | 28,400 | 28,400 | 28,400 |
| Total, sub-item 1.6 | 337,897 | 344,083 | 337,897 | 346,873 | 346,873 | 346,873 |
| Sub-item 1.7 | <i>Meeting Services</i> | | | | | |
| Annual Session <i>see note 2</i> | 165,000 | 1,200 | 165,000 | 165,000 | 165,000 | 165,000 |
| Scientific Committee | 212,000 | 1,981 | 192,000 | 212,000 | 192,000 | 192,000 |
| Northern Committee <i>see note 3</i> | 18,000 | 360 | 18,000 | 18,000 | 18,000 | 18,000 |
| Technical and Compliance Committee | 159,800 | 2,956 | 159,800 | 159,800 | 159,800 | 159,800 |
| Support for IWGs and Science Managers Dialog | 0 | 0 | 0 | 162,500 | 0 | 0 |
| Total, sub-item 1.7 | 554,800 | 6,497 | 534,800 | 717,300 | 534,800 | 534,800 |
| Sub-item 1.8 Future Work - Commission note 4 | 0 | 0 | 220,000 | 0 | 220,000 | 220,000 |
| TOTAL, Section 1/Item 1 | 4,008,699 | 3,126,576 | 4,315,295 | 4,248,201 | 4,423,184 | 4,403,157 |

| | Approved budget 2021 | Estimated expenditure 2021 | Indicative budget 2022 | Approved budget 2022 | Draft Indicative budget 2023 | Final Indicative budget 2024 |
|--|---|----------------------------------|------------------------------|----------------------------|------------------------------------|------------------------------------|
| ANNEX 1 (continued) | | | | | | |
| Part 2 - Science & Technical & Compliance Programme | | | | | | |
| Section 2 (Item 2) | | | | | | |
| Sub-item 2.1 | Scientific Services (SPC) | 943,015 | 943,015 | 961,875 | 961,875 | 981,112 1,000,734 |
| Sub-item 2.2 | Scientific Research | | | | | |
| Additional Resourcing SPC | 169,810 | 169,810 | 173,206 | 173,206 | 176,670 | 180,204 |
| P35b Maintenance of WCPFC Tissue Bank | 101,180 | 101,180 | 103,204 | 103,204 | 105,268 | 107,373 |
| P42 Pacific Tuna Tagging Project | 730,000 | 730,000 | 730,000 | 730,000 | 730,000 | 730,000 |
| P60 Improving purse seine species composition | 40,000 | 40,000 | 0 | 0 | 0 | 0 |
| P65 Peer review of Stock Modelling | 0 | 0 | 50,000 | 50,000 | 0 | 0 |
| P68 Estimation of Seabird Mortality | 0 | 0 | 75,000 | 0 | 25,000 | 40,000 |
| P88 Acoustic FAD analyses | 15,000 | 15,000 | 0 | 0 | 0 | 0 |
| P90 Fish weights/lengths for scientific analyses | 20,000 | 20,000 | 75,000 | 75,000 | 0 | 0 |
| P104 - LRPs for SW Pacific marlin / billfish | 31,000 | 31,000 | 0 | 0 | 0 | 0 |
| P105 - Bomb radiocarbon age validation for BE / YF | 97,980 | 97,980 | 0 | 0 | 0 | 0 |
| P107 - SP blue shark assessment | 20,000 | 20,000 | 0 | 0 | 0 | 0 |
| P108 - WCPO silky shark assessment | 0 | 0 | 100,000 | 0 | 50,000 | 50,000 |
| P109 - Training observers for elasmobranch sampling | 25,000 | 25,000 | 0 | 0 | 0 | 0 |
| P17X1. Billfish Research Plan 2023 - 2027 | 0 | 0 | 0 | 0 | 55,000 | 0 |
| P17X2. SWP Mako Shark SA | 0 | 0 | 0 | 105,000 | 0 | 0 |
| P17X3. Preparing WCP tuna fisheries for CKMR | 0 | 0 | 0 | 40,000 | 0 | 0 |
| P17X4. Ensemble model for presenting SA uncertainty | 0 | 0 | 0 | 0 | 20,000 | 0 |
| P17X5. Scientific Advice for Southwest Pacific blue sh | 0 | 0 | 0 | 40,000 | 0 | 0 |
| Total, sub-item 2.2 | 1,249,970 | 1,249,970 | 1,306,410 | 1,316,410 | 1,161,938 | 1,107,577 |
| Sub-item 2.3 | Technical & Compliance Programme | | | | | |
| ROP - Audit/Remediation | 15,000 | 0 | 15,000 | 15,000 | 15,000 | 15,000 |
| ROP - Training, Assistance & Development | 10,000 | 0 | 10,000 | 10,000 | 10,000 | 10,000 |
| ROP - Special Projects and Research Activities | 2,000 | 0 | 2,000 | 0 | 0 | 0 |
| ROP Data Management | 923,904 | 923,904 | 923,904 | 923,904 | 923,904 | 923,904 |
| Vessel Monitoring System - Capital Costs | 20,000 | 0 | 20,000 | 20,000 | 20,000 | 20,000 |
| Vessel Monitoring System | 270,000 | 294,542 | 270,000 | 300,000 | 300,000 | 300,000 |
| Vessel Monitoring System - Airtime | 206,646 | 200,829 | 208,712 | 204,846 | 208,942 | 213,121 |
| Vessel Monitoring System - Security Audit | 8,400 | 7,500 | 8,400 | 8,400 | 8,400 | 8,400 |
| CCM/Staff VMS Training | 25,000 | 0 | 25,000 | 25,000 | 25,000 | 25,000 |
| Information Management System | 100,000 | 119,096 | 100,000 | 100,000 | 120,000 | 120,000 |
| Workshops/IATTC Cross Endor. Train. | 10,000 | 0 | 10,000 | 10,000 | 10,000 | 10,000 |
| AR Part 2/CMS Online Host. and Pub. | 18,000 | 18,400 | 18,000 | 18,000 | 18,000 | 18,000 |
| Targeted Capacity Building | 40,000 | 0 | 40,000 | 40,000 | 40,000 | 40,000 |
| Enhance Secretariat Analytical Capacity <i>see note 5</i> | 0 | 0 | 0 | 80,000 | 80,000 | 0 |
| E-Monitoring and E-Reporting Activities | 30,000 | 0 | 30,000 | 30,000 | 30,000 | 30,000 |
| CMS Future Work <i>see note 6</i> | 50,000 | 39,200 | 10,000 | 30,000 | 0 | 0 |
| Regional Capacity Building Workshops <i>see note 7</i> | 260,000 | 223,374 | 130,000 | 130,000 | 130,000 | 130,000 |
| Total, item 2.3 | 1,988,950 | 1,826,845 | 1,821,016 | 1,945,150 | 1,939,246 | 1,863,425 |
| TOTAL, Section 2/Item 2 | 4,181,935 | 4,019,830 | 4,089,300 | 4,223,435 | 4,082,296 | 3,971,736 |
| Total, Parts 1 & 2 | 8,190,633 | 7,146,406 | 8,404,595 | 8,471,636 | 8,505,480 | 8,374,893 |

Note 1: Consultancies proposed are:

| | |
|------------------------|------------------|
| Legal support services | \$55,000 |
| ED Discretion | \$25,000 |
| Media Consultant | \$10,000 |
| Meetings' rapporteur | \$48,000 |
| | <u>\$138,000</u> |

Note 2: Annual Session

To adjust once a final decision is reached on the hosting arrangements for WCPFC19

Note 3: Northern Committee

As per WCPFC9, an additional \$25,000 will be assessed from non-developing state members of the NC to fund attendance at the NC meeting by developing states and territories if needed.

Note 4: Sub-item 1.8 Future Work - Commission

Budget line added in 2020 to account for unidentified future work that may be required by the Commission. Amount reduced to \$0 for the proposed 2022 budget with the additional projects under Scientific Research.

Note 5: Enhance Secretariat Analytical Capacity

Supplementary dedicated analytical capacity for the Secretariat in 2022 and 2023 (refer TCC17-2021-17).

Intended to be in the form of additional short-term resources for the Secretariat in work to

- Support continued refinements of the CMS
- Support to develop automated extraction and IT tools to support the parameters of common data requests to support MCS activities and to further enhance public access to WCPFC scientific data and information and Summary information from MCS programmes
- Support develop and integrate new processes into Secretariat workflows, and to refresh front-facing web screens and user guidance for members and, where relevant, the public

Note 6: CMS Future Work

2022 – CCFS Messaging tool feasibility/design (\$10,000), CCFS improvements (\$20,000)

Note 7: Regional Capacity Building Workshops

FFA/SPC to advise on the use of these funds

ANNEX 2

Proposed General Fund financing table for 2022

| | |
|---|-------------------------|
| Proposed budget expenditure total | 8,471,636 |
| less | |
| Estimated interest | (3,400) |
| Transfer from Working Capital Fund | (1,350,000) |
| CNM Contributions Fund | (50,000) |
| Total assessed contributions | <u><u>7,068,236</u></u> |

Proposed General Fund financing table for 2023

| | |
|--|-------------------------|
| Proposed budget expenditure total | 8,505,480 |
| less | |
| Estimated interest and other income | (3,400) |
| Transfer from Working Capital Fund | (900,000) |
| CNM Contributions Fund | (50,000) |
| Total assessed contributions | <u><u>7,552,080</u></u> |

Proposed General Fund financing table for 2024

| | |
|--|-------------------------|
| Proposed budget expenditure total | 8,374,893 |
| less | |
| Estimated interest and other income | (3,400) |
| Transfer from Working Capital Fund | (500,000) |
| CNM Contributions Fund | (50,000) |
| Total assessed contributions | <u><u>7,821,493</u></u> |

Annex 3

Schedule of contributions based on the Commission's contribution formula

| 2022 Contribution Table | | | | | | | | |
|--------------------------------|--|---|---------------------------------------|--|---------------------------------------|------------------------------------|---|--|
| <i>Member</i> | <i>Base fee component: uniform share 10% of budget</i> | <i>National wealth component: 20% of budget</i> | <i>Catch component: 70% of budget</i> | <i>Addition for Northern Committee</i> | Total Contributions by Members | <i>Percent of Budget by member</i> | <i>Offset for Small Island Developing States*</i> | <i>Total of components: 100% of budget</i> |
| Australia | 27,186 | 89,717 | 10,728 | 0 | 127,631 | 1.83% | 0 | 127,631 |
| Canada | 27,186 | 80,411 | 0 | 0 | 107,596 | 1.54% | 0 | 107,596 |
| China | 27,186 | 163,423 | 124,350 | 0 | 314,958 | 4.52% | 0 | 314,958 |
| Cook Islands | 27,186 | 895 | 8,157 | 0 | 36,237 | 0.52% | 24,811 | 61,049 |
| European Union | 27,186 | 225,231 | 32,431 | 0 | 284,848 | 4.09% | 0 | 284,848 |
| Federated States of Micronesia | 27,186 | 5,122 | 357,148 | 0 | 389,455 | 5.59% | 0 | 389,455 |
| Fiji | 27,186 | 7,706 | 22,987 | 0 | 57,878 | 0.83% | 0 | 57,878 |
| France | 27,186 | 88,111 | 8,906 | 0 | 124,203 | 1.78% | 0 | 124,203 |
| Indonesia | 27,186 | 16,622 | 94,485 | 0 | 138,293 | 1.98% | 0 | 138,293 |
| Japan | 27,186 | 113,153 | 837,118 | 0 | 977,457 | 14.03% | 0 | 977,457 |
| Kiribati | 27,186 | 4,427 | 363,060 | 0 | 394,673 | 5.66% | 0 | 394,673 |
| Korea | 27,186 | 62,845 | 843,802 | 0 | 933,833 | 13.40% | 0 | 933,833 |
| Marshall Islands | 27,186 | 2,960 | 225,849 | 0 | 255,994 | 3.67% | 3,846 | 259,840 |
| Nauru | 27,186 | 542 | 109,944 | 0 | 137,671 | 1.98% | 19,063 | 156,734 |
| New Zealand | 27,186 | 60,892 | 29,940 | 0 | 118,018 | 1.69% | 0 | 118,018 |
| Niue | 27,186 | 82 | 0 | 0 | 27,268 | 0.39% | 22,042 | 49,309 |
| Palau | 27,186 | 905 | 2,380 | 0 | 30,470 | 0.44% | 22,702 | 53,172 |
| Papua New Guinea | 27,186 | 3,956 | 332,156 | 0 | 363,298 | 5.21% | 0 | 363,298 |
| Philippines | 27,186 | 9,377 | 132,410 | 0 | 168,973 | 2.43% | 0 | 168,973 |
| Samoa | 27,186 | 5,801 | 4,946 | 0 | 37,933 | 0.54% | 0 | 37,933 |
| Solomon Islands | 27,186 | 2,972 | 68,421 | 0 | 98,578 | 1.41% | 0 | 98,578 |
| Chinese Taipei | 27,186 | 43,757 | 701,234 | 0 | 772,177 | 11.08% | 0 | 772,177 |
| Tonga | 27,186 | 5,285 | 333 | 0 | 32,803 | 0.47% | 1,053 | 33,856 |
| Tuvalu | 27,186 | 590 | 23,899 | 0 | 51,674 | 0.74% | 7,266 | 58,940 |
| United States of America | 27,186 | 313,919 | 498,135 | 0 | 839,239 | 12.05% | 0 | 839,239 |
| Vanuatu | 27,186 | 4,163 | 114,947 | 0 | 146,296 | 2.10% | 0 | 146,296 |
| Totals | 706,824 | 1,312,863 | 4,947,765 | 0 | 6,967,452 | 100% | 100,784 | 7,068,236 |

* To be offset by the CNM Contributions Fund.

Annex 3 Cont.

Offset for Small Island Developing States as per Financial Regulation 5.2(b) (ii)

| <i>Member</i> | <i>Population</i> | <i>Maximum Payable for wealth component</i> | <i>National wealth component</i> | <i>Offset for Small Island Developing States</i> |
|--------------------------------|-------------------|---|----------------------------------|--|
| Cook Islands | 17,900 | 895 | 25,706 | 24,811 |
| Federated States of Micronesia | 115,020 | 5,751 | 5,122 | 0 |
| Fiji | 896,440 | 44,822 | 7,706 | 0 |
| Kiribati | 119,450 | 5,973 | 4,427 | 0 |
| Marshall Islands | 59,190 | 2,960 | 6,806 | 3,846 |
| Nauru | 10,830 | 542 | 19,605 | 19,063 |
| Niue | 1,640 | 82 | 22,124 | 22,042 |
| Palau | 18,090 | 905 | 23,606 | 22,702 |
| Papua New Guinea | 8,947,030 | 447,352 | 3,956 | 0 |
| Samoa | 198,410 | 9,921 | 5,801 | 0 |
| Solomon Islands | 686,880 | 34,344 | 2,972 | 0 |
| Tonga | 105,700 | 5,285 | 6,338 | 1,053 |
| Tuvalu | 11,790 | 590 | 7,856 | 7,266 |
| Vanuatu | 307,150 | 15,358 | 4,163 | 0 |
| Total | | | | 100,784 |

Additional Funding for Northern Committee as agreed in WCPFC9-2012-22 FAC 6 Summary Report 5.4 (25)

| <i>Non-developing States Members of NC</i> | <i>Percent of total budget</i> | <i>Percent of NC fund</i> | <i>Additional cost</i> |
|--|--------------------------------|---------------------------|------------------------|
| Canada | 1.52% | 3.5% | 0 |
| China | 4.46% | 10.1% | 0 |
| Japan | 1.96% | 4.5% | 0 |
| Korea | 13.21% | 30.1% | 0 |
| Chinese Taipei | 10.92% | 24.9% | 0 |
| United States of America | 11.87% | 27.0% | 0 |
| Total | 43.94% | 100.00% | 0 |

Annex 3 Cont.

Schedule of contributions based on proposed 2022 budgets without the Offset for Small Island Developing States and Additional funds Assessed on Non-Developing States Members of NC

| Member | 2022 | | | | | 2023 Indicative | | 2024 Indicative | |
|--------------------------------|---|--|--------------------------------|-------------------------------------|-----------------------|--------------------------------------|-----------------------|-------------------------------------|-----------------------|
| | Base fee component: uniform share 10% of budget | National wealth component: 20% of budget | Catch component: 70% of budget | Total of components: 100% of budget | % of budget by member | Total of components : 100% of budget | % of budget by member | Total of components: 100% of budget | % of budget by member |
| Australia | 27,186 | 89,717 | 10,728 | 127,631 | 1.81% | 136,368 | 1.81% | 141,233 | 1.81% |
| Canada | 27,186 | 80,411 | 0 | 107,596 | 1.52% | 114,962 | 1.52% | 119,063 | 1.52% |
| China | 27,186 | 163,423 | 124,350 | 314,958 | 4.46% | 336,518 | 4.46% | 348,523 | 4.46% |
| Cook Islands | 27,186 | 25,706 | 8,157 | 61,049 | 0.86% | 65,228 | 0.86% | 67,555 | 0.86% |
| European Union | 27,186 | 225,231 | 32,431 | 284,848 | 4.03% | 304,347 | 4.03% | 315,204 | 4.03% |
| Federated States of Micronesia | 27,186 | 5,122 | 357,148 | 389,455 | 5.51% | 416,114 | 5.51% | 430,959 | 5.51% |
| Fiji | 27,186 | 7,706 | 22,987 | 57,878 | 0.82% | 61,840 | 0.82% | 64,046 | 0.82% |
| France | 27,186 | 88,111 | 8,906 | 124,203 | 1.76% | 132,705 | 1.76% | 137,439 | 1.76% |
| Indonesia | 27,186 | 16,622 | 94,485 | 138,293 | 1.96% | 147,759 | 1.96% | 153,030 | 1.96% |
| Japan | 27,186 | 113,153 | 837,118 | 977,457 | 13.83% | 1,044,367 | 13.83% | 1,081,624 | 13.83% |
| Kiribati | 27,186 | 4,427 | 363,060 | 394,673 | 5.58% | 421,690 | 5.58% | 436,733 | 5.58% |
| Korea | 27,186 | 62,845 | 843,802 | 933,833 | 13.21% | 997,757 | 13.21% | 1,033,351 | 13.21% |
| Marshall Islands | 27,186 | 6,806 | 225,849 | 259,840 | 3.68% | 277,627 | 3.68% | 287,531 | 3.68% |
| Nauru | 27,186 | 19,605 | 109,944 | 156,734 | 2.22% | 167,463 | 2.22% | 173,437 | 2.22% |
| New Zealand | 27,186 | 60,892 | 29,940 | 118,018 | 1.67% | 126,096 | 1.67% | 130,595 | 1.67% |
| Niue | 27,186 | 22,124 | 0 | 49,309 | 0.70% | 52,685 | 0.70% | 54,564 | 0.70% |
| Palau | 27,186 | 23,606 | 2,380 | 53,172 | 0.75% | 56,811 | 0.75% | 58,838 | 0.75% |
| Papua New Guinea | 27,186 | 3,956 | 332,156 | 363,298 | 5.14% | 388,167 | 5.14% | 402,014 | 5.14% |
| Philippines | 27,186 | 9,377 | 132,410 | 168,973 | 2.39% | 180,540 | 2.39% | 186,980 | 2.39% |
| Samoa | 27,186 | 5,801 | 4,946 | 37,933 | 0.54% | 40,530 | 0.54% | 41,975 | 0.54% |
| Solomon Islands | 27,186 | 2,972 | 68,421 | 98,578 | 1.39% | 105,326 | 1.39% | 109,083 | 1.39% |
| Chinese Taipei | 27,186 | 43,757 | 701,234 | 772,177 | 10.92% | 825,035 | 10.92% | 854,467 | 10.92% |
| Tonga | 27,186 | 6,338 | 333 | 33,856 | 0.48% | 36,173 | 0.48% | 37,464 | 0.48% |
| Tuvalu | 27,186 | 7,856 | 23,899 | 58,940 | 0.83% | 62,975 | 0.83% | 65,222 | 0.83% |
| United States of America | 27,186 | 313,919 | 498,135 | 839,239 | 11.87% | 896,688 | 11.87% | 928,676 | 11.87% |
| Vanuatu | 27,186 | 4,163 | 114,947 | 146,296 | 2.07% | 156,310 | 2.07% | 161,886 | 2.07% |
| Totals | 706,824 | 1,413,647 | 4,947,765 | 7,068,236 | 100.00% | 7,552,080 | 100.00% | 7,821,493 | 100.00% |



COMMISSION
EIGHTEENTH REGULAR SESSION
Electronic Meeting
1 – 7 December 2021

AGREED TIMELINE FOR RECRUITMENT OF NEW EXECUTIVE DIRECTOR

In accordance with Schedule 3, I propose the following timeline to locate a new Executive Director for WCPFC:

6 June 2022 - Circulate draft Terms of Reference for the post of Executive Director and a draft advertisement as per Staff Regulations Schedule 3.1.

4 July 2022 - Due date for comments on draft Terms of Reference and advertisement due to the Chair

8 July 2022- Finalization of Terms of Reference and advertisement

12 July 2022- Position posted on Website and Circulated to Members. CCMs are invited to circulate the notice of the vacancy. At the same time the Secretariat will advertise the vacancy through normal processes.

23 August 2022- Applications due to Chair

26 August 2022- Applications posted on secure website as per Staff Regulations Schedule 3.6

23 September 2022- Ranking of applicants due to the Chair

28 September 2022- Applicants shortlisted

3 October 2022- Shortlisted candidates notified

December 2022 at WCPFC19 - Interviews and selection of ED

Attachment X

LIST OF ABBREVIATIONS

| | | |
|------------------|---|---|
| ALC | – | Automatic Location Communicator |
| ANCORS | – | Australian National Centre for Ocean Resources and Security |
| CCM | – | Members, Cooperating Non-members and participating Territories |
| CCFS | – | Compliance Case File System |
| CDS | – | catch documentation scheme |
| CMM | – | Conservation and Management Measure |
| CMR | – | Compliance Monitoring Report |
| CMS | – | Compliance Monitoring Scheme |
| CNM | – | Cooperating Non-Member |
| CNMI | – | Commonwealth of the Northern Mariana Islands |
| (the) Convention | | The Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean |
| CPUE | – | catch per unit effort |
| EEZ | – | exclusive economic zone |
| EM | – | electronic monitoring |
| ER | – | electronic reporting |
| ERandEM | – | electronic reporting and electronic monitoring |
| ERA | – | ecological risk assessment |
| EHSP-SMA | – | Eastern High Seas Pocket-Special Management Area |
| EU | – | European Union |
| F | – | fishing mortality rate |
| FAC | – | Finance and Administration Committee |
| FAD | – | fish aggregation device |
| FAO | – | Food and Agriculture Organization of the United Nations |
| FFA | – | Pacific Islands Forum Fisheries Agency |
| F _{MSY} | – | fishing mortality that will support the maximum sustainable yield |
| FMA | – | fishery management area |
| FNA | – | fins naturally attached |
| FSI | – | Flag State Investigation |
| FSM | – | Federated States of Micronesia |
| HSBI | – | high seas boarding and inspection |
| IATTC | – | Inter-American Tropical Tuna Commission |
| ICCAT | – | International Commission for the Conservation of Atlantic Tunas |
| IELP | – | International Environmental Law Project |
| IGOs | – | intergovernmental organizations |
| IMO | – | International Maritime Organization |
| IMS | – | information management system |
| IOTC | – | Indian Ocean Tuna Commission |
| IPNLF | – | International Pole and Line Foundation |
| ISC | – | International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean |
| ISSF | – | International Seafood Sustainability Foundation |
| IT | – | information technology |
| IUU | – | illegal, unreported and unregulated |

| | | |
|----------|---|---|
| IWG | – | intersessional working group |
| JTF | – | Japan Trust Fund |
| LRP | – | limit reference point |
| M | – | mortality |
| MCS | – | Monitoring, control and surveillance |
| MIMRA | – | Marshall Islands Marine Resources Authority |
| MOC | – | management options consultation |
| MOU | – | memorandum of understanding |
| MP | – | management procedure |
| MSC | – | Marine Stewardship Council |
| MSE | – | management strategy evaluation |
| MSY | – | maximum sustainable yield |
| mt | – | metric ton |
| MTU | – | mobile transceiver unit |
| NC | – | Northern Committee |
| NGO | – | non-governmental Organization |
| NP | – | North Pacific |
| OM | – | operating model |
| PBFWG | – | Pacific bluefin tuna working group (ISC) |
| pCMR | – | provisional Compliance Monitoring Report |
| PEW | – | The Pew Charitable Trusts |
| PI | – | performance indicator |
| PITIA | – | Pacific Islands Tuna Industry Association |
| PNA | – | Parties to the Nauru Agreement |
| PNG | – | Papua New Guinea |
| PRM | – | post-release mortality |
| PSMA | – | Port state Measures Agreement |
| RFV | – | Record of Fishing Vessels |
| ROP | – | Regional Observer Programme |
| RFMO | – | regional fisheries management organization |
| RMI | – | Republic of the Marshall Islands |
| SC | – | Scientific Committee of the WCPFC |
| SIDS | – | small island developing states |
| SIP | – | strategic investment plan |
| SPC | – | Secretariat of the Pacific Community |
| SPC-OFPP | – | The Pacific Community Oceanic Fisheries Programme |
| SRA | – | spatial risk assessment |
| SRF | – | Special Requirements Fund |
| SRR | – | stock-recruitment relationship |
| SSI | – | species of special interest |
| SSP | – | standards, specifications and procedures |
| SST | – | sea surface temperature |
| SWG | – | small working group |
| T | – | metric ton |
| TCC | – | Technical and Compliance Committee |
| TNC | – | The Nature Conservancy |
| TRP | – | target reference point |
| UN | – | United Nations |
| USA | – | United States of America |
| USD | – | US dollars |
| VDS | – | vessel day scheme |

| | | |
|------------------------|---|--|
| VID | – | vessel identification (number) |
| VMS | – | vessel monitoring system |
| WCPFC | – | Western and Central Pacific Fisheries Commission |
| WCPFC Convention Area | – | Area of competence of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, as defined in Article 3 of the Convention |
| WCPFC Statistical Area | – | The WCPFC Statistical Area is defined in para. 8 of “Scientific data to be provided to the Commission” (as adopted at WCPFC13) |
| WCNPO | – | western and central North Pacific Ocean |
| WCPO | – | western and central Pacific Ocean |
| WG | – | working group |
| WPEA | – | West Pacific and East Asian Seas |
| WPO | – | Western Pacific Ocean |
| WPFMC | – | Western Pacific Regional Fishery Management Council |
| WTPO | – | World Tuna Purse Seine Organisation |
| WWF | – | World Wide Fund for Nature |