



ELEVENTH REGULAR SESSION
Faleata Sports Complex, Apia, SAMOA
1 - 5 December 2014

CMS Issues and recommendations

WCPFC11-2014 -31
05 December 2014
1130

Submitted By SWG CMS
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CMS Issues:

A. *dCMR Template*

1. We recommend that the Commission agree to use the same template for preparation of the draft Compliance Monitoring Report this year as was agreed last year at WCPFC10.

RECOMMENDATION: WCPFC11 agrees that the Secretariat will use the same template adopted at WCPFC10 for preparation of the draft Compliance Monitoring Report in 2015.

B. *Final Compliance Monitoring Report*

2. The executive summary was presented and adopted yesterday.
3. There were three recommendations regarding implementation of CMMs from the Provisional Compliance Report for consideration by WCPFC11:
 - a. CMM 2012-01, Tropical Tuna measure, Para 10 – FADs:
 - There were questions as to if and when a CCM would be considered compliant if there were allegations of violations by its vessels.
 - The SWG did not have time to fully address this, but there is proposed language in the draft CMM on the Compliance Monitoring Scheme on this language that seemed to have general support.

RECOMMENDATION: WCPFC11 agrees that when there are alleged violations by a CCM's vessels, the CCM will be deemed compliant, for the purposes of the Compliance Monitoring Report, when any alleged violations have been fully investigated and/or resolved by charging or other appropriate resolution.

- b. CMM 2012-01, Tropical Tuna measure, Para 30
 - TCC10 recommended that WCPFC11 discuss the interpretation of paragraph 48 of CMM 2013-01 with respect to the obligation to provide the necessary catch and effort data and how these obligations should be assessed at TCC11 for compliance.

NO RECOMMENDATION – NEEDS FURTHER DISCUSSION

- c. Scientific data, paragraph 3
 - TCC10 recommended that WCPFC11 should discuss the different in interpretation of this paragraph as a priority matter

NO RECOMMENDATION – NEEDS FURTHER DISCUSSION

- d. CMM 2009-03, Swordfish, para 8

ALREADY RESOLVED EARLIER THIS WEEK.

- 4. The provisional Compliance Monitoring Report also included several agreed decisions from TCC10 on interpretation of measures that CCMs agreed would govern our future assessments:
 - a. CMM 2007-01: Att K, Annex C, para 04, Regional Observer Programme
 - TCC agreed that it will assess presence and absence of data
 - b. CMM 2009-06 Para 11: Annex 2, Transshipment reporting
 - TCC agreed that when preparing Part 1 Annual Reports, CCMs will provide all required fields to the Secretariat for assessment. CCMs are non-compliant until satisfactory information is received.
 - c. CMM 2009-06 Para 35a(iv), Transshipment
 - TCC agreed that it would continue to assess this obligation as it did at TCC10.
 - d. CMM 2005-03 Para 2: North Pacific Albacore
 - TCC agreed that it would continue to assess this obligation as it did at TCC10.
 - e. CMM 2011-03 Para 5, Cetaceans
 - TCC agreed to include Para 2b in this assessment to ensure the reports in paragraph 5 reflect what is required in paragraph 2b.

RECOMMENDATION: WCPFC11 agrees that that the decisions of TCC10 in its Appendix 1 of preliminary Compliance Monitoring Report, detailed above, will apply to future compliance assessments on the obligations as specified.

- 5. The matrix and table of compliance statuses for individual obligations have been posted to the secure side of the meeting server and need to be considered and adopted. They will comprise two parts of the Final Compliance Report, along with the Executive Summary.

RECOMMENDATION: WCPFC11 agrees to adopt the Final Compliance Monitoring Report, comprised of an Executive Summary, a matrix and a table of compliance statuses.

C. Compliance Monitoring Scheme CMM (WCPFC-2014-19a rev 1)

- 6. A revision of the draft CMM for the Compliance Monitoring Scheme, WCPFC-2014-19a rev 1, has been posted and circulated. This draft reflects very productive discussions during several working group sessions this week. There was broad

agreement on many of the suggested revisions and the discussions provided several helpful new concepts that will improve the Compliance Monitoring.

7. We welcome any comments on the proposed revisions, but do not think it will be possible to finalize the substantial revisions at this meeting.

RECOMMENDATION: WCPFC11 agrees to extend the existing CMM on the Compliance Monitoring Scheme, CMM 2013-02, for one additional year. WCPFC11 agrees to modify paragraph 26 to read as follows: "This measure will be effective for 2015 only."

RECOMMENDATION: WCPFC11 agrees that it is a priority to complete the work of revising and updating the Compliance Monitoring Scheme CMM, including addressing the proposals of FFA to address the capacity building needs of SIDS. WCPFC11 agrees that the United States will continue to progress this proposal intersessionally for adoption at WCPFC12.

D. List of obligations to be assessed at TCC11 as part of the Compliance Monitoring Scheme

8. A proposed list of obligations to be assessed at TCC11 as part of the Compliance Monitoring Scheme, WCPFC11-2014-29, has been posted and circulated.

RECOMMENDATION: WCPFC11 agrees that the list of obligations contained in WCPFC11-2014-29 will replace the obligations contained in paragraph 3 of CMM 2013-02 and reflect the obligations that the Secretariat will assess for consideration by TCC11 during the Compliance Monitoring Scheme.