



TECHNICAL AND COMPLIANCE COMMITTEE

Eighth Regular Session

25 – 30 September 2014

Pohnpei, Federated States of Micronesia

NOTES ON ISSUES ARISING FROM TCC9, WCPFC10, SC10

WCPFC-TCC10-2014-IP03

19 September 2014

1. This paper list in Table 1, TCC9 recommendations, WCPFC 10 recommendations and SC10 recommendations that are relevant to TCC10 and provides cross-references to the relevant TCC10 agenda item and TCC10 paper, where appropriate.
2. Table 2 provides information on WCPFC 10 decision regarding cooperating Non-Members and their Participatory Rights. It also provides thereunder the relevant paragraphs from WCPFC10, relevant to WCPFC/IATTC Overlap Area.

Table 1. Notes on Issues arising from TCC9, WCPFC10 and SC10

TCC10 AGENDA ITEM	RECOMMENDATIONS AND REPORT PARAGRAPH REFERENCE <i>(With italicised paraphrased introductory text)</i>	SECRETARIAT COMMENTS	TCC10 PAPER
1.1 Welcome	384. WCPFC10 accepted the nomination of TCC9 and confirmed Rhea Moss-Christian as Chair of the TCC.		
2. IUU List	245. WCPFC10 agreed to maintain the WCPFC IUU Vessel List for 2013 comprising three vessels, the Neptune, the Fu Lien No. 1 and the Yu Fong 168, as the WCPFC IUU Vessel List for 2014. (Attachment I)	Circular 2014/66 dated 1 August 2014 advised CCMs that no advice had been received of vessels presumed to be carrying out IUU activities in the Convention Area during the current or previous year	WCPFC-TCC10-2014-07
3. CNM Applications	WCPFC10 23. TCC9 recommended that the Commission consider all CNM applications subject to the additional information requested being provided to, and accepted by, the Commission. The SWG-CNM reiterated that any information requested by TCC should be provided in advance of the regular session of WCPFC, to allow due consideration of this material by CCMs. Building on a recommendation from TCC9, the SWG-CNM confirmed the need for a CNM application template to be developed, based on CMM 2009-11, that clearly outlines the requirements for CNM applicants. This was a key discussion point from the SWG-CNM. A template was considered necessary to assist with clarity in relation to the application process. Also, some CNMs noted the view that parts of the application process did not directly relate to their participation in the WCPFC. Some members of the SWGCNM also raised concerns about consistent application of CMM 2009-11 requirements such as financial contribution.	Secretariat sent out to all 2014 CNM, a smart-pdf form to use for submitting their CNM requests. A copy of this template can be found in Attachment 1 of WCPFC-TCC10-2014-08_rev1	WCPFC-TCC10-2014-08_rev1
6. Compliance Monitoring Scheme	233. WCPFC10 adopted a template for preparation of the 2014 draft Compliance Monitoring Report (Attachment H: WCPFC10-2013/20, Annex II).	The adopted template was used for the preparation of the draft CMR	WCPFC-TCC10-2014-10

TCC10 AGENDA ITEM	RECOMMENDATIONS AND REPORT PARAGRAPH REFERENCE (<i>With italicised paraphrased introductory text</i>)	SECRETARIAT COMMENTS	TCC10 PAPER
6.1 Review of draft CMR	<p>SC10</p> <p>3.1 Data gaps</p> <p>6. SC10 recommended that:</p> <p>a) The paper SC10-ST-WP-01 is forwarded to TCC10, highlighting the main data gap related to the non-provision of operational catch and effort data for ten years by some CCMs.</p> <p>c) TCC10 consider establishing a tier and scoring system to better reflect the magnitude and severity of the non-provision of scientific data.</p>		WCPFC-TCC10-2014-IP04
6.6 Report from the IWG Chair: developing a systematic analysis, prioritization and response mechanism for non-compliance	270. WCPFC10 established in Intersessional Working Group (IWG), chaired by the USA and meeting electronically or in the margins of other meetings, to develop responses to non-compliance.		
10.1 E-monitoring and E-reporting Initiatives	<p>WCPFC10</p> <p>173. WCPFC10 agreed that further discussions on E-reporting and E-monitoring should be held at a workshop in early 2014 at a venue to be determined by the Secretariat and the result should be reported to TCC10.</p>	<i>Workshop held on 31 Mar – 1 Apr 2014.</i>	

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	<p>SC10 Recommendations 139. SC10 recommended that:</p> <ul style="list-style-type: none"> a) The outcomes from the WCPFC E-Reporting and E-monitoring workshop (March 2014) are taken forward to TCC10, in particular the urgent need for developing standards for formats and validation checks of the potential E-Reporting and E-Monitoring data to be submitted to the WCPFC that ensure accordance with agreed WCPFC data standards and taking into consideration existing standards. b) The E-Reporting and E-Monitoring trials continue to be supported and expanded, leading to large-scale implementation where appropriate 	<p><i>The workshop report is in</i> WCPFC-TCC10-2014-15</p>	<p>WCPFC-TCC10-2014-15</p> <p>WCPFC-TCC10-2014-16</p>

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8.1 VMS	<p>WCPFC10 218. The TCC Chair, Rhea Moss-Christian presented the report of TCC9 (<i>WCPFC10-2013/WP-19</i>). The following nine recommendations by TCC9 for the consideration of WCPFC10 were highlighted:</p> <p>i. Extend the manual reporting requirements under the VMS SSPs for one year (TCC9 Report, para. 136);</p> <p>ii. Exempt vessels in good standing on the FFA Vessel Register from requirements to submit a VTAF (TCC9 Report, para. 137);</p> <p>iii. Agree guidelines for timely submission of ROP data (TCC9 Report, para. 160);</p> <p>iv. Include HSBI elements in the CMR process (TCC9 Report, para. 236);</p> <p>v. Task the Secretariat with preparing a report on transshipment activities (TCC9 Report, para. 267);</p> <p>vi. Task the Scientific Services Provider with providing specific information on South Pacific Swordfish to SC10 (TCC9 Report, para.344);</p> <p>vii. Agree the definition of a purse seine day in transit (TCC9 Report, para. 387);</p> <p>viii. Clarify that for CMM 2005-03, the reporting responsibility lies with the flag State (TCC9 Report, para. 116); and</p> <p>ix. Clarify that CCMs identify in their 2014 Annual Report Part 2 which metric they used to calculate the percentage of longline observer coverage for 2013 (TCC9 Report, para. 117).</p>	<p>(i) Currently happening</p> <p>(ii) Secretariat took this into consideration for dCMR</p> <p>(iv) HSBI included in this year's dCMR covering 2013 activities</p> <p>(v) WCPFC-TCC10-2014-RP03</p> <p>(vi) SC 10 Agenda 4.4.1</p> <p>(viii) & (ix) Taken into account when developing AR Part 2 template</p>	<p><i>HSBI:</i> WCPFC-TCC10-2014-10 WCPFC-TCC10-2014-RP04</p> <p><i>transshipment</i> WCPFC-TCC10-2014-RP03</p>
8.2 ROP	<p>220. WCPFC10 adopted TCC9 recommendations i-vi and viii-ix above.</p>		

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8.2 ROP	<p><u>WCPFC10</u> 10.2 Regional Observer Programme-Technical Advisory Group (ROP-TAG) Report 246. Philip Lens, Chair of the ROP-TAG, presented the ROP-TAG’s report for 2013 (<i>WCPFC10-2013/22</i>). From a total of 19 recommendations from the ROP-TAG, TCC9 endorsed nine recommendations. The first of these was that notification requirements for fish carriers should be discussed at TCC10 (TCC9 Report para. 177). WCPFC10 was invited to consider the remaining eight recommendations:</p> <ul style="list-style-type: none"> i. Task the Secretariat with developing guidelines for observer credentials (TCC9 Report para. 182); ii. Task the Secretariat with developing a paper on minimum standards to prevent misconduct of observers (TCC9 Report para. 184); iii. Notification of the Secretariat by national observer programmes of the roster of trained observers as soon as practical (TCC9 Report para. 198); iv. Notification of the Secretariat by national observer programmes of the active observer list every three months (TCC9 Report para. 199); v. Notification of the Secretariat by national observer programmes of any observers removed from the active observer list due to misconduct (TCC9 Report, para. 200); vi. Request CCMs to provide responses on how best to deal with corruption issues for discussion at TCC10 (TCC9 Report, para. 204); vii. Task the Secretariat with preparing an observer handbook of CMMs (TCC9 Report, para. 206); and viii. Reconstitute the Intersessional Working Group-Regional Observer Programme (IWG-ROP) to address ROP implementation issues (TCC9 Report, para. 207). 		<p>WCPFC-TCC10-2014-RP02</p> <p>WCPFC-TCC10-2014-13_rev1</p> <p>WCPFC-TCC10-2014-14</p> <p>WCPFC-TCC10-2014-14A</p>
	<p>250. WCPFC10 agreed to reconstitute the IWG-ROP and to task it with considering, <i>inter alia</i>, observer coverage targets for longline fleets.</p>	<p><i>Circular 2014/54 (dated 2 Jul) advise CCMs that Mr. Philip Lens has advised the Secretariat that he is unable to take on the role of Chair of the IWG-ROP</i></p>	

TCC10 AGENDA ITEM	RECOMMENDATIONS AND REPORT PARAGRAPH REFERENCE <i>(With italicised paraphrased introductory text)</i>	SECRETARIAT COMMENTS	TCC10 PAPER
	<p>SC10 3.2 Regional Observer Programme 8. SC10 recommended that:</p> <ul style="list-style-type: none"> a) The output from the informal small group on the longline observer coverage (Attachment E) be forwarded to TCC10 to progress this work. b) The ROP-defined observer data, summarized in past and present SC papers that have not been provided to the WCFPC, be provided to WCPFC Secretariat as soon as possible. The observer data summarized in SC10-ST-IP-10 are an example of data that should be provided to the WCFPC Secretariat. 	<p>SC10 Summary Records, Attachment E (SC10 meeting page)</p> <p>SC10-ST-IP-10 Report of scientific observer programme from China longline fishery (posted on SC10 meeting page)</p>	
10.3 Report from CDS-WG Chair	253. WCPFC10 noted the progress of the IWG-CDS and endorsed its plan to produce an analysis of existing CDS-related initiatives for discussion prior to TCC10.	WCPFC-2014-CDSIWG-02 – main document to be discussed at the workshop to be held on Wed 24 Sept 2014	WCPFC-TCC10-2014-17 (late paper)
Review of existing CMMs 11.4 Sharks (CMM 2010-07)	625. SC10 recommends that the Commission: <ul style="list-style-type: none"> a) Consider the analysis of longline shark mitigation methods (e.g., hook type, leader material, non-deployment of shallow hooks and a prohibition on shark lines) presented in EB-WP-01, as well as additional modelling of combinations of these measures and post-release mortality if available, in order to inform WCPFC11’s further consideration of revising shark CMMs to incorporate shark mitigation requirements that reduce catch rates and at-vessel mortality. b) Task the TCC with identifying barriers to the implementation of the mitigation methods raised in SC10-EB-WP-05 (e.g. costs, operational issues and safety), along with any considerations raised by WCPFC11, and 		

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	<p>develop solutions where appropriate</p> <p>c) Note that the SC will not be able to review the specification of the ratio of fin weight to shark weight as described in paragraph 8 of CCM 2010-07 because of the lack of reliable data and of appropriate species/fleet specific methodology.</p> <p>d) Request that for CCMs that apply fins-to-carcass weight ratio these CCMs report to the Commission details of the methods used to estimate the ratio of shark fins-to-carcass weight and CCMs should encourage its purse-seine and longline observers to collect data related to shark fin/carcass ratios. This information should be included in Part 2 of the Annual Reports to the WCPFC.</p>		
<p>Review of existing CMMs 11.5 Seabirds</p>	<p>11.3 Paragraph 10 of Seabirds CMM (CMM 2012-07) TCC9 354. Japan and Chinese Taipei, which flag the two other fleets operating in the exemption area, stated they would present their reports on any practical and technical constraints to seabird mitigation at TCC10.</p> <p>SC10: 661. SC10 recommends that: a) Relevant members will present the analysis of the different bycatch interaction rates between exempted small longline vessels (<24 m) and of larger non-exempt vessels north of 23 degrees north in CMM 2012-07 at SC11. b) Relevant members will present seabird bycatch interaction rates for longline vessels in the area between 25 and 30 South at SC11.</p> <p>662. SC10 Recommends that the Commission: a) Supports the implementation of E-monitoring trials throughout the</p>		

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	<p>WCPFC to compare interaction rates between at sea and dry observers, noting recommendation a and b under Agenda Item 3.3 Electronic monitoring and electronic reporting.</p> <p>b) Encourages CCMs to collect robust seabird bycatch data taking into account seasonal and spatial distribution and submit to WCPFC.</p> <p>c) Take note that the CMM 2012-07 came into effect on the 1 July 2014 and includes requirements for annual reporting of interactions in Part 1 and encourages CCMs to use the template in the CMM 2012-07 for completing details about their bycatch species and numbers.</p> <p>d) Supports the distribution and use of the ACAP/Japanese seabird identification guide which will be coming out later this year.</p> <p>e) Supports the collection of DNA samples from seabirds taken as bycatch in the southern hemisphere to aid species identification. Protocols are in the ACAP/Japanese guide.</p>		
12.2 Proposals for New CMMs	<p><u>SC10</u> Recommendations</p> <p>566. SC10 considered the draft CMM being proposed by Australia in working paper SC10-MI-WP-08. SC10 supported the initiative by Australia to have the Commission develop processes for the adoption of harvest strategies for the key target species (to be clarified in the draft CMM). SC10 recommended that Australia continue to develop this CMM in consultation with other CCMs and that the updated CMM be presented to TCC10 and WCPFC11. To this end, the SC recommends that MOW3 should be organized before the next annual meeting.</p>		<p>WCPFC-TCC10-2014-DP02 & WCPFC-TCC10-2014-DP03</p>
14.1 Proposed TCC Work Plan and budget for 2015 - 2017	<p>257. WCPFC10 adopted the TCC Work Plan and Budget for 2014-2016 as proposed by TCC9.</p>		<p>WCPFC-TCC10-2014-20</p>
	<p>260. WCPFC10 adopted the TCC9 Summary Report.</p>	<p><i>TCC9 Summary Report</i></p>	

Table 2: Cooperating Non-Member Participatory Rights decision from WCPFC10

CNM	WCPFC Decision regarding granting of CNM status	WCPFC Decision regarding Participatory Rights
Belize	28. WCPFC10 agreed to grant CNM status for 2014 to Belize.	74. WCPFC10 granted Belize the following participatory rights: i. Belize’s fishing activities in the Convention Area are limited to a longline bigeye catch of 803.25 mt and a longline yellowfin catch of 707 mt. ii. Belize’s fishing activities are further limited to the following: a. Under CMM 2010-05 (or subsequent revision) in accordance with paragraph 1, Belize is limited to historical catch level for 2004 of two unique longliners in the Convention Area south of 20°S; b. Under CMM 2005-03 Belize is limited to the 2005 level of five unique longliners in the Convention Area north of the equator; and c. Under CMM 2006-04, Belize is limited to two unique longliners in the Convention area south of 15°S.
DPRK	32. WCPFC10 agreed to grant CNM status for 2014 to the DPRK.	76. WCPFC10 agreed that the DPRK has no participatory rights for fishing on the high seas for highly migratory fish stocks in the Convention Area.
Ecuador	37. WCPFC10 agreed to grant CNM status for 2014 to Ecuador.	77. WCPFC10 agreed that the participatory rights of Ecuador for fishing in the WCPO are limited to purse seine fishing only. Ecuador has no participatory rights for fishing on the high seas for highly migratory fish stocks in the Convention Area.
El Salvador	42. WCPFC10 agreed to grant CNM status for 2014 to El Salvador.	78. WCPFC10 agreed that 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.
Mexico	48. WCPFC10 agreed to grant CNM status for 2014 to Mexico.	79. WCPFC10 agreed that Mexico has participated in the work of the Northern Committee (NC) at NC8 and NC9 and, noting the need for cooperation with the work of the NC particularly in regard to Pacific Bluefin tuna, encouraged Mexico to continue to participate in the NC. Mexican participation in the WCPO tuna fisheries may not begin until all requested information and commitments have been provided to the WCPFC Secretariat in accordance with the Commission requirements. The participatory rights of Mexico for fishing in the WCPFC Convention Area are limited to purse seine fishing only. Mexico has no participatory rights for fishing on the high seas for highly migratory fish stocks in the Convention Area.
Panama	53. WCPFC10 agreed to grant CNM status for 2014	80. WCPFC10 agreed that the participatory rights of Panama in the WCPO are limited to the provision of carrier and bunker vessels only.

CNM	WCPFC Decision regarding granting of CNM status	WCPFC Decision regarding Participatory Rights
	to Panama.	
Thailand	57. WCPFC10 agreed to grant CNM status for 2014 to Thailand.	81. WCPFC10 noted the need for cooperation between Thailand and the Commission and the commitment from Thailand to provide data from canneries located in Thailand to assist in the work of the Commission. WCPFC10 agreed to grant CNM status to Thailand for 2014 on the understanding that Thailand will cooperate fully with the Commission in the acquisition and exchange of fishery information and data. The Commission notes the provision of data from Thai canneries and encourages Thailand to continue to cooperate with the Commission to improve the acquisition and exchange of fishery information and data. The participatory rights of Thailand in the WCPO are limited to the provision of carrier and bunker vessels only.
Vietnam	64. WCPFC10 agreed to grant CNM status for 2014 to Vietnam.	82. WCPFC10 noted the need for continued cooperation between Vietnam and the Commission to achieve compatibility of fisheries management and conservation, as well as on the acquisition and exchange of fishery information and data, for which Vietnam would require assistance. The Commission noted the significant improvements in the collection and provision of data from Vietnam fisheries through the GEF WPEA project, administered by the WCPFC, and encouraged Vietnam to continue to cooperate with the Commission to improve the acquisition and exchange of fishery information and data. The participatory rights of Vietnam in the WCPO are limited to the provision of carrier and bunker vessels only.

WCPFC/IATTC Overlap Area

71. In accordance with the decision of WCPFC9 regarding the management of the overlap area south of 4°S and between 130°W and 150°W, vessels flagged to Belize, Ecuador, El Salvador and Mexico will be governed by the IATTC when fishing in the overlap area. Accordingly, the participatory rights for Belize, Ecuador, El Salvador and Mexico below apply to the WCPFC Convention Area excluding the overlap area.

72. 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 their fishing activities for highly migratory species in the overlap area.

73. 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.