



TECHNICAL AND COMPLIANCE COMMITTEE

Seventeenth Regular Session

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**UPDATE ON PROGRESS OF THE COMPLIANCE MONITORING SCHEME
INTERSESSIONAL WORKING GROUP**

**WCPFC-TCC17-2021-13A
17 September 2021**

Paper prepared by TCC Vice-Chair

Update on Progress of the Compliance Monitoring Scheme Intersessional Working Group

1. At WCPFC16, the Commission agreed to “*establish a Compliance Monitoring Scheme (CMS) Intersessional Working Group under the leadership of the Vice-Chair of TCC*”. It was further agreed that the CMS Intersessional Working Group (CMS-IWG) would work virtually to undertake the CMS future work plan, as outlined in section IX of CMM 2019-06 (WCPFC16 Summary Report, paragraph 563).
2. At WCPFC17, the Commission prioritized the following four items for consideration by the CMS-IWG in 2021 and 2022 (WCPFC Summary Report, paragraph 377):

The Commission noted in paragraph 129 of the TCC16 Summary Report that TCC16 had affirmed the importance of all the future work called for in section IX of CMM 2019-06 and supported the prioritisation of four streams of intersessional work for the CMS-IWG in 2020/21 and recognised that some elements may extend until 2022:

- i. the development of a risk-based assessment framework to inform compliance assessments and ensure obligations are meeting the objectives of the Commission;*
 - ii. the development of audit points to clarify the Commission obligations assessed under the CMS, as well as a checklist to be used by proponents of any proposal to include a list of potential audit points for the consideration of the Commission;*
 - iii. the development of a process for TCC to consider the aggregated tables alongside the draft CMR (paragraph 33 and 34 of CMM 2019-06); and*
 - iv. the development of guidance on the participation of observers in the CMS process as outlined in CMM 2019-06.*
3. At WCPFC17, the Commission also endorsed the recommendation that Ms. Heather Ward (New Zealand) would lead work on the development of a risk based assessment framework and Ms. Ms. Rhea Moss-Christian (RMI) would lead the work on Audit Points (WCPFC17 Summary Report, paragraph 378).
 4. In a Circular dated 15 July 2021 ([Circular 2021/56](#)), the Chair of the CMS-IWG (Ms. Emily Crigler, USA) sought nominations for participation in the CMS-IWG, and provided a rough outline of the anticipated schedule of work for the CMS-IWG in the remainder of 2021 and 2022.
 - a. The Chair proposed that the CMS-IWG begin work first on the development of a risk based assessment framework (RBAF), and requested feedback on [a high-level outline of a possible approach to the RBAF](#), alongside a potential timeline to progress work on the RBAF, as forwarded by the RBAF Lead (Ms. Heather Ward).
 - b. Regarding work on the development of audit points, the Chair noted a recent [discussion paper](#) submitted by FFA member CCMs and invited other CCMs to submit papers or proposals related to the development of audit points, to be considered by the CMS-IWG.
 - c. The Chair also noted that the TCC Chair would be leading work to develop a process for review of the aggregated summary tables alongside the dCMR, in advance of TCC17. That proposed process has been outlined by the TCC Chair in [Circular 2021/68](#). Further detail on this process is included in [WCPFC-TCC17-2021-09 Chair’s Proposal for](#)

developing a Provisional Compliance Monitoring Report at TCC17. Following implementation of the proposed process at TCC17, the TCC Chair will submit a report to the CMS-IWG on “lessons learned” and key activities to refine and revise this process in 2022.

- d. Regarding the development of guidance for the participation of observers in the CMS process, the Chair noted the good progress that has been made on this issue in past years (See WCPFC16 Summary Report, paragraph 94-96) and proposed that the CMS-IWG prioritize this work for 2022.
5. The Secretariat has developed a dedicated webpage to support the organization and work of the CMS-IWG on the WCPFC website, available at https://www.wcpfc.int/cms-iwg_2020. All papers related to the work of the CMS-IWG, including those related to the four elements of the workplan listed above, will be made available on the CMS-IWG webpage.
6. Following distribution of Circular 2021/56, the CMS-IWG Chair and the RBAF Lead received some very constructive feedback from CMS-IWG members on the possible approach to the RBAF. An updated discussion paper, incorporating that feedback, and an associated RBAF spreadsheet have been submitted to TCC17 for further consideration as [TCC17-2021-13B](#). The discussion paper also includes a proposed approach for continuing work on the RBAF during TCC17 and intersessionally leading up to WCPFC18. The RBAF spreadsheet provides a list of all current obligations and relevant compliance history, and provides an initial “likelihood” of non-compliance rating for each obligation, as well as a scope for CCMs to consider “consequences” of non-compliance for each obligation and an overall draft risk rating. CMS-IWG members, as well as all other CCMs, are requested to provide feedback on the RBAF discussion paper and associated spreadsheet through the [TCC17 Online Discussion Forum](#) or directly by email to heather.ward@mpi.govt.nz (cc: emily.crigler@noaa.gov and Lara.Manarangi-Trott@wcpfc.int), leading up to and during TCC17.
7. The Secretariat has also included a number of suggestions on potential initiatives to further streamline annual reporting in their update on submission of and initiatives to streamline CCM annual reporting, available as [TCC17-2021-10](#), and has noted that these suggestions could be further considered by the CMS-IWG. The suggested initiatives are closely aligned with the ongoing work of the CMS-IWG towards the development a risk based assessment framework and the development of audit points. The CMS-IWG Chair would welcome further thoughts on whether and how these suggested initiatives could be incorporated into the work of the CMS-IWG moving forward.
8. We look forward to the participation and engagement of CMS-IWG members and all other CCMs during TCC17 as we continue work towards the development of risk based assessment framework. Following the conclusion of TCC17, it is the Chair’s intention to continue progress on the RBAF, as well as seek further engagement from members on a plan to progress work on the development of audit points, in the intersessional period leading up to WCPFC18. We encourage members to reach out the CMS-IWG Chair (emily.crigler@noaa.gov) and the respective leads on the development of a risk based assessment framework (heather.ward@mpi.govt.nz) and the development of audit points (rhea.moss@gmail.com) with any further thoughts, questions, or considerations regarding the ongoing work of the CMS-IWG.