

11 April 2018

Dear Colleagues:

First of all, I wish to thank those who provided comments in response to WCPFC Circular 2018-16. I had asked interested parties to submit comments on the Panel's Report, and in view of the working groups task to develop a CMM proposal for consideration at WCPFC15 this December. In response I have received submissions from Japan, Australia, ISSF, PEW, Chinese Taipei, PNA and Tokelau, United States and New Zealand. On this note, on all our behalf, I wish to thank Dr. Lara Manarangi-Trott for her assistance, diligence and in the management of the efforts to date.

I have been carefully considering the views that were expressed leading to the Independent Review being undertaken, the submissions of initial comments on the Review Report received thus far, and the recent discussions at WCPFC14 around the extension of the CMS. In this respect, I also thank the members of the Review Panel for their time and effort, in providing the Independent Review Report for our purpose(s).

The decision from WCPFC14 says that the tasks of the IWG is to facilitate consideration of the Report from the Independent Review of the CMS and develop a proposed Conservation and Management Measure for the Compliance Monitoring Scheme for consideration at WCPFC15. There was no budget to support a formal meeting of the CMS IWG, so the work will need to primarily be in a virtual manner.

The initial views submitted on the Report are a starting point in Members consideration of the Panel's Report. The CMS IWG will continue to consider and discuss the Panel's Report in the course of providing input on the draft CMM. In this respect I have asked that the Secretariat make available all comments that were submitted on the Panel's Report for your information and reference. The Secretariat has provided a webpage containing reference documents to support the CMS IWG work: <https://www.wcpfc.int/cms-iwg>

Next, I hereby circulate a draft workplan for CMS IWG for your review and comment.

The time to develop a proposed CMM may take more time than we expect and this is a very important issue where progress needs to be made. So I would like to propose that the efforts of the CMS IWG over the next four to five months are focused on providing input towards the development of a draft CMM.

I have noted that Members views submitted as a response to the Panel's Report do differ on whether they want the existing CMM as a starting point. Considering this, and as a first step, I would ask that CMS IWG participants provide input into the enclosed draft principles document as a starting point for my consideration of the development of a consultative draft CMM for CMS. The list of principles is provided as a starting point, and was developed considering the topics in CMM 2017-07, the issues covered in the comments submitted as an initial response to the Panel's Report. The list of principles is non-exhaustive.

Please let me know if you have any comments or questions on the workplan. I would like to propose **Friday 20th April** as the deadline for comments on draft workplan and **Friday 27th April** as the deadline for comments on the enclosed draft principles document.

As Chair of the CMS IWG, I look forward to working with all of you on this very important issue over the next several months. I ask for your cooperation and assistance to produce a good draft text for discussion at TCC14 and WCPFC15.

Sincerely,

Glen Joseph
Chair of the CMS IWG

Lara Manarangi-Trott

From: Lara Manarangi-Trott
Sent: Tuesday, April 24, 2018 11:20 AM
To: Wataru Tanoue; Mr. Glen Joseph; Jenny Baldwin; Mat Kertesz; 'christopher.french@dfompo.gc.ca'; Takahiro Fujiwara; Samuel K. Lanwi Jr.; 'ledwards@mimra.com'; 'megan.Linwood@mpi.govt.nz'; 'joanne.dow@mfat.govt.nz'; 'jkendou@fisheries.gov.pg'; 'shirley@ofdc.org.tw'; Hsiang-yi Yu; 'poasif@tongafish.gov.to'; Tom Graham; 'emily.crigler@noaa.gov'; 'manu.tupou-roosen@ffa.int'; Ms. Pamela Maru; 'vivian.fernandes@ffa.int'; 'wez.norris@pontus.com.au'; 'Alexa.cole@noaa.gov'; Holly Koehler; Claire van der Geest; Dave Gershman; Karen Baird
Cc: Feleti Teo; Penny Ridings; Ana Taholo; Peter Williams; Wan Chen; Angela Martin; "김정례"
Subject: CMS IWG workplan now finalized, and a reminder that comments are due on draft principles doc on Friday 27 April
Attachments: workplan CMS-IWG_circulated on 24 Apr 2018.docx; draft list of principles document for circulation to CMS IWG on 11 Apr 2018.docx

Good morning all,

I have been asked to provide an update on the CMS IWG workplan and a reminder that comments on the draft list of principles document are due at the end of this week.

CMS IWG Workplan

Three email replies in reference to the draft workplan were received, and the CMS IWG Chair also had opportune discussions with some IWG participants in the margins of other meetings. The comments all indicated support to the draft workplan and reiterated the importance of the Task vi - development of the draft CMM. The workplan is now considered to be an agreed basis for the CMS IWGs work going forward. A copy of the workplan is enclosed and will also be posted to the CMS IWG webpage: <https://www.wcpfc.int/cms-iwg>

Comments on draft list of principles document due on Friday 27 April

Mr Joseph stresses that the development of the draft CMM is a critical and challenging task ahead for all IWG participants. He looks forward to receiving before the end of this week your input and comments on the draft list of principles document (a copy of the draft list of principles document that was circulated on 11 April is also enclosed).

Cheers
Lara

From: Lara Manarangi-Trott
Sent: Thursday, April 12, 2018 12:47 PM
Subject: RE: CMS IWG draft workplan, and draft communication including draft principles doc

Dear all,

I have received a few follow-up queries seeking clarification about whether initial comments submitted as a reply to the Review Panel's Report are available. Just to confirm that they can be accessed from the wcpfc website, under CMS-IWG sub-page of "intersessional working groups" the easiest way is to save this link : <https://www.wcpfc.int/cms-iwg>

Please let me know if you need any help with locating or accessing the documents

DRAFT PRINCIPLES DOCUMENT REQUESTING CMS-IWG PARTICIPANTS PROVIDE COMMENTS AND INPUT

CMS IWG participant are asked to provide comments on the list of principles provided and add any others if they are missing. The comments should be in view of the working groups task to develop a CMM proposal for consideration at WCPFC15 this December.

DRAFT list of principles for the proposed CMM on CMS	Possible ref to current CMS (CMM 2017-07)	Comments
I. PREAMBLE	<i>preamble</i>	<i>Eg To be refined once draft CMM is further developed</i>
II. CMS PURPOSE	<i>para 1</i>	
III. CMS SCOPE AND APPLICATION	<i>para 2 – 4, 8 – 11, 12 -14, 15 – 21 Annex I</i>	
a. BALANCE ACROSS FLEETS AND FISHERIES		
b. CCM IMPLEMENTATION AS A FOCUS		
c. HANDLING INVESTIGATIONS OF VESSEL LEVEL INFRINGEMENTS		
d. ZONE-BASED MANAGEMENT ARRANGEMENTS		
e. ACCEPTANCE OF NATIONAL LAWS AND JUDICIAL PROCESSES		
f. EFFECTIVE AND EFFICIENT CMS		
g. GUIDANCE TO CCMs AND CLEAR AUDIT POINTS		
h. EFFECTIVE CCM PARTICIPATION AND PROCEDURAL FAIRNESS		
i. COLLABORATIVE, QUALITY IMPROVEMENT AND CORRECTIVE ACTION		
IV. SPECIAL REQUIREMENTS OF DEVELOPING STATES, PARTICULARLY SIDS AND TERRITORIES	<i>para 21</i>	
V. TECHNICAL ASSISTANCE & CAPACITY DEVELOPMENT	<i>para 5 – 7, 12 - 14, Annex I</i>	
VI. PROCESS PRIOR TO TCC	<i>para 22 - 26</i>	
VII. PROCESS DURING TCC	<i>para 27 – 31, Annex I</i>	
VIII. PROCESS FOR DETERMINING COMPLIANCE STATUS AND ENSURING FAIRNESS IN OUTCOME	<i>para 19 – 20, Annex I</i>	
IX. ANNUAL COMMISSION MEETING	<i>para 32 – 35, Annex I</i>	

DRAFT list of principles for the proposed CMM on CMS	Possible ref to current CMS (CMM 2017-07)	Comments
X. FOLLOW THROUGH ON COMPLIANCE OUTCOMES	<i>para 32 – 36, Annex I</i>	
XI. APPLICATION AND REVIEW PROCESS FOR CMS	<i>para 40 - 41</i>	
XII. TRANSPARENCY	<i>para 17</i>	
XIII. ADDRESSING ADMINISTRATIVE BURDEN AND RESOURCE IMPLICATIONS FROM CMS		
a. FOR CCMs		
b. FOR THE SECRETARIAT		
XIV. OTHERS		<i>Eg as proposed by CMS IWG participants</i>